

Trade of Bradford, Pa., asking for favorable action on House bills Nos. 838, 4568, and 5560, to provide 1-cent letter postage per half ounce, and to amend the postal laws relating to second-class and free matter—to the Committee on the Post-Office and Post-Roads.

By Mr. TRELOAR: Papers to accompany bill granting a pension to Emily Hutchins—to the Committee on Invalid Pensions.

By Mr. TYLER (by request): Petition of citizens of Newport News, Va., asking for the removal of the statue of Père Marquette from Statuary Hall—to the Committee on the Library.

By Mr. WALKER of Massachusetts: Resolutions of the Nuttall Ornithological Club of Cambridge, Mass., favoring the creation of the office of director-in-chief of scientific divisions in the Department of Agriculture—to the Committee on Agriculture.

By Mr. WANGER: Petition of Pomona Grange, No. 22, Patrons of Husbandry, of Bucks and Philadelphia counties, Pa., favoring the passage of House bill No. 2626, for the protection of agricultural staples by an export bounty in order to equalize the benefits and burdens of the protective system—to the Committee on Ways and Means.

By Mr. WHEELER: Letter of Frank P. Blair, of Chicago, Ill., to accompany House bill No. 7351, concerning the retirement of B. F. Handforth—to the Committee on Military Affairs.

Also, petition of the National Association of Agricultural Implement and Vehicle Manufacturers, of Chicago, Ill., in favor of uniform freight classification throughout the United States—to the Committee on Interstate and Foreign Commerce.

Also, petition of the estate of Elizabeth Dillard, of Jackson County, Ala., praying reference of her war claim to the Court of Claims—to the Committee on War Claims.

## SENATE.

THURSDAY, April 2, 1896.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. HOAR, and by unanimous consent, the further reading was dispensed with.

ADJOURNMENT TO MONDAY.

Mr. HOAR. I move that when the Senate adjourn to-day it adjourn to meet on Monday next.

The motion was agreed to.

### CREDENTIALS.

Mr. GORMAN presented the credentials of George L. Wellington, chosen by the legislature of the State of Maryland a Senator from that State for the term commencing March 4, 1897; which were read, and ordered to be placed on file.

### EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the delegates of the Oklahoma Sac and Fox tribes of Indians, wherein they disclaim having withdrawn their protest to the finding against their branch of the tribe or of their intention to do so, and requesting that Congress be informed of the facts, and asserting that a mistake had been made by the Department in this respect; which, with the accompanying paper, was referred to the Committee on Indian Affairs, and ordered to be printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 2410) to amend an act increasing the pension of Marcus D. Box;

A bill (H. R. 5127) for the relief of Abraham O. Waucop; and

A bill (H. R. 5736) to authorize the Light-House Board to proceed with the construction of a light-house and fog signal on North Manitou Island, Lake Michigan.

### ENROLLED BILLS SIGNED.

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

A bill (H. R. 711) to increase the pension of Uzziel B. Church; A bill (H. R. 1244) to confirm certain cash entries of offered lands;

A bill (H. R. 5914) to amend an act to authorize the Interoceanic Railway Company to construct and operate railway, telegraph, and telephone lines through the Indian Territory;

A joint resolution (H. Res. 24) providing for immediate destruction of income-tax returns, etc.;

A joint resolution (S. R. 99) authorizing the immediate use of a portion of the unexpended balance of appropriations heretofore made for construction of canal and locks at the Cascades of the Columbia River in construction of protecting walls necessary to the opening of said canal and locks to navigation; and

A joint resolution (S. R. 103) directing the Secretary of War to submit estimates of cost of further improvement of Providence River and Narragansett Bay, Rhode Island.

### PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a petition of the Association of Railway Superintendents of Bridges, of Concord, N. H., praying that a liberal appropriation be made for the continuance of the investigation and tests of timber under the direction of the Department of Agriculture; which was referred to the Committee on Agriculture and Forestry.

Mr. LODGE presented a petition of the Carter's Ink Company, of Boston, Mass., praying for the enactment of legislation providing 1-cent letter postage per half ounce, and also to amend the postal laws relative to second-class and free mail matter; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of Commander Post, No. 12, Department of Massachusetts, Grand Army of the Republic, remonstrating against the excessive rates of pensions created by special legislation to widows of officers, and praying for the adoption of a uniform system of pensions to be granted to the widows of deceased soldiers; which was referred to the Committee on Pensions.

He also presented a petition of the Nuttall Ornithological Club of Cambridge, Mass., praying for the creation of the office of director in chief of the scientific division in the Department of Agriculture; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Massachusetts State Board of Trade, of Boston, Mass., and a petition of the Commercial Club of Boston, Mass., praying for the maintenance of the gold standard; which was referred to the Committee on Finance.

Mr. SHERMAN presented a petition of the Drill Press and Milling Machine Union, No. 6505, American Federation of Labor, of Toledo, Ohio, praying for the free and unlimited coinage of silver; which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Cincinnati, Ohio, praying for the establishment of a department of commerce and manufactures; which was referred to the Committee on Commerce.

Mr. BACON presented a petition of sundry citizens of Hart County, Ga., praying for the enactment of legislation prohibiting the licensing of distilleries by the Government in States and counties where the liquor traffic is prohibited; which was referred to the Committee on the Judiciary.

Mr. TURPIE presented a petition of sundry citizens of North Indianapolis, Ind., praying for the enactment of legislation giving to second-class mail matter, such as religious tracts, full advantage of the act of July 16, 1894; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Bimetallic Union No. 599, of Rockfield, Ind., praying for the adoption of an amendment to the Constitution of the United States, relative to the election of United States Senators by a direct vote of the people; which was ordered to lie on the table.

Mr. VILAS presented a petition of the State Epworth League, of Madison, Wis., praying for the repeal of the ninety-day divorce law of Oklahoma Territory and other laws of the Territories; which was referred to the Committee on Territories.

He also presented sundry petitions of the State Epworth League, of Madison, Wis., praying for the enactment of a Sunday-rest law for the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented a petition of the State Epworth League, of Madison, Wis., praying for the enactment of legislation raising the age of consent in the District of Columbia and all the Territories; which was referred to the Committee on the District of Columbia.

He also presented a petition of the State Epworth League, of Madison, Wis., praying for the enactment of legislation providing for the enforcement of the child-labor law and for compulsory education; which was referred to the Committee on Education and Labor.

He also presented a petition of the State Epworth League, of Madison, Wis., praying for the appointment of an impartial commission to investigate the labor problem; which was referred to the Committee on Education and Labor.

He also presented a petition of the State Epworth League, of Madison, Wis., praying for the enactment of legislation to substitute voluntary arbitration for railroad strikes; which was referred to the Committee on Education and Labor.

Mr. CAMERON presented sundry petitions of citizens of Pennsylvania, praying for the adoption of the proposed religious amendment to the Constitution of the United States; which were referred to the Committee on the Judiciary.

He also presented a petition of Washington Camp, No. 597, Patriotic Order Sons of America, of Rehrersburg, Pa., and a petition of sundry citizens of Pennsylvania, praying for the passage of the so-called Stone immigration bill; which were referred to the Committee on Immigration.

He also presented a petition, in the form of resolutions adopted by the Republican county committee of Cameron County, Pa., praying for the speedy recognition as belligerents of the Cuban patriots in their struggle for freedom; which was ordered to lie on the table.

He also presented a petition of Encampment No. 2, Union Veteran Legion, of Philadelphia, Pa., praying for enactment of a per diem pension law; which was referred to the Committee on Pensions.

He also presented a petition of the Woman's Christian Temperance Union, of Troy, Pa., praying for the enactment of a Sunday-rest law for the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented resolutions adopted by Welcome Council, No. 184, Junior Order United American Mechanics, of Pittsburg, Pa., approving the clause in the Indian appropriation bill providing that no public money shall be appropriated for sectarian institutions; which were referred to the Committee on Appropriations.

He also presented resolutions adopted by the Central Labor Union, of Scranton, Pa., favoring the free and unlimited coinage of silver at the ratio of 16 to 1; which were ordered to lie on the table.

He also presented the memorial of L. S. Shinnwell, of Harrisburg, Pa., remonstrating against the introduction of military education in the public schools of the country; which was referred to the Committee on Military Affairs.

He also presented a petition of the Maritime Exchange, of Philadelphia, Pa., praying for the passage of the so-called Torrey bankruptcy bill; which was referred to the Committee on the Judiciary.

He also presented a memorial of the United Labor League, of Philadelphia, Pa., remonstrating against any change being made in the law of February 18, 1895, relating to seamen; which was referred to the Committee on Commerce.

He also presented sundry petitions of citizens of Pennsylvania, praying for the enactment of legislation to provide 1-cent letter postage per half ounce, and also to amend the postal laws relating to second-class and free mail matter; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented sundry petitions of citizens of Pennsylvania, praying for the passage of House bill No. 2626, to protect agricultural staples by an export bounty; which were referred to the Committee on Agriculture and Forestry.

#### REPORTS OF COMMITTEES.

Mr. McMILLAN, from the Committee on Commerce, to whom was referred the amendment submitted by Mr. HOAR on the 18th ultimo, concerning the fog bell near Castle Hill, Newport, R. I., intended to be proposed to the sundry civil appropriation bill, reported favorably thereon and submitted a report, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 2549) for the establishment of a light-house on Swan Island, belonging to the United States, in the Caribbean Sea, reported it with an amendment, and submitted a report thereon.

Mr. CLARK, from the Committee on the Judiciary, to whom was referred the amendment submitted by Mr. TURPIE on the 25th ultimo, in relation to traveling expenses of justices or judges attending circuit or district courts, intended to be proposed to the sundry civil appropriation bill, reported it with amendments, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. MANTLE, from the Committee on Indian Affairs, to whom was referred the amendment submitted by himself on the 31st ultimo, in relation to the appointment of a commission to negotiate with the Crow and Flathead Indians for the cession of portions of their reservations, intended to be proposed to the Indian appropriation bill, reported it with an amendment, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. NELSON, from the Committee on Commerce, to whom was referred the bill (S. 2334) construing the acts of Congress in relation to the award of life-saving medals, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2120) to release and quitclaim to the commissioners of Lincoln Park, in the county of Cook and State of Illinois, certain littoral or riparian rights belonging to the United States, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the joint resolution (S. R. 100) granting a life-saving medal to Daniel E. Lynn, of Port Huron, Mich., reported it with amendments, and submitted a report thereon.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 3596) to remove the charge of desertion from the military record of Michael McKenna, reported it without amendment, and submitted a report thereon.

Mr. PASCO, from the Committee on Claims, to whom was referred the bill (S. 435) for the relief of the trustee of St. Joseph's Catholic Church, at Martinsburg, W. Va., reported it with an amendment, and submitted a report thereon.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (H. R. 2451) to correct the records of the War Department in the case of Capt. Henry S. Pratt, reported it without amendment, and submitted a report thereon.

Mr. PETTIGREW. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 6249) making appropriations for current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes, to report it with amendments and to submit a report thereon.

I give notice at this time that I shall call up the bill on Monday for action on the part of the Senate.

The VICE-PRESIDENT. The bill will be printed and placed on the Calendar.

Mr. ALLEN. On the 20th of March there was reported from the Committee on Indian Affairs by the Senator from South Dakota [Mr. PETTIGREW] an amendment intended to be proposed to the Indian appropriation bill. I am directed by the Committee on Indian Affairs to report an amendment to that amendment, so as to include the Santee Sioux Indians of Nebraska. I move that the amendment be referred to the Committee on Appropriations.

The motion was agreed to.

Mr. ALLEN, from the Committee on Indian Affairs, reported an amendment intended to be proposed to the Indian appropriation bill in reference to the Santee Sioux Indians of Nebraska, and moved that it be referred to the Committee on Appropriations; which was agreed to.

#### RIGHT OF WAY OVER INDIAN LANDS IN KANSAS AND NEBRASKA.

Mr. ALLEN. I am directed by the Committee on Indian Affairs, to whom was referred the bill (H. R. 2912) granting to the Atchison and Nebraska Railroad Company and the Chicago, Burlington and Quincy Railroad Company, its lessee in perpetuity, the right of way over a part of the Sac and Fox and Iowa Indian Reservation in the States of Kansas and Nebraska, to report it favorably without amendment. I desire to state in this connection, that early in the session a bill in almost the same language was passed by the Senate and sent to the House of Representatives, but a copy of the bill having been introduced in the other House at the same time, it met with some slight verbal amendment and was passed. I ask unanimous consent to put the House bill on its passage, concurring with the amendments inserted in the House, and then I shall ask for an order recalling the Senate bill which passed the Senate and was sent to the other House.

The VICE-PRESIDENT. The Senator from Nebraska asks unanimous consent for the present consideration of a bill which will be read for information.

The Secretary read the bill.

Mr. SHERMAN. Has the bill been referred to a committee?

Mr. ALLEN. If the Senator from Ohio will permit me, I will state that on the 16th day of December I introduced this bill in the Senate as Senate bill 941. A copy of the bill was introduced a few days later in the House of Representatives.

Mr. SHERMAN. Has the bill been referred to a committee in this body?

Mr. ALLEN. Oh, yes, sir.

Mr. SHERMAN. What committee acted upon it?

Mr. ALLEN. The Committee on Indian Affairs.

Mr. SHERMAN. If this bill is reported from the Committee on Indian Affairs it seems to me they have given most drastic and extreme power to these two corporations to gain land and to hold land in that region, not only to buy land for right of way, but to take it in unusual width. It appears to me that it is a bad bill, but as it is reported from the Committee on Indian Affairs I do not propose to interpose my objection to its passage.

Mr. ALLEN. I can explain in a very few words the history of the bill. Senate bill 941 was introduced here and passed. A few days later a copy of Senate bill 941 was introduced in the House. Senate bill 941 went to the Senate Committee on Indian Affairs and was reported back favorably and passed by the Senate. In the meantime the House bill, which is the bill I have now reported, had been sent by the Committee on Indian Affairs of the House of Representatives to the Secretary of the Interior and it came back with certain amendments, which are the provisos to the first and second sections of the bill, and as amended it passed the House of Representatives.

Mr. PLATT. We passed the Senate bill. Now the House has passed the House bill with some unimportant amendments.

Mr. ALLEN. With two provisos.

Mr. PLATT. What the Senator from Nebraska desires is to have the House bill passed.

Mr. ALLEN. I want to have the House bill passed, and then have an order recalling Senate bill 941.

Mr. SHERMAN. If the measure has been acted upon by the Committee on Indian Affairs I do not object.

Mr. ALLEN. Yes, sir; it has the approval of the committee. The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

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

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

Mr. ALLEN. I ask for an order recalling Senate bill 941 from the House of Representatives.

The VICE-PRESIDENT. It will be so ordered, without objection.

#### JUDICIAL DISTRICTS IN TENNESSEE.

Mr. BATE. I ask consent to call up the bill (H. R. 4053) repealing chapter 148 of the Supplement of the Revised Statutes of the United States. It is a mere local bill.

Mr. HOAR. Is morning business over?

Mr. BATE. It will take only a moment, and it is necessary for it to be passed soon.

The VICE-PRESIDENT. The Chair will state, in response to the inquiry of the Senator from Massachusetts, that morning business has not been concluded. At the conclusion of the morning business the Chair will recognize the Senator from Tennessee.

Mr. BATE. I shall ask for the consideration of the bill at the conclusion of the morning business.

#### ECONOMIC GEOLOGY OF THE MERCUR MINING DISTRICT.

Mr. HALE, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. BROWN on the 30th ultimo, reported a substitute therefor; and the substitute was considered by unanimous consent, and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring).* That there be printed at the Government Printing Office, at the earliest day practicable, 5,000 additional copies, in separate form, with paper cover, of the paper entitled "Economic geology of the Mercur mining district," being a part of the Sixteenth Annual Report of the United States Geological Survey, with accompanying illustrations; of which 3,000 copies shall be for the use of the House, 1,500 copies for the use of the Senate, and 500 copies for distribution by the Geological Survey.

#### WOMAN SUFFRAGE HEARING.

Mr. HALE, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. CALL on the 23d ultimo, reported a substitute therefor; and the substitute was considered by unanimous consent, and agreed to, as follows:

*Resolved by the Senate (the House of Representatives concurring).* That there be printed 5,000 copies of the report of a hearing before the Committee on Woman Suffrage, January 28, 1896; 2,000 copies for the Senate and 3,000 copies for the House of Representatives.

#### BILLS INTRODUCED.

Mr. MITCHELL of Wisconsin introduced a bill (S. 2710) to remove the charge of desertion from the record of Daniel O'Connell; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2711) granting a pension to Ira Harris; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. GORMAN introduced a bill (S. 2712) to relieve the heirs of John H. Waring, deceased, and to give the Court of Claims jurisdiction, and to remove the bar of statute of limitations; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2713) granting a pension to Miss Mary Hayne; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. LODGE introduced a bill (S. 2714) to equalize the postage on monthly publications when admitted to be carried as second-class matter; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. McMILLAN introduced a bill (S. 2715) authorizing and directing certain extensions of street-railway routes within the District of Columbia, and for other purposes; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

Mr. PERKINS introduced a bill (S. 2716) for the relief of Harlow L. Street; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SHERMAN introduced a bill (S. 2717) to regulate the use of a uniform flag in the Army and Navy, its proportions, and the location of the stars in the union or blue field; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HOAR introduced a bill (S. 2718) granting an increase of pension to Clarinda S. Hillman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. VILAS introduced a bill (S. 2719) granting an increase of pension to J. N. Brundage; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HAWLEY introduced a bill (S. 2720) for the relief of Samuel B. Horne; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CAMERON introduced a bill (S. 2721) for relief of owners

or legal representatives of canal boats *Swan and Lewis and Butler*; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 2722) granting a pension to Mrs. May Z. Eckels; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2723) to remove the charge of desertion from the military record of Michael Neidinger; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. PEPPER introduced a bill (S. 2724) providing for the relinquishment of the title of the United States to certain lands in the State of Arkansas; which was read twice by its title, and referred to the Committee on Public Lands.

#### AMENDMENTS TO APPROPRIATION BILLS.

Mr. CAMERON submitted an amendment intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. LODGE submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. HILL submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. PEPPER submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. PETTIGREW submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

#### ADJUSTMENT OF STATE CLAIMS.

Mr. MITCHELL of Oregon submitted an amendment in the nature of a substitute for the bill (S. 2624) giving to any State having a claim for expenses incurred in defense of the United States the right to have the same adjudicated by the Court of Claims; which was referred to the Committee on the Judiciary, and ordered to be printed.

#### INTERNATIONAL PRISON CONGRESS.

Mr. SHERMAN submitted the following resolution; which was referred to the Committee on Printing:

*Resolved by the Senate.* That there be printed 3,000 additional copies of Senate Document No. 181 of the first session of the Fifty-fourth Congress, being the report of the delegates of the United States to the Fifth International Prison Congress, held at Paris, France, in July, 1895, for distribution under the direction of the Secretary of State.

#### CLAIMS FOR BARRACKS AND QUARTERS.

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

*Resolved.* That the Secretary of the Treasury be, and he is hereby, directed to cause the proper accounting officers of the Treasury to reexamine Treasury settlement No. 133, being claims for barracks and quarters certified for appropriation in House Executive Document No. 234, Fifty-third Congress, third session, for the payment of which no appropriation has been made; and if found correct to report the same to Congress at as early a day as practicable at the present session.

#### FREDERICK B. BETTS.

The VICE-PRESIDENT. The Chair lays before the Senate a bill from the House of Representatives.

The bill (H. R. 4632) for the relief of Frederick B. Betts, surviving partner of the firm of Betts, Nichols & Co., was read twice by its title.

Mr. TELLER. That is a little bill, appropriating only \$250. A similar bill has passed the Senate three times. I have examined it; it is a proper bill, and I ask that it may be put on its passage.

The VICE-PRESIDENT. The bill will be read for information. The Secretary read the bill, as follows:

*Be it enacted, etc.* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Frederick B. Betts, surviving partner of the firm of Betts, Nichols & Co., out of any moneys in the Treasury not otherwise appropriated, the sum of \$250, being the amount of Treasury draft No. 5453 on Treasury interior warrant No. 4801, dated March 1, 1861, and drawn upon the assistant treasurer of the United States at New Orleans in favor of Lamson & Hendricks.

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

There being no objection, the bill was considered as in Committee of the Whole.

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

#### HOUSE BILLS REFERRED.

The bill (H. R. 2410) to amend an act increasing the pension of Marcus D. Box, was read twice by its title, and referred to the Committee on Pensions.

The bill (H. R. 5127) for the relief of Abraham O. Waucop, was read twice by its title, and referred to the Committee on Military Affairs.

## SENATOR FROM DELAWARE.

The Senate resumed the consideration of the resolution reported by Mr. MITCHELL of Oregon from the Committee on Privileges and Elections February 18, 1896, as follows:

*Resolved*, That Henry A. Du Pont is entitled to a seat in the Senate from the State of Delaware for the full term commencing March 4, 1895.

## THE OFFICE IN ABEYANCE.

Mr. GEORGE. Mr. President, I do not know precisely what the Senator from Oregon means by asserting as a third alternative that the office of senator is in abeyance. He has not defined what he means by this expression, nor has he pointed us to any legal work which explains it.

As I understand, a right to an estate may be, or is said to be, in abeyance where there is no person in esse, or in actual existence, in whom it can vest, but there is a legal possibility of such person coming into existence. One of the most eminent of our legal writers, Mr. Fearne, in his work on Contingent Remainders, asserted that abeyance was a condition in which no estate could ever be; that there must be always some person in which a title could vest; it could not be *in nubibus*. Where an office is hereditary and appendant to an estate there is a possibility that the office might, like the estate to which it is appurtenant, be in the condition called abeyance if the estate itself was in that condition. But as there are no hereditary public offices in the United States, and can be none under a republican form of government, I can not see how a public office can ever be in abeyance in the sense in which an estate may be.

I know of no instance in which an office is declared to be in abeyance except that one provided for in the statute of Congress, Revised Statutes, section 1769, which is as follows:

The President is authorized to fill all vacancies which may happen during the recess of the Senate by reason of death, resignation, or expiration of term of office, by granting commissions which shall expire at the end of their next session thereafter. And if no appointment, by and with the advice and consent of the Senate, is made to an office so vacant or temporarily filled during such next session of the Senate, the office shall remain in abeyance without any salary, fees, or emoluments attached thereto until it is filled by appointment thereto, by and with the advice and consent of the Senate; and during such time the powers and duties belonging to such office shall be exercised by such other officer as may, by law, exercise such powers and duties in case of a vacancy in such office.

According to this definition of abeyance, the following is the situation:

First. The office is vacant.

Second. It can not be filled without the advice and consent of the Senate.

Third. Until so filled it remains in abeyance.

Which is described to be without salary, fees, or emoluments; but its duties and powers are to be exercised by that person authorized by law to exercise such powers in case the office is vacant.

This means, when expressed in plain English, that there is an office vacant which the appointing power is prohibited from filling except by consent of another power, and until that is gotten the office remains vacant without salary or emolument, but the duties thereof shall be discharged by another officer as in case of a vacancy.

If that be abeyance, and I know of nothing else that can be called abeyance, then the office is vacant of a legal incumbent until filled in the mode prescribed and another officer discharges the duties thereof.

That can never be applied to the office of senator in the State of Delaware, for whenever that office is vacant, there is a peremptory constitutional command that it be filled at once by a new election, and no substitute, no other officer is ever allowed to fill it. It can only be filled by a regularly elected senator.

This is sufficient on the "abeyance," it being shown that the office of senator in Delaware was not in that condition and in fact could never be.

## THE JOINT ASSEMBLY.

Mr. President, I have shown by reasoning which I believe to be clear and conclusive that Mr. Watson's office as senator was not, during his exercise of executive authority, vacant or in abeyance, nor was he suspended from its exercise. I have shown also that his right to vote as a senator during that term was recognized by the State authorities and people of Delaware in a construction put by them on their constitution for a century. I have further shown that the senate of Delaware and the joint assembly of the general assembly of that State fully recognized Mr. Watson's right as I have stated it, and thus concurred in and repeated the construction of the constitution of Delaware which recognized Mr. Watson's right.

I proceed now to show that the senate of Delaware, acting in and as a part of this joint assembly, and this joint assembly itself, in the most solemn and unequivocal manner, actually adjudged that Mr. Watson, on May 9, 1895, was a senator legally and constitutionally in his office and that he had a right to vote for United States Senator on that day.

The constitution of Delaware makes each house of its legislature the judge of the election and qualifications and returns of

its members. In Mr. Watson's case there is no dispute as to the election or returns. He has been sworn in and acted without dispute or controversy as a senator. This is the judgment of the senate of Delaware as to both, and also as to his qualifications, up to the point where this controversy begins.

No one pretends we can go behind the action of the State senate in accepting Mr. Watson at first as a legally qualified and elected senator. The controversy is that, conceding these in the first instance as finally settled and determined, has he become disqualified since, so that he could not, under the constitution and laws of Delaware, on the 9th of May, 1895, cast his vote for United States Senator, and can we so adjudge—have we that power?

It is alleged that there has been no judging by the senate of Delaware on this point. The senate, it is claimed, has not acted on it. If it be the meaning of this contention on the other side that, in order to prevent this Senate from reversing the action of the senate of Delaware on its judgment as to the qualifications of its members, there must have been an actual contest made and that case tried and determined, then any rule prohibiting us from reversing the action of a State body on this subject is utterly worthless. For in nearly every instance there has not been, and never will be, such a case made and tried, as there are rarely contests of this sort. And, under that view, we are at liberty to try in every case the qualifications of a member of the State legislature, when such trial may be asked for, in a contest for a seat in this body.

I take it that no such rule will be seriously contended for.

Then, when is there such a judgment as will conclude us, if in truth any judgment is necessary?

My answer is that the mere fact that a State legislative body accepts a man as qualified and elected and permits him to exercise his duties as such, whether there has been a dispute or contest about it or not, constitutes an adjudication of his right. That there has been no dispute or controversy makes the case stronger, for in that case it is certain that every member assents to his qualifications and election.

But it is alleged that Mr. Watson took his seat so near the time of the departure of the senate for the joint assembly that there was no time for such trial. But there was time for objection. Mr. Watson performed several duties as presiding officer of the senate, and one an essential duty, in announcing that the senate proceed to the house of representatives. No one objected to the announcement, but every member assented to his authority to make it by obeying it. Did not failure to object, as there was time for that, imply an assent on the part of every member that Mr. Watson was rightfully exercising his office as senator? That was an adjudication expressly affirming that right.

## THE JOINT ASSEMBLY WAS THE LEGISLATURE.

But, moreover, the joint assembly was the legislature of Delaware, or else it had no power to choose a Senator. The Constitution of the United States provides for two Senators from each State, "chosen by the legislature thereof." No other body, official or otherwise, has power to choose a Senator (for a full term). Such action must be by the legislature, and by the legislature alone. Whether as an original question the legislature can, by act of Congress, be authorized and compelled to act except as provided for by the State law, each house acting separately, I will not inquire at this day, as it is settled that such legislature may—even must—act (after a failure of the two houses to agree) in joint assembly in pursuance of the act of Congress. But whether the choosing comes from the concurrent action of the two houses or from the single action of the joint assembly of the two houses, such choosing is by the legislature, or else it is not a constitutional choosing, and Mr. Du Pont's case fails on that ground. The constitution of Delaware declares "that the legislative power shall be vested in a general assembly, which shall consist of a senate and house of representatives"—two bodies. The act of Congress requires these two bodies to act together in a joint assembly in choosing a Senator. Still it is the legislature which acts, and nothing but the legislature, and that consists of the two houses. The two houses are in a constitutional and legal sense present and acting in the joint assembly, or else that assembly is not a legislature and therefore not competent to elect a Senator.

In this case they were not only constitutionally present but actually present, every senator and every representative being in attendance and participating in the proceedings.

What could this legislature, thus assembled under the statute of Congress and under the Constitution do, and what was it bound to do in order, in the language of the statute, "to choose by the viva voce vote of each member present a person for Senator"? That was its constitutional and legal duty—keep that in mind—and being its duty it had full power to do all things necessary to the effectual and legal performance of that duty. Among those essential powers were these:

First. To choose a presiding officer to conduct the proceedings, and a clerk or secretary to record them, unless such officials had already been provided by law and were present and acting. And if they were so provided by law the joint assembly had power to

determine whether the persons presenting themselves as such were the identical persons so authorized by law to act.

Second. To determine who had a right to participate in the proceedings—that is, who were members of the two houses—and to so order that each member present should have the right to cast his vote, and also to take care that none but members should vote, which is again but a determination of the question of who were members and entitled to vote.

Third. To ascertain the result by ascertaining whether or not any person had received a majority of the votes of the members, and on that determination to declare a completed election, or that the election was not complete, and then to take further action from day to day to secure a proper result—that is, an election.

These are duties, some expressly enjoined and all clearly and necessarily implied, imposed by law on this joint assembly. Among them, it will be noticed, are the necessary powers and the plain duty to determine whether Mr. Watson was a member—full member—of the legislature and entitled to vote.

It is an unthinkable proposition that a law directing the assembling in one body of certain persons occupying certain official and legal relations as members of two other named bodies for the performance of a legal duty did not empower the assemblage to decide who were entitled to sit in it—who occupied the legal relation of membership in each of the bodies—and to exclude all who were intruders, or vest this essential power in some other judicatory then and there present and acting. Without such power present and acting the assembly could never meet. That in reaching this determination the joint assembly is bound by law to admit all who had been expressly or by implication adjudged by each of the two houses to be its own members and to exclude all who had been thus determined not to be members, makes no difference. For in that case the assembly still had authority to adjudicate and to determine as to the only material fact relating to the membership, namely, what action had been taken by either house as to persons claiming to be members.

It is true that the fact that a person had been recognized, and was then recognized, as a member by the body of which he claimed to be a member was conclusive on the joint assembly. This is only on the ground that such recognition is in fact and in law an adjudication which is binding on all the world. Nevertheless, the permitting by the joint assembly of a person so recognized by one of the houses as one of its members to sit in it and participate in its proceedings is a conclusive adjudication of his right to so participate in the proceedings of the joint assembly, and the exclusion by the joint assembly of one who had been thus excluded by one of the houses is a conclusive adjudication as to his rightful exclusion.

Mr. MITCHELL of Oregon. Will the Senator allow me to ask him a question at that point, though I do not like to interrupt him?

Mr. GEORGE. Yes, sir.

Mr. MITCHELL of Oregon. The Senator argues that the joint assembly has not only the right, but the power to adjudicate as to the right of a senator to sit in that assembly and vote for Senator. In order to test the validity of that argument, I ask the Senator this question: The legislature of Delaware is composed of 9 senators and 21 members of the house. Suppose the senate should have declared that a certain person, Mr. Watson, for instance, was not entitled to a seat in the senate, but yet that person, knowing that he would have a majority vote in the joint assembly because the house could outvote the senate two or three times, takes his case into the joint assembly, and by a majority vote of a few senators and all the members of the house it is adjudicated by a two-thirds vote of that joint assembly that he has a right to sit there and vote, would that be an adjudication that would be good and that would bind the Senate of the United States? In other words, would it be an adjudication at all as to the right of that person to hold a seat in the senate?

Mr. GEORGE. Mr. President, the answer to that question is contained in what I have already stated to the Senate; and if the Senator had paid close attention to my remarks, he would have found the answer.

Mr. MITCHELL of Oregon. I heard everything the Senator said on that subject.

Mr. GEORGE. I will state it again, and see if the Senator does not understand it better this time.

Mr. MITCHELL of Oregon. I should like a direct answer to the question.

Mr. GEORGE. Of course it would not.

Mr. MITCHELL of Oregon. That is all I want.

Mr. GEORGE. I will repeat my statement.

Nevertheless, the permitting by the joint assembly of a person so recognized by one of the houses as one of its members to sit in it and participate in its proceedings is a conclusive adjudication of his right to so participate in the proceedings of the joint assembly. I reckon the Senator will agree to that. If this be not so the result is absurd.

The joint assembly was empowered and directed by the law of

Congress which gave it existence to choose a Senator by a majority of all votes cast by members of the legislature, and to continue its session from day to day till such a result should be reached, and to determine when that result had been reached, or else they would never have known how to stop, and when it had not been reached, because then they could not have determined that they would meet again the next day, so that they might in the one case continue their proceedings and in the other cease from further voting. And if it was not an incidental and necessary power to determine that a person recognized as a member of one house and actually participating in the proceedings when such voting by the member actually affected the result, as in this case, was validly or invalidly so acting, but this power could only be exercised by the Senate of the United States, we reach this absurd result, that the law of Congress enacted especially to regulate the proceedings of the joint assembly and empowering and directing it to continue to act until some person had received a majority of its votes and had been duly elected a Senator is impotent for the very purpose of its enactment. By that construction the law requires a thing to be done and withholds the power to do it. More than this, if this Senate possess this power and it is denied to the joint assembly, then the Senate possesses a power to supervise and regulate these elections in a matter other than and distinct from the mere power to adjudicate whether the election has been conducted in accordance with the law. We may annul an election conducted in all respects by the State authorities in pursuance of the law which we ourselves have prescribed, and we may affirm an election not conducted in accordance with that law. Or, to state the matter more clearly, we have enacted that a joint assembly shall choose a Senator according to terms prescribed by us. And if they have not the power to exclude an intruder, and an intruder comes in and they let him vote, then they are acting according to the law we prescribe. They have followed strictly the law we have prescribed, with the result that there is no election according to that law. We then say—not that the assembly violated the law, but concede that they followed it, and hold that because we did not give them the power to do a thing which ought to be done, and which was necessary to be done in order to perform the duty we imposed on them—we may proceed to do that thing and declare a valid election. This conclusion, I confidently believe, will not be adopted by the Senate.

SENATE OF DELAWARE PRESENT AND COMPETENT TO ACT.

If it be objected that the constitution of the State of Delaware vested the power of judging of the election and qualifications of members in that house only to which the member belongs, or claims to belong, and not in a joint assembly of the two houses, the answer, so far as Mr. Du Pont's title is concerned, is conclusive.

The two houses were present, constitutionally and actually present, in the joint assembly. It was the presence of the two houses which made that assembly the joint assembly of the legislature of Delaware; and if the power to determine who were entitled to vote in the assembly did not vest in the assembly as one body, it must have remained in each house thus assembled to determine who were its own members—or else the power to determine this essential point vested in each house by the constitution of Delaware was lost or suspended at the very moment when its exercise was essential to the proper performance of a high constitutional duty. That power can never be suspended nor lost, because its continuous existence is essential to the constitutional organization and action of the legislature. Being then in full existence, it was competent for any senator who denied the right of Mr. Watson to preside over the joint assembly and to vote to make his objection. And on that it was in the power of the senate then and there to decide it, or to withdraw from the joint assembly to its chamber, and there decide it. The senate of Delaware was there—constitutionally there and actually there—every senator being present. Then, having this clear power and the undoubted right to object existing, the failure of every member of that senate, all of them being present, to make the objection, and the action of that senate in proceeding with the election and allowing Mr. Watson to vote and his vote to be counted was a clear recognition of his membership and of his right, and is as solemn and as conclusive an adjudication on that point as was its recognition of the right of every other member of the senate then present to take part in the proceedings.

Suppose when each house, on the second Tuesday after the organization of the legislature, acting under this same law of Congress, voted for a Senator and the vote had stood in the senate a tie, Mr. Watson, having acceded to the exercise of the executive authority, presiding and voting against Mr. Du Pont, whereby if Mr. Watson had not voted Mr. Du Pont would have received a majority of both houses and would have been elected Senator. That is a reasonable supposition. It might have happened. And suppose further, that after this proceeding whereby Mr. Du Pont was defeated, or appeared to be defeated, the two houses had met in joint convention and had elected some other person, Mr. Watson not voting, or notwithstanding his vote, or

had failed for the whole session to make an election, could Mr. Du Pont successfully assert his right to a seat here upon the ground that he was duly elected on said second Tuesday, he receiving a majority of the legal votes in each house if Mr. Watson had no right to vote? If we assert that he could do this thing, then we assert that the senate of Delaware, acting in its separate and constitutional character, was not constitutionally competent to decide upon the election and qualifications of its members; a proposition never yet asserted. If we concede, as we are bound to do, that Mr. Du Pont could not take his seat under that proceeding because we would be concluded by the action of the senate of Delaware, and we then say that we are not concluded by the same action of the senate in the joint assembly, then we affirm that the law of Congress, in requiring the meeting of the two houses in joint assembly, deprived them of their constitutional right to judge of the election and qualification of their members.

But, sir, we even do more than this; that is bad enough; we reach the conclusion that Congress, in exercising a power to regulate merely the manner in which a State legislature shall choose a Senator, may so provide that not only a necessary function and a high constitutional right of that legislature shall be destroyed or suspended, but that this suspended or destroyed function shall, in virtue of such destruction or suspension, caused by our own act, be usurped and exercised by the Senate of the United States.

Mr. President, I have to be a little elementary here. I have to go back to first principles. Everything that I have ever recognized as settled in the constitutional law of this body has been disputed from the very beginning of this controversy; and hence the necessity of a more particular examination into the power of a legislative body under our system to judge as to the election and qualification of its own members, that is, to determine what persons are its members. That power is never in abeyance, never asleep, never suspended. It remains in full force and vigor at every moment of its existence, and is exercised, though sometimes silently, yet always effectively, at every one of its sessions. At every roll call, on every division, every time a motion is made, the question of membership is raised and settled. Should an intruder invade the chamber in which the body sits and make a motion or attempt to cast a vote he would be instantly expelled as a disorderly person.

The permitting a person to make a motion or to cast a vote and counting that vote is a clear recognition of that person's right as a member. Such a power to determine, at every moment of its existence as an organized body actually engaged in the discharge of its duties, as to who has a right to participate in its proceedings is essential to its very existence, essential to prevent its becoming a mob of unauthorized and disorderly persons. It is this power which makes the assembly a legislative body and not a mass meeting with membership in all who may choose to attend. Deprive a legislative body of this power, or even suspend it, and its legal death ensues with as much certainty as a natural death would ensue from depriving a living, organized being of that organ which circulates its lifeblood.

If a legislative body were voluntarily to surrender this power it would be *fejo de se*. The same result would happen if its members, instead of judging who were entitled to fill the seats ordained by the constitution to be filled, should invite a company of militia or a town council to sit with them and participate in their proceedings. Such action would not be a judging of the election and qualifications of its members, but a revolution, an overthrow of the government as organized by their constitution. And in such a case it would be the duty of this Senate, in exercising its power to judge of the election of its members, to say that no legal legislature existed competent to elect a Senator, and to refuse admission to anyone such a body might assume to elect.

Mr. GRAY. May I ask the Senator a question just there in the line of the argument he is making?

Mr. GEORGE. Certainly.

Mr. GRAY. The contention of the Senator from Oregon and those who agree with him is based mainly on section 12 of Article II of the constitution of Delaware, which reads as follows:

No person concerned in any army or navy contracts, nor members of Congress, nor any person holding any office under this State or the United States \* \* \* shall, during his continuance in Congress or in office, be a senator or representative.

Their contention, as I understand it, and as I suppose the Senator from Mississippi understands it, is based largely upon that prohibition of the constitution of Delaware. Now, the disqualification of holding an office under the State, which they claim that Mr. Watson did when he exercised the office of governor, under the constitutional provision is a disqualification that is enumerated along with other disqualifications, such as that no person concerned in any army or navy contract shall be a senator or representative, no Member of Congress, no person holding any office under the United States, and so on; that is, the holding of such an office as they claim Mr. Watson held is one of the disqualifications enumerated in that section; and they say the prohibition of that section operates upon him and prevents his being a senator.

I would ask the Senator from Mississippi, suppose there was a person voting that day for United States Senator in the joint

assembly, a State senator, who was interested in a navy contract, or affected by some other of the disqualifications enumerated in the constitution other than this of exercising the office of governor, and his vote in the joint assembly, as well as in the Senate, had been acquiesced in without protest or objection, much less without any judgment of ouster by the senate, can it be claimed that the Senate of the United States can adjudicate his right to act as senator and practically pronounce a judgment of ouster against him on the ground that he was interested, for instance, in a navy contract?

Mr. GEORGE. Mr. President, that is a very plain question, and a very plain answer can be made to it.

Mr. GRAY. And does it differ at all in principle from the disqualification urged of exercising the office of governor?

Mr. GEORGE. I was going to say that nobody in the world—that is, I would have supposed some time ago that nobody in the world—would have asserted that the man was not a senator under the circumstances mentioned by the Senator from Delaware; but inasmuch as the case is exactly parallel and the same thing as the one now before the Senate, I must confess that I have made a discovery on that point.

Mr. MITCHELL of Oregon. Will the Senator allow me a moment?

Mr. GEORGE. I would prefer to go on; but I will hear the Senator.

Mr. GRAY. Oh, yes, let us hear the Senator from Oregon.

Mr. MITCHELL of Oregon. I should be glad to ask the Senator from Delaware whether he thinks that precisely the same inhibition applies to a person holding an army or navy contract as is applied to a person who holds an office by this section 12 of Article II?

Mr. GRAY. I have just read the language of the inhibition. I do not see how there can be any difference. They are both inhibited from being senators or representatives. A man who holds an army or navy contract and a man who holds an office under the United States or the State shall not be a senator or a representative.

Mr. MITCHELL of Oregon. I think if the Senator will examine the clause more critically he will find that there is a wide difference, and for this reason. I read:

No person concerned in any army or navy contracts, nor members of Congress, nor any person holding any office under this State, or the United States, except the attorney-general, officers usually appointed by the courts of justice, respectively, attorneys at law, and officers in the militia, holding no disqualifying office, shall, during his continuance in Congress, or in office, be a senator or representative.

It does not state during his continuance to hold the contract as well. Undoubtedly this clause declares the office vacant absolutely, without any question, in the case of a person holding an army or navy contract, while as to a person holding an office, it may be open to question as to whether the office is absolutely vacant or not. In other words, that the Senator may understand exactly what I am driving at, if it had been intended to apply the same disqualification to a person holding an army or navy contract which is applied to a person holding an office, then, in addition to stating "during his continuance in Congress or in office," it would have said "during the time of his holding such contract."

As it does not apply those words to a person holding an army or navy contract, it is perfectly clear to my mind that the disqualification applied to the one, namely, the office holder, is not the kind of disqualification applied to the other, namely, the person holding an army or navy contract.

Mr. GRAY. If the Senator from Mississippi will indulge me a moment, apart from the obvious criticism that can be made, a verbal criticism, I admit that the words "during his continuance in Congress or in office" are words of supererogation so far as the question we are now concerned in goes. If we leave out all the intervening words between "no person concerned in any army or navy contracts" and the prohibition, which we can do for the purposes of this inquiry, so as to read, "no person concerned in any army or navy contract shall be a Senator or Representative," then my question is, suppose, as a matter of fact, it is believed or proved in some way to the Senate of the United States that A B, a person elected a senator and actually seated as a senator, whose participation in the office of senator is acquiesced in, against whom no judgment of ouster has been made by the senate of Delaware, should participate in the election of a United States Senator. Can the Senate of the United States pronounce a judgment of ouster—

Mr. HOAR. Allow me.

Mr. GEORGE. I shall object to any further debate.

Mr. GRAY. And say it was void?

Mr. MITCHELL of Oregon. That is a different question.

Mr. HOAR. I hope the Senator from Mississippi will allow me to say one word. I shall be very much obliged if he will.

Mr. GEORGE. I never in the world will get through with my speech if I allow this debate to proceed.

Mr. GRAY. I hope the Senator from Mississippi will allow the Senator from Massachusetts to proceed.

Mr. GEORGE. Will the Senator from Massachusetts indicate how much time he desires?

Mr. HOAR. The Senator from Mississippi has allowed one side to be heard.

Mr. GEORGE. I have allowed the other side, the Senator from Oregon [Mr. MITCHELL]. How much time does the Senator from Massachusetts want?

Mr. HOAR. Two minutes.

Mr. GEORGE. Very well; take it.

Mr. HOAR. In answer to the Senator from Delaware, I will state that the distinction is between an official incompatibility, which is the case of the governor and senator, and a personal disqualification.

Suppose the Chief Justice of the United States had sympathized with the eager majority who desired to convict Andrew Johnson and turn him out of office, and they had said, "In order to get a two-thirds vote, we will add the Chief Justice of the United States to the Senate, and let him vote, and thus count a two-thirds." Would that have been binding on anybody else under the sun? Is that the same thing as if the question had been whether some senator was interested in a contract? There is the broad distinction between those two cases. The majority in the senate under this great temptation said they would add to the senate the governor of the State, a man who had gone out of the senate, in order to defeat the choice of the people of Delaware. That is the difference.

Mr. GEORGE. Of course I desire to be as liberal as any man in the world to interruptions, as I have been, but it will prolong my remarks indefinitely if I allow debates to occur between Senators during the time I ought to be engaging the attention of the Senate. As I am making, as I think, an argument which is very concise, although it is of some length and requires some attention, interruptions make a break in my argument.

The requirement of the Constitution that Senators shall be chosen by the legislatures of the States necessarily imposes a duty on this Senate in admitting a person claiming to be a Senator of deciding that the body which elected him was the legislature of the State. How far this body can go in that direction it is not necessary now to discuss. Perhaps it would be difficult to draw a line which would always and under all circumstances mark the boundary of our power in that respect.

It may be that, in the language of Chief Justice Marshall—

The power and the restriction on it, though quite distinguishable when they do not approach each other, may yet, like the intervening colors between white and black, approach so nearly as to perplex the understanding as colors perplex the vision in marking the distinction between them.

[See *Brown vs. Maryland*, 12 Wheaton, page 441.]

We have no need to define the demarcation in this case. The validity and legality of the legislature of Delaware are not denied, but affirmed on all sides. The constitution of Delaware is plain, fixing the number of senators at 9 and of representatives at 21. The constitution is plain also in its mandates, that all these 9 and all these 21 shall be elected and shall qualify and take their seats. The constitution is also plain in requiring all vacancies in any of these seats to be filled, and that the total membership shall be kept always full.

The fact is also plain and undisputed that all the 30 members of both houses had been duly elected and were duly qualified and took their seats in their respective houses. The fact is also plain and undisputed that all these identical 30 members took their seats in the joint assembly of the legislature on May 9 last, and every one of them, without objection from any quarter whatever, voted twenty-eight times for Senator, each voting resulting exactly alike. If the contention of Mr. Du Pont that he was elected on the first of these votings or ballots be sustained, then the further fact is plain that the general assembly in proceeding to have twenty-seven other distinct votes or ballots for Senator did that which they had no right to do, because their business was completed. These twenty-seven votings were had by the unanimous consent and approval of every representative and senator of the legislature of the State, all being present and actually voting every time of the twenty-seven.

Here were twenty-seven distinct and unequivocal affirmations and adjudications, as shown by the Senator from Indiana [Mr. TURPIE], not only of the general assembly, but of the senate then present and agreeing thereto, that Mr. Watson's vote was a lawful vote.

I wish Senators to bear in mind that if Mr. Watson's was not a lawful vote, then Mr. Du Pont was elected on the first ballot, and when the senate of Delaware and the house of representatives of Delaware, both being then present actually, upon a proper motion, proceeded to vote again, they decided what? They decided that Mr. Watson's vote was legal and proper.

There is a little more on this subject which I want to bring out. It was omitted by my friend, the Senator from Indiana [Mr. TURPIE]. Let the Senators bear in mind that Mr. Watson's vote being out, there was an election on every ballot, and that when the joint

assembly or when the house of representatives and the senate proceeded to another ballot they necessarily determined that Mr. Watson's vote was a good one and that there was no election. They did some other things, too, which emphasized this, which were not noticed by my friend from Indiana. After the fourth ballot, after they had voted four times, each one resulting exactly alike, a member of the joint assembly, a member of the senate, I suppose thought they had been wasting time there long enough, and he made the following motion:

Mr. Fenimore, of the senate, moved that the two houses separate.

It was their business to have separated immediately on the taking of the first ballot if Mr. Du Pont had been elected. They had no power to stay there after that. The joint assembly was a tribunal with only a special and limited jurisdiction, and that was to perform the duty of electing a Senator, and when that duty was performed they had no other power. Mr. Fenimore, who had been voting all along against Mr. Du Pont, supposing that, as the law of Congress only required them to take one vote, it was about time to separate, moved to separate. The yeas and nays being called for, the speaker of the senate, this same man Watson, then and there presiding, directed the clerk to call the rolls of the respective houses, and the members having answered as their names were called, the result was as follows: Ten for separating, 20; including every man who voted for Mr. Du Pont, against separating. What did that mean? It was a solemn affirmation on the part of the joint assembly that their business had not been concluded; that they had business on hand, and that business was to elect a Senator. If the Senator had been elected, it was their duty to separate. That same motion was made, as will be seen on pages 11 and 12 and others, five or six times, and every time it was voted down by the joint assembly.

But the committee undertake to meet this solemn adjudication of the senate of Delaware by asserting a proposition of law which I undertake to say was never before heard of, and which is certainly without foundation in our Constitution.

They assert that the senate of Delaware, if it made a judgment in this case, could not make it final and conclusive as to the law. The committee says:

What the senate—

Of Delaware—

has a constitutional right to do is to judge whether a particular person is possessed of the qualifications which the constitution and the statutes have prescribed.

In another place they say:

While it is the constitutional right of the senate of Delaware to judge as to the qualifications of a senator, this does not include the right to determine the kind or number of qualifications. \* \* \* These are determined by the constitution.

If this only means that the senate of Delaware has no right to add to or to take from the qualifications prescribed by the constitution, then the committee has asserted a truism which nobody disputes and which is of no earthly value in this case. If they mean, however, as they evidently do, that in judging of the qualification of a senator as prescribed by the constitution, the State senate can not ascertain what qualifications the constitution of Delaware prescribes, then the committee asserts an absurdity and a contradiction. For how can the State senate judge as to what qualifications the constitution prescribes unless they can first ascertain and judge what qualifications are prescribed by the constitution? And how can they do this without considering the language of the constitution and ascertaining what that language means? What is that ascertainment but a judging as to the law which they are administering? There can be no answer to these questions which does not admit the fact that the senate of Delaware is full judge of the law as well as of the facts in this case.

If the senate of Delaware mistake as to the law or as to the facts, who can correct it? There is no tribunal, State or Federal, which has a revisory power. If the Senate of the United States undertakes to do this thing, then they usurp a power not granted to them. They possess the power to judge of the qualifications of their own members, both as to law and as to fact. They have this power by virtue of a grant of jurisdiction to them in the same language exactly as is the grant to the senate of Delaware—

Each house shall judge of the election and qualifications of its own members.

In our case that language is understood to mean to be the absolute judges of the fact as well as the law, with no revisory power whatever, and in the case of the State of Delaware in their constitution it is held to mean something else.

This Senate has solemnly decided, whenever the question has been presented, that it has no power to revise or reverse the judgment of a State legislature as to the qualifications of its own members. The contention of the committee overrules this settled doctrine and makes this strange anomaly in constitutional law: that it requires both the State senate and the United States Senate to judge finally of the qualifications of a State senator—the one possessing full power as to the facts and the other as to the law. This

is but holding that it requires both senates, State and Federal, to make a legal tribunal competent to decide on the qualifications of a State senator—the one body acting as judge to expound the law and the other as jury to ascertain the facts. Under this view the judgment of a State senate as to the qualifications of one of its own members is no more than a special verdict found by a jury—ascertaining the facts upon which the Senate of the United States shall render final judgment. It is impossible that the Senate shall yield assent to that view.

THIS SENATE HAS NO POWER, EVEN IF THERE WAS NO DECISION BY THE STATE SENATE.

But, Mr. President, I have been discussing at very great length a question which this Senate has no right to decide—no power to decide. My apology for this is that these questions have been raised in support of Mr. Du Pont's claim and urged with great zeal and distinguished ability, and though I feel assured that his claim must fail upon another ground independent of the considerations which I have pressed, I could not foresee that this ground would be accepted as good and valid by the Senate.

The Senate has ruled that way during its whole existence. It might, however, being somewhat of a partisan body, do what the Supreme Court has recently done, go back on its decisions for half a century and rule another way.

I now proceed to discuss this ground of objection to Mr. Du Pont's claim.

It is that the Senate of the United States have no power to deny the right of any person acknowledged and recognized by the legislature of Delaware as a member thereof. Our duty and our power extend only to this point. Was there a legislature of the State of Delaware, and did that legislature, in pursuance of law, elect Mr. Du Pont? We have no power whatever to inquire into and decide as to the qualifications and right of any member sitting in that body. Our power and duty begins and ends in the inquiry, What did that legislature do?

This ground is stated very clearly and forcibly in the case of Mr. TURPIE, decided in 1888. The report of the committee says:

This body (the Senate of the United States) is made by the Constitution the judge of elections, qualifications, and returns of its own members.

The senate of Indiana is likewise the judge of the election and qualification and returns of its own members. We must determine all questions arising out of the proceedings of the electors.

But who sustain the character of electors is to be determined by the legislative body of that State.

This is the solemn decision of this body by one of the ablest committees that ever had a trust committed to it by the Senate, assented to by the Senate by an almost unanimous vote in seating Mr. TURPIE upon that report. The judgment is, we deal with the proceedings of the legislature, "but who sustain the character of electors"—that is, members of the legislature—"is to be determined by the legislative body of that State." That is exactly what they are trying to do here, neither more nor less, as everybody who has listened to the debate up to this point knows.

And as to the force of a mere recognition without an actual case made and a direct adjudication I quote from the same report, as follows:

It seems to us that, without entering upon the question whether there was a vacancy in the office of lieutenant-governor (the presiding officer of the senate), which Mr. Robertson was duly elected to fill, the recognition of Mr. Smith (the person actually presiding) by a majority of the senate as its lawful presiding officer, and the recognition of the senate as a lawfully organized body by the other house as well as by its own members who remained and took part in the legislative proceedings, and by the executive department, require us to consider it as a lawful senate, lawfully organized so far as to be entitled to take part in the joint convention which elected a Senator of the United States.

Where is recognition here? Everywhere. The recognition by the executive department of Delaware, recognition by the senate of Delaware, in joint assembly; recognition by the house of representatives of Delaware in the same joint assembly, 27 times recorded on the journals, besides five other instances, to which I called the attention of the Senate, in relation to motions to adjourn and to take a recess.

The Senator from Colorado [Mr. TELLER]—who I believe was at that time a member of the Committee on Privileges and Elections, was he not?

Mr. PUGH. He was.

Mr. GEORGE. The Senator from Colorado made use of language which I want to read, not only on account of the high character of the Senator who uttered it, but also for the great truths it expresses in terse and unmistakable language:

It does not lie in the power of the Senate of the United States when it comes to a question of this kind to reverse the decision [the decision of the senate of Indiana], and no matter where it may take us, no matter where it may land us, with reference to the misconduct of State legislatures, it never was intended by the framers of this Government that that question of the right of members of the Indiana State legislature to sit in each body there would ever be a subject of discussion in this body. We must accept [as] the legislature of Indiana that which the people of Indiana in all departments of its State government recognized as their legislature.

That is the decision of the Senate. From the foundation of the Government up to this time not only has there been no decision

against it, but there has been no serious claim made by anybody that that was not the law. The eminent Senator from Massachusetts [Mr. HOAR], who was the author of the report which I have just read, in defending the report, said further:

The objection of the remonstrants, the gentlemen who contest Mr. TURPIE's title, was to the recognition of both these men—Branahan on the ground that he was unlawfully put in his place by the exclusion of the Republican McDonald, and the Democratic McDonald on the ground that he had no right to sit there, he being ineligible.

That is, not possessing the qualifications required by the constitution of the State. That was the contention. That was the proposition which the remonstrants made to the Senate of the United States, and asked to be admitted to test Mr. TURPIE's seat.

Mr. PUGH. To show that he was an intruder.

Mr. GEORGE. To show that he was an intruder. They asked the Senate to permit them to prove those facts in order to unseat Mr. TURPIE; and what did the committee do? The committee said, "Taking all you say to be true, taking every word of your claim, as you have put it out here, to be true, we will not inquire into it. You have not said enough to bring the title of Mr. TURPIE into disrepute or into question."

Mr. MITCHELL of Oregon. Will the Senator from Mississippi allow me to say a word right here?

Mr. GEORGE. I am not through with this point. I shall have to go back and read again the language of the report, as I have been interrupted.

The objection of the remonstrants \* \* \* was to the recognition of both these men—Branahan on the ground that he was unlawfully put in his place by the exclusion of the Republican, McDonald.

The charge was there that a Republican was actually turned out of the seat to which he was elected and another man put in his place who was not elected. That was a pretty serious charge. The committee said, "we will not look into that." Another charge was that the Democrat, McDonald, was ineligible, I believe, because he held the office of postmaster of the United States.

Mr. TURPIE. He was a postmaster.

Mr. GEORGE. And under the constitution of Indiana persons holding offices of that sort were supposed to be excluded from holding a State office. That was the claim made. That was the ground of ineligibility there, and Mr. HOAR, in defending this report, says:

And in regard to both of which—

The man who had been put in, who was not elected, and the man who had not been turned out, who was ineligible—

the Committee on Privileges and Elections are of the opinion that the judgment of the senate of Indiana is final.

Mr. MITCHELL of Oregon. May I say a word?

Mr. GEORGE. Yes; you may ask me a question.

Mr. MITCHELL of Oregon. I would not wish the Senator from Mississippi or the Senate or anybody to understand for one moment that I deny the doctrine asserted in that report. I agree to every word of it. The case of Mr. TURPIE in Indiana was simply this: There were two persons in the Indiana legislature who were seated on their certificates. They claimed they had a right to be there. Two other persons on the outside claimed that they were the lawfully elected men to those two seats, and that they ought to have the seats. Contests were inaugurated, and the Indiana senate decided that the two men who were in had no right to be there and they put them out and put in the two contestants. That was a case pure and simple of passing upon the qualifications of persons to those two seats. The senate of Indiana had the right, and the exclusive right, to pass upon the facts that were raised in those two cases. They did pass upon them, and that was the end of it, and the Senate of the United States so decided, and decided correctly.

I will state what I understand to be the difference in the cases, for the question here is entirely different, as I contend. The question here is not as to the qualifications of this man Watson to a seat in the senate, but the question is whether there was a seat in the senate to be filled.

Mr. GEORGE. I will answer that now. That is enough.

Mr. MITCHELL of Oregon. The question is whether there was a seat in the Delaware senate to be filled; whether during the time of the exercise of the office of governor by Mr. Watson the senate of the State of Delaware was to be composed of nine members or of but eight members. I contend, and those who agree with me contend, that under the constitution of the State of Delaware during that time the senate of the State of Delaware was to be composed, in one theory of the case, of but eight members, and therefore there was no seat to be filled.

Mr. GEORGE (to Mr. GRAY). Give me the constitution of Delaware.

Mr. MITCHELL of Oregon. You can read it all, but do not read simply one clause.

Mr. GEORGE. I am going to read just exactly enough to refute everything the Senator from Oregon has said. That is enough. There is no use of beating a man after you have ruined him and struck him down.

Mr. MITCHELL of Oregon. That is the reason why I do not wish to say anything more now.

Mr. GEORGE. The Senator from Oregon says the senate of Delaware by the constitution of Delaware was to have only eight members.

Mr. MITCHELL of Oregon. During the time that the speaker exercised the office of governor.

Mr. GEORGE. Now, I am going to read what the constitution says. If you can find the words "during the time he was governor" in the constitution you can read that.

There shall be seven representatives chosen in each county.

Three times seven are twenty-one. Twenty-one representatives were here in this joint assembly acting and voting.

There shall be three senators chosen in each county.

There are three counties in the State of Delaware. Three times three are nine. The Senator from Oregon says three times three are eight. [Laughter.] That is all of it.

Mr. MITCHELL of Oregon. I am afraid that is begging the question a little.

Mr. GEORGE. Everything is begging the question with my distinguished friend except when he is allowed to interpolate in the constitution of Delaware words which are not there and to erase from that constitution important words which are there. That settles that point.

With this eminent and conclusive authority, sustained by the Senate of the United States, by seating Mr. TURPIE, it would seem that no further argument is needed. Yet the fact exists that a majority of the Committee on Privileges and Elections now report that we can go behind the action of the senate and legislature of Delaware, and by casting out a vote which they recognized and received as being cast by a lawful senator, determine that a choosing of a Senator has been made, when both branches of the legislature had decided to the contrary. This position of the majority of that committee imposes on me the duty of inquiring into the foundation upon which rests the rule of law stated by that same committee and sanctioned by the Senate in Mr. TURPIE's case, and also sanctioned by the Senator from Oregon in the remarks which he has just now made.

Mr. MITCHELL of Oregon. Yes, I agree to it; it is good law.

Mr. GEORGE. I hope the Senator will not think while I am reading this that I am putting in Confederate politics here, because I will prove by the best authority in the world that I am only quoting from official language of the highest character. Each State is sovereign in respect to all powers not delegated to the United States nor prohibited to it by the Constitution. The United States are sovereign in respect to all powers delegated to them by the Constitution. This principle is stated by Chief Justice Marshall in *McCulloch vs. The State of Maryland*, 4 Wheaton's Reports, on page 410, in these words:

In America—

The United States—

the powers of sovereignty are divided between the Government of the Union and those of the States. They are each sovereign with respect to the objects committed to it, and neither sovereign with respect to the objects committed to the other.

That is John Marshall in the Supreme Court of the United States in one of the greatest judgments that was ever pronounced in that court.

That the United States in some one of the organisms provided in the Constitution have the power to judge finally as to the extent of the powers delegated, as well as of the powers reserved (that is an admission I make since the war), does not absolve them from the great duty of marking this extent rightly, giving to the United States only such powers as are granted and denying to the States no power reserved. On the contrary, it increases this duty to judge carefully and rightfully, in a case of disputed powers, that the right of final judgment rests with one of the claimants. I invoke the observance of this obvious duty in deciding this case.

The Government of the United States is partly Federal and partly national in its organization. These two principles are intermingled throughout the system. This double nature is not the result of accident, but was impressed on the Constitution of the United States in indelible characters in order to give the Government that shape and operation which our forefathers deemed essential to carry out the objects of its establishment as expressed in the preamble to that instrument:

To form a more perfect union, to establish justice, insure domestic tranquillity, provide for the common defense, and secure the blessings of liberty to ourselves and our posterity.

This double nature has always been considered as potential in construing different parts of the Constitution. In relation to the election of a President, the power of each State in the Electoral College is based partly on a Federal and partly on a national basis. Two votes represent the Senators and then each Representative represents an elector. But in the process of making the election the provision is wholly Federal. The Constitution gives to each State the power to appoint electors for President in such manner

as its legislature may direct. Hence it is held that the power of appointment includes within it the power to determine finally and conclusively who are appointed. The apportionment of Representatives is almost wholly national, being made according to the population in each State; yet it is also partly Federal, in that the apportionment is among the several States, and each State "is entitled" to at least one Representative, however small its population may be.

The election, however, of Representatives is wholly national, the qualification of the electors being prescribed in the Constitution, and the manner, time, and place of elections being subject to the authority of Congress.

That the Constitution declares that the electors for Representatives shall have the qualifications of electors for the most numerous branch of the legislature of the State in which the Representative is chosen does not contravene the idea that the qualifications are fixed by the Constitution of the United States. The Constitution, it is true, does not particularize what these qualifications shall be, but it adopts as qualifications those which the State has fixed for electors for the most numerous branch of its legislature. It is not in the power of a State to fix other and different qualifications for a Representative than it has fixed for electors of the most numerous branch of its legislature. In fact, a State can not directly fix the qualifications for Representative at all. It can, in virtue of its reserved power, fix the qualifications of electors of the most numerous branch of its legislature, and that is all the State can do as to this point. When it has done this, the Constitution of the United States adopts these qualifications for Representative from that State. The State law thus adopted by the Constitution of the United States becomes in effect, as to qualifications for Representatives, a national law. So that it results naturally and logically that the power given to the House of Representatives to judge of the elections, qualifications, and returns of its members carries with it the power to determine in each case whether a claimant or the sitting member has received the greater number of qualified electors, and in determining this the House may judge as to the qualifications of every elector voting in the election. But when we consider the Senate we find the whole matter changed. The members of the House are elected, as expressed in the very language of the Constitution, "by the people of the several States." The Senate, on the other hand, is "composed of two Senators from each State, chosen by the legislature thereof."

The language is, "chosen by the legislature thereof," and not by the members of the legislature.

There are no electors for the Senate named in or contemplated by the Constitution.

The report in the TURPIE case said, as to these electors, who they are, who they may be, we have no authority to decide.

The choosing is the act of a body organized under and by virtue of the constitution of the State and endowed with the power and duty of making the laws of the State. Where the power to make the laws of the State is, there also rests the power to choose a United States Senator, and when you say that here is a body which may make the laws of a State as organized, and that that body can not elect a Senator as thus organized, or defeat one, then you destroy the Constitution as it is plainly written.

The Constitution of the United States takes no notice whatever of the manner in which this organism is created, nor of the persons who compose this body; nor of their qualifications; nor as to who shall have the right to vote for them; nor of the length of their official terms; nor of the powers vested in them, except only it shall have the power to make laws for the State. It says nothing and means nothing as to the number of persons who shall constitute a *quorum*. If the constitution of a State provides—as the English constitution does—that a small number, less than one-tenth of the whole number, shall constitute a *quorum*, then such constitutional number being present in both houses during a sitting constitutes the legislature, capable of doing any act whatever which the legislature of the State may lawfully do. And when—note now—any official act is performed it is the act, not of the individual members of the legislature, but of the State organism endowed with legislative powers.

It is just like the acts of Congress. I had a curiosity the other day to see how the very first statute ever passed by Congress claimed to be passed. It did not say, "be it enacted by the Senators and the Representatives of the several States in Congress assembled." It said "be it enacted by the Senate and House of Representatives of the United States in Congress assembled," that such and such shall be the law; and every act passed from that first one on the 1st day of June, 1789, and approved by George Washington, down to the present time has contained that same formula.

No man has ever seen an act passed by any legislature in this Union that did not express in its enacting part the idea of enactment in either one of these two ways, "Be it enacted by the legislature of the State" (I believe that is the rule in Mississippi), or "Be it enacted by the senate and the house of representatives of

the State in general assembly convened." Not one of them ever said or could say, "Be it enacted by the senators and representatives" that such is the law.

Mr. MITCHELL of Oregon. I quite agree with the Senator, but I should like to ask him one question just to get his opinion on a certain point.

Mr. GEORGE. Very well.

Mr. MITCHELL of Oregon. I have been very much interested and entertained by what the Senator has been saying recently.

Mr. GEORGE. I hope you have been instructed.

Mr. MITCHELL of Oregon. And instructed. I should like to have the opinion of the Senator from Mississippi on one point. I do not know that it has any bearing on this case particularly.

Mr. GEORGE. Please do not ask me anything outside of this case.

Mr. MITCHELL of Oregon. But it has occurred to me just now, and it is a very interesting question. The Senator is arguing that it is the legislature of the State that must elect the Senator, to which I agree. The act of Congress passed in pursuance of that constitutional provision speaks of the members of the legislature who shall meet in joint assembly. I suppose the Senator would agree that in this case, for instance—take a legislature that has 21 members of the house and 9 members of the senate, if there is a majority of the whole number present in the assembly, although not a majority—

Mr. GEORGE. In either house.

Mr. MITCHELL of Oregon. Although not a majority of both houses.

Mr. GEORGE. Of both houses.

Mr. MITCHELL of Oregon. I suppose the Senator would agree that that would be the legislature of the State within the meaning of the Constitution of the United States, and that such a joint assembly could elect a Senator.

Mr. GEORGE. I have just gone over that. If the Senator had given me his attention he would have seen what my views are upon that subject. I say that when this joint assembly meets it is the joint assembly of the two houses of the legislature. The constitution of Delaware says there shall be two houses, and unless in a constitutional sense the two houses are present it is not the legislature and can not elect a Senator. But in this case (and I am not going outside of this case) they were every one of them present, and on that we are trying this case. Every one of them was present.

Mr. MITCHELL of Oregon. The Senate has held several times, as I understand it, that it is not necessary that there should be a majority of the members of both houses present. It does not bear on this case, I admit.

Mr. GEORGE. Do you mean to say that the joint assembly is not a legislature?

Mr. MITCHELL of Oregon. Oh, no; I do not mean to say that.

Mr. GEORGE. That is enough.

Mr. MITCHELL of Oregon. But I do mean to say that the joint assembly may be composed of a majority of all the members of the two houses, and yet a majority of each house may not be present.

Mr. GEORGE. That may be true or it may not be true, but it is not a question in this case.

Mr. MITCHELL of Oregon. It does not affect this case, I admit.

Mr. GEORGE. Because every member of each house was present.

Mr. MITCHELL of Oregon. Certainly.

Mr. GEORGE. Actually present and voted.

Mr. MITCHELL of Oregon. Undoubtedly.

Mr. GEORGE. I want to call my friend's attention to what I shall read, because I took some pains in drawing it up so as to express my ideas correctly.

The members, or rather the persons claiming to be elected members, do not of themselves constitute the legislature, and can do no official act as persons or individuals. It is only after organization—that is, after the members elected meet together in the place fixed by law and at the time prescribed by law, and ascertain, *prima facie* at least, who are elected, and then proceed to take the oath prescribed by law, and then elect a presiding officer (if none has been furnished by law, as a lieutenant-governor for the senate in some States)—that a legislature is constituted or organized, and can be said to be the legislature or lawmaking power of the State. And when this is done, then no member of the legislature—recollect that—can do or perform a legislative act, except in and as a part of this organized body. Before that there is no legislature; nothing but a number of men authorized by law to become a legislature.

To illustrate: As soon as the Senator from Oregon, or any other Senator, steps outside of this Hall, he can not perform a legislative act until he gets back in here. Now, Mr. President, I want to emphasize that idea, because it has a good deal to do with making still more and more plain the utter absurdity of the claim of Mr. Du Pont.

In 1839 a very remarkable contest occurred in the House of Representatives. There were five members elected from the State of New Jersey, who held certificates from the governor of the State. There were five others who held certificates from somebody else—I believe from the secretary of state. It just so happened that if the five on either side were seated (they were all Whigs on one side and all Democrats on the other) that side would have the control of the House of Representatives. Of course there was intense interest there. The House was many days organizing. The old Clerk of the House for a while tried to regulate the proceedings of the meeting. Finally he could not do it, and after some days Mr. Rhett of South Carolina offered a resolution:

Mr. Rhett then offered a resolution that Lewis Williams, the oldest Member of the House, be appointed chairman of this meeting until the House should be organized.

Not Speaker pro tempore of the House, but "chairman of this meeting." He soon afterwards changed it:

Mr. Rhett then varied his motion so as to bring Mr. Adams to the chair instead of Mr. Williams, and putting the question himself to the meeting—

Not to the House—

it was carried, and Mr. Adams took the chair.

There was a great deal of excitement and debate, and I remember in reading over the proceedings that Mr. Adams before he had been made chairman in addressing that body of men addressed them as "Fellow-citizens." This shows what I have stated here, that the Members are nothing per se; that it is only when they have been organized into a House and acting as a House that they possess any powers whatever.

This view is plainly recognized in the statute of Congress regulating the election of Senators. Does that statute say that the legislature shall proceed to elect a Senator on the second Tuesday after the date fixed by the constitution for its meeting? No. On any other date? No; except this one date:

The legislature shall proceed to elect a Senator (only) on the second Tuesday after its organization.

Recognizing plainly that until there was organization there was no legislature.

Before organization the persons elected can do nothing but proceed to organize. This reasoning establishes beyond controversy the proposition that the act of a State legislature in choosing a Senator, when accomplished lawfully and constitutionally, is the official and corporate act of a State organism authorized and formed under the laws of that State, with membership powers and faculties fixed by those laws. The sole question we can consider in this case is, Was there a legislature of the State of Delaware on May 9 last, and did that body as then organized proceed according to law in electing a Senator? What was the result of that proceeding? In fact we have but one question, for Mr. Du Pont's claim eliminates the first question. Since if there were no legislature, no valid and legal legislature as organized at the time, he has no claims here.

He necessarily asserts the existence of a valid and constitutional and duly organized legislature in asserting his right to a seat here. He asserts that there was such a legislature, which did in law elect him; yet, strange as it may seem, he also asserts that the actual voting in the legislature did not elect him.

We are asked to affirm that the legislature of Delaware on May 9, 1895, was a valid, constitutional, and duly organized body—organized as required by law and capable of electing a Senator. Then we are asked to affirm that notwithstanding the action of the legislature as organized resulted in no election, yet Mr. Du Pont was duly and constitutionally elected and should be seated.

In other words, we are asked to affirm that the lawful and constitutional legislature was so organized and constituted at that time, contrary to law, that it could not express its will by a vote of all the members—recognized members present and voting—but did express its will validly and constitutionally if only the Senate of the United States, ten months thereafter, will eliminate one name from the roll of its membership as it actually existed on May 9, 1895. In Mr. TURPIE'S case it will be noticed there was no attempt to seat his opponent. They had not advanced then up to the point to which our friends have advanced here. They undertook only to invalidate the proceedings of the legislature in making any election at all. In this case the attempt is to invalidate what the legislature actually did and to set up as valid something that the legislature did not do.

These inconsistencies, not to say absurdities, are the necessary condition into which Mr. Du Pont's claim has placed his advocates.

It is admitted in the report in Mr. TURPIE'S case that the senate of a State is the judge of the election and qualifications of its members as much so as the Senate of the United States is the judge of the election and qualifications of its members. It is also admitted in that report that this Senate in exercising its power to judge of the election and qualifications of its members has no right to revise and reverse the action of the State senate; that in the exercise of this power of judging vested in this body we must

accept as settled and beyond our jurisdiction to disturb the action of the senate of Indiana. We are asked now to disregard, to trample upon, to spit upon, the action of the senate of the State of Delaware. It seems manifest that this admission is conclusive in this case, unless we hold that there is no judgment or determination of the question as to Senator Watson's membership by the State senate, and, further, that such judgment is necessary to prevent our acquiring jurisdiction.

I have sufficiently discussed the question of the judgment of the Delaware senate and have proved that such judgment was rendered in every constitutional sense in this case.

But since it is disputed I go further. I am authorized, even required, by a due fidelity to the Constitution of the United States to go further and to affirm that even if there was no technical judgment rendered at all by the senate of Delaware, there is no power in this Senate to judge of the qualifications of Mr. Watson as a member of the senate of Delaware. Whether he were qualified to act on May 9 last is not a question submitted to our judgment by the Constitution of the United States.

The power to judge of the elections and qualifications of members of this Senate has been assigned by the Constitution of the United States to us. The power to form a legislature or law-making body for a State is a reserved power to each State. This power in all its amplitude, in whatever form it may be necessary to exercise it, is a State power, and a State power alone. It happens to be one of the few powers reserved to the States which is expressly recognized in the Constitution to be a State power. There is no limit or restriction placed on this State power—to form and organize a legislature—except that it shall be republican in form, that is, elected by the people and not hereditary.

The provision in the constitution of Delaware (and in every State) making each house of its legislature the judge of the election, qualifications, and returns of its own members is not in any respect the source from which the State gets this power. That is a mere provision for the exercise of the undoubted reserved power which belongs to each State, which may be exercised by such agencies and in such manner as the State may ordain. The State might, if it saw proper, give the power to the supreme court of the State. The failure of a house of a State legislature to exercise this power might possibly result in a total failure to organize the house as a legislative body, whereby it would not be competent to concur in making a law or to do any other act imposed on it as a part of the legislature; but such failure could not have the effect to transfer or, what is possibly a better word, to delegate that power to the United States to be exercised by this Senate or by any other Federal organism. Every power possessed by the Government of the United States or any department or officer thereof is a power delegated by the Constitution of the United States, either expressly or by implication, as proper and necessary to carry into effect an expressly granted power. No provision is made for the Government of the United States to acquire a new power or, which is the same thing, to enlarge a granted power by any lapse or failure in any State to exercise a reserved power. A new Federal or national power can come only from an amendment to the Constitution of the United States.

The Senate of the United States is as much bound by the Constitution of the United States and as much bound to observe the line of demarcation between granted and reserved powers as any other department or officer of the Government. This duty to obey the Constitution is as binding on the Senate when it exercises one of its granted powers as when it exercises another; as much binding in the judging of the elections and qualifications of its members as in enacting a statute. We can not, in judging as to the election of our members, invade the domain of the reserved powers of the States and determine for the State the qualifications of the members of its legislature.

Clear and unanswerable as I believe the argument to be that we have no power to judge of the qualifications of a member of a State legislature, yet I deem this matter of such moment as to authorize and even require me to go further. If we usurp the power we are incompetent to exercise it wisely and properly, and especially in a case like this, when the contention is that a member once duly qualified has become disqualified during his term, and the effort is, as here, to remove or suspend him from the exercise of the duties and powers of his office.

Calling attention again to what has been said about the undisputed right of Mr. Watson to act as a duly elected and qualified senator up to the 9th of May, 1895, and to the argument showing that only the senate of Delaware could determine whether he had vacated or become disqualified for his office as senator by exercising under constitutional mandate the office of governor, and to the authority from Cushing's Parliamentary Law read to support that argument; and proving that he is in fact and in law a senator, whatever disqualifications may have ensued after his first seating as a senator until that body has adjudged otherwise—under these circumstances, the true and legal circumstances of this case, the seating of Mr. Du Pont by adjudging that Mr. Watson had

either vacated his seat or was suspended from its exercise is neither more nor less than a judgment of amotion of Mr. Watson from office.

It is well to bear in mind what we are asked to do in determining whether we will usurp or, if that word be preferred, assume the power to do it. It is also well to bear in mind that what we do here in this case will be a precedent for the future, to be avoided, not followed, will be—if we use the power needed to seat Mr. Du Pont—a solemn adjudication of this body that in all cases hereafter when a question is made as to the vacating or suspension of a member of a State legislature from his office in order to judge who has been elected a Senator by that legislature, that we have the power to do that thing.

Let us see what difficulties impossible of removal we will encounter in the performance of this assumed task.

The constitution of New Hampshire, in part 2, section 14, reads as follows:

Every member of the house of representatives shall be chosen by ballot, and for two years at least preceding his election shall have been an inhabitant of this State [shall have an estate within the district which he may be chosen to represent of the value of 100 pounds, one-half of which is to be a freehold whereof he is seized in his own right]—

The words in brackets were stricken out in 1852—

shall be at the time of his election an inhabitant of the town, parish, or place he may be chosen to represent; shall be of the Protestant religion—

These words were stricken out in 1877—

and shall cease to represent such town, parish, or place immediately on his ceasing to be qualified as aforesaid.

That turns him out, and in express terms, as soon as he ceases to be a Protestant, and as soon as he ceases to be a resident of the town or parish in which he lived at the time of his election then he is out, and ceases to be a member. If we go into the business of determining whether a member of a State legislature has ceased to be qualified by changing his religion or by removing from one district to another, where will this thing end?

Mr. GRAY. To the constitution of what State does the Senator refer?

Mr. GEORGE. The constitution of New Hampshire.

There are at least seven States which provide expressly for vacating the office of a legislator by his removal from the district in which he was elected. Rhode Island provides that "if a senator or representative, after his election and engagement, accept any appointment under any other government his office under this shall be vacated."

So it is seen what questions are to be decided by this Senate within the rule sought to be established in this case. In New Hampshire prior to 1852 it would have been our duty to inquire whether the representative still owned his estate to the value mentioned in their constitution, and prior to 1877 it would have been a proper question for us to decide whether such a representative had ceased to be of the Protestant religion. And in reference to that State now, and at least six others, it would be necessary to decide whether a legislator had moved from the district in which he was elected.

Rhode Island would furnish us with the question whether a senator or representative, after his election, had accepted an appointment from any other government.

In all these cases there is an express provision for the immediate vacating of the office. There is none such in the constitution of Delaware.

Mr. President, I am very nearly through, and I feel that kind of joy which the weary traveler who has been for many days working his way homeward under troubles and difficulties feels when he comes in sight of the old homestead. There is but one other absurdity, allow me to say, with due deference to my distinguished friend from Oregon, which needs to be exposed, and which can be exposed in a few words.

#### SEAT NOT SUBJECT TO OCCUPATION.

The report of the committee discloses a new invention to avoid the irresistible argument that this Senate can not judge of the election and qualifications of a member of a State legislature. The committee asserts that the question here is not as to the qualifications of Mr. Watson to be a senator, but whether the senate of Delaware can fill a seat which under the constitution of Delaware is not subject to occupation, whatever that may be. The answer to that is plain and easy. That seems to be the last ditch into which our friends have been driven, and in which they propose to die. The Senator from Oregon a few moments ago would not allow me to get to this part of the argument without reiterating to the Senate that while the constitution of Delaware provided for nine senators, it also provided that the State should only have eight. Now we will see what few words will expose that fallacy:

First. The constitution of Delaware, as I have shown, does not vacate the office of senator held by the president of the senate when he exercises the office of governor, nor does it suspend the senator from his office. That has been made so clear that the Senator from Oregon, and no other Senator, will say that either

one or the other is true. He will say that one of those must be true, but he will not say which.

Second. There are nine seats in the senate of Delaware, every one of which is expressly required by that constitution to be filled at the general elections, and to be kept filled should a vacancy occur in it.

There never was a constitution in the world framed so carefully and with so many provisions to fill vacancies in the legislature as the constitution of Delaware. Let me mention some of them. I can do it without reading. In the first place, the speaker of either house shall issue writs of election whenever a vacancy may occur. Then the constitution says, in addition to that, any other person authorized by law shall issue such writs. Whether they have ever passed a law of that kind in Delaware I do not know; but the constitution was so careful that vacancies should be filled, that the power was vested not only in the speakers of the respective houses, but in any other person who might be designated by law. They were not satisfied with that, and in vacation they authorize the governor of the State to issue writs. If the Senator from Delaware will put his finger upon that clause of the constitution where provision is made for the filling of vacancies I shall be glad to read it.

Mr. GRAY. Section 3, on page 26.

Mr. GEORGE. The language of the constitution is as follows:

If the office of representative or the office of senator become vacant before the regular expiration of the term thereof, a representative or a senator shall be elected to fill such vacancy, and shall hold the office for the residue of said term.

When there is a vacancy in either house of the general assembly, and the general assembly is not in session, the governor shall have power to issue a writ of election to fill such vacancy; which writ shall be executed as a writ issued by a speaker of either house in case of vacancy.

I do not know any way the Senator from Oregon can get out of that, unless he reverses in one respect and follows exactly in another the performance of electing a president *pro tempore*. There the constitution said either house may elect a president *pro tempore*. The Senator said that meant "shall." Now, when we come to this clause, the Senator finds himself in a difficulty about "shall," and he will have to change that into "may." There never was in any constitution such particular provisions for the purpose of keeping every one of the nine senators' seats and every one of the twenty-one representatives' seats full, not only during the session of the legislature, but in vacation, for the governor is authorized to issue the writ when the legislature is not in session.

With that provision of the constitution, the Committee on Privileges and Elections and the Senator from Oregon assert to the Senate that there is a seat, one of the nine seats in the senate of Delaware, which is not subject to occupation, which I suppose means—I do not know what it means unless it means this—is not subject to have an incumbent in it.

Mr. GRAY. That it is vacant and can not be filled.

Mr. GEORGE. That it is vacant and can not be filled, when the constitution says it shall be filled.

Third. There are nine seats—and all required to be filled. The contention is that Mr. Watson could not further occupy the seat to which he was elected and in which he was duly installed, and the trouble is not that the seat could not be occupied at all, but could not be occupied by Mr. Watson after the 9th of April, he becoming on that day, according to the contention of the committee, disqualified to fill it. There is no provision there, and the Senator does not even argue that there is, that there shall be a vacant seat, but he says, admitting that there are nine seats there, Mr. Watson could not occupy one of them. That is the whole contention on the other side.

Mr. GRAY. The Senator from Oregon just now contended that there were only eight seats.

Mr. GEORGE. Yes, sir; eight. Where is the provision of the constitution of Delaware which says, under any circumstances, that the constitutional number of seats in the senate—nine—shall be reduced to eight? This whole debate on the other side, and nearly all of it on this side, has been conducted on the idea on one side that Mr. Watson could not fill the seat and on the other that he was in the seat; and that is all there is in it. If he was qualified under the constitution to fill it, then he could fill it. The contention is that he could not fill it because on that day he became disqualified. Whether he was so disqualified or not was in effect the same thing exactly as whether he was qualified or not, and this is the sole question in this case. It is not denied but admitted that the senate of Delaware is the judge and the sole judge of his qualifications. Is not the same senate the sole judge of the disqualifications? The Senate of the United States has not the slightest jurisdiction over that question, as has been held for a hundred years and never disputed until this case came up.

Mr. GRAY. Is not the meaning of "qualification" the absence of disqualification?

Mr. GEORGE. Certainly it is. One is put in the affirmative and the other in the negative; and that is all there is in it. It is just the same as the proposition that all men are mortal, or no man is immortal. That kind of Jesuitical hair-splitting will not

do for the judgment of the United States Senate in seating a man in this body who has never been elected to it.

My friend got up to-day an eighth-member theory. In the committee and in the argument heretofore he thought it was better to go for a tenth member. We were to have ten members. Then he supposed the case of the tenth member of the senate; he put the supposition of Grover Cleveland, the President of the United States, being a member of the senate of Delaware, and asked what we were going to do then? Then a case from Kansas was brought up, upon which all this sophistical reasoning is based, in which the supreme court of that State decided that for four men who voted for a public printer, or something of that kind, there were no seats, not that there were seats there not subject to occupation, but that by the law of Kansas there were no seats for those four men. It is all based on that. Here is a seat; here is the ninth seat; and the constitution of Delaware says it shall be filled, and points out the mode in which it shall be filled.

Mr. ALLEN. And the man who shall fill it.

Mr. GEORGE. And the man who shall fill it. Now, they say if Mr. Watson was not exercising the office of governor they will admit that he could fill the seat in the senate. The Senator from Oregon admitted some time ago that the decision of the senate of Delaware for many years had been that the man exercising the office of governor did not lose his seat in the senate, but had come back to it; and he is bound to admit, under that argument, that if Mr. Watson on the morning of the 9th day of May had resigned what my friend calls the office of governor, which he says Mr. Watson could resign, he would then be a senator and in his seat. What is that but saying, not that there is no seat there subject to occupation, but that there is no man there who is authorized and qualified under the constitution to occupy it? That seems to me, sir, to answer the question.

Mr. MITCHELL of Oregon. I say it is not subject to occupation only during his continuance in the office of governor. That is the answer.

Mr. GEORGE. Mr. President, I have now performed my duty as I understand it in reference to this case. I have discussed at some length, probably more than I ought to have done, the various phases of this question. In conclusion I only desire to say this, and no more than this, that after a very careful examination of the case I can reach but one conclusion, and that is that if Mr. Du Pont is seated in the Senate of the United States the Senate will perform no act different for Mr. Du Pont than electing him to a place to which the legislature of his State failed to elect him.

Mr. MITCHELL of Oregon. Will the Senator from Mississippi allow me to ask him two questions before he takes his seat?

Mr. GEORGE. Certainly.

Mr. MITCHELL of Oregon. I have listened with a great deal of interest to the lengthy and interesting speech of the Senator from Mississippi, and I simply wish to ask him two questions. The first question is in reference to the matter discussed last by the Senator. The constitution of the State of Delaware provides that a person to be entitled to a seat in the senate of the State of Delaware shall have certain specific qualifications, namely, he shall be of a certain age; he shall have a certain amount or kind of property; he shall have lived in a certain county a certain length of time, etc. Does the Senator from Mississippi hold that the right of the senate of Delaware to pass upon the qualification of a senator in the senate of Delaware extends beyond those specific qualifications enumerated in the constitution of Delaware, or is it confined to them? That is the first question.

Mr. GEORGE. I will answer the question. I have already stated very fully to the Senate that at every moment of the existence of the senate of Delaware it had before it the question of the right, the power, of any man who assumed to be a member of that body, and it had the right to decide on the question.

Mr. MITCHELL of Oregon. I admit that, but—

Mr. GEORGE. And they decide it. They first ascertain what the qualifications are, and then they decide whether the man possesses them; but whether they decide right or wrong it is not subject to review in the Senate of the United States.

Mr. MITCHELL of Oregon. That is not an answer to the question.

Mr. GEORGE. That is an answer.

Mr. MITCHELL of Oregon. That is not an answer to the question, as I think, with all due respect to the Senator. My question was whether the right of the senate of Delaware to pass upon the qualifications of its own members extends to the question of passing upon some other matter than the specific qualifications of the constitution. That is the question. Of course, the answer would mean, although it was not specific, that it does extend beyond that. I deny that as a legal proposition.

Mr. GEORGE. My answer is that they have a right to determine whether A, who presents himself as a member of the senate, is entitled to a seat. That includes all qualifications and all disqualifications, because there are disqualifications put in the constitution of Delaware, which they could decide upon.

No person concerned in any army or navy contracts, nor member of Congress, nor any person holding any office under this State, or the United States, except the attorney-general, officers usually appointed by the courts of justice, respectively, attorneys at law, and officers in the militia, holding no disqualifying office, shall, during his continuance in Congress or in office, be a senator or representative.

They can pass upon all of those disqualifications and every one of them, and it is absolute, final judgment.

Mr. MITCHELL of Oregon. I understand the position of the Senator from Mississippi, and I do not agree with him. There is one other question—

Mr. GRAY. I should like to ask—

Mr. MITCHELL of Oregon. There is one other question I desire to ask the Senator from Mississippi. I said I would ask two questions, and I shall confine myself to those two. The other question relates to another branch of the subject. The Senator, in his speech, has contended very vigorously that the speaker of the senate, when he succeeds to the exercise of the office of governor, exercises such office not in his own right, but as speaker, and that the speaker of the senate can not, in the event of the death of the governor, resign the right to exercise the office of governor, but that the only way he can get out of exercising the office of governor is to resign as speaker of the senate.

Mr. GEORGE. That is my view.

Mr. MITCHELL of Oregon. That is the Senator's view. The question I wish to ask the Senator is this: Suppose, after the speaker of the senate, Mr. Watson, had entered upon the exercise of the office of governor, the senate of the State of Delaware had expelled Senator Watson for some good reason, and whether it was a good reason or not, had actually done so, because he is still senator, according to the theory of the Senator from Mississippi—

Mr. GEORGE. Yes, sir.

Mr. MITCHELL of Oregon. He is still speaker of the senate, according to the Senator's theory.

Mr. GEORGE. And according to the theory of the Senator from Oregon.

Mr. MITCHELL of Oregon. Suppose the senate of Delaware had expelled Senator Watson from the senate, which, of course, would have dragged down the speakership as well, he would have been expelled not only as senator, but as speaker of the senate.

Now, what I wish to know is, whether, after that is done, is he still governor—the constitution says he is, or at least that he shall continue to exercise such office until a governor elected by the people is duly qualified—and if so, is he still governor as speaker, or in his own right—how is he governor? Can he exercise the office of governor after that? And if so, does he exercise it in his own right, or as speaker of the senate, although he is no longer speaker?

Mr. TURPIE. That is an inability provided for in the constitution of Delaware.

Mr. MITCHELL of Oregon. I am asking the Senator from Mississippi.

Mr. TURPIE. That is an inability—

Mr. MITCHELL of Oregon. I am asking the Senator from Mississippi. I wish to have the question answered by that Senator, as I think it thoroughly tests the validity of the whole argument of the Senator from Mississippi.

Mr. TURPIE. It does not test any argument.

Mr. MITCHELL of Oregon. I am asking the Senator from Mississippi.

Mr. GEORGE. I shall be very glad to answer all the conundrums which my distinguished friend—

Mr. MITCHELL of Oregon. I have no conundrums, only that plain and very pertinent question, and I should like to have it answered.

Mr. GEORGE. I shall be very glad to answer all the conundrums which my distinguished friend may see proper to put to me. But there is no case before the Senate which involves any question of that sort. I have thought of it a good deal. Either one of two things is true. One plausible view is that in virtue of that provision of the constitution which says that the speaker shall exercise the office of governor until a certain time, he is kept in there, except he be impeached. The other is the one suggested by the Senator, that being a senator and speaker, independent of and contrary to the express command of the constitution, he may be removed. There are two ways to get rid of him. He may be removed by a majority vote from the office of speaker or he may be expelled by a two-thirds vote. Unless that provision of the constitution to which I have alluded makes it absolutely impossible for the senate to proceed in that way, he could neither be expelled nor removed. My own idea would be that he could be removed from the office of speaker by a majority vote of the legislature, and then he would not any longer be the governor.

Mr. GRAY. He would no longer exercise the office of governor.

Mr. GEORGE. He would no longer exercise the office of governor.

Mr. GRAY. Words are things now.

Mr. MITCHELL of Oregon. These are all of the questions I wish to have answered.

Mr. GRAY. I want to ask the Senator from Oregon a question.

Mr. MITCHELL of Oregon. I am not on the witness stand.

Mr. GRAY. I wish to put the Senator there. This matter is before the Senate, and it is a privileged question. When the Senator from Mississippi yields the floor I propose to take it. Let me ask the Senator from Oregon a question.

Mr. GEORGE. I wish to try to find something. Here it is:

Upon any vacancy happening in the office of governor by his death, removal, resignation, or inability, the speaker of the senate shall exercise the office until a governor elected by the people shall be duly qualified.

Whether or not that would continue him against the removal by the legislature I am not prepared to say. I am inclined to think it would not.

If there be no speaker of the senate, or upon a further vacancy happening in the office by his death, removal, resignation, or inability, the speaker of the house of representatives, etc.

That seems to go to sustain the idea that he could be removed, not only by impeachment, but by the action of the legislature.

But that is not in this case.

Mr. GRAY. I should like to ask the Senator from Oregon, if he will so far indulge me, to make a little more clear to my mind at least his position in regard to the extent of the jurisdiction of the senate of Delaware to judge of the qualifications of its members. I understood him to say—and if I misunderstood him I hope he will correct me—that that jurisdiction extended only to those qualifications which are enumerated in section 3 of the constitution, to wit:

No person shall be a senator who shall not have attained to the age of 27 years, and have, in the county in which he shall be chosen, a freehold estate in 200 acres of land, or an estate in real or personal property, or in either, of the value of \$1,000 at least, and have been a citizen and inhabitant of the State three years next preceding the first meeting of the legislature after his election, and the last year of that term an inhabitant of the county in which he shall be chosen, unless he shall have been absent on the public business of the United States, or of this State.

Will the Senator so far indulge me as to say whether I am correct in the assumption that he contends that the jurisdiction extends only to those qualifications enumerated in that section?

Mr. MITCHELL of Oregon. I simply desired to get the opinion of the Senator from Mississippi [Mr. GEORGE] on that point, as to whether he holds that the right of the senate of Delaware extends to questions beyond those specified in the constitution.

Mr. GRAY. I understood the Senator from Oregon to say that in his opinion it did not extend. Am I right in that respect?

Mr. MITCHELL of Oregon. I think it is very doubtful whether it does.

Mr. GRAY. Very doubtful?

Mr. MITCHELL of Oregon. Yes; very doubtful, at least.

Mr. GRAY. Then the Senator's opinion is that it does not extend to the disqualifications mentioned in the same article which I will not take up the time of the Senate by repeating, but which are very familiar to the Senator. Perhaps I had better enumerate them. It says:

No person concerned in any army or navy contracts, nor member of Congress, nor any person holding any office under this State, or the United States—

With certain exceptions—shall during his continuance in Congress or in office be a senator or representative.

Does the Senator think the jurisdiction of the Senate to judge of the qualifications of its members does not extend to the matters enumerated in that section? Is that his view?

Mr. MITCHELL of Oregon. I was calling upon the Senator from Mississippi to define his opinion of it.

Mr. GRAY. I beg the Senator's pardon. I understood him to say that he differed with the Senator from Mississippi.

Mr. MITCHELL of Oregon. I do. I certainly differ so far as this question is concerned. Here is a constitutional provision which states that in a certain contingency the speaker of the senate shall become the governor or shall exercise the office of governor.

So far as that question is concerned, which involves a construction of the constitution of the State, as to the status of this person, after he succeeds to the exercise of the office of governor, I do undertake to say in the most positive terms that in my judgment it is a disqualification, if you so please to call it, or, to be more accurate, it places the seat of that person in a certain state as to its being subject to occupation or nonoccupation, and thus presents a question upon which the senate of Delaware can not, under its power to judge of the qualification of its own members, act so as to bind the Senate of the United States. That is my opinion.

Mr. GRAY. Is it the Senator's view that the jurisdiction of the senate of Delaware, while it extends to those qualifications mentioned in section 3, does not, so far as being conclusive upon the Senate of the United States is concerned, extend to the matters mentioned in section 12?

Mr. MITCHELL of Oregon. It certainly does not, in my judgment, extend to any question which involves a construction of the constitution of the State of Delaware. I am not prepared to state positively that they would not have the power to pass upon the question as to army and navy contracts, because that is a plain provision not open to construction. There is no constitutional

question whatever involved. But the other matter involves the construction of the constitution of the State of Delaware, and upon that question I do undertake to say, and have said from the first, and I insist upon it, that the decision of the senate of the State of Delaware is not binding.

Mr. GRAY. Then, in other words, if I understand the Senator, the jurisdiction of the senate to judge of the qualifications of its members extends to every case enumerated in the constitution, both of qualification and disqualification, except as to that matter which concerns the decision of this case?

Mr. MITCHELL of Oregon. Oh, Mr. President, that is not a fair comment upon what I have said.

Mr. GRAY. That is exactly what the Senator has said.

Mr. MITCHELL of Oregon. I have not said so by any manner of means. In one case there is a plain, specific, statutory provision that a person holding an army or navy contract shall not be a Senator, while in the other case—

Mr. HILL. What does the Senator from Oregon mean by a statutory provision?

Mr. MITCHELL of Oregon. I stand corrected. I did not mean to say statutory, but a plain, specific, constitutional provision, not open to construction.

Mr. ALLISON. I rise to a point of order.

The VICE-PRESIDENT. The Senator from Iowa will state his point of order.

Mr. ALLISON. What is the pending question?

Mr. GRAY. The pending question is the privileged matter of the Senatorship from Delaware, which I am discussing and upon which I have the floor.

Mr. ALLISON. I do not so understand it.

Mr. GRAY. I understand it is a privileged question at all times.

Mr. ALLISON. I had the floor three days ago and yielded to the Senator from Mississippi [Mr. GEORGE], who desired to make a speech. Of course I do not wish to interfere with proper debate of the privileged question.

Mr. GRAY. I am not going to interfere with the Senator from Iowa longer, but I do not care to be taken off the floor in a summary way.

Mr. ALLISON. Mr. President—

Mr. GRAY. I am here discussing a privileged question, as I understand it—

Mr. ALLISON. I understand—

Mr. GRAY. To wit, the right of a claimant to a seat in this body.

The VICE-PRESIDENT. The Chair will hear one Senator at a time.

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

The VICE-PRESIDENT. The Senator from Iowa will state the point of order.

Mr. ALLISON. I have a right to make it—

Mr. GRAY. I am discussing the point of order.

Mr. ALLISON. Without having the Senator from Delaware intimate that I am taking him from the floor. I yielded to the Senator from Mississippi to make a speech upon the privileged question, and for that purpose only. I did not know that the debate was to last three or four days. If it is the purpose of Senators to complete the privileged question, I of course yield the floor and will make no further objection.

Mr. GRAY. I did not suppose that I was trespassing upon anybody's time or anybody's rights. I merely rose to add something to what had been said in regard to the privileged question before the Senate. I did not propose and I do not now propose to occupy the time of the Senate further. But I merely wish to assert in regard to the point of order that I believe under the rules of the Senate I was occupying the floor in my own right, and that I am not amenable to the point of order made by the Senator from Iowa.

Mr. WOLCOTT. The Senator from Delaware was in the middle of a question which he was asking the Senator from Oregon [Mr. MITCHELL]. I hope we may have the question completed, so that we may also have the answer.

Mr. GRAY. The Senator from Oregon was in the middle of an answer to the question.

Mr. WOLCOTT. I knew it was one or the other. We on this side could not tell which it was.

LEVI STOLTZ.

Mr. ALLISON. I ask that the Post-Office appropriation bill may be laid before the Senate.

Mr. SHERMAN. I hope the Senator from Iowa will allow me to call up a private bill. It will take but a few moments to read it. If the bill excites any opposition at all I will yield at once.

The VICE-PRESIDENT. The Senator from Ohio asks unanimous consent for the present consideration of a bill which will be stated by title.

The SECRETARY. A bill (S. 1546) for the relief of Levi Stoltz.

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

Mr. ALLISON. I yield if the bill does not lead to debate.

Mr. SHERMAN. If it leads to discussion I shall not ask for its consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with amendments, in line 4, after the word "directed," to insert "any statute of limitation to the contrary notwithstanding"; in line 7, after the name "Ohio," to insert "in accordance with the provisions of section 6, act of March 1, 1879, as amended by subsequent acts"; in line 10, after the word "him," to insert "prior to January 1, 1874"; in line 14, after the word "amount," to insert "of taxes"; and in line 15, after the word "overcharged," to insert "or allowable on account of accident"; so as to make the bill read:

*Be it enacted, etc.*, That the Commissioner of Internal Revenue be, and he is hereby, authorized and directed, any statute of limitation to the contrary notwithstanding, to consider and adjust the claim of Levi Stoltz, a citizen of Greenville, Darke County, in the State of Ohio, in accordance with the provisions of section 6, act of March 1, 1879, as amended by subsequent acts, for excess of taxes and assessments charged by the United States against him prior to January 1, 1874, on the Greenville Distillery, owned and operated by him, said excess of assessments caused by accidental bursting of the stills, necessary changes in the still tubs by errors in surveys, and to refund the amount of taxes that may be found to have been thus overcharged, or allowable on account of accident: *Provided*, That the whole sum allowed shall not exceed the sum of \$1,153.56.

The amendments were agreed to.

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

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

#### PROPOSED INVESTIGATION OF BOND SALES.

Mr. PEPPER. With the consent of the Senator from Iowa, I ask unanimous consent of the Senate that upon the conclusion of the Post-Office appropriation bill the Senate will proceed to the consideration of the resolution proposing an investigation into recent sales of bonds, not, of course, to displace the unfinished business.

The VICE-PRESIDENT. Is there objection to the request of the Senator from Kansas?

Mr. HILL. As it is impossible to state how long the consideration of the Post-Office bill will take, I must interpose an objection. Twice I have proceeded to discuss the question involved in the resolution, and twice have I been cut off, when it could not be prevented. I want the resolution brought up some time when it can be taken up like any other order of business and continued until disposed of. What has become of the unfinished business, the Utah joint resolution? Whenever the resolution of the Senator from Kansas can be taken up to be continued to the end, not only so that I can express my views upon it, but that other Senators may do so, will be ample time to call it up.

Mr. ALLISON. The Utah joint resolution, I understand, is the regular business.

The VICE-PRESIDENT. It is the regular order.

Mr. CULLOM. I desire to state that the Senator from Utah [Mr. CANNON] is attending a funeral at this hour, but he probably will be in his seat before the Post-Office appropriation bill is disposed of. If so, he will be glad to proceed with the consideration of the unfinished business.

The VICE-PRESIDENT. The Chair will then lay the unfinished business before the Senate.

#### POST-OFFICE APPROPRIATION BILL.

Mr. ALLISON. I hope we can now proceed with the Post-Office appropriation bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 6614) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1897, the pending question being on the amendment reported by the Committee on Appropriations, on page 7, after line 8, to insert:

For additional compensation to the Oceanic Steamship Company for transporting the mails by its steamers sailing from San Francisco to New Zealand and New South Wales by way of Honolulu, all mails made up in the United States destined for the Hawaiian Islands, the Australian colonies, New Caledonia, and the islands in the Pacific Ocean, \$80,000: *Provided*, That said additional sum with the sum now paid shall not exceed \$2 per mile, as authorized by act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports, and to promote commerce."

Mr. HILL. I understood last night that the Senator from Iowa [Mr. ALLISON] took the floor to explain to the Senate more particularly in regard to the question involved in the amendment. Did not the Senator intend to answer the Senator from Wisconsin [Mr. VILAS]?

Mr. ALLISON. I am not aware that there was any specific question to which I was to make answer.

Mr. WOLCOTT. Will the Senator from Iowa allow me to interrupt him for a moment?

Mr. ALLISON. Certainly.

Mr. WOLCOTT. I ask the Senator from Iowa whether he is ready at this time to have extraneous amendments offered?

Mr. CULLOM. Not until this amendment is disposed of.

Mr. ALLISON. There is an amendment pending.

Mr. WOLCOTT. As to the Oceanic Steamship Company?

Mr. ALLISON. Yes.

Mr. WOLCOTT. I understood the Senator to ask that the bill be proceeded with for the present, and that this matter should be passed over. I do not understand whether he wanted it passed over only until the reading of the bill was completed.

Mr. ALLISON. I am perfectly willing that other amendments shall be offered, allowing this amendment to be passed over until other amendments are disposed of.

Mr. WOLCOTT. Just as suits the convenience of the Senate. It is unimportant to me. I have an amendment which I shall be glad to offer now if it is agreeable to the Senate and the Senator from Iowa.

Mr. ALLISON. I have no objection.

Mr. WOLCOTT. I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment submitted by the Senator from Colorado will be stated.

The SECRETARY. On page 2, line 1, after the word "dollars," it is proposed to insert the following additional proviso:

*Provided, however,* That whenever, by order of the Postmaster-General, any post-office is consolidated with any office so as to become a station or substation of the same, the salary of the superintendent or clerk in charge of such station or substation may then be paid out of the appropriation; not, however, to exceed the amount of the salary previously paid to the postmaster of the office which has become such station or substation.

Mr. WOLCOTT. Mr. President, the amendment just read was reported unanimously by the Committee on Post-Offices and Post-Roads and was referred for action to the Committee on Appropriations. Not only was the action of the Committee on Post-Offices and Post-Roads unanimous, but each member of the committee, and I imagine very many members of the Senate, have received during the last week or two repeated letters and telegrams and inquiries from citizens all over the country having no interest in this matter except that interest which every good citizen feels in the economical and wise administration of the law, urging that the amendment be brought to the favorable consideration of the Senate. I have referred to the Committee on Appropriations from the Committee on Post-Offices and Post-Roads resolutions passed by the Democratic State committee of Massachusetts, and various resolutions passed by other organizations of both political parties throughout the United States.

The reason for the amendment is very easily understood if a word of explanation is given concerning it. It has for some years been the belief of many incumbents of the office of Postmaster-General that the present organization of the Department was unfortunate so far as concerns the securing of economy and safety and celerity in the transaction of the business of the Department. There are something more than 68,000 fourth-class post-offices, all the postmasters of which report directly to Washington. They are like an army of privates with no intermediate officers. When each one of them desires stationery, or stamps, or supplies of any character, he communicates with the home office at Washington. Whatever supervision is extended over him reaches from Washington to the possibly remote place where he may be filling the little office of postmaster in some small community.

The Postmaster-General under the Administration of Mr. Harrison made an earnest representation to Congress in favor of the distribution of the United States into 100 post-office districts. He suggested that there should be appointed to each of these districts, under the title of supervisor or superintendent, or whatever you like, some person whose business it should be to gather together the affairs of the fourth-class post-offices within that district; that he should instruct new appointees in their duties; that they should apply to that supervisor for such supplies as they might need, for such instructions as might be needed; that he should generally oversee them in the conduct of their business, and that if there was inspection to be made of their offices the inspection should be made through one of these 100 supervisors. He showed, and showed with quite an array of facts, the utter lack of economy in the present methods of conducting the business of the office and the utter inability of the Department properly to investigate the conduct of the offices by the fourth-class postmasters.

The recommendation of that Postmaster-General was followed by Postmaster-General Bissell, who in a very strong communication to Congress adopted the suggestion of his predecessor and urged that the country be divided into districts. He was in doubt as to the wisdom of dividing it into 100 districts, but he suggested that there should be a district perhaps for each State, with the larger States perhaps divided into additional districts, and that the supervision should come through those districts. He showed, I think, with much conclusiveness that such a division would add greatly to the good conduct and the economical administration of the office.

But Congress has not acted. Under existing law the Postmaster-General may establish and may vacate such offices as he shall see

fit. Under this construction of the law the Postmaster-General from time to time has been disestablishing or closing smaller offices near large cities, and has been gathering them in as a part of the metropolitan district of those cities. The result has been that he closes the office and that the person in charge ceases to be an appointive officer by the Postmaster-General, coming under the Assistant Postmaster-General, but the office is then administered by a clerk of the Post-Office Department at a certain salary which is regulated by law. Under the existing provisions of law that salary may be from \$300 to \$1,000 at the option of the Postmaster-General of the United States, the salary being paid in accordance with the service rendered. The effect of that has been not to obliterate the office. It keeps its name.

For instance, at Chicago there are countless small offices, Presidential offices, second-class, third-class, and fourth-class offices, which have from time to time been gathered into the administration of the office at Chicago. They keep their names. There are Englewood and Lake View and a number of different towns all embraced in the same district. They keep their autonomy. Except that the public gets better and more economical and quicker service, the public rarely knows that the change has been made, and yet it is true that those offices have ceased to be appointive offices and come under the administration of the postmaster of the metropolis of the district. At Cambridge, another large city in immediate communication with the city of Boston, this same extension has been had, and in Brooklyn an order was recently made attaching several districts. The Postmaster-General in a report which he has made, and which is published with the report upon this amendment (it has been upon the desks of Senators, and I have no doubt they have read it), recites that in Brooklyn a few offices have been attached, and that with great economy and wisdom all of Long Island could be attached to the city of Brooklyn, and if it should be so attached the mails could be carried much cheaper and much better than they are at present carried.

There is nothing political in this, Mr. President. It does not savor in the slightest degree of politics. As I have said, there are now 68,000 fourth-class offices. Between now and the close of the present Administration there could not be a thousand offices changed if they worked night and day. The change must be gradual. It is not for the aggrandizement of either political party; it is solely for the benefit of the public service.

It is true, and we must face the fact, that this is doing by indirection what Postmasters-General have asked in vain of Congress. They have suggested a division into districts. They have suggested that Congress find some way for gathering together these offices so that they may be administered from a few heads. We have failed to do it. Postmasters-General, relying upon the general provisions of law, have gone to work themselves and have gradually reached out and gathered the offices in. You must leave it to their discretion.

I looked for some time to see if we could not suggest in this bill some amendment that should make it connect, for instance, with the extension of trolley service or of other communications where there should be some natural limit which we could prescribe to it. You can not with safety do it. There are often offices which are disconnected by any quick method of travel and yet which in the conduct of the business of the Department should be associated and connected with metropolitan offices.

I am free to say that the amendment which has been adopted tentatively as we have gone along—the amendment which immediately follows the amendment which I have offered on page 2, an amendment to the effect that no office shall be discontinued at any county seat—is not in accordance with the principles which I am here declaring. It is not necessarily fatal to them, but it is not in the line of the suggestions I have made. I understand probably why the amendment has been interposed, or perhaps one of the controlling reasons. I am advised that the Postmaster-General, in one of the States in this Union, in the State of Maryland, reached out some 14 miles and took the post-office at Ellicott City, a second-class post-office, a Presidential office, closed it, discontinued it, and attached it to the post-office administration of the city of Baltimore. This would have been all right provided it was in the line of a legitimate extension of the business of the office, but I am advised that in doing this he reached over and skipped office after office, leaving a great lot of them between Baltimore and Ellicott City, and seized upon that particular office. Without some explanation, which I have not yet been able to receive, such a proceeding is destructive of the very principle which this amendment seeks to establish and which is itself recommended by the Postmaster-General.

It may be that he has some adequate explanation for it; I do not know what it is, but I do say that even if it shall have been in one instance abused it is in the line of good service and economical administration, and that all of us should look forward to the time when these post-offices will be administered principally from the larger cities, where the new appointees in the little offices may

receive the benefit of the counsel and advice and suggestion of the postmasters in the cities; that they may receive the benefit of close proximity to some head, who shall guide them in the discharge of their duties and be able to ascertain if they are fulfilling them.

The Postmaster-General says that as a rule this service is so scattered, with so few facilities for investigation, that there is practically never an investigation made of a post-office until there comes a complaint. There ought to be some head near by to whom these men can look up, to whom they can report.

As far as the expense of it goes, it is a very great saving. The report shows how great is the saving. It is a saving in a thousand offices of more than a half million dollars a year. Of course, the amount of the saving varies in different offices, but you get better service and you get it for less money.

Under the present condition of affairs the payment of fourth-class offices depends upon the business transacted. The fourth-class postmaster gets all the proceeds of the cancellation of stamps up to a certain amount, and then it is graded up to a certain other amount, until his pay becomes \$1,000, and as soon as his pay becomes \$1,000 then at once it becomes a third-class office and he is appointed. In addition to that, the Postmaster-General in his option may make certain further allowances to the fourth-class postmaster. If he is on a line where a route starts off from some other place and where there may be letters to be assorted and counted and stamped, he may make certain allowances for clerk hire. All this will be brushed away. There will be a simple, direct administration of the office, out of politics, by some competent clerk who is able to take the position for less remuneration, as a rule, than the cost of the administration of the office, with very possibly a larger individual salary to the person conducting it than has heretofore been received.

Mr. President, I trust that the Senate will see, as the committee has seen, the wisdom of adopting this amendment. In my opinion there should, perhaps, be from the amendment as it has been reported by the committee the elimination of all the words in the amendment after the word "appropriation," and for the reasons which I shall give. As the amendment was proposed, it is as follows:

That whenever, by order of the Postmaster-General, any post-office is consolidated with any office so as to become a station or substation of the same, the salary of the superintendent or clerk in charge of such station or substation may then be paid out of the appropriation.

Then comes the clause—

Not, however, to exceed the amount of the salary previously paid to the postmaster of the office which has become such station or substation.

The inequality of that is evident. It is difficult to determine it. Not only may it be different last year from what it was year before last, but it may differ in different quarters of the year, and it may be difficult for the Postmaster-General to determine it.

Then, also, it would be so permanently fixed that it would require an express provision of law to change the remuneration of it. As these communities near the larger cities grow larger, the pay should increase. The Postmaster-General under existing law may make his allowances not less than \$300, and up to \$800, and it is not necessary that this provision should remain upon the statute. So, with the permission of the committee which reported the amendment, I will strike out from it all after the word "appropriation" in the fifth line, so that the amendment will read as I have suggested.

Mr. ALLISON. I call the attention of the Senator from Colorado to the fact that the proposed amendment, if inserted at all, should be inserted at the end of line 11, rather than after the word "dollars," in line 2.

Mr. WOLCOTT. Very well, I accept that. I agree to anything that will make the bill symmetrical.

Mr. ALLISON. The compensation to postmasters provided for in the bill, \$15,250,000, is a specific appropriation for their compensation, and the amendment is a proposition to compensate clerks of post-offices. So it should be added to the provision for clerks.

Mr. WOLCOTT. I accept the suggestion.

Mr. ALLISON. I have no objection to the amendment, if it is thought necessary, except that I think by implication even we should not provide for superintendence. That is an office not now known to the law, so far as I am aware.

Mr. WOLCOTT. Right at the inception of the Senator's remarks I should like to suggest that nowhere is that intended.

Mr. ALLISON. Will the Senator from Colorado look at line 3? It reads, "Salary of the superintendent or clerk." I think we might strike out the words "superintendent or"; so that it would read:

The salary of the clerk in charge of such station.

Mr. WOLCOTT. Very well.

Mr. ALLISON. They are, then, to be paid out of the appropriation. With those modifications, the one suggested by the Senator himself and the one now suggested by me, I have no objection

to the amendment. I think, however, that it is unnecessary, and the First Assistant Postmaster-General so stated to the Committee on Appropriations. The only difficulty as respects the payment of clerk hire was in the fact that the appropriation was too small, and therefore, in order to meet this condition, as also one or two other conditions, the Committee on Appropriations increased the item for clerk hire from \$10,350,000 to \$10,500,000. The First Assistant Postmaster-General, or perhaps one of the subordinates under him—I am not certain on that point—stated to us that with this increase of appropriation they could deal and would deal with this entire question.

As respects the consolidation of offices in the neighborhood of cities, the power is clearly given now by statute for the Postmaster-General to accomplish this end. Whether he is authorized to skip over half a dozen post-offices in order to reach a county seat and abolish a post-office there, I am not quite so clear; but it is certainly within the power of the Postmaster-General to establish post-offices and to abate offices or discontinue offices.

Mr. WOLCOTT. May I interrupt the Senator from Iowa for a moment? I beg pardon if I interrupt him untimely. I do not mean to do so.

Mr. ALLISON. Certainly; I yield to the Senator.

Mr. WOLCOTT. I think the First Assistant Postmaster-General would feel very badly to be quoted as the Senator from Iowa has quoted him, I am certain under some misapprehension. The Senator and I talked this over the other day and I was aware of the understanding with the Senator that the First Assistant Postmaster-General looked upon this as a matter of appropriation. Since that time I have talked with him. It was only the latter part of the clause, which is stricken out, that he thought doubtful, and he expressed himself to me as feeling deeply the importance of the first portion of the clause. So there is a bare possibility, and I want to do him that justice—

Mr. ALLISON. I may possibly be mistaken in my impression of what the Postmaster-General said.

Mr. WOLCOTT. The Postmaster-General himself reported this amendment in its very phraseology—

Mr. ALLISON. The First Assistant Postmaster-General?

Mr. WOLCOTT. No, the Postmaster-General; and I should not like to see the First Assistant Postmaster-General quoted as against his chief if he did not intend to be so quoted.

Mr. ALLISON. Neither would I. I am very certain the First Assistant Postmaster-General suggested that latter clause of the amendment was not only an unwise one, but that it would interfere with the proper success of the enterprise of consolidating offices. But if there is any doubt about the power of the First Assistant Postmaster-General to execute the proposed reform, I am perfectly willing that the amendment as modified shall be added to the provision. I do not understand that it changes existing law or affects existing conditions.

Mr. LODGE. As I introduced the amendment which has been reported and approved by the Committee on Post-Offices and Post-Roads, I merely desire to say that it certainly has the cordial approval of the Postmaster-General, from whom I have a letter here, as the Senator from Colorado has already stated, and, with the lines omitted which have been stricken out, it has also certainly the very hearty approval of the First Assistant Postmaster-General, whom I saw this morning.

In my State, where the population, especially in the eastern part, is very dense and the cities and towns are large and near together, the consolidation of offices has taken place to a considerable extent. In every case it has made an improvement of the service. More persons have been able to be served by the carriers than before and better service has been given to the public in every way. I know that in my own State, where it has been so largely tried, there will be great objection to giving up that consolidated service at the large metropolitan offices. Also, as the Senator from Colorado has pointed out, it will make a great saving of money to the United States. Probably \$500,000 will be saved the first year. When we can get such a vast improvement in the service as this amendment will permit, and also at a reduction in expense, it seems to me that there is no serious argument to be made against it. I have no objection to the amendment, which I think has already been adopted, at the top of the page, in regard to county seats; but I should like to add at the end of the amendment:

*Provided, however, That this shall not apply to the city of Cambridge, in the State of Massachusetts.*

The city of Cambridge has been for a long time consolidated with the metropolitan system of Boston. Although there are two cities and two municipal organizations, the community is the same practically, and all the service is conducted through carriers and local lines of street cars. It would entirely break up the present system if Cambridge could not be excepted from the amendment. Cambridge happens to be a county seat, one of the county seats of Middlesex County, and I should like, if there is no objection on the part of those who are interested in the amendment, to except the city of Cambridge from the operation of the amendment by the

words which I have proposed, which I ask to be inserted at the end of line 6 on page 2.

The VICE-PRESIDENT. The amendment submitted by the Senator from Massachusetts will be stated.

The SECRETARY. Add at the end of line 6, page 2, the following proviso:

*Provided, however,* That this provision shall not apply to the city of Cambridge, Mass.

The VICE-PRESIDENT. Without objection, the amendment is agreed to. The question is on the amendment of the Senator from Colorado [Mr. WOLCOTT].

Mr. GORMAN. Let the amendment be read as modified.

The VICE-PRESIDENT. The amendment as modified will be read.

The SECRETARY. Insert after the word "post-offices," line 11, page 2:

*Provided, however*—

Mr. ALLISON. Strike out "*however*" after "*Provided.*"

The Secretary read as follows:

*Provided,* That whenever, by order of the Postmaster-General, any post-office is consolidated with any office so as to become a station or substation of the same, the salary of the clerk in charge of such station or substation may then be paid out of the appropriation.

Mr. WHITE. I should like to inquire of the Senator from Colorado whether he understands that the effect of the amendment, if adopted, would be that the Post-Office Department may create any number of substations with reference to the main office? Is there to be any limitation on the power of the Postmaster-General?

Mr. WOLCOTT. No; the Department may do that now. They may extend the system as they see fit.

Mr. WHITE. In cases where the substation system is extended the salary system now prevailing will be changed, I presume.

Mr. WOLCOTT. It does away entirely with the present system of payment, which depends on the cancellation of stamps.

Mr. WHITE. I understand that is the law now.

Mr. WOLCOTT. It does away entirely with that system, and a salary of from \$300 to \$800 per annum is paid under existing law, at the option of the Postmaster-General.

Mr. WHITE. Then in those cases where postmasters of the fourth class now receive smaller salaries of course the bill will inure to their advantage.

Mr. WOLCOTT. Oh, yes; generally speaking, the bill inures to their advantage, because they get more. Additional service is cut off, because additional expense is not incurred in transportation in reaching the different places. It is all done through fewer hands and more directly.

Mr. GORMAN. Mr. President, the amendment, if adopted, will, I understand, be the first direct approval by Congress of the system which has been entered upon of the consolidation of any number of small, fourth-class post-offices with the large post-offices of the cities. It is a reversal of the practice of the Department from the beginning. It is in accord with the general tendency of all the business affairs of the world to wipe out all of the small offices and concentrate the power in the hands of a few men.

Under the statute the Postmaster-General, having the unquestioned right, has taken quite a number of the large cities in the Union and abolished the independent offices in the little country places entirely outside, in the villages, the ordinary country post-offices, and has placed such office in charge of a clerk who is an appointee or under the control of a postmaster 10½ miles distant. To illustrate, the city of Baltimore, with 500,000 inhabitants, has a post-office, but they are not content with serving the people in that community who are engaged in business enterprises and who want frequent deliveries of mails, where such a system has become a necessity for them, but by an order of the Department a circle of 10 miles is thrown around that city. It embraces the farming section and fifteen or twenty little post-offices outside of the city, where there is no necessity for daily delivery or delivery by carriers, and where the people in those communities prefer to assemble at the local post-offices, and get their mail once or twice a day. This provision must of necessity increase the expenses of the office. It can not be otherwise. It is a hardship upon the people who use the small post-offices. The man in charge of a little post-office is the neighbor and the friend of those residing in the community. The mere fact that there is a change of power from one political party to another amounts to nothing. These postmasters remain, no matter what party is in power. But these people want the post-offices near their own homes. They communicate through the local postmaster with the Postmaster-General at Washington. To communicate with the postmaster at Baltimore is no convenience to them; on the contrary, it would be a hardship, and there is no desire for such a change.

It is said that this system is to be adopted so that the people will get more frequent deliveries, and all the small post-offices be brought within the supervision of a single man. That may be,

Mr. President, but, at the same time, it will be taking from the people that to which they have been accustomed, and I do not believe they will long submit to it.

Take the case of the abolishment of the Presidential post-office in the community in which I reside—not within the county of Baltimore, not a part of the Baltimore post-office, and having no connection with it—an office as old as that in the city of Baltimore. It is the distributing office for the country back of it for 20 miles, and was by this order consolidated with the city of Baltimore. There is no way to reach Baltimore from it except by a winding road around the Patapsco, and then into Baltimore, 14 miles distant. I know the people of that community. They denounce the act; they know it is an inconvenience to them; they know that under this system which is being entered upon, if it is unlimited, as is proposed, the whole post-office business of the State will be centered in the hands of one postmaster.

Mr. ALLEN. For political purposes?

Mr. GORMAN. Yes, sir; of course, for political purposes. I do not care, however, to speak of that. I am against the principle which enables the Postmaster-General to abolish all the small offices at his will. It is not only undemocratic and un-republican, but it is un-American, as we have understood the meaning of the term American. The people have looked to the small post-offices as the only places through which they come in contact with the officers of the Government. They care nothing about your custom-houses. It is not the office or the salary of the office, but it is the fact that as American citizens they should have a place near their door where they may go and tell their postmaster what they desire, and let him communicate directly with the Postmaster-General, or the President, it may be, but the Postmaster-General as a rule.

Mr. President, I can go from here to the city of Philadelphia in less time than the Baltimore city post-office could be reached from one of these substations, and the postmaster at Baltimore would be as foreign to those agricultural people as the postmaster at New York.

I see that there is a provision in this bill for the purchase of bicycles, horses, and wagons. We will see a man wearing a uniform start from the city of Baltimore on a bicycle, with a small mail bag on his back, riding up into these communities and delivering mail to them. If they wanted to make complaint they could not catch the mail carrier, because the riders are usually expert.

I agree that around cities like Baltimore, Philadelphia, Brooklyn, New York, or Boston, where the street-railroad cars operated by electricity have penetrated, communication is easy and swift, and better mail service can be established. Consolidation would be a great benefit to communities so situated, but it ought to be done with discretion. It ought not to include the agricultural portions of the various States. No such lines as have been drawn around Brooklyn and Baltimore for from 15 to 20 miles ought to be permitted.

I think the present Postmaster-General or the First Assistant Postmaster-General, who is a very capable and bright man, and, I think, one of the best we have ever had in the Department, has made the suggestion, though it did not originate with him, but he has emphasized it, that he ought to have a hundred districts in the country, with the Assistant Postmaster-General, if you please, or some important officer, to supervise the system within each district, to examine its workings, and to report upon it. It may be all right and it may be a wise provision, but I am opposed to abolishing these offices for the purpose of putting them under the civil service. That is all there is in it; that is the incentive and the motive—to get these small offices within the classified service.

Mr. FRYE. Will the Senator allow me?

Mr. GORMAN. Certainly.

Mr. FRYE. I understood the Senator from Colorado to say that under existing law these consolidations were now being made, and I understood the Senator from Maryland to say that a town in his own county, 14 miles off, had been consolidated with the post-office at Baltimore. Will the Senator be kind enough to explain to me how this amendment affects that, and how that consolidation is to be prevented, or is to be aided, by this amendment in any way?

Mr. GORMAN. It does not prevent the consolidation. The Postmaster-General has construed the present laws to give him this authority; and I rather think he is right about it, although there may be some doubt concerning it, but he finds this trouble in extending the system. He can not find the money to compensate the agents; he can not any longer use the amount of compensation which the postmasters at the small offices have received of forty, fifty, or one hundred dollars to pay the clerks. This provision opens the door so that he can go to the general fund and use that, as I suppose has been done, to compensate those clerks.

Mr. FRYE. Then, to carry out the Senator's proposition and prevent this undemocratic and, as he says, un-republican method

of doing business, why is it not necessary to amend the bill and forbid the Postmaster-General from making any such consolidation?

Mr. GORMAN. I should be delighted to do it within reasonable bounds, as I said a moment ago. Take the large towns around a great city like Baltimore, or Philadelphia, or Boston. In the instance given by the Senator from Massachusetts of Boston and Cambridge and New York and Brooklyn there ought to be discretion, in my judgment, in the Postmaster-General to permit such consolidation: for in those cases the community is homogeneous, consisting of business people, and in all such cases there ought to be discretion, but the provision regarding it should be carefully drawn.

Mr. FRYE. Will the Senator allow me again?

Mr. GORMAN. Certainly.

Mr. FRYE. Why is not the amendment offered by the Senator from Colorado a necessary auxiliary to the existing power of the Postmaster-General if he may now consolidate, and why should he not have, as provided in this amendment, the power of paying for the offices in the consolidated district?

Mr. GORMAN. He has that power now, but if this amendment be adopted it will give him additional power to extend the system to any places he pleases, not only for 10 miles from the center of a city, but for 100 miles. At present he is limited in the territory to which the extension can be applied because of the want of sufficient legislation to allow him the money to pay his clerks. This amendment proposes an enlargement of his power.

Mr. HILL. I ask the Senator, under the bill as it now stands and under the amendment should it be adopted, if the only limitation is as to county seats?

Mr. GORMAN. A provision has been already adopted as to county seats; but now the Senator from Colorado, the chairman of the Committee on Post-Offices and Post-Roads, brings in another proviso, which enables the Postmaster-General to draw from the general fund a sufficient amount to pay all the men who may be employed in the substations. In other words, it gives him sufficient money for the first time to enlarge the scope of the operation of this theory of his, which he can not do now because of the want of money.

Mr. ALLEN. I should like to ask the Senator how far can the Postmaster-General, through the postmaster, for instance, in Baltimore, extend these substations?

Mr. GORMAN. I have no doubt he may embrace the whole State of Maryland.

Mr. ALLEN. Over a hundred miles?

Mr. GORMAN. There is no limit except the amount of money at his disposal.

Mr. ALLEN. Then the postmaster at Baltimore would be practically the postmaster of Maryland?

Mr. GORMAN. He would be, and it would be the same in any other State. There is absolutely no limit except as to the amount of money.

Mr. BATE. How about the postmasters at county towns?

Mr. GORMAN. As to the postmasters of county towns, the amendment has been adopted. As I said to the Senate before, in quite a number of these cases, two, I think, in my own State—I do not know how many in others, but there are quite a number—the office at the county seat, being a Presidential office, has been abolished and subagents appointed to fill the office.

Mr. BATE. How can that be done?

Mr. GORMAN. By the order of the Postmaster-General, as Senators will find if they read the report which the Senator from Colorado has made, Report No. 592, which was placed on our desks yesterday.

Mr. WHITE. If the Senator from Maryland will permit me a question in reference to this matter, I will say that I notice on page 5 of the report to which the Senator refers that there is a recommendation that the sum of "\$2,000,000 be taken from the appropriations for the salaries of postmasters, and that in place of this an increase of \$1,500,000 be added to the appropriation for clerk hire." Has that been done in this bill?

Mr. GORMAN. The amendment now pending, reported by the Senator from Colorado, enables the Postmaster-General to take any amount of this money. There is no limit to it, as I understand. I ask the Senator from Colorado if I am correct in that?

Mr. WOLCOTT. Mr. President, my understanding, unfortunately, is that the effect of this amendment is not to enlarge the power of the Postmaster-General in the application of the fund. I should be very glad if it did. I understand—I should be glad to have the chairman of the Committee on Appropriations correct me if I am wrong, as I am very apt to be [laughter]—that the effect of this amendment is simply to declare the opinion of Congress that it recognizes the right of the Postmaster-General to so distribute, coalesce, and consolidate these offices as the public business shall require. The necessary effect will be at a subsequent Congress that the necessary appropriations will be changed

from such sums as are applicable to fourth-class postmasters, so that they will be gradually applied, as necessity may require, to the payment of clerks. I take it that that will be so. I should be very glad if this amendment did enlarge the powers of the Postmaster-General; but I do not see that it does, and I ask the chairman of the Committee on Appropriations to tell me if it does.

Mr. ALLISON. Will the Senator from Maryland allow me a moment?

Mr. GORMAN. Certainly.

Mr. ALLISON. If the pending provision shall be added to the appropriation for clerk hire it will place the clerks at the substations in the city post-offices upon the same plane as the clerks in the post-offices themselves; they will be paid out of the same appropriation, and will be employed, as now, practically by the Postmaster-General under one of the divisions of the Post-Office Department.

As to the appropriations for postmasters, if the Senator from Maryland will allow me a moment further in answer to the suggestion of the Senator from California [Mr. WHITE], we have appropriated here \$16,250,000 for the salaries of postmasters, the Postmaster-General saying that the amount needed is \$17,000,000. So we have appropriated in this bill \$750,000 less than the Post-Office Department says is necessary for the payment of the salaries of postmasters; and those salaries, being fixed by law, must be paid through a deficiency bill to the extent of the deficiency in this bill.

Mr. WHITE. I should like to ask the Senator from Iowa if the \$750,000 is necessary why it is not appropriated?

Mr. ALLISON. According to the statement just made by the Senator from California, if this new system is applied to the whole country it will reduce \$2,000,000 on postmasters and increase a million and a half on clerks, and thus save a half million dollars. So we have gone at least part way in this bill thus far, by reducing the compensation of postmasters from the estimate to the extent of \$750,000.

Mr. GORMAN. I want to ask the chairman of the Committee on Appropriations what is the necessity for this amendment, if it does not enlarge the powers of the Postmaster-General or empower him to pay these clerks? I want to call his attention to the provision contained in the bill. It reads:

For compensation to clerks in post-offices, \$10,500,000; \$900,000 of which shall be available and used in payment of clerk hire in third and fourth class separating post-offices.

If the Senator is correct that the amendment offered by the Senator from Colorado does not enlarge that, I do not understand it. Let me read the proposed amendment as it now stands:

Provided, however, That whenever, by order of the Postmaster-General, any post-office is consolidated with any office so as to become a station or substation of the same, the salary of the clerk in charge of such station or substation may then be paid out of the appropriation.

I say that is an enlargement of the powers of the Postmaster-General. To-day he has not the power to pay the clerks out of that fund to the extent which is necessary for him to conduct his scheme of consolidation.

Mr. ALLISON. Mr. President, I am glad to have the Senator from Maryland state that he does not think this power exists now. I am not absolutely familiar with the details of the administration of the postal laws as to compensation to clerks. I will illustrate by taking the city of Chicago, where there are a dozen substations. The cost of maintaining those substations is paid out of the compensation and allowances to the postmaster at Chicago. If he fixes a salary for a substation he can, as I understand, assign any one of the clerks in that post-office to the substation. If the clerk has a salary of \$300 or \$600 or \$900, or any other sum, he will earn it in that substation. If that be true, this consolidation, so called, is nothing more than the abolition or discontinuance of certain post-offices, and the people who are supplied from the post-office are drawn into the substations of the city post-office. If that be so the substations come under the general provision. That is my idea. I believe that is the law now. If that is to be enlarged so as to take \$2,000,000 or \$1,000,000, by gathering in all the post-offices in a community, I can quite understand that it would be necessary to wholly change the present system as to the delivery of mails to those offices and the payment of those who are charged with the duty of delivering letters. But I do not understand that that is the project here; at least it is not so disclosed so far as I have seen.

The intention is simply to gather around the large cities the small offices, and make them substations or branch offices to the main office. That power may be abused, but I am surprised to hear an intimation here that it has been abused. I hope that will turn out not to be true, but it seems to me that it is a reasonable thing to trust the Postmaster-General not to abuse this power as against the wish and will of the community which receives its mail at these little or great offices. I know of nothing about which the people of a locality are more sensitive than having a post-office taken away from them or having any of the privileges

as to the prompt delivery of mail taken away from them at any time. Therefore I had supposed, and still suppose, that if we should agree to this amendment there would be some sense and discrimination in the exercise of the powers already in the law and only recognized by this amendment.

If it be true that the Postmaster-General has not now the power to fix the compensation of the clerks at substations, of course that power ought to be given him, and I suppose it is given in this amendment. My impression was that the power existed now without the amendment; but the Senator from Maryland has examined the law upon that subject and thinks the power does not exist, while I have not made any special examination on that point.

Mr. CULLOM. The power has been exercised, has it not?

Mr. GORMAN. No, sir.

Mr. CULLOM. I supposed it had been.

Mr. GORMAN. That is the object of the amendment. I will illustrate it by the offices right here under our eyes. The law fixes the compensation of a postmaster to-day by the receipts of his office from the sales of stamps. The postmasters at small offices get from \$30 up to two or three hundred dollars; the salaries of the Presidential offices are fixed according to their receipts. When the consolidation took place in the office at the county seat of the county in which I reside, where the postmaster's compensation was fixed by the receipts of the office—twelve or fourteen hundred dollars—he was appointed as a clerk or a keeper of a substation, and his compensation was fixed at one-half, we will say, of what his compensation was as postmaster. The salary of the postmaster of adjoining post-office, which was consolidated, was only \$25. No substation man could be employed there for that sum. Owing to the expense of the letter carrier on his bicycle running out 10 or 12 miles from Baltimore on the turnpike road, the delivery could not be had at any such amount. So the Postmaster-General found he was embarrassed under the present law in paying for the number of clerks it was necessary to employ, instead of the small postmasters appointed under the general law. Hence the enlargement of that provision becomes necessary if this scheme is to be extended.

Mr. ALLISON. Then, if I understand the Senator from Maryland, the effect of this scheme would be to increase to a certain degree the expenditures rather than to diminish them, because these men would not take care of the substations as they now do for the letter postage.

Mr. GORMAN. The Postmaster-General's statement and his belief is, I have no doubt, that in the end he will probably save a large amount; at all events, that is his assertion. This plan has not yet gone far enough to test it; it is a mere speculation. The estimate of its cost is as wild, I think, as the estimates of the amount of revenue to be derived from the revenue bill which we passed several years ago, and also of the revenue to be derived from the last bill. Nobody to-day knows just how it will work out, but the Postmaster-General can not carry it out to the extent he desires without some such provision as that now pending. It must go on, then, if we can not prohibit it, as I should like to do, outside of the corporate limits of the great cities, with a few exceptions I have named. I want to limit it by the amount of money he can use. Let the law remain as it is; let the experiment which is going on in several of our great cities be tried for a year or two until we can ascertain what will be its effect.

I am loath to have the Post-Office Department enter upon a scheme which will remove the post-offices from the people. The whole tendency of legislation, the whole thought of the country, it seems, at this time, if we are to believe the press, is that you are to discredit the people, to take away from them all power under the Government, to remove from the people of the communities any power to determine who are to be their public servants.

Good as civil service may be for the great Departments of the Government, I do not believe in it when it comes to these small offices, which belong to the people and which are of them.

I believe, Mr. President, that this Government will be a failure if we are to have guardians appointed for the people, if we are to have a permanent tenure in all these small offices which are scattered through the country. When changes are made in such offices they are denounced as part of the spoils system. Nobody cares for the small post-offices so far as political power is concerned. There is no political power in the small post-offices in the country districts so long as they are scattered, so long as the postmasters are the servants of the people, selected by the residents of the neighborhood without regard to politics, or with regard to politics, if you please. I do not want to see a system inaugurated which will take the men of the counties of the State in which I reside to the city of Baltimore to consult with a postmaster to be selected by and from that city, who has no interest in their small affairs. I want to see those people continue now, as they have for a hundred years, to feel that they have a right to go directly to the Postmaster-General or to his agent in their

neighborhood, the man whom they have selected. I am against this consolidation in everything wherever it can be prevented by legislation. With all we can do it is impossible to restrain it.

I have seen, Mr. President, under the guise of civil-service reform, men who shouted loudest in my own party use this very system, which is now attempted to be broadened and enlarged, as a powerful political machine to bring about results while they were clamoring and crying for civil-service reform and protesting that they were the only honest men. I take the case of the Baltimore post-office, enlarged as it has been. It embraces two entire Congressional districts, and reaches now, with this enlargement, to two more districts, not the entire districts, but within the districts, making it in touch with four of the six Congressional districts in the State of Maryland. From headquarters came the order to this man with enlarged power to select the men who should be sent to the Congress of the United States, and at least one of them came. I would limit the power by keeping those offices spread throughout the country in the hands of the people. I am sorry to say—and I do it without any disrespect—that we have been following too closely on the line we have charged has been the practice on the other side.

Mr. President, I trust the amendment will not be adopted. Let the law remain as it is. Let the experiment which has been inaugurated be tried in Boston and Brooklyn and Baltimore and Chicago and the other large cities; permit the consolidation of the offices within the corporate limits of those cities or within given territory, but do not extend the system, for it will be abused, as it has been abused.

Mr. VILAS. Mr. President, I desire to say but a very few words in reference to this subject; and I am sorry that, with respect to it, I am obliged to disagree to some extent with the distinguished Senator from Maryland [Mr. GORMAN]. I think the amendment ought to be adopted, and the reason for its adoption, in my opinion, which controls my judgment more than almost any other, is twofold. First, that perhaps there will be some improvement in the service; and I think there must be some improvement in the service resulting from its adoption. But the second one is that I think it will prove a step in the gradual extension of the principles of civil-service reform, as it is called, over the post-office system of the United States. There has been so much exploitation of civil-service reform by those who use the subject only to talk about it and to attract attention to themselves in regard to it that I do not care to spend any time arraying myself among the class of those who favor the principle for any other reason than because I believe it is the true principle for the maintenance of democratic institutions in the country. I do not use the term "democratic" in a political sense or with reference to any division of party. I use it in the sense of the principles which I profess as necessary to the maintenance of the system of republican government which we enjoy.

Mr. FRYE. No one suspected the distinguished Senator of such a use of the word, because everyone now understands that it would not have commended the amendment to the American people.

Mr. VILAS. I must decline to make a trivial jest with my distinguished friend the Senator from Maine when we are discussing something which I would prefer should be quite removed from partisan politics, and to discuss it upon the basis of a larger view.

Mr. FRYE. I am glad the Senator recognizes it as a jest.

Mr. VILAS. Perhaps something might be said on that subject in view of some recent developments which may lead us to hope that the American people are not quite ready to be sold or bought.

Mr. FRYE. The Senator is taking me altogether too seriously.

Mr. VILAS. Ah!

Mr. FRYE. Altogether too seriously.

Mr. VILAS. For a great many years there have been gradual, moderate efforts to improve the postal service of this country. It has grown and developed with enormous rapidity. Within ten years 20,000 new post-offices have been added. There is no country in the world which possesses anything like the number of post-offices that the United States affords to its people. Its use of railroads for the transportation of the mails is so great that almost as many miles of railroad are in the employ of the United States postal service as in all the rest of the globe combined.

The laws which control the system were devised at a very early day, when the post-office was placed in the hands of the Postmaster-General, and he himself in the first place declined to accept the appropriation which Congress made for an assistant, because he said he found himself able to do all the work of the office himself. But without much change in the system there has been a tremendous spread of its extension until the number of people employed in the Department now is probably not less than 150,000. It is necessary in such a vast force of men that there should be some division and separation, some orders established, as it were, in the arrangement of the force.

I do not understand, when we come to the particular subject of the post-offices, that anything very extraordinary is to be done

with the post-offices as they exist under the policy which the Postmaster-General proposes to try to a certain extent. Small post-offices lying within a district of country which may be better governed by one postmaster will be discontinued. In their place a station will be established. The clerk in charge of that station takes the place of the postmaster who was there. He will conduct the office substantially as the postmaster did. He can supply every convenience and advantage which the postmaster could supply to that community. He is just as much the servant of that community, he is just as much to belong to them, he is to be their man, to live with them, as he would be under the present system. The postmaster is appointed at Washington.

Mr. HILL. The Senator from Wisconsin will allow me for a moment. Is there any law requiring actual residence in the town where the post-office is located?

Mr. VILAS. The statute requires the postmaster to live in the town.

Mr. HILL. The clerk, however, can live in the city and be sent out into the rural district?

Mr. VILAS. It can be very easily corrected, if it is necessary.

Mr. HILL. It is a fact that he can be sent there? There is no law to the contrary?

Mr. VILAS. Perhaps the law does not explicitly say that a clerk shall live in the district where he serves.

Mr. HILL. If that be true, the clerk has not the same relations to the locality as has the postmaster who lives among the people and is a resident of the community.

Mr. VILAS. So far as the legal provision is concerned, there may be a slight difference. So far as the practical result is concerned, there can be none, in all probability.

The Postmaster-General now possesses the power to establish an office, to discontinue an office, to define the districts of country over which the authority of the office shall extend, to appoint the clerks, to assign them their compensation. I should prefer that the word "salary" in the amendment should be changed to "compensation," because we do not fix salaries for the clerks. The phrase generally employed, I believe, is "compensation." I merely mention that and call attention to it in passing. The Postmaster-General does not, as I understand it, intend to sweep away the system of post-offices in this country. It may have happened that in some particular instance an injury has been sustained or some wrong thing has been done. It would be a wonder if something of the kind did not happen in the administration of a system so vast. But if there be any fault of that kind, it is ordinarily immediately corrected when the facts are represented to that officer. It may be expected that a mistake of the kind will always be promptly corrected. If not, there is the same authority to correct the abuse of power which is intrusted to him that exists now.

Mr. ALLEN. I should like to ask the Senator from Wisconsin a question or two which I regard as very important. Do I understand that as the law exists now and as it is proposed to perfect it, the Postmaster-General may, for instance, say that a post-office 50 miles from the city of Omaha in the country shall be a subpost-office of Omaha?

Mr. VILAS. The law as it stands now gives the Postmaster-General power to establish or discontinue a post-office at pleasure. It gives him power to establish substations within any post-office district, and it is within his power to define what the post-office district shall be.

Mr. ALLEN. Then I understand the Senator to assert this—

Mr. VILAS. But I wish to add that it is not to be presumed that a law which has existed like that since the beginning of the Government, since the establishment of the Post-Office Department under Benjamin Franklin, is to be abused as is indicated by that question.

Mr. ALLEN. But I do not understand that since the time of Benjamin Franklin the law has existed to establish subpost-offices. I understand that the power to establish or abolish a post-office exists, but what I want to know of the Senator—

Mr. VILAS. It has existed since the system was begun.

Mr. ALLEN. What I want to know of the Senator is how long there has been a law upon our statute books that would authorize the postmaster of the city of Baltimore, for instance, to create subpost-offices beyond the corporate limits of that city?

Mr. VILAS. I think since the system was originally devised.

Mr. ALLEN. Since the system was originally devised?

Mr. VILAS. Yes. The law now directs, and always has directed, everything within the postal service to be done by the Postmaster-General. The law says the Postmaster-General shall stamp and back stamp letters. The Postmaster-General carries the mail. The Postmaster-General does everything. Congress simply provides him with authority to employ means to do it. Originally postmasters were known as and called deputy postmasters, because they were the deputies only of the Postmaster-General. The phrase "deputy" was afterwards dropped.

Mr. ALLEN. The question I put to the Senator, which he

does not answer—at least I have not heard his answer—is, how long has the Postmaster-General had the right, for instance, to create a subpost-office to the main post-office of the city of Baltimore beyond the corporate limits of the city of Baltimore?

Mr. LODGE. He has always had it.  
Mr. VILAS. I think he has enjoyed the same right that he now has since the Government of the United States was instituted and the Post-Office Department was established, if I am not mistaken.

Mr. LODGE. He has always had it.  
Mr. VILAS. He has always had it.  
Mr. ALLEN. How long has the system of substations been in existence?

Mr. VILAS. A very great many years. I can not undertake to tell the Senator when the first substation was established. Probably it was in the city of New York. But it must be understood that there is a vast difference in the character and classes of substations. The Postmaster-General now has in the city of New York probably a hundred stations where nothing is permitted but the sale of stamps, others where letters are received and transmitted, others where money orders may be issued, others where various different descriptions of business may be done, so as to accommodate, by all the various agencies that he can provide, the community which is to be served.

This system is nothing new. It is merely to do for a community at large just what has been done ever since there was a necessity for it by the growth of population in localities.

Mr. ALLEN. If the position of the Senator from Wisconsin is correct, what is there to prevent the Postmaster-General from making, for instance, a post-office 400 miles across the entire width of the State of Nebraska a substation of the post-office at Omaha?

Mr. VILAS. We do not as a rule have Postmasters-General made of that stuff.

Mr. ALLEN. I ask what is there in the laws to prevent it?  
Mr. VILAS. There is nothing in the law to prevent it. What is there in the law to prevent the Chief Justice of the United States from doing something unbecoming his station and abusing the lofty trust which is reposed in him?

Mr. ALLEN. There is the power of impeachment.  
Mr. VILAS. The power of impeachment rests with Congress as regards the Postmaster-General equally as with respect to the Chief Justice.

Mr. ALLEN. Very well. If under existing law the Postmaster-General may—I am not saying certain whether or not he will—establish a subpost-office 400 miles from the city of Omaha, then the Postmaster-General may make the postmaster at Omaha the postmaster-general of the State of Nebraska, with every office under his control, and he may send from that city or from any other place a citizen, 400 miles from where he lives, to act as agent or postmaster in a given community. Is not that true?

Mr. WOLCOTT. I suggest that some of the railway mail clerks are much farther from home than that.

Mr. VILAS. I know; and Congress last year, when it was suggested—

Mr. ALLEN. I hope the Senator from Wisconsin will not undertake to avoid the question.

Mr. VILAS. I have not. I think I have answered it fully.

Mr. ALLEN. The Postmaster-General has the power, then, if he sees fit to exercise it, and we have to trust to his honesty or knowledge of the fitness of things as to whether he will exercise it.

Mr. VILAS. I think the Postmaster-General has almost a plenary, despotic power over the postal service.

Mr. ALLEN. He has the power to send into the community where I reside a man from a place 400 miles distant, who is to act as postmaster and distribute the mails to my people.

Mr. VILAS. Let me say—  
Mr. ALLEN. Has he that power?

Mr. VILAS. Let me say to the Senator that he has the power to appoint a postmaster for the city in which the Senator resides, subject, perhaps, in that case, to confirmation by the Senate, from any place, and all that the law requires is that he shall be a resident of that city while he is postmaster.

Mr. ALLEN. That does not answer the question.  
Mr. VILAS. It shows what great power—

Mr. ALLEN. The question is, has he the power to send a man from a point 300 or 400 miles distant from where those people live to administer the affairs of their office?

Mr. VILAS. I suppose he has power now to send one a thousand miles.

Mr. ALLEN. Yes; and the Senator wants to increase that power.

Mr. VILAS. Not at all. I do not propose to interfere with that power. I am simply proposing to regulate its exercise.

Mr. ALLEN. Does not the Senator think that the power should be curtailed and that the Postmaster-General should be confined in the creation of substations to the corporate limits within which the main office is situated?

Mr. VILAS. I do not. I think the power should be left substantially as it is.

Mr. ALLEN. Then I understand the Senator wants to take the power out of the hands of the people in their own community and centralize it in the hands of some one man in the State or in the hands of the Postmaster-General.

Mr. VILAS. Oh, Mr. President, the Senator from Nebraska is very far off. What power have the people now over a postmaster?

Mr. ALLEN. They have this power: By the established custom of the country, which has become a law, the postmaster must come from the community where the post-office is situated. He must be a member of that community whom the people approve—that is, whom they know and who can be answerable to them while he administers the affairs of the office, and not only at that time, but in his social, his business, and his political relations for all time.

Mr. VILAS. I should like to ask the Senator if he has not known of a great many instances—and if he has not, I presume other Senators have—where postmasters have been imported from a considerable distance to localities they afterwards served as postmasters? Does he not know also that in a great many instances postmasters have been appointed whose appointments were by no means in accordance with the desires and wishes of the communities they served?

Mr. ALLEN. I have known of the latter, but I have never known of the former.

Mr. VILAS. There have been instances of the former.

Mr. ALLEN. I do not think the American people would tolerate the importing of a man from one State or section of a State into another section of it to act as postmaster for them. There may be some instances—

Mr. VILAS. I agree entirely with the Senator from Nebraska that there is a force of public opinion which no officer of the Government would wantonly disregard, but it would be just as efficacious in respect to the appointment of clerks at stations where those post-offices were as it is now with respect to the appointment of the little postmasters, so called, who serve them.

Mr. GORMAN. Will the Senator from Wisconsin permit me for a moment?

Mr. VILAS. With pleasure.

Mr. GORMAN. Does not the Senator know the fact that the moment the offices are consolidated they go into the classified service? The moment that occurs the appointment of the substation agent or clerk must come from the classified civil-service list, and it will not be within the power of the Postmaster-General to select a resident of the neighborhood. He will have to take the first on the civil-service list, and he may be a resident of a place 200 miles distant. If the consolidation takes place there is no help for it. It destroys the right of the people in this respect.

Mr. VILAS. Let me answer the question first in this way. The first superintendent is the man now there.

Mr. GORMAN. That depends upon circumstances.

Mr. VILAS. The Postmaster-General's universal rule would be necessarily so. He makes the postmaster in charge of the office the clerk in charge of the station.

Mr. PLATT. He may not wish to remain as such, though.

Mr. VILAS. No, he may not; and then the civil-service rules, I understand, require that the eligible list from which clerks are chosen shall be made up of residents of the locality.

Mr. ALLEN. I wish to call the attention of the Senator from Wisconsin to this fact. I had occasion to investigate it a short time ago as respects a citizen of my own State. The Senator from Maryland is wrong in his statement that the Postmaster-General must take the first person on the classified list. He may go down to the very bottom of the list. A man may pass a perfect examination under the civil-service rule and may be eligible and remain upon the list for years and never receive an appointment, while some other man who has taken the examination is selected for an office. I know it from the fact that I investigated the matter some time ago with reference to a citizen of my State.

Mr. VILAS. I have no doubt at all that there have been many abuses and gross mistakes made in the administration of that law, as there may be in the administration of any new law.

Mr. ALLEN. One question more. Suppose a man living in the community where the post-office substation is located should pass an examination and be placed upon the classified list. What is to prevent the Postmaster-General from selecting some one from some other community, to pay a political debt possibly or a personal obligation, and sending him to that community to administer the affairs of the office?

Mr. VILAS. I think the rules of the civil service governing the mode of choice sufficiently provide to prevent the exercise of any such capricious or malicious authority.

Mr. BATE. Is not the Postmaster-General absolutely denied the right to appoint to one of those substations anybody outside of

the civil service, although those on the eligible list may live ever so far away?

Mr. VILAS. I suppose he would be obliged, except in the first instance, to make the appointment, when the office is brought within the classified service, on the same principle upon which clerks are appointed in other offices now.

Mr. BATE. Has it not now gone so far in the classified service as to deny to the Postmaster-General the power to appoint anyone who may be a favorite in the neighborhood or anyone outside of the classified service, though there may be no one living in the community who is on the eligible list? Is he not denied that right now?

Mr. LODGE. Will the Senator from Wisconsin allow me on this point?

Mr. VILAS. I will. The Senator from Massachusetts wanted to interrupt me a few moments ago.

Mr. LODGE. I merely wish to say that the appointments in the classified service to local offices are made from the locality. They can not be made from elsewhere.

Mr. GORMAN. They are made from the States.

Mr. LODGE. I think they are made from the locality.

Mr. GORMAN. No; from the State.

Mr. LODGE. No. For instance, take the custom-house at Boston or Baltimore. A man can not be sent from Washington and put into the post-office or the custom-house at Baltimore or Boston.

Mr. GORMAN. But any—

Mr. LODGE. If the Senator from Maryland will allow me, in the substations the clerks of course are simply detailed from the force of the office. They are all, as a matter of fact, citizens of Boston or of Baltimore, within the Baltimore and Boston districts. I wish before I sit down to ask the Senator a question which I have been trying to ask him. The Senator from Maryland gave the impression that this is a new movement. Am I not right in saying that this consolidation in the metropolitan districts has extended over some years? Certainly it has been going on in Boston for ten or fifteen years.

Mr. VILAS. It has been gradually going on for a great many years. When I was in the Department I contemplated pushing the very system of extending the consolidation of offices with a view to the improvement of the service. But there were so many difficulties pressing at the time and there were so many other directions in which preparation was necessary for changes gradually coming over the Department that it was impossible to undertake this improvement, or it was thought inexpedient then to undertake it. I believe it will prove a great benefit and a great advantage to every community where one of these stations is located, and that instead of resulting in being poorly served they will enjoy a great deal more facility in respect to the use of the postal service.

Mr. BATE. As a matter of fact, the Senator from Wisconsin has not answered my question, if I understand him.

Mr. VILAS. I perhaps did not hear the Senator from Tennessee.

Mr. BATE. Has the Postmaster-General—

Mr. VILAS. I yielded to the Senator from Massachusetts [Mr. LODGE].

Mr. BATE. The Senator from Wisconsin yielded to the author of the amendment. Does the right now exist in the Postmaster-General to appoint to one of the substations anyone outside of the civil service, no matter how far those on the eligible list may reside from the city or the locality where the service is to be performed?

Mr. VILAS. Except in the first instance, I understand not.

Mr. BATE. Then my question went further. Suppose there is no one in that district, or around anywhere near the city, who belongs to the civil service, are they not going to import a man who may be objectionable to the people, and have they the right to do that under the law?

Mr. VILAS. As I understand it, all the eligibles for appointment to a post-office within a certain district must be made up from citizens within that post-office district.

Mr. GORMAN. No, no, Mr. President.

Mr. VILAS. I may be mistaken. I do not profess a particular knowledge of the rules of the Civil Service Commission.

Mr. GORMAN. The law is and the rule is that for a position in the custom-house in the city of Baltimore a resident of Maryland may apply, and so with regard to the post-office at Baltimore. So no matter in what part of the State a person may reside he is eligible to an examination, and if he passes it he is entitled to appointment when his name is reached. It embraces the whole State.

Mr. VILAS. I am under the impression that the Senator from Maryland is mistaken in regard to post-offices like the post-office in Baltimore. I think the rules do not admit the authority of the postmaster at Baltimore to appoint except from an eligible list

made up from citizens of Baltimore or of the district which is comprised within the Baltimore post-office.

Mr. WOLCOTT. I do not think perhaps the Senator from Wisconsin correctly understood the Senator from Tennessee [Mr. BATE]. I understood the Senator from Tennessee to ask if there was no one fitted to fill the office or to pass the examination in the locality where the post-office was, what would happen? I understand that under the rules of the Civil Service Commission, if there is nobody in the community who cares to act or who is intelligent enough to act, then the law permits the postmaster to go somewhere else and find a man who will act.

Mr. VILAS. I did not understand that to be the question of the Senator from Tennessee.

Mr. BATE. I ask if the postmaster is not denied the right of appointing anyone unless he belongs to the civil service in that community? I do not care how many there may be there who are capable and who might desire it, or might be popular with the people, and they might ask for their appointment, yet he is confined to the rule of the civil service in appointing some one who belongs to the district.

Mr. WOLCOTT. The Senator from Tennessee talks as if belonging to the civil service was like belonging to a fire company. Anyone who is 21 years of age and sound in health can present himself for examination. Four times a year or oftener there are examinations held, and anybody in a community is eligible to be examined. The civil service board go around and make as many stations as possible to receive applicants for examination, and the members of each community have a chance to be examined. If a vacancy occurs there is an examination, and anybody in the community may be examined.

Mr. BATE. I suppose, then, the man will have to wait after he has been examined. I have had something to do with the rule in trying to get appointments. In making the selection, they begin at the top, and the first three have to be chosen, I understand, and you can not go beyond that. I understand that they must make the selection in that way.

Mr. WOLCOTT. But giving preference to the locality.

Mr. LODGE. The entire three may be rejected by the appointing officers.

Mr. VILAS. Mr. President, I do not propose to spend much time in discussing the rules of the Civil Service Commission or the method by which they make their appointments. I only desire to say if these rules require amendment in order to perfect that system, let us amend them and perfect them. That is not the question I am now debating. I am merely insisting now that we shall get a far better service and that we shall very much relieve the country by the regulation of the system of post-offices so that we shall not have a vast number of independent post-offices scattered through the country to the extent that now prevails under no local supervision or control.

When I was in the Department, I asked Congress to give \$100,000 extra for the inspection force one year in order that we might inspect the post-offices of the country. Congress made the appropriation for a particular inspection, and the post-offices were inspected by a systematic examination such as had never before taken place in the country. It was found that in these little local post-offices in remote quarters of the country gross abuses were perpetrated upon the service; that men obtained for themselves as much as \$1,000 a year for salary when there was not in reality \$50 of legitimate business in the office.

Mr. BATE. Will the Senator pardon me? He has had more experience than any other Senator, having been Postmaster-General. Was this system of substations in vogue when he was Postmaster-General, and did he ever make an appointment outside of a corporation?

Mr. VILAS. Substations were in existence long before I was Postmaster-General. There were many substations established by my order, and the postmaster in every case made the appointment at those substations.

Mr. BATE. But did he make the appointment from a list of eligibles after a civil-service examination?

Mr. VILAS. If the post-office was in the classified service, he did; if it was not within the classified service, he did not. The practice is simply this, let me say, so far as the Postmaster-General is concerned: He considers the service at a particular locality, sometimes upon reports of inspectors, sometimes he depends upon the report of the postmaster, and at other times sends out a commission for a special inquiry. Then he awards to that post-office so many clerks at such a salary; so many at such other salaries; so many in charge of stations; so many as assistants at stations; so many for a minor station where it is allowed, perhaps, \$25 a year. Then the postmaster makes the appointments.

Mr. BATE. Have they a right to go to all ages? Are they not required to take persons between 40 years and 20 years, and does not that rule disfranchise two-thirds of the population?

Mr. VILAS. Whenever the office is within the classified service,

they must comply with the rules fixed by the President for the guidance of the Civil Service Commission, but when it is not, the postmaster exercises his own discretion, subject to the review of the Postmaster-General.

Mr. BATE. He is confined to those ages, is he not?

Mr. VILAS. Not in the latter case. There are a great many—probably thousands—clerks in post-offices who are under the age of 20 years, and I suppose that will always be permitted; I presume in many of the cities persons under that age may now be employed. I am not quite certain in respect to that fact, however.

Mr. BATE. Pardon me; are those rules established by an act of legislation or is it done simply by a regulation of the Post-Office Department?

Mr. VILAS. The rules of the Civil Service Commission are prescribed by the President under the authority given to him by the act establishing the Civil Service Commission. They are, of course, in the first instance, prepared by the Civil Service Commission after a long study and examination into the nature of the case for which they are devised, but none of them have force until they receive approval, and thus may be said to receive the enacting force of the President, to whom Congress has committed the authority. It is just so with the regulations of the Army and the regulations of the Navy. The President is delegated with the authority.

Mr. BATE. One is a military and the other a civil department. I think there is a great difference.

Mr. VILAS. Certainly there is a great difference between them. There is great difference in the methods. But I want to add another thing.

I was about to explain that by reason of a very careful inspection of the post-offices which took place, and systematically, so that one section after another was swept with the examination as with a broom, no office being omitted from it, it was found that so many offices ought to be discontinued and so much saving was actually effected in the obliteration of abuses that the cost of the inspection was very much more than repaid by the immediate saving effected as its result.

This simply shows that what the Postmaster-General says in his letter is true, that there is needed some more immediate and direct inspection of the various local post-offices. How is it possible for the Postmaster-General or either of his four assistants to make an inspection of the offices even with the aid of the force of inspectors, who are generally very useful men and very effective men? I want to say right here that I am obliged to the Committee on Appropriations for one thing they have done in this bill. They have amended the provision which the House inserted that would change the rate of expense for an inspector from \$4 a day to \$3 a day. If we are going to effect savings in the expenses of this country I trust they will not be of that nature.

There is another consideration. Aside from the mere abuses which may be put upon the Department by these scattered postmasters without any local supervision and control, there is great risk of loss. Perhaps it is not known to the extent to which it is worth while it should be known that there is in this country a system of thieves whose business it is to rob post-offices. It is well known by the inspecting force that there is a well established and organized gang of thieves who devote their attention to post-offices. They particularly fall upon the little isolated post-offices. There the postmaster is obliged to get his stamps from the Department in order to supply the office, and almost invariably he carries a considerable amount in value of stamps. It is a very simple thing to rob such post-offices. The post-offices are often in stores, and often when they are in separate buildings there are a great many ways by which burglars can effect entrance to the post-offices. If we had a system like this, we ought to save a great deal in the mere matter of the burglaries which take place as well as in the losses by fire.

Mr. WHITE. Can the Senator from Wisconsin state how much was lost during the last year by burglaries in the postal service of the United States?

Mr. VILAS. I presume I could by referring to the figures.

Mr. WHITE. If the Senator has not the figures at hand he need not spend the time.

Mr. WOLCOTT. I can refer to it.

Mr. VILAS. It will be found in the report which lies on my table. It is usually a great many thousand dollars every year.

Mr. ALLEN. Does the Senator from Wisconsin know whether the postmasters at the small offices are more dishonest than those at the larger ones? Does he mean to assert that the percentage of dishonesty is greater among them?

Mr. VILAS. Not in the least. I am not speaking of the question of the honesty of postmasters in that respect. I am speaking of the exposure to thieves to which they are necessarily subjected.

Mr. WOLCOTT. I dislike to interrupt the Senator from Wisconsin unless he wants me to do so, but I have looked up the

figures on his behalf, and can answer the Senator from California if he desires.

Mr. VILAS. I will thank the Senator to do so.

Mr. WOLCOTT. The Department lost last year \$138,000 and upward for burglaries committed, outside of the bills which Congress passed. The Department can only settle claims of \$2,000 and under.

Mr. MILLS. What was the amount of revenue paid in by all the post-offices of the United States?

Mr. WOLCOTT. I do not know. The Senator can easily look it up.

Mr. ALLISON. About \$85,000,000.

Mr. WOLCOTT. This \$138,000 was a part of it; that was taken in, if that is what the Senator from Texas desires to know.

Mr. VILAS. Mr. President, I will not engage the attention of the Senate further in this matter. I have said a great deal more than I expected to say. I merely wish to say in general that as the result of such experience as I have been able to have I think this is one of those steps which with care, with prudence, with good common sense, with gentle and reasonable effort ought to be gradually pressed forward as a step in advance in the postal service and in the reformation of the business of the country.

Mr. HAWLEY. Mr. President, so far as I can discover the thing aimed at here is something I am not friendly to. Some one says, and everybody knows it, that the Postmaster-General has always had the power to discontinue a post-office, to consolidate one, or to establish a branch of a post-office. Certainly that was true a hundred years ago. We all know how it was exercised. But I deny that the law to that effect had in view anything whatever of the system that is now submitted for our consideration. I do not like it. I prefer the old-fashioned post-office in the country districts and suburban villages. One must confess that in a place like Boston and the neighborhood around there, where there are half a dozen municipalities, all practically one now, where the means of communication are exceedingly facile and easy, it is quite proper perhaps to make branch stations of the general office, as we have here in Washington and elsewhere. But that is a different thing from reaching out 5, 10, or 15 miles in the country and taking the old-fashioned rural post-office, which is an institution in the affections and traditions and feeling of the people.

Now, going out of my own town, I can imagine places you would not know anything about if I did name them, and you will find in some suburban village or country settlement one country store where by general consent the post-office has been kept for a generation. Very likely it is a place of resort; it is a fountain of news; it answers the purpose of a clubhouse, in a certain way, for the people of that neighborhood. The postmaster and his father before him knew everybody in the town. If he saw a country wagon moving along he would go to the door and hail the man to know if he was going by Oak Lane. "Yes." "Well, take along a weekly or religious newspaper or some letters to an old widow who lives out there. She has not been downtown this week." A hundred things of that sort occur to every man who has had the pleasure of living in one of those simple regions.

Now, there is to come to that little place some young gentleman who has happily passed a civil-service examination in the city 20 miles off. He does not know anybody there, he does not own a house, he has not a wife, he has not a shop at all, he has no place to put his post-office in, and the old postmaster does not look upon him with friendship and will not let him have a corner of the country store. What is he going to do? Who wants him, anyhow?

As the old concern goes on now, when the citizens get uneasy about some management of the post-office they make trouble for the postmaster certainly, and when he is their friend he is the only intermediary between them and the great fountain of power here in Washington. Under your system they may make complaint to this civil-service clerk, and he will give his own impression of it to a certain postmaster, and then it will, perhaps, go on to Washington or be entirely overruled in the beginning of it.

It is impossible to say that the postmaster—I beg pardon, the clerk—under the new system shall be a resident of his country post-office. It possibly might be the case, but he will more likely be a foreign element injected there. I dislike this thing because in a certain way it comes out of a tendency common to human nature, and, as the Senator from Alabama said, human nature is a thing not confined to a few persons; it is pretty generally diffused. It comes out of a tendency to think that you can boss other people and do their business better than they can do it, and a tendency to put everything on earth in the form of a machine.

I am a civil-service man. I was chairman of the committee that reported the bill, and I worked for it with all my power for months, but there is a possibility of carrying it to the ridiculous. If you carry out these forms and these ideas of minute organization and centralization of power, taking it away from the locality, you will

not find in the end, in my judgment, that you have made any special improvement in the morals or in the business of the community. It is making a sort of military organization of it, gathering them into one shop like the hands in a factory or the soldiers in a company, to be under a central discipline. The central postmaster will have 50 or 100 postmasters in his district, and he will have, if he chooses to exercise it, obviously a great deal more political power than he has now. Inevitably the men he has under him will be more his slaves than anybody in the old-fashioned post-office, and it will be done under a machine known as the Civil Service Commission, carried to an extreme.

I do not like it. It is against the feeling, the old-fashioned feeling, of what the post-office ought to be. The postmaster, as a rule, is a respectable and capable man. As a rule the people collect the \$85,000,000, and throughout the great body of the country the postmasters are practically chosen by the neighborhood. I had some experience as a member of the House, where I was supposed to select the postmasters over two counties. I do not think that I ever selected one. My practice was to write to one or two leading citizens in the locality when I found there was to be a resignation or heard there was a death and say, "Put half a dozen or ten names of your best men to an application for the man you think ought to be postmaster." Then I looked it over and said, "I know these men; that is all right. Whatever they say is just what the neighborhood wants." I simply viséed or indorsed it and sent it on here. That is the way I appointed postmasters. I give you my word I never appointed one because he was my political henchman; never. Now, I would a great deal rather be that kind of a postmaster, selected instinctively, as they are ninety-nine times out of a hundred, by the people whom the postmaster is to serve, and whom they knew beforehand, than to have a boy sent down because he has passed a civil-service examination.

Mr. ELKINS. I wish to ask the indulgence of the Senate to allow me to make a few observations on the amendment that is really pending, which is the subsidy to the Oceanic Mail Steamship Company, as I shall not be in the city on Monday. I shall not take more than ten or twenty minutes, if the Senate will allow me.

The VICE-PRESIDENT. The Senator from West Virginia will proceed.

Mr. ELKINS. Mr. President, I favor the amendment reported by the committee. The Oceanic Line is one of our American lines on the Pacific Ocean, and I think it is now in great peril owing to British competition. It needs this aid, but I doubt whether, when it gets it, it will be able to sustain itself.

In the able report of the Commissioner of Navigation for 1892 I find that he anticipated the difficulties this line would have to encounter in trying to sustain itself and continue business on the Pacific Ocean. I will read from the report what the Commissioner says in relation to the Oceanic Line. It will be found on page 13.

In this connection I would allude to the difficulties which just now threaten the Oceanic Steamship Company (American), which for years, under great difficulties, has maintained a monthly line between San Francisco and Australia. This line is composed of three American-built ships and one foreign-built ship. Upon the passage of the subsidy act of March 3, 1891, the Oceanic Company decided, upon purely business considerations, that it could not afford to tender for the carriage of the mails under the provisions of that act. It is, therefore, receiving from the United States the postage on the mails carried by it, which amount to about \$5,000 per trip. Besides, it receives a subsidy from the Government of New Zealand, the Australian colonies having withdrawn the subsidies formerly paid by them. Just at this juncture the Canadian Pacific is scheming in Australasia and New Zealand and openly declares its intention of putting on a line of steamers heavily subsidized by the British and Canadian Governments. That, in the absence of some energetic action by the Government of the United States, would mean the destruction of a trade which has grown as follows:

Merchandise value of imports and exports.

Year.	Exports.	Imports.
1880 .....	\$4,748,590	\$2,920,812
1891 .....	13,017,132	6,239,021
1892 .....	11,886,677	8,492,306

Mr. President, the anticipation of the Commissioner as to the establishment of a rival line by the Canadian Pacific has come about. The British and Canadian Governments have established a line on the Pacific Ocean in competition with the Oceanic Line, and it is running to-day from Vancouver to Australia. The amendment brought forward by the Committee on Appropriations is to save, if possible, this American line from being driven off the ocean by British competition.

In 1895 we paid for carrying foreign mails \$1,173,561. Of this sum there was paid to American ships for carrying the mails \$633,350. This is the only compensation that American ships got during that year. In the same year England paid for carrying the mails about \$3,885,000, and suffered an actual loss in this

branch of her service of \$2,225,000; that is to say, the mail service cost England \$2,225,000 more than she received.

American citizens have only two steamship lines on the Pacific Ocean. One is the Pacific Mail, running from San Francisco to China and Japan, which receives a subsidy of \$6,384 per trip; the other, the Oceanic Mail Steamship Company, the one which is under consideration and named in the amendment, receives about \$5,000 per trip from the United States, according to the report of the Commissioner of Navigation, and received \$4,400 a trip last year, as suggested to me by the Senator from California [Mr. PERKINS].

Now, let us see what British ships get in those waters in competition with the Oceanic and the Pacific Mail steamship lines. The British and Canadian lines on the Pacific Ocean to China and Japan from Vancouver get \$400,000 a year from England and Canada, or \$30,767 a trip.

How is the Pacific Mail Steamship Company to survive this sort of competition? The Pacific Mail Steamship Company gets \$6,384 per trip, while one of the British steamship companies gets \$30,767 per trip for like service, and the other, to Australia, gets about \$175,000 per year.

How can the American lines survive this competition? How can they successfully compete against such odds? How can they stand out and hope to do business upon any profitable basis? It is simply impossible.

Only the other day it was decided to establish a fast steamship line from Halifax to Queenstown, and tenders have been invited to build this line, which is to consist of four first-class ships, as good as the *Teutonic*, to run 20 knots per hour, of 8,500 tons burden, and to make the trip in five and one-half days. Now listen to the subventions, or subsidies, if you please, which this line is going to get, making it the rival of any line out of New York City. It is to get from the Canadian Government a subsidy of \$750,000 and from England \$350,000 a year, making a total of \$1,100,000 a year from those two Governments; nearly twice as much as all the American ships get for all the mails they carry.

Mr. PLATT. Is that the Montreal line?

Mr. ELKINS. It is the new line from Halifax to Queenstown. This fast line is to connect at Halifax with the Canadian Pacific Railroad, and at Vancouver the railroad is to connect with the Canadian Pacific Steamship Line to China and Japan and the other Canadian Pacific line to Australia. This is a vast scheme reaching halfway around the world, the Canadian Pacific Railroad forming the link on land. It is both a railroad and a shipping enterprise, and threatens the interest of the United States. The subsidies for these two steamship lines, one on the Pacific and the other on the Atlantic, amount in the aggregate to \$1,500,000 per annum.

In connection with the efforts being made to destroy our shipping, particularly on the Pacific, I wish to read from the report of Gen. E. C. O'Brien, Commissioner of Navigation, for 1892, pages 11 and 12:

The Canadian Pacific Railway was constructed almost entirely by gifts of money, gifts of constructed railroad, gifts of land, the guaranty of bonds and of stocks and franchises, exemptions from taxations, and exclusive privileges conferred upon the Canadian Pacific Railway Company by the Canadian Government. These gifts and subventions of various sorts amount to a donated capitalization of about \$210,000,000, a sum considerably in excess of the officially reputed cost of the entire Canadian Pacific Railway.

The Canadian Pacific Railway Company has besides established a steamer line between the western terminus of its road and China and Japan. This line, started in the year 1886, is also heavily subsidized by the Canadian Government and by the British Government. The combined subventions and largesses to this transcontinental railroad and associated steamer line, with exemption from taxation, amount to a discriminating annual subvention of at least \$10,000,000 over and above the aids extended to any transcontinental railroad in the United States, even in connection with the aids extended to any American steamer line plying between San Francisco and China and Japan. This powerful Canadian and British combination was inaugurated and consummated with the openly avowed object in view of securing the control of the commerce of the United States with Asia and of diverting from American internal transportation lines and from American trade centers as large a portion as possible of our own domestic commerce. In all the wondrous history of British commercial aggression there is nothing so audacious or so potential. The whole enterprise seems to be predicated upon the long-continued failure of the United States to protect its own foreign commerce.

Mr. President, in view of this official statement—and I think it is borne out by the facts—how can the United States hope to meet and resist this vast combination? It is the greatest combination in the interest of trade and commerce ever formed on sea and land, and is backed by the treasuries of two governments.

Then, again, we are threatened on the south by another British line across the continent. It is stated upon good authority that English capital has brought about an arrangement by which she is to secure a railroad through Mexico, connecting the Gulf of Mexico and the Pacific Ocean. She already has a great line on the north, and will soon have one on the south; and our people sit idly by and make no attempt to meet this aggression and invasion of our commerce and our trade.

The Canadian Pacific Railroad, Mr. President, has been styled the Canadian Government on wheels, oiled and pushed by England. I make no such statement. But I do say it is the natural enemy of

the transportation interests of the United States, and it stands to-day as our greatest commercial antagonist. It violates our interstate-commerce law with complacent indifference; it cuts rates, and it takes freights from our Pacific railroads, in which the United States has a direct interest. It hauls more cheaply from St. Louis and other interior points in our country, by way of Canada to Oregon and San Francisco, than the Pacific roads can do, though the distance is much shorter. It is a sharp competitor now for business with all the Pacific roads from and to California. For 2,000 miles the Canadian Pacific traverses a nonproductive country, one not able to support a railroad. It lives off its subventions and the business it takes from the railroads of the United States.

The agents of the Canadian Pacific Railroad Company, I am told, are now in Washington about this Capitol. I suppose they are here to make cut rates to Halifax, Vancouver, Hongkong, and Shanghai, and working against any aid being given to American steamship lines. This cutting of rates, this violation of our interstate-commerce law, this invasion of our trade, should be stopped, and we can do it; we have the remedy in our own hands. All we have to do is simply to discontinue the bonding privilege, under which they carry goods in bond, starting from Vancouver, to Europe and points in the United States. I would suggest that we stop every car and break every consular seal at our frontiers beyond Chicago and the Soo. This would throw the trade from Asia to San Francisco and pass it over the Pacific Railroad lines. It would break up in part, or largely, the violation of the interstate-commerce law and stop the giving of rebates and the cutting of rates.

It is claimed that this bonding privilege, under which the Canadian Pacific Railroad Company is able to live and do business, is authorized under the twenty-ninth article of the treaty of Washington, which was entered into and ratified in 1871. At that time these privileges were confined exclusively to the Eastern roads and water routes. The Canadian Pacific never had been dreamed of at that time, and its construction took place long afterwards.

Under a fair construction of that treaty, the Canadian Pacific Railroad would have no right to pass its cars into the United States at points in the far West; and we have it in our power, by a rule or regulation of the Treasury Department, to open each car and examine the contents thereof. If that were done it would stop this invasion of our commerce, the taking of our trade, and the violation of the interstate-commerce act.

To oppose this active, open, and oppressive hostility to American trade, American steamships, and American railroads by England and Canada is the kind of Monroe doctrine I favor. And I am sure it will have better results to our people and their interests than a dispute with England over an obscure boundary in a foreign country 3,000 miles away. The United States, in my opinion, should at once withdraw this bonding privilege to the Canadian Pacific.

In twenty-six years we have collected from the tariff \$4,300,000,000. That is an appalling sum. Our people have paid out to foreigners for foreign shipping about \$4,100,000,000. The larger part of this vast sum of money could have been paid to our own people. It should have been kept in our own country, and would have been if we had extended the proper protection to American shipping.

From 1848 to 1891 Great Britain paid in the way of subsidies and mail pay to her steamers \$197,027,789, while the United States paid in the way of mail payments and help only \$25,546,330; that is to say, \$8 to our \$1 to support her shipping. We can not cope with England by subsidies at this late day. She is too strongly entrenched and established on the seas. It would take fifty years, if we should match our Treasury against England's, to even catch up or be on an equal footing with her in shipping and as a maritime power.

Mr. Chamberlain, in his speech of March 25 before the Canada Club in London, said:

The greatest obligation is the imperial defense, the greatest interest the imperial trade. The former must be reached through the latter.

Why can not we learn a lesson from these utterances? This is the policy of England and this has made her the mistress of the sea, controlling the commerce of the world. If we were to adopt such a policy and protect our own interests, then we would be a great maritime and a naval power, the equal of England, our flag known and respected all over the world.

Mr. President, the question is how to bring this about. The Senator from Wisconsin [Mr. VILAS] in his speech yesterday opposed this amendment; he opposed subsidies. I take it this is so. I heard his speech and I take it he means that it is the duty of our Government to secure the transportation of the mails for the least amount of money, and therefore, if British ships will carry them cheaper, let the British ships have the business and the American ships go out of business. That is the way I interpret the Senator's speech. But, Mr. President, that would leave

us at the mercy of England without any shipping or without any pretension to being a maritime power.

The best plan that suggests itself to my mind is that we should go back to the teachings of our fathers, and that we should restore the old discriminating duties; that we should impose a tax of 10 per cent ad valorem, in addition to whatever tax is imposed by law, on all goods, wares, and merchandise imported into the United States in vessels not of the United States. It seems to me that this would settle the question upon the best possible basis and in time revive and restore our shipping.

Our first Congress, upon the recommendation of Washington, Madison, and Hamilton, passed just such a law as I suggest, which lasted more than twenty-six years; and under the operation of which, in 1807, we were equal to England in the shipping and carrying trade of the world. Such an act would take no money out of the Treasury. It would not be open to the objection that a subsidy is open to, and that our people so persistently fight and have fought. It would, on the contrary, put money into the Treasury, and at the same time give shipping a new life. If we would enact such a law, within two years we would find money coming into the Treasury and American ships in every port of the world. Under such a law our shipping would prosper at once.

We began our Government with protection to American manufacturers and likewise with protection to our shipping interests. We have continued, under constant assaults, however, protection to our manufactures, and the result is that we are the leading manufacturing nation of the world. At the end of twenty-six years of protection to shipping, by the persuasion of England we abandoned it. What is the condition now? Had we continued throwing around our shipping the same protection we afforded to our manufactures, our shipping interests would be in just the same condition that our manufacturing interests are, and we should be leading the world in shipping.

After seventy years of abandonment of protection to American shipping, the result is that to-day American ships are carrying but 11 per cent of our foreign trade, and we are getting worse off in that direction every year. It is very significant, however, and also gratifying, that this subject is engaging the attention of the country. I beg the indulgence of the Senate while I read from the platform adopted by the Republican convention of Massachusetts last week bearing on this subject.

We have always given protection to our shipbuilders. In late years we have neglected to protect our shipowners. We believe the time has come to return to the policy of Washington and Hamilton, which by discriminating duties in favor of American bottoms secured 90 per cent of our carrying trade to American ships, and which, if now restored, would again revive our shipping and cause American freights to be paid to Americans.

That I believe to be sound doctrine. Listen to what Jefferson said on the same subject in 1791:

If particular nations grasp at undue shares of our commerce, and more especially if they seize on the means of the United States to convert them into alimant for their own strength, and withdraw them entirely from the support of those to whom they belong, defensive and protective measures become necessary on the part of the nations whose marine sources are thus invaded, or it will be disarmed of its defense, its productions will be at the mercy of the nation which has possessed itself exclusively of the means of carrying them, and its politics may be influenced by those who command its commerce.—*Jefferson's Works*, volume 7, page 648.

Mr. President, what is the position of the United States? It has to-day the best business stand on this planet. On one side of us are 800,000,000 people, and on the other side 400,000,000 consumers. We are located between these vast populations; we have the longest seacoast line of any country in the world; we are the richest nation; we consume more and produce more than any other nation in the world. With these advantages and with a proper policy, we should be and we will be the greatest shipping and maritime power on earth.

But what is our present condition? As I have said, we carry only 11 per cent of our foreign trade, and this percentage is growing less every year. This is humiliating to Americans. Our flag is almost a myth and not known or seen in many important cities of the world. Notwithstanding our greatness, we are in some parts of the world almost an unknown people. Think of it! In 1895 only two American sailing vessels visited Liverpool, and during the same year not a single American vessel touched at the great cities of Glasgow, Hull, Cardiff, Belfast, Dublin, Stockholm, Portsmouth, Genoa, Naples, or Rotterdam. The United States flag was not seen on a ship in any one of those great cities of the world in 1895. In Barcelona only two American sailing vessels were seen last year. No wonder the Spaniards were willing to assault and insult our consul. What reason had they to believe that we had any flag, or a people capable of defending it? They scarcely ever see the flag of the United States in their waters.

In Bergen, the second largest city in Norway—and Norway is one of the largest shipping countries in the world, ranking next to Germany—the United States consul overcharged some person 25 cents in connection with a bill of lading. He was reported to the State Department, and on being called on for an explanation

his answer was: "I am not familiar with the regulations, I confess. This is the first American ship that has come to this port in twenty-five years; and it is the first time I have had to look up the regulations."

Mr. President, I shall at some later day discuss further the question of discriminating duties. But in view of the circumstances surrounding this very steamship line, which needs this help, I state frankly that I do not believe that with the \$80,000 with which we are trying to bolster it up it will be possible to save it for more than two or three years against Canadian and English opposition.

Mr. PASCO. I send to the desk an amendment which I intend to offer, and give notice of it now.

Mr. PLATT. Let it be read.

The VICE-PRESIDENT. The amendment intended to be proposed by the Senator from Florida will be read.

The SECRETARY. At the end of the pending amendment it is proposed to add:

*Provided*, That nothing herein contained shall authorize the establishment of any substitution or branch office beyond the limits of any city or town in which the principal office is established.

Mr. PASCO. I shall desire to say a few words in support of the amendment at some time on the next legislative day. I understand the bill is not to be further considered to-day.

Mr. ALLISON. If the Senator from Florida will yield to me, I will say that I do not expect to conclude the bill to-night, but hope to take it up on the next legislative day immediately after the routine morning business is disposed of. I have promised to yield to the Senator from Maine [Mr. FRYE] that he may ask for the consideration of a bill which he has in charge.

#### HARBOR IMPROVEMENT AT PORTLAND, ME.

Mr. FRYE. I report at this time, from the Committee on Commerce, without amendment, a joint resolution (H. Res. 159) to authorize the Secretary of War to prepare and submit estimates for the improvement of the harbor at Portland, Me., and ask unanimous consent for its immediate consideration, as it is important to get the information.

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

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

#### ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 494) constituting Stamford, Conn., a subport of entry;

A bill (H. R. 55) for the establishment of a light-house and fog-signal station at or near the entrance to Maurice River, New Jersey; and

A bill (H. R. 6408) authorizing the sale of title of the United States to certain tracts of land in the District of Columbia to Margaret Shugrue, Caroline Lochboehler, and John R. Scott.

#### NORTH MANITOU LIGHT-HOUSE AND FOG SIGNAL.

Mr. HILL. I ask unanimous consent to have laid before the Senate House bill 3736, which came over from the House of Representatives this afternoon, so as to have it considered at this time.

The VICE-PRESIDENT laid before the Senate the bill (H. R. 5736) to authorize the Light-House Board to proceed with the construction of the light-house and fog signal on North Manitou Island, Lake Michigan; which was read the first time by its title, and the second time at length, as follows:

*Be it enacted, etc.*, That the Light-House Board be authorized to proceed with the construction of the light-house and fog signal on North Manitou Island, Lake Michigan, heretofore appropriated for, and that the aforesaid board be authorized to lease the land necessary for the site of said aid to navigation until a perfect title to said site can be secured by condemnation proceedings.

Mr. HILL. This bill has been passed by the House of Representatives, and I am authorized by the Committee on Commerce to say that they have approved the bill informally and recommend its passage. I will state that it is also recommended by the Light-House Board, and it is important that it be passed immediately. I ask for its present consideration.

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

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

#### ROBERT M'GEE.

Mr. VEST. I ask the Senate to consider the bill (S. 229) for the relief of Robert McGee.

The VICE-PRESIDENT. The bill will be read for information. The Secretary read the bill.

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

Mr. PETTIGREW. If the Senator from Missouri will reduce the amount to \$5,000 I shall not object; otherwise I shall object.

Mr. VEST. That is the report of the committee.

Mr. PETTIGREW. Ten thousand dollars is a very large sum in these times especially, and \$5,000 is certainly more than enough. It comes out of the Indians of my State. I have heretofore objected to the passage of the bill.

Mr. VEST. I have simply to say in regard to this case that it is the most atrocious that has ever come within my observation even among Indian depredations. Mr. McGee was utterly incapacitated, by reason of the great outrages by this tribe, for any business whatever. The whole top of his head was absolutely removed by the tomahawk and the scalping knife, and to-day and since that time his living at all is almost a miracle. I have seen him. There is only a membrane, and you can see the pulsation of the brain.

In addition to that he has, as the report shows, some twenty-odd wounds, inflicted by lances and knives, and the surgeon of the United States Army who attended him, and who made the report upon the case, says that he can not explain how the man survived those injuries at all. He is an object of charity now and has been ever since. Ten thousand dollars is a mere pittance, if the Indians can ever be made to pay the money. I do not know—

Mr. PETTIGREW. I should like to ask the Senator from Missouri what committee reported the bill?

Mr. VEST. The bill was reported by the Committee on Indian Depredations. The report was made by the Senator's colleague [Mr. KYLE], and is filed with the bill.

Mr. PETTIGREW. I object.

The VICE-PRESIDENT. Objection being interposed, the bill goes over.

Mr. VEST. Then I shall ask the Senate to pass the bill when it is reached by the Senate on the Calendar, notwithstanding the objection of the Senator from South Dakota.

GEORGE H. TICE.

Mr. SEWELL. I ask unanimous consent to call up the bill (S. 1585) to authorize and direct the Auditor for the Post-Office Department to credit the account of George H. Tice, postmaster at Perth Amboy, N. J., for postage stamps and money-order funds stolen from his office.

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

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

EXECUTIVE SESSION.

Mr. HILL. 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 five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until Monday, April 6, 1896, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate April 2, 1896.*

ASSISTANT ATTORNEY-GENERAL.

William A. Little, of Georgia, to be Assistant Attorney-General, vice John I. Hall, resigned, to take effect May 1, 1896.

POSTMASTERS.

Richard P. Nelson, to be postmaster at Juneau, in the Territory of Alaska, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

I. B. Barnes, to be postmaster at Ferndale, in the county of Humboldt and State of California, in the place of Garland W. Dungan, resigned.

Mary Hansborough, to be postmaster at University, in the county of Los Angeles and State of California, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Thomas M. Greene, to be postmaster at Tifton, in the county of Berrien and State of Georgia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Frederick Holtz, to be postmaster at Williamsport, in the county of Warren and State of Indiana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Herman A. Kohuke, to be postmaster at Hammond, in the county of Tangipahoa and State of Louisiana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Simon B. Guthrie, to be postmaster at Gorham, in the county of Cumberland and State of Maine, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

James Hudson, to be postmaster at Guilford, in the county of Piscataquis and State of Maine, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Cheney E. Parker, to be postmaster at Phillips, in the county of Franklin and State of Maine, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Charles Kernan, to be postmaster at Newaygo, in the county of Newaygo and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

William O. Wallace, to be postmaster at Glenwood, in the county of Pope and State of Minnesota, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Catherine E. McInnis, to be postmaster at Mosspoint, in the county of Jackson and State of Mississippi, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Charles S. Millen, to be postmaster at King City, in the county of Gentry and State of Missouri, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Alfred G. Rodgers, to be postmaster at Wymore, in the county of Gage and State of Nebraska, in the place of William H. Dolan, resigned.

William Morgan, to be postmaster at South River, in the county of Middlesex and State of New Jersey, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Charles M. Goodspeed, to be postmaster at Shamrock, in the county of Onondaga and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

J. Crawford Hoag, to be postmaster at Akron, in the county of Erie and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

John Leonard, to be postmaster at Port Chester, in the county of Westchester and State of New York, in the place of William H. Hyler, whose commission will expire April 8, 1896.

Bernard Indlekofer, to be postmaster at Weston, in the county of Wood and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Frank Verrier, to be postmaster at Fayette, in the county of Fulton and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Alexander J. Myers, to be postmaster at Natrona, in the county of Allegheny and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Jay R. Worst, to be postmaster at Berwyn, in the county of Chester and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Charles Quinn, to be postmaster at Riverpoint, in the county of Kent and State of Rhode Island, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Landrum Padgett, to be postmaster at Pelzer, in the county of Anderson and State of South Carolina, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Daniel Rice, to be postmaster at Tennessee City, in the county of Dickson and State of Tennessee, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Isaac O. Epes, to be postmaster at Blackstone, in the county of Nottoway and State of Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Mathias Melchior, to be postmaster at Ahnapee, in the county of Kewaunee and State of Wisconsin, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

Louis Schuknecht, to be postmaster at Mayville, in the county of Dodge and State of Wisconsin, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1896.

## CONFIRMATIONS.

*Executive nominations confirmed by the Senate April 2, 1896.*

## UNITED STATES ATTORNEY.

Charles W. Comstock, of Connecticut, to be attorney of the United States for the district of Connecticut.

## ASSISTANT APPRAISER OF MERCHANDISE.

John B. Dusenberry, of New Jersey, to be an assistant appraiser of merchandise in the district of New York, in the State of New York.

## POSTMASTERS.

Albert Snyder, to be postmaster at Greencastle, in the county of Franklin and State of Pennsylvania.

Jesse M. Ballard, to be postmaster at Marion, in the county of Grant and State of Indiana.

T. G. Boyer, to be postmaster at Altamont, in the county of Effingham and State of Illinois.

Thomas A. Weger, to be postmaster at Delphos, in the county of Allen and State of Ohio.

Joseph N. Wheatley, to be postmaster at Chestertown, in the county of Kent and State of Maryland.

E. C. McKay, to be postmaster at Conneautville, in the county of Crawford and State of Pennsylvania.

## HOUSE OF REPRESENTATIVES.

THURSDAY, April 2, 1896.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

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

## A. P. BROWN.

Mr. PERKINS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 1602) for the relief of A. P. Brown, late postmaster at Lemars, Iowa.

The SPEAKER. The bill will be read, subject to the right of objection.

The bill was read, as follows:

*Be it enacted, etc.,* That the sum of \$888.98 be, and is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of reimbursing A. P. Brown, late postmaster at Le Mars, Iowa, for loss sustained by reason of burglary of postage stamps and money from said post-office on January 9, 1894.

There being no objection, the bill was considered, and ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

## CHARLES P. ANDERSON.

Mr. TERRY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 641) for the relief of Charles P. Anderson.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury pay to Charles P. Anderson, late first lieutenant of Company B, Second Regiment Arkansas Infantry Volunteers, out of any moneys in the Treasury not otherwise appropriated, a sum equal to the pay of a first lieutenant for the period beginning on the 10th day of September, 1863, and ending on the 16th day of February, A. D. 1864: *Provided,* That the Secretary of the Treasury shall deduct from the sum so paid claimant any sums which have been heretofore paid him by the United States for his services in any military or other capacity from September 10, 1863, to February 16, 1864.

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

Mr. SAYERS. I would like to have some explanation as to this bill; why, at this late date, you want this officer paid? This has been running over a period of some thirty years.

Mr. TERRY. Mr. Speaker, I ask that the report of the Committee on War Claims be read, which will answer fully the inquiry of the gentleman from Texas.

The report (by Mr. COOPER of Texas) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 641) entitled "A bill for the relief of Charles P. Anderson," beg leave to submit the following report, and recommend that said bill do pass without amendment:

The facts out of which this bill for relief arises will be found stated in House report from the Committee on War Claims of the Fifty-third Congress, hereto attached and made a part of this report:

[House Report No. 350, Fifty-third Congress, second session.]

The Committee on War Claims, to whom was referred the bill (H. R. 2560) for the relief of Charles P. Anderson, submit the following report:

A bill, in all respects like the present one, for the relief of this claimant was investigated by this committee in the first session of the Fifty-second Congress, upon which the following report was submitted by Mr. Cobb of Missouri:

"The Committee on War Claims, to whom was referred the bill (H. R. 3827) for the relief of Charles P. Anderson, submit the following report:

"This is a claim for pay for services rendered prior to muster by Charles P. Anderson, formerly first lieutenant Company B, Second Regiment Arkansas Infantry Volunteers.

"It appears from the petition and evidence filed in support thereof that Charles P. Anderson was appointed first lieutenant of said company and regiment on September 10, 1863. He was mustered into service as first lieutenant Company B, Second Arkansas Infantry Volunteers, to date from February 16, 1864, to fill an original vacancy. He tendered his resignation as such September 11, 1864, which was accepted September 19, 1864.

"By the act of Congress approved June 3, 1884, it was intended by a general bill to give relief in this class of claims, and it appears that Mr. Anderson presented his case to the War Department under the act, and that his case has been decided adversely, because there is no record of a commission or appointment having been issued for him as of the grade and organization named; there was then no governor of Arkansas.

"In the latter part of the summer of 1863 the Secretary of War transmitted to Maj. Gen. John M. Schofield, then commanding the Department of the Missouri, authority to organize and equip Union soldiers from citizens of Arkansas. In conformity with that authority General Schofield, in paragraph 5 of Special Orders, No. 238, dated at St. Louis, Mo., September 1, 1863, put Brig. Gen. John McNeil, commanding the District of Southwest Missouri, in charge of the organization of the troops. General McNeil was also instructed to appoint some officers to take immediate charge of organizing the troops. The officer thus appointed was authorized to recommend, with the concurrence of General McNeil, competent and efficient men to fill the positions of company officers in the various companies raised, such officers to be taken as far as practicable from citizens of Arkansas, the recommendation so made to be forwarded to department headquarters for reference to the Secretary of War.

"In pursuance of these orders M. L. Stephenson was appointed by General McNeil to take immediate supervision of the organization of the Second Arkansas Infantry by paragraph 7, Special Orders, No. 170, dated at headquarters, District of Southwest Missouri, Springfield, Mo., August 31, 1863. Charles P. Anderson was appointed first lieutenant of Company B, Second Regiment of Arkansas Infantry, under this authority on the 10th of September, 1863.

"While the decision of the War Department may be in accordance with the law, the fact remains that from September 10, 1863, to February 16, 1864, Anderson was on duty and recognized as first lieutenant; that his services as such were accepted by the Government. Having obtained the benefit of Anderson's services, the Government ought not to set up a technical plea in bar of its obligation to make compensation therefor, and your committee is of opinion that payment should be made Mr. Anderson."

In the conclusion reached and stated in said report the present committee concur, except in one particular.

It is obvious that if the claimant was paid by the United States in any other capacity than as first lieutenant for the period between September 10, 1863, and February 16, 1864, the sums so paid ought to be deducted from the payment authorized by this bill.

The committee therefore recommend that the bill be amended by adding this clause:

"*Provided,* That the Secretary of the Treasury shall deduct from the sum so paid claimant any sums which have been heretofore paid him by the United States for his services in any military or other capacity from September 10, 1863, to February 16, 1864."

The committee also recommend the following amendment to correct an error in drafting the bill:

In line 7 strike out "second lieutenant" and insert "first lieutenant."

And the committee recommend to the House that when so amended the bill do pass.

Mr. HULL. Mr. Speaker, reserving the right to object, inasmuch as I could not hear all of the report read owing to the confusion on the floor, I would like to ask the gentleman in charge of this bill if the command to which this man was attached was ever mustered?

Mr. TERRY. No, sir. The facts are these, I will state to the gentleman and to the House, so that there can be no misapprehension in reference to the matter:

This man went into the service on the 10th day of September, 1863, but a point was raised that there was no governor of the State of Arkansas at that time to commission him, and he was not duly mustered until February, 1864. The report shows, and the facts are, that he was doing duty and served as a first lieutenant in the Army of the United States from the date he entered the service—that is, September, 1863, and there was a general bill passed in 1884 which it was supposed would give relief in this and similar cases. But the point was made that he was not duly mustered in at that time, and it was answered there was no governor to grant commissions. We did have a governor, it is true, but he was on the other side of that business. Mr. Anderson was mustered under authority of the Secretary of War, transmitted to General Schofield, who placed General McNeil in command of the troops authorized to be raised in Arkansas.

Mr. HULL. Do the records of the War Department show that this man was on the rolls at that time?

Mr. TERRY. I suppose the roll that went to the Department would be the roll that was made up after he was mustered, but the report of the committee shows that he performed the service as first lieutenant, that he was recognized as such, although he did not receive pay from the 10th of September, 1863, until the date specified in the bill. The bill was fully considered and unanimously reported by the Committee on War Claims, and if there is any objection to the relief asked, I have no knowledge of it. Mr. Anderson is a very worthy man.

Mr. HULL. Mr. Speaker, it seems to me that these bills ought to be investigated as to the remuster. We have before the Military Committee probably 300 bills or more of this character.

Mr. GROSVENOR. There is another very important question,

and that is, whether the command was of a size that authorized the muster in.

Mr. HULL. I was going to refer to that. We have a large number of Tennessee cases especially. The law of 1863 provided that a man, even if he was regularly commissioned, could not be mustered unless he had a command of sufficient size to justify mustering a commissioned officer. In other words, under the law of 1863, in a large number of these cases there was no vacancy for a man to be mustered in even if he had been commissioned.

Mr. TERRY. This was a full regiment, as I understand, and I will call the attention of the gentleman to this part of the report—

Mr. HULL. I object, because I think the matter ought to be investigated. I hope the gentleman will withdraw the bill and let it go over until to-morrow, until I can tell whether I will object or not.

The SPEAKER. Objection is made.

T. J. PITZER.

Mr. COLSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4842) for the relief of T. J. Pitzer.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he hereby is, directed to pay to T. J. Pitzer, of Barbourville, Ky., out of any moneys in the Treasury not otherwise appropriated, the sum of \$400 for mules taken from him and used for the public service during the late civil war.

Mr. BARTLETT of New York. I ask for the reading of the report.

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

The Committee on War Claims, to whom was referred the bill (H. R. 4842) for the relief of T. J. Pitzer, report as follows:

The facts out of which this bill for relief arises will be found stated in House report from the Committee on War Claims of the Forty-ninth Congress, a copy of which is hereto appended and made a part of this report.

Your committee adopt the said report as their own, and recommend that the bill referred to them do pass.

[House Report No. 1625, Forty-ninth Congress, first session.]

The claimant, Thomas J. Pitzer, of Knox County, Ky., brings this claim for \$400, the price of two good mules taken from him in 1864, at or near Barbourville, Ky. The proof is conclusive that claimant was a loyal citizen, and it is equally as well shown that the two mules were taken and used by the Army of the United States. The witnesses differ a little as to the value of the mules, one witness fixing the value at \$150 each, and the other at \$200 each. The committee fix the value at the sum of \$200 each, making \$400 for the two, and this sum they recommend be paid claimant. The committee think there is nothing in the statement of the agent of the Quartermaster General that claimant purchased these mules from some men residing in a State in insurrection, there being absolutely nothing in the record to show any collusion or bad faith in any part of the transaction.

The committee are of opinion that the claim should be allowed, and therefore recommend that the bill do pass.

Mr. BARTLETT of New York. Mr. Speaker, I should like to ask the chairman of the Committee on War Claims, or any member of that committee if any member be present, what is the aggregate of the claims for mules taken in the war by our forces? How many bills are now pending?

Mr. DOCKERY. And for horses also?

Mr. BARTLETT of New York. And I should like to ask further why these claims should not take the same course that is taken by other claims for supplies? Is there any difference in law between a claim for a mule and a claim for corn or oats or hay?

Mr. COLSON. Mr. Speaker, I am not on the Committee on War Claims, but this bill has come through the proper channel. It is a meritorious claim, it was early established, and this money should have been paid years ago. This man is entitled to the value of his mules, which were taken and used by the Government, as shown by the testimony on file in the committee room. I hope there will be no objection to the consideration of the bill.

Mr. BARTLETT of New York. I should like to ask if this claim has been considered by the Court of Claims?

Mr. COLSON. It has not, and it is not such a claim as should properly go to the Court of Claims.

Mr. BARTLETT of New York. I should like to ask whether the claimant, the alleged owner of the mules, was a loyal man or not?

Mr. COLSON. His loyalty is shown by the testimony on file in the committee.

Mr. BARTLETT of New York. Was he loyal throughout the war?

Mr. COLSON. Loyal throughout the war, as shown by the testimony.

Mr. LOUD. How many mules are provided for in this bill?

Mr. COLSON. Two.

Mr. LOUD. And \$400 is asked?

Mr. COLSON. Two hundred dollars each. They are shown by the testimony to have been worth that, and this man has been kept out of his money for a long time.

Mr. BARTLETT of New York. Mr. Speaker, I should like to state that I understand there is another mule bill to be brought up for consideration after this one, and the price of the mules in that bill is \$150 each.

Mr. COLSON. Mr. Speaker, these were Kentucky mules. [Laughter.]

Mr. BARTLETT of New York. I move that the bill be amended by substituting \$300 for \$400. Will that amendment be accepted?

Mr. COLSON. No; I do not accept that amendment.

The SPEAKER. The amendment is not in order until consent is given for the consideration of the bill. Is there objection to the present consideration of the bill?

Mr. LOUD. I object, Mr. Speaker.

BONDS OF THE TERRITORY OF NEW MEXICO.

Mr. LOW. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4052) approving certain acts of the legislative assembly of the Territory of New Mexico, authorizing the issue of certain bonds of said Territory.

The bill was read.

The SPEAKER. The bill which has been read has passed the House.

Mr. LOW. There is a Senate amendment to this bill.

Mr. LACEY. There is a Senate amendment and a House amendment to the Senate amendment.

The SPEAKER. The Chair has the engrossed copy—

Mr. DOCKERY. Just a word—

The SPEAKER (continuing). Which will be read to the House. This is a House bill with Senate amendments. The House bill will be read first, and then the amendments offered by the Senate.

Mr. DOCKERY. And it is a request for unanimous consent.

The SPEAKER. The Chair understands it is a request for unanimous consent.

Mr. OWENS. I believe in addition to the Senate amendments the bill was reported back from the Committee on Territories with the recommendation that the House concur in the Senate amendments with an amendment.

The SPEAKER. The Chair will see that the Clerk reports the bill so that the House can understand it. The Clerk will first report the House bill.

The House bill was read.

The SPEAKER. The Clerk will now report the amendments of the Senate.

The Senate amendments were read.

The SPEAKER. The Clerk will now read the recommendation of the committee. The gentleman from New York will state what the action of the committee was.

Mr. LOW. The committee reported favorably on the bill and amendments.

The SPEAKER. What amendment?

Mr. LOW. The Senate amendment and the amendment made in the committee.

Mr. COOPER of Texas. Mr. Speaker, this is a bill that involves an important question of law as well as of fact, and was only reported yesterday, and therefore I will have to object to its present consideration.

The SPEAKER. Objection is made.

FREDERICK VAN GUILDER.

Mr. HEATWOLE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 3046) for the relief of Frederick Van Guilder.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion standing against Frederick Van Guilder upon the records of Company K, One hundred and twenty-third New York Volunteers, and to issue to him an honorable discharge, to date July 6, 1863.

SEC. 2. That this act shall take effect and be in force from and after its passage.

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

Mr. TALBERT. I would like to ask the gentleman if that bill was considered at a Friday night session?

Mr. HEATWOLE. It was favorably considered last Friday evening and recommended to pass.

Mr. BARTLETT of New York. I would like to have an explanation of the bill.

Mr. HEATWOLE. Mr. Speaker, the gentleman named in this bill enlisted in a New York regiment, and the muster rolls were mislaid and not sent to the proper officers. Mr. Van Guilder served about eleven months with the regiment without pay, and it was also refused to issue clothing to him. After the fight at Gettysburg, in which he participated the first day, he surrendered to the provost-marshal at Baltimore, who sent to Washington to find whether this man had been mustered in. The records did not show that he had been mustered, and the provost-marshal then gave him a pass to New York and discharged him. Afterwards the muster rolls were found at Albany and sent to Washington, and then this man was marked as a deserter. He afterwards enlisted in a Vermont regiment, and served throughout the war and was honorably discharged. The bill passed through the Committee of the Whole last Friday night without objection.

This bill has been favorably considered by Colonel Ainsworth, of the War Department.

Mr. BARTLETT of New York. What is the object—to give him a pension?

Mr. HEATWOLE. He did not know until a few years ago that this charge was against him. He is in every way an honorable man. I am personally acquainted with him, and can vouch for him.

Mr. TALBERT. I would like to state that this bill came up at the last Friday night session and there was no objection.

Mr. BARTLETT of New York. But the gentleman from South Carolina agrees to a number of bills I can not. For instance, the other day he advocated dueling, notwithstanding—

Mr. TALBERT. Oh, no.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

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

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

SAMUEL BURRELL.

Mr. BURRELL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 2320) for the relief of Samuel Burrell.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of War be, and he hereby is, authorized and directed to remove the charge of desertion now on the records of the War Department against Samuel Burrell, late first lieutenant of Company M, Fifth Illinois Cavalry Volunteers, and grant him an honorable discharge, to date from November 28, 1862.

Mr. BARTLETT of New York. I should like to ask if this bill has been considered at a Friday night session?

Mr. BURRELL. It has been through both committees some time back.

Mr. BARTLETT of New York. Has it been considered at the Friday night sessions?

Mr. BURRELL. Last Friday night?

Mr. BARTLETT of New York. Any Friday night?

Mr. BURRELL. Yes, sir.

Mr. BARTLETT of New York. I should like an explanation of the bill.

Mr. BURRELL. If the gentleman insists I will ask for the reading of the report. The bill passed in the Fifty-first, Fifty-second, and the Fifty-third Congresses, and there was no objection to it. It is simply to correct an error in the record.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The amendments recommended by the committee are as follows:

Strike out all of line 8 and insert in lieu thereof the words "April 13, 1863"; also by adding thereto the following: "Provided, That he shall receive no pay or allowance by virtue of this act."

The amendments recommended by the committee were agreed to.

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

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

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 2912) granting to the Atchison and Nebraska Railroad Company, and the Chicago, Burlington and Quincy Railroad Company, its lessee in perpetuity, the right of way over a part of the Sac and Fox and Iowa Indian Reservation in the States of Kansas and Nebraska; and

A bill (H. R. 4632) for the relief of Frederick B. Betts, Nichols & Co.

The message also announced that the Senate had passed without amendment the following resolution:

*Resolved by the House of Representatives (the Senate concurring)*, That the concurrent resolution passed by Congress on the 27th day of July, 1894, authorizing and providing for the Compilation of all the Annual, Special, and Veto Messages, Proclamations, and Inaugural Addresses of the Presidents of the United States from 1789 to 1894, inclusive, be, and the same is hereby, amended, so as to strike out of the resolution the words "to 1894, inclusive," and insert in lieu thereof the words "to March 4, 1897," so as to require said compilation to be brought down to the ending of the present Administration; and the Public Printer is hereby authorized and directed to apply so much of the money appropriated for public printing and binding for the current year, in addition to the \$300 heretofore appropriated or set apart for that purpose, as may be found necessary to complete the copying of the said messages and other documents for printing.

The message also announced that the Senate had passed the following resolutions; in which the concurrence of the House was requested:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed at the Government Printing Office, at the earliest day practicable,

5,000 additional copies, in separate form, with paper cover, of the paper entitled "Economic geology of the Mercur mining district," being a part of the Sixteenth Annual Report of the United States Geological Survey, with accompanying illustrations, of which 3,000 copies shall be for the use of the House, 1,500 copies for the use of the Senate, and 500 copies for distribution by the Geological Survey.

Also:

*Resolved by the Senate (the House of Representatives concurring)*, That there be printed 5,000 copies of the report of a hearing before the Committee on Woman Suffrage, January 23, 1896; 2,000 copies for the Senate and 3,000 copies for the House of Representatives.

Also:

*Resolved*, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 941) granting to the Atchison and Nebraska Railroad Company, and the Chicago, Burlington and Quincy Railroad Company, its lessee in perpetuity, the right of way over a part of the Sac and Fox and Iowa Indian Reservation in the States of Kansas and Nebraska.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, the following Senate bill was taken from the Speaker's table and referred by the Speaker as follows:

A bill (S. 1205) for the relief of the persons who sustained damage by the explosion of an ammunition chest of Battery F, Second United States Artillery, July 16, 1894—to the Committee on Military Affairs.

VENEZUELA.

Mr. HITT. Mr. Speaker, I submit a report on a privileged question from the Committee on Foreign Affairs.

The report was read, as follows:

The Committee on Foreign Affairs, to whom was referred House resolution No. 225, respectfully report the same back and recommend its adoption.

*Resolved*, That the President be requested, if in his opinion not incompatible with the public interest, to transmit to the House of Representatives copies of all dispatches, notes, and cablegrams in the Department of State, from and after the 1st day of December, 1895, until the present time, that relate to mediation or intervention by the United States in the affairs of Venezuela, together with all correspondence with foreign governments relating to the same topic.

Mr. HITT. Mr. Speaker, the resolution is guarded as in case of resolutions of inquiry ordinarily. It has received the assent of all the members of the Committee on Foreign Affairs who are at present in the city, and I hope it will be passed without objection.

The resolution was adopted.

CORRECTION.

Mr. STEELE. Mr. Speaker, I desire to correct a statement which I made on the floor yesterday. I stated that the general treasurer of the Soldiers' Home was compelled to give a security company bond by some officer of the Government, presumably by the Secretary of War, as he was the officer to whom the bond was made. My information was incorrect as to the treasurer having been compelled to give such a bond. What seemed to force the action of the treasurer in securing the bond was the fact that the Homes had been without funds for about three months and that he could more readily and promptly secure a bond from the security company than a personal bond. That was what induced him to give the security company bond, and not any requirement by the Secretary of War.

Mr. BLUE. Will the gentleman let me ask him a question?

Mr. STEELE. Yes, sir.

Mr. BLUE. Is it not a fact that you have appointed a man as general treasurer of the Home who can not give any other kind of bond?

Mr. STEELE. It is not a fact.

Mr. BLUE. Are you sure of that?

Mr. STEELE. I am.

ORDER OF BUSINESS.

Mr. BINGHAM. Mr. Speaker—

Mr. CANNON. Mr. Speaker, I call for the regular order.

The SPEAKER. The gentleman from Illinois demands the regular order.

Mr. CANNON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of further considering the sundry civil appropriation bill.

DEPARTMENT OF JUSTICE.

Mr. BINGHAM. Mr. Speaker, pending that motion, with the permission of the gentleman and of the House, I will say that there is a very decided contention between the House and the Senate upon the legislative, executive, and judicial appropriation bill with reference to the compensation of the subordinates of the Department of Justice, and I desire to have printed in the RECORD, for the information of the House in the future, a letter from the late district attorney for the eastern district of Pennsylvania, Mr. Ingham, who went out of office yesterday and whose successor comes in to-day. I desire to have that letter put into the RECORD for future use by members of the House.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania, to have printed in the RECORD the letter described by him?

Mr. RICHARDSON. I will ask the gentleman whether there is anything political in the letter?

Mr. BINGHAM. Nothing whatever. It simply relates to the question of fees as against other methods of compensation.

There was no objection.  
The letter is as follows:

PHILADELPHIA, March 31, 1896.

MY DEAR SIR: Referring to the bill fixing the salaries of United States attorneys, in which Philadelphia is placed at \$5,000, and at a lower rate than Chicago, Boston, and several other districts, notably several in the Western and Southern States, I desire to again call to your attention the large amount of important litigation which is transacted in this district and causes it to rank second in the country in the number and importance of the cases tried.

In the first place, the business in the criminal court here is large and would be much larger if many trivial cases were prosecuted. There never has been a year for many years when the United States attorney could not earn his maximum in criminal cases alone had the office been conducted with that object in view, but to the credit of the several gentlemen who have held the position it has been the uniform practice to issue warrants only when a prima facie case was made out and the offense a proper one to prosecute.

The criminal cases which I have in mind which required careful preparation (in some of them weeks and months) during my term of office, are—

United States vs. Evans, director Spring Garden National Bank. Convicted under section 520, Revised Statutes.

United States vs. Young, director Spring Garden National Bank. Convicted under section 520, Revised Statutes.

United States vs. H. H. Yard. Indicted for aiding and abetting officers of the Keystone National Bank. Acquitted.

United States vs. C. W. and E. M. Raymond, directors Middletown National Bank. Convicted under section 530, Revised Statutes.

United States vs. Hunter, cashier Phoenixville National Bank. Convicted.

United States vs. Grady, cashier Marietta National Bank. Convicted.

United States vs. Baker, teller Consolidation National Bank. Convicted.

United States vs. Halterman, teller Columbia National Bank. Convicted.

United States vs. ———, cashier Ellenville National Bank. Convicted.

United States vs. Cochran. Robbing the United States Mint of \$110,000. Convicted.

United States vs. Garfinkle et al. Organized band of counterfeiters. Convicted.

United States vs. Rosengarten et al. Organized band of counterfeiters. Convicted.

United States vs. Wibourg et al. Aiding a military expedition against Spain and landing force on the island of Cuba. Convicted.

United States vs. Durland et al. and United States vs. Chambers et al. Schemes to defraud by means of investment companies. Convicted.

In the district court there are also a large number of civil cases. These are suits on official bonds; suits to recover duties, and various other cases. Among those I now think of as being more difficult of preparation than ordinary are—

United States vs. E. C. Knight et al. This was the sugar-trust case, involving the validity of the sale of four sugar refineries in Philadelphia to the sugar trust at a price of over \$20,000,000. It occupied much of my time in the years 1892 and 1893; was argued in the district court and in the circuit court of appeals. I was never allowed any compensation for this, but would, I presume, be entitled to a docket fee of \$20.

United States vs. Queen et al. A suit to recover duties on certain lenses. The case was tried twice, and involved a large sum of money, and established a new principle of law in favor of the Government.

United States vs. Snowden et al. Suit on official bond of H. S. Cochran, convicted of robbing the mint.

United States vs. Bosbyshell et al. Suit on official bond on account of defalcation of H. S. Cochran.

United States vs. Lees, United States vs. Wanamaker, and several other cases, for importing alien laborers under contract.

United States vs. Kenworthy. A suit for duties. Tried twice in the district court and once in the circuit court of appeals.

This list could be prolonged indefinitely, but is sufficient to show the character of the civil business in the district court. In addition to this there were a number of cases in admiralty—actions by the United States for penalties and forfeitures, and actions against the United States for salvage.

In the circuit court all the customs cases are tried. The United States attorney receives compensation for his services in these cases, which does not appear in his emolument account. Under the new act he must perform this service without any compensation. The cases are of vast importance to the Government. To be well tried they must be prepared thoroughly, and no class of cases are harder to understand and intelligently prepare. It is a distinct branch of the law, as much so as patent cases, and to do good work the United States attorney must spend much time and thought in the preparation of his cases. To convince one of the necessity of good legal ability in this class of cases it is only necessary to refer to the Hat Trimming Cases, several of which were tried in Philadelphia. These cases involve \$25,000,000, and the ablest customs lawyers in the country are employed by the plaintiffs. The customs cases are very numerous; hundreds of them are still pending in Philadelphia; and the new cases under the act of June 10, 1890, are also numerous. During my term of office I disposed of a great many of these cases. The more important ones were those known as the Tile Cases. The winning of this case saved the United States in Philadelphia \$20,000, and in New York I am informed more than \$100,000. I also tried and won the Wool Waste Case, which involved quite as much money; the Yarn Case, which involved a large sum of money, and many others. The importance of properly trying these cases is not alone for the amount actually involved in the case, but because the Treasury Department follows the decisions and applies them to all other cases of a like nature wherever pending.

There is no district in the country where more favorable results to the Government have been obtained than in Philadelphia, and this has been largely owing to the fact that the cases were thoroughly prepared and the facts completely digested before going into court. The bulk of these cases are tried in New York, Philadelphia, Boston, Chicago, Baltimore, and New Orleans.

It certainly seems a short-sighted policy to ask a lawyer in addition to trying all the criminal and civil cases in the district court to go into the circuit court and try the customs cases as they should be tried all on a salary of \$5,000, when his predecessors have all earned from \$8,000 to \$15,000 per annum for like services.

But in addition to the customs cases in the circuit court there are also condemnation proceedings and other cases; for example, the Interstate Commerce Commission vs. the Lehigh Valley Railroad, which has just been argued, but which has required attention in taking testimony, etc., for several years.

In condemnation proceedings during my term of office I have had several very important and difficult cases. The site for a new mint at Sixth and Walnut streets required months of the severest labor. There were 140 different defendants. Each case had to be separately prepared. Experts had to be

employed, and as the Treasury Department requested quick work, it kept the office busy almost day and night. The owners claimed \$1,600,000 and were allowed \$900,000. The site not being approved, I brought new proceedings against the site at Broad and Race streets. The defendants were not so numerous, but the work was severe. The owners asked \$1,200,000 and were awarded \$550,000. Appeals were taken and cases tried in the circuit court before a jury of twelve.

Also I have had several proceedings for condemnation of land on the Gettysburg battlefield. The ground was owned by an electric railway company, which made the most bitter opposition. My work here was made lighter by the intelligent and valuable aid of the Battlefield Commission, but there was a great deal of work still left for the United States attorney. The case was appealed to the circuit court and finally to the Supreme Court of the United States. A favorable decision there will enable the Commission to go ahead with the cases to a final determination.

For all this work in condemnation proceedings not one dollar is allowed. The United States attorney performs it, according to the Comptroller's decision, as part of his duty under the salary of \$200 per annum. My term of office was not an unusual one. My predecessor, Mr. Read, had as much or more to do, and the present United States attorney will have the same experience. In my judgment nothing less than \$6,000 is a fair compensation, and Congress will simply make a blunder if the salary is cut down to a point where the best lawyers will be unwilling to take it.

Certainly Philadelphia is entitled to as great compensation as any city except New York, and it will be a mistaken policy to cripple the service at this important point.

Trusting you may be able to get for Philadelphia at least as much consideration as is accorded to Chicago or Boston,

I am yours, very truly,

ELLERY P. INGHAM.

P. S.—I am informed by my assistant, Mr. Newitt, that my emolument account for the last quarter, which does not include customs cases, will amount for the quarter to \$4,500.

E. P. I.

Hon. H. H. BINGHAM.

#### SUNDRY CIVIL APPROPRIATION BILL.

The motion of Mr. CANNON was then agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. HOPKINS in the chair.

The CHAIRMAN. The House is in Committee of the Whole for further consideration of the sundry civil appropriation bill.

Mr. CANNON. Mr. Chairman, I ask unanimous consent to return to pages 76, 77, and 86 to make what are substantially two or three verbal corrections.

There was no objection.

On motion of Mr. CANNON, by unanimous consent, the following changes were made:

Page 76, line 23, after the word "home," the words "clerks and orderlies" were inserted.

Page 77, line 20, after the word "bedding," the words "bedding material" were inserted.

Page 86, lines 21 and 22, the words "printing of blanks at depot and necessary materials therefor" were stricken out.

The CHAIRMAN. The Clerk will now read that portion of the bill, beginning on page 16, which has not been considered by the committee.

The Clerk read as follows:

For labor and expenses of engraving and printing: For salaries of all necessary clerks and employees, other than plate printers and plate printers' assistants, \$420,000, to be expended under the direction of the Secretary of the Treasury; *Provided*, That no portion of this sum shall be expended for printing United States notes or Treasury notes of larger denomination than those that may be canceled or retired.

For wages of plate printers, at piece rates to be fixed by the Secretary of the Treasury, not to exceed the rates usually paid for such work, including the wages of printers' assistants, at \$1.25 a day each when employed, \$516,350, to be expended under the direction of the Secretary of the Treasury; *Provided*, That no portion of this sum shall be expended for printing United States notes or Treasury notes of larger denomination than those that may be canceled or retired.

For engravers, printers, and other materials, except distinctive paper and for miscellaneous expenses, \$166,650; *Provided*, That the appropriation herein made shall be used for all expenditures of the Bureau of Engraving and Printing in the manner in which appropriations for said Bureau have heretofore been used, and no part of said appropriation shall be held to be contingent expenses of the Treasury Department, nor be subject to the provisions of sections 240 and 3683 of the Revised Statutes; *And provided further*, That all the business of the Bureau of Engraving and Printing shall be under the immediate control of the director of said Bureau, subject to the direction of the Secretary of the Treasury, and the director of said Bureau shall report to and be responsible directly to the Secretary of the Treasury.

For rent of office for agent of the Post-Office Department to supervise the distribution of stamps of the Bureau of Engraving and Printing, \$900.

Mr. BINGHAM. Mr. Chairman, by unanimous consent, the paragraph just read was passed over when regularly reached in the consideration of the bill. I very much prefer that the gentleman from Nebraska [Mr. HAINER], who desires to be heard with reference to the appropriation for the Howard University, should go on now (as I understand he is ready) and that this question which I desire to bring to the attention of the Committee of the Whole should come up immediately after the discussion with reference to the Howard University has closed.

Mr. CANNON. If the gentlemen concerned are agreed in reference to this order of proceeding, it is satisfactory to me.

The CHAIRMAN. If there be no objection, the amendment of the gentleman from Pennsylvania [Mr. BINGHAM] will be withheld for the present; and the Chair will recognize the gentleman from Nebraska [Mr. HAINER].

There was no objection.

Mr. HAINER of Nebraska. Mr. Chairman, on yesterday, while I was momentarily absent from the Chamber, an amendment relating to the Howard University was offered and, without discussion, was adopted by the Committee of the Whole House. The circumstances attending the offering of that amendment, the utter absence of any objection on the part of anyone, including the gentleman in charge, whose duty it was to protect the bill as reported, the very significant action of sundry members of the Appropriations Committee, left an impression upon many members of the House that as a matter of fact the amendment which was proposed was satisfactory to everyone; it was passed pro forma, as I understand, not exceeding half a dozen members voting for it. I apprehend the Committee of the Whole little understood the nature and far-reaching effect of that amendment; and in order that we may intelligently discuss it now under the arrangement which has been made, I ask the Clerk to read the amendment as it appears on page 3444 of the RECORD.

The Clerk read as follows:

Amend by inserting after the word "dollars," in line 3, on page 59, the following:

"HOWARD UNIVERSITY.

"For maintenance of the Howard University, to be used in payment of part of the salaries of the officers, professors, teachers, and other regular employees of the university, the balance of which will be paid from donations and other sources, \$27,500; for tools, materials, wages of instructors, and other necessary expenses of the industrial department, \$3,000; for books for library, law library, bookcases, shelving, and fixtures, \$900; for material and apparatus for chemical, physical, and natural history and laboratory, \$200; for improvement of grounds and repairs of buildings, \$1,000; in all, \$32,600; Provided, That no part of the money hereby appropriated shall be paid to any teacher or professor of theology or religion, or to any chaplain in said university."

Mr. HAINER of Nebraska. Mr. Chairman, I think it will be admitted on all hands that the Howard University is an institution situated in the District of Columbia; that it is a private institution; and I think, beyond all question, every candid person must admit that it is also a sectarian institution. The House will readily understand what is involved in this amendment. Already on two different occasions this House, after full debate—debate of a character calculated to bring out the real judgment and sense of the House—has placed itself emphatically upon the ground that it will not appropriate a single dollar to any sectarian institution. I think it may also be fairly argued from the action already had that this House goes further, and that it is not in favor of appropriating money for any private purposes.

Let me first address myself to the character of this institution. I hold in my hand its official catalogue, the last one issued, covering the period from March, 1894, to March, 1895. That catalogue tells me—I read from page 66:

This institution is always emphatically Christian. Its instructors believe in Christianity as the only basis of true culture. But pupils here are given no denominational bias. The Bible is one of the regular text-books.

Referring to the first pages of this same catalogue, I find that its first department, the one to which greatest prominence is given, is the department of theology, of which the president is dean. I find that it has a department of medicine, a dental college, a pharmaceutical college, a department of law, a college department, a preparatory department, a normal department, a department of music, and an industrial department. It will therefore be observed that this institution is endeavoring to do not only preparatory work but work of a high grade, such work as is usually done by a university as contradistinguished from a college.

Theological students attend classes in other departments. I think it will be admitted that at no time has the Congress of the United States ever gone so far as to commit itself to a national university. Ever since the days of Washington various Presidents have recommended the chartering of such an institution. Petitions in favor of such a project have come in from all parts of the Union. Educators all over this land have strenuously advocated it. But never to this day has the Congress of the United States set apart a single dollar for university education of the youth of our land, except as small tracts of land have been set apart for the use of State universities, and in this regard the several States have fairly shared. We have in the main thus far limited our appropriations and all governmental agencies to such education as is deemed on all hands necessary to qualify a person for the ordinary duties of citizenship. With the common-school education we have stopped, save and except only the aid which has been granted the industrial colleges and State universities of the land. I do not now refer to the class of appropriations by way of subsidies, and which appropriations I am attacking.

This Howard University is an institution for colored people, primarily and principally. Generally speaking, there are no white students there. I want to know on what principle of equity, on what principle of right or of equality, gentlemen will vote for the so-called higher education of the colored race money which they

withhold from their own race—from their own children. What excuse can you give—those of you who live in New York or in Georgia, in Nebraska or in Kansas—for appropriating money for the so-called higher education here in the District of Columbia of a certain race, when you deny such appropriations to your own people? If you must appropriate for the institution, why not do so out of District of Columbia funds? You support your State schools by State taxation.

Mr. Chairman, I am in favor of the broadest and the most liberal education. But one of the first essentials of the right kind of education is equality in education as well as before the law. You have no right to make preferences. You have no right to single out one race, one nationality, one creed, or one social class, and confer upon that race, nationality, creed or class benefits which you deny to others. There is absolutely no excuse or justification for taking one dollar by taxation from the masses and bestowing it upon the few. Favoritism has no place whatever in an intelligent republic. Here is this institution, which is admittedly private, taking care of the few; but we are doing it in a way in which we have never taken care of any other class when we have known what we were doing.

I said this is a sectarian institution. Let us see. This catalogue says:

The students conduct with enthusiasm literary and missionary societies. Africa is regarded with prayerful attention as a missionary field.

So we are educating these missionaries for Africa. I submit the time is now and here when the colored people of this country need, and the white people need, missionaries at home, not abroad; men and women who can rise to the plane of good citizenship here and not undertake to work out, at the public expense, a system of evangelizing the people in Africa.

But further, Mr. Chairman, we are informed here in this same catalogue to which I have already referred "that the students preach sermons and conduct pulpit exercises in the presence of one another and of the faculty, who kindly criticise them."

And I may say for the edification of the members of the House who have been given some extraordinary exhibitions of delartean oratory here from time to time that, so the catalogue says, "much attention is devoted to pulpit elocution, with a large application of delartean principles." And yet you propose for that purpose to take and expend the public money.

But it is insisted that the amendment provides that no part of the money appropriated shall be paid for theological or religious teachings. Not so. Gentlemen, we can not afford to attempt to deceive each other by any such subterfuges in order to get in an appropriation of money. We owe it to ourselves to be reasonably candid, at least. We can not deceive the people of the United States. You may cover it up here under a form of words in the excitement of the moment, but in the calmer moments which come to the people out yonder by their firesides—the people whose representatives you are will read what you have done here. They will not be deceived. They will discover the true nature of this amendment. They will see its pernicious doctrine and pronounce their righteous judgment on such actions. But what does this amendment provide? After making the appropriation of \$32,600, it proceeds with a sham effort at self-disinfection:

Provided, That no part of the money hereby appropriated shall be paid to any teacher or professor of theology or religion or to any chaplain in said university.

I ask you in all candor what practical effect has that? Are there no other expenses of the university than those involved in teaching theology? Is there no other income than that which you propose to appropriate here for this establishment? Why, gentlemen, I find in the report of this institution for 1895 that the income of the institution itself was \$57,640.55, of which the Government of the United States appropriated \$29,500. In other words, only about one-half of the money came from the United States, and that the balance for the support of the establishment came from other sources. Now, I ask, if that is the condition of affairs, what is the practical effect of the proviso which is added to this amendment, and which was thrown in for the purpose of catching the House on yesterday? What is its practical effect? Can not the institution take the \$29,000 received from other sources and use that for religious instruction, and use the other \$29,000 or \$30,000 that the Government of the United States appropriates for other purposes?

Suppose you would provide in express terms that the expense of the theological department should be paid out of this appropriation. What difference would it make? To ask the question is to show that the proviso is inoperative. Not a dollar of the money appropriated by the Government need be used for that purpose, and yet every dollar that is appropriated is simply that much in addition to the sum to be applied for theological teaching. What difference does it make, practically speaking, then, whether that proviso is inserted or not. If we make the appropriation in any form they will continue to use their other funds for theological

purposes. If we do not, they will have less money to use for their departments of law and theology. When the gentleman, Mr. Chairman, who introduced the proviso comes to speak, I ask him, in all fairness, in the name of common honesty, to explain what he meant by the proviso? If he had an honest purpose, it is so skillfully concealed that the average mind is unable to discover it. I repeat, it has no practical effect, and you may as well give the \$32,600 without any proviso whatever.

But it may be insisted, Mr. Chairman, that this institution has received other funds with which it supports the theological chair. There is some foundation, I will admit, for that claim. For in their report we find they receive from the Board of American Missions, in addition to the Stone endowment, a total fund for this purpose of \$4,475, and that fund is paid, I find, to the officer who lectures in the department of theology. Upon another page of the same report I find the president receives out of this fund, as a part of his salary of \$4,000, \$2,800, and the Government appropriates the other \$1,200 from the amount set apart for the theological department.

In order that the committee and the House may clearly see the method of disbursement, and also the sources of income, I make as part of my remarks extracts from the last annual report of this institution to the Secretary of the Interior:

The amount appropriated by Congress for the coming year, including \$8,200 for the law department, is \$34,500. The trustees would earnestly request the same amount for the next year, which, with the \$1,000 for the library fixtures in the new chapel building, will make \$35,500.

The president of the university, who receives \$4,000 per year, with the use of a house, was paid from the appropriation.....	\$2,800.00
The secretary, treasurer, and business manager, whose annual salary is \$2,000, received from the appropriation.....	1,800.00
Seven professors in the college, preparatory and normal departments, who receive \$1,500 per year each, with use of house, were paid from the appropriation, each, \$1,350.....	9,450.00
Three teachers, who receive \$900 per year each, were paid from the appropriation, each, \$720.....	2,160.00
One lady teacher, who is paid \$900 per year, received from the appropriation.....	810.00
One lady teacher, who is paid \$1,000 per year, received from the appropriation.....	900.00
One lady teacher, who receives \$600 per year, was paid from the appropriation.....	480.00
One teacher, who is paid \$700 per year, received from the appropriation.....	630.00
One matron, whose annual salary is \$600, was paid from the appropriation.....	540.00
Four assistant teachers, whose salaries are \$500 each per year, were paid from the appropriation an aggregate of.....	730.00
Four professors in the law department were each paid from the appropriation \$800.....	3,200.00
<b>Total for salaries.....</b>	<b>23,500.00</b>

The sum of \$3,000 appropriated for the manual-training school (industrial department) was expended as follows:

For instruction.....	\$2,420.66
For material.....	330.59
For fuel.....	121.75
For janitor and fireman.....	127.00
<b>Total.....</b>	<b>3,000.00</b>

The sum of \$1,000 appropriated for the repairs of buildings was mostly expended in the repair of tin roofs and decayed woodwork under the same. To this sum there was added \$1,564.29, which was used in general repairs where most needed.

The sum of \$500 appropriated for the improvement of grounds was used in the construction of a substantial fence along the west side of the campus, on Sixth street.

The sum of \$300 appropriated for library books, the \$1,000 appropriated for law library, and \$200 appropriated for the laboratories of the university, chemicals, apparatus, etc., were used for the purposes indicated.

Treasurer's statement of receipts and disbursements from July 1, 1894, to June 30, 1895, pertaining to current expenses.

RECEIPTS.	
Balance on hand July 1, 1894.....	\$112.90
From United States:	
For salaries.....	23,500.00
For industrial department.....	3,000.00
For chemical apparatus.....	200.00
For library books.....	300.00
For law library.....	1,000.00
For repairs.....	1,000.00
For grounds.....	500.00
From rents.....	5,167.18
From income from invested fund.....	8,492.68
From American Missionary Association (including Stone endowment) for theological department.....	4,475.00
From donations for prizes.....	81.00
From room rents.....	1,864.50
From miscellaneous sources.....	301.83
From industrial department, proceeds of shops.....	158.21
From medical department, income and tuition, including \$137.75 interest on Stevens fund.....	6,771.25
From law department, tuition.....	1,216.00
<b>Total.....</b>	<b>57,640.55</b>

EXPENSES.	
Paid officers, professors, and instructors in academic branches....	\$25,134.75
Paid officers and lecturers in theological department, from donations.....	4,475.00

Paid professors and instructors in medical department.....	\$5,855.00
Paid other expenses of the department.....	1,808.50
	<b>\$7,663.50</b>
Paid professors and instructors in law department.....	4,968.15
Paid other expenses of the department.....	347.85
	<b>5,316.00</b>
Paid instructors of the industrial department.....	2,420.66
Paid for material, industrial department.....	330.59
Paid for fuel, industrial department.....	121.75
Paid for janitor and fireman, industrial department.....	127.00
Paid for material, presswork, composition, etc., from proceeds of shops.....	140.94
	<b>3,140.94</b>
Paid chemical apparatus.....	200.00
Paid library books.....	300.45
Paid law library.....	1,000.00
Paid repairs of buildings.....	2,564.29
Paid improvement of grounds.....	781.01
Paid fuel and gas.....	1,363.60
Paid janitors and firemen.....	1,670.82
Paid insurance.....	1,066.75
Paid interest on \$13,000 transferred to aid fund.....	780.00
Paid miscellaneous expenses, including postage, advertising, telephone, stationery, furniture, stoves, diplomas, prizes, and other expenses of a general character.....	2,043.16
Balance, June 30, 1895.....	140.11
<b>Total.....</b>	<b>57,640.55</b>

Gentlemen will bear in mind there are other expenses in the theological department than the pay of the lecturers; for instance, the maintenance of the building, the use of the class room, heating, lighting, repairs, incidental expenses, text-books, and so on, which are all paid out of other funds. Only a few days ago the House, as I said, after a full discussion, ingrafted into the Indian appropriation bill a provision that no money should be paid to any institution in whole or in part under sectarian or ecclesiastical control. That was adopted after discussion as the deliberate judgment of the House. It was placed in that bill well knowing that the principal society order to be affected by the provision would be Catholic. I ask, in all earnestness, on what possible principle of right could you do that and still appropriate to this institution, which is in part admittedly maintained by the American Missionary Society, a well-known Congregational society, a fact which is stated in the report from which I have already quoted? Is the House prepared to say that they will not make an appropriation for an institution that is controlled in whole or in part by a Catholic society, but will make an appropriation to one that is supported in whole or in part by the Congregational society? Is that the judgment of the members of this body? Is that its sense of fairness and right?

Gentlemen, it is folly and inexcusable cowardice to attempt to evade the issue.

You must meet it fairly and squarely like men. Do not believe for a moment that the generous people of the United States will tolerate any such favoritism as that. When I addressed myself to this proposition in the Indian bill I disclaimed, as I felt in my heart that I had a right to do, any opposition to the Catholic Church as a church. I say to you here now that if there is to be a dollar of appropriation for any sectarian institution, you have no right to withhold like aid to a Catholic institution. Do you say that this institution does good work? I grant it for the sake of argument. Will any man say that excluded Catholic institutions do not also do good work? If he does, he speaks without understanding, for many of them do most excellent work. We voted against aid to Catholic institutions, not because they were not doing good work, but because we recognized it as a fundamental principle of government that we have no right whatever to vote one dollar of money for sectarian purposes.

Ah, gentlemen, I know how easy it is for this insidious process to effect your real purpose. This is truly "the nose of the camel entering the tent." The Catholics, with a craft which excels that of Talleyrand, usually accomplish their purpose by the exercise of brains, and there are not wanting Protestants who, with a lack of perception which is akin to idiocy, allow themselves to be lured by a small bait, as in this instance, to commit themselves to a principle which has in the past taken multiplied millions out of the Treasury of the United States and placed them in the coffers of sectarian institutions.

No, gentlemen, you must place yourselves upon principle. This Howard University was founded about the close of the war. For about sixteen years it prospered. It rested in the bosom and on the heart of the great people of this country, who are quick and zealous to respond to all good work. It prospered until 1880 as it has never prospered since. There had been no thought of Government aid. In 1880, long after the war and after the colored people were already getting on their feet, there came first the appropriation of \$10,000. From that small item the appropriation has grown gradually, until this year they receive \$34,500. In the aggregate they have received \$401,600 since 1880.

I offer as part of my remarks a table furnished me by the president of this university, which gives the details.



Appropriations by the United States to private and sectarian charitable and reformatory institutions in the District of Columbia—Continued.

	1882-83.	1881-82.	1880-81.	1879-80.	1878-79.	1877-78.	1876-77.	1875-76.	1874-75.	1873-74.	1872-73.	1871-72.	Total.
St. Joseph's Asylum													\$6,781
Association for Works of Mercy													36,323
House of Good Shepherd													22,400
Industrial Home School	\$5,000	\$10,000	\$10,000	\$5,000	\$5,000								176,680
St. Rose's Industrial School													31,953
Board of children's guardians													45,200
Deaf and Dumb Asylum	55,000	63,742	61,000	50,000	58,500	\$48,000	\$117,524	\$88,000	\$77,000	\$48,000			1,559,181
Government Hospital for the Insane*	202,500	165,000	173,000	160,000	159,583	150,000	160,000	215,107	208,751	171,700	\$178,800	\$153,000	5,021,724
Garfield Memorial Hospital													118,000
Providence Hospital*	15,000	15,000	15,000	15,000	15,000		15,000		15,000				330,000
Reform School, District of Columbia.	37,950	31,600	31,000	20,000	10,000	15,000	10,000	11,000	20,750	24,780	110,000	12,000	916,442
Washington Asylum Hospital													585,861
Women's Union Christian Association													400
Young Women's Christian Home													4,000
Hope and Help Mission													3,000
National Temperance Home													11,500
Woman's Christian Home													5,400
<b>Total</b>	<b>383,450</b>	<b>342,142</b>	<b>346,800</b>	<b>301,800</b>	<b>299,819</b>	<b>260,500</b>	<b>352,524</b>	<b>389,107</b>	<b>371,501</b>	<b>309,460</b>	<b>362,800</b>	<b>165,000</b>	<b>12,122,306</b>
Little Sisters of the Poor													30,000

\* Appropriations for Providence Hospital, 1866 to 1870, and for the Government Hospital for the Insane, 1862 to 1870, are contained in the following table:

	1870-71.	1869-70.	1868-69.	1867-68.	1866-67.	1865-66.	1864-65.	1863-64.	1862-63.
Providence Hospital	\$6,000		\$30,000		\$30,000				
Government Hospital for the Insane	175,482	\$113,500	97,500	\$113,500	111,500	\$116,500	\$78,000	\$67,500	\$47,500

Total for Providence Hospital from 1866 to 1896..... \$396,000  
 Total for Government Hospital for the Insane from 1862 to 1896..... 5,942,706

In this list alone you find \$12,122,306, not including the appropriation of \$30,000 made to the Little Sisters of the Poor, and not including one cent which has been appropriated to Howard University. It therefore follows that about \$13,000,000 has already, in that comparatively brief time, been appropriated in the District of Columbia alone to institutions of the character named. Add the appropriations for sectarian Indian schools, which amount to fully as much, and you have an aggregate of \$25,000,000 or \$26,000,000 for such purposes. Take the list from year to year and see how they grow, how they swell. There is not a man who ever studied this question for one moment but knows that if you want to dispense that kind of charity you can have all of it that you can pay for. Just say to the people of the United States, "By a considerable use of the teasing process you can obtain money from the public Treasury," and where will you stop? If you say that any person who does good work shall have access to the public Treasury, where will you draw the line? There is absolutely no stopping place. Talk about your sectarian appropriations, you can not draw the line there. There is no real definition of the word sectarian. The word sect applies to a denomination or a school of science, philosophy, politics, or what not. There are a thousand and one different schools. Again, how easy it is, by a skillful use of the incorporation laws, to found societies which, by their charters and by-laws, are absolutely silent on any question of sectarianism. You can do that very easily, and in a roundabout way draw money out of the public Treasury.

Suppose you were to apply that same doctrine to our other public works and were to allow a person or company to light one of these streets in the city of Washington and, if it did good work, appropriate for it, subsidize it. Suppose you allow any person to pave a street, and, if he does a good job of paving, if he suits the people, make him an appropriation to cover the expense of paving. Would you tolerate that for one moment? If you would not tolerate that, tell me what excuse is there for it in any of these educational societies, and especially where they undertake to teach religion. Will anyone say that the president of this institution, who, until he assumed the duties of that office, was a Congregational minister in this city, can teach the Bible as a regular text-book without giving it a Congregational bias?

Here is an institution which is presided over by a lifelong Congregationalist.

The principal professors are Congregationalists. They maintain a theological department, in which the president and principal professors spend a large part of their time.

Special attention is paid to theology. The institution has for its largest and most liberal patron, excepting only the Government, a Congregational society whose only object is to spread Congregationalism. It is a missionary society.

Missionary work for what? For the Congregational Church. Certainly not for any other church. You may depend on that. It is to the Congregational Church precisely what the Jesuit order

is to the Catholic Church. Will any gentleman who values his word deny this? Will you bolt at the name of Jesuit and embrace a Congregational missionary society? If so, what becomes of your opposition to sectarian appropriations? If you oppose aiding an institution in which proselyting is done for a Protestant church, what objection have you to a Catholic priest or the sworn devotee of some Catholic order doing exactly the same thing for that church. There is only one safe ground, and that is to make no appropriations whatever for private institutions.

Now, Mr. Chairman, let me briefly recount some of the reasons why subsidies should never be tolerated. I think it will be conceded that every objection which can be made to the principle of subsidy as a general one applies with peculiar force wherever religious or political passions or prejudices of the people may be involved. No man can teach politics—should you establish a chair of politics—if he were a Republican, without teaching his pupils Republican doctrines; if he were a Democrat, he would teach the doctrine of the Democracy, and if he were a Populist, he would probably teach that all property, and especially prosperity, is a crime against the laws of God and of man. I oppose subsidies to schools and charitable institutions for many other reasons.

First, because it promotes pauperism by disguising it. Many will go into one of these subsidized institutions and accept aid from the Government, deeming it a matter of right and not a gratuity. They would help themselves rather than accept charity, but will accept a benefit which is offered as a right rather than gain it by work. You should not place a premium upon pauperism. Charity should have a twofold purpose. First, to relieve those who are deserving and really in want; and second, to better the condition of the people and make want less and less in the land. So, I say, whatever disguises pauperism, whatever tends to make it respectable tends as a matter of fact to make people throw themselves prone upon society to take care of them. Whatever teaches the doctrine that the world owes a person a living, owes him an education, owes him medical treatment or care, demoralizes society and works evil. You ought to teach that every man should, by his own unaided force if possible, take care of his own wants. It is true that St. Paul, in one of his epistles, said that each man should bear the burdens of his neighbor, but in the same—

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. Would the gentleman like some additional time?

Mr. HAINER of Nebraska. Yes; I would like about fifteen minutes.

Mr. EVANS. I have no objection, if the same is granted to the other side.

Mr. CANNON. I ask unanimous consent that debate may be extended to thirty minutes, fifteen minutes to be occupied by the gentleman from Nebraska, and fifteen minutes under the control of the gentleman from Kentucky.

The CHAIRMAN. The gentleman from Illinois asks unani-

mous consent that the time for closing this debate be extended thirty minutes, to be equally divided between the gentleman now on the floor and the gentleman from Kentucky [Mr. EVANS]. Is there objection? [After a pause.] The Chair hears none.

Mr. HAINER of Nebraska. I was just stating that St. Paul's doctrine was that we should bear each other's burdens; but side by side with that, and as a part of the same text, he added that each man shall bear his own burden. In that teaching is the true philosophy of all work which is truly charitable. When you place men on their feet and make them do for themselves as much as possible, you elevate them, you make them manly men, you encourage true nobility, you do abiding good. Another bad effect of subsidies is that they produce a duplication of institutions. Once enter upon the policy and it is hard to draw the line. No institution willingly relinquishes it. Suppose you make an appropriation here for this institution, largely because of race; another institution comes up and it claims it on the score of nationality.

We had a heated discussion in this House on the proposition that we should make an appropriation for an institution because it was German. If you make appropriation on that ground, then you will be required to make it in the case of the Scandinavians, in the case of the Italians, and in the case of the Bohemians. There may be among some constituencies voters who may be caught with that kind of chaff, but I trust they are few indeed. I know there are gentlemen in this House who make use of such arguments, and one gentleman who is active in urging this amendment stated in my hearing that in his district there were many colored voters, and this was absolutely necessary for the purpose of cajoling them into his support. I want to say to those gentlemen they place a low estimate upon the colored race, that race which gave to the United States a Frederick Douglass; that race which placed in the halls of this Congress a man during the last session who ought to occupy the same seat now; that race which gave to the present generation a Booker Washington. That race, Mr. Chairman, does not need any cajoling. They do not need coddling. They want their rights, and their rights alone. They want to be treated as men and women, because they are men and women. They ask not the hand of charity. You insult them when you extend it; you depress them when you give it. You seek by that method to retain them in the position in which they were so many years—a servile position; you seek to educate them into barbers, waiters, and bootblacks, a servient instead of a self-asserting people. He is no good friend of the colored race who asks charity at your hands for them.

Another thing. These subsidies should never be tolerated, because in voting against them you are obliged to resist special pressure. If it were proper for me to relate what has occurred in our committee room, I could tell you of men of high position in the United States who, forgetting the places which they occupy, regardless of the duties which they owe to the country, came there as truckling mendicants for the purpose of obtaining little appropriations, because, forsooth, their wives happen to be presidents of some of these institutions, or they themselves happen to be occupying some honorary position with respect to other institutions. It pleases them to occupy the positions, and in turn they use their social and official prestige to secure appropriations. Anything that leads to practices of that kind is vicious and only vicious, and should be cut up by the roots. There ought not to be any favoritism in this House, and when a man comes to a committee, whether it be to the Ways and Means, the Appropriations, or any other, for the purpose of asking a favor at their hands and a discrimination in his own favor, or in favor of some pet institution of his, against the great body of the people, he ought to be shown the door; and I hope the time will come when the American Congress will rise to such a plane as will make such demands upon it impossible.

The habit of appropriating for these institutions does another thing—it dries up the sources of private charity. Take the history of any of these institutions, and you will find that when they are supported by public subsidies private contributions fail. The report from which I have quoted shows that in 1895 this institution which we are considering received but \$30 from private sources. An institution which sustained itself prior to 1880 exclusively by private contributions received only \$30 in 1895. The same is true in every State and in every community where this practice has prevailed, and in my remarks, with the permission of the House, I will quote from the experience of Pennsylvania and New York on this point.

Mrs. Lowell, prominent in charity work in New York, states that of the 18,900 children supported by charity in New York City 2,700, or one-seventh, are supported in private institutions at private expense (14 per cent of the total expenditure), and that 1,200 are supported at public expense in public institutions. Of the total expenses for all purposes of the 23 institutions caring for the remaining 15,000, 8.8 per cent is contributed by private benevolence. From this it appears that 21 per cent of the expense of

caring for dependent children is borne by private benevolence, while 79 per cent is borne by the city.

In Philadelphia, under a different system, the proportion borne by private benevolence is 97 per cent. In New York one institution that received in 1892 \$250,000 from the city received from private sources less than \$500, and in case of 12 institutions the receipts from private sources were less than 5 per cent of the total expenditure.

Commissioner Bolles, of Pennsylvania, says:

The State by appropriating so generally is drying up the interest of individuals in organized charities. Our people have acquired great wealth, and their sympathies should be cultivated in every possible manner. The State can never do through its long perfunctory arm acts of mercy with the same degree of kindly interest as individuals who live nearer the scene of relief and who have a more distinct interest in the sufferers.

What is true of these dependents is true of every other branch of charitable relief. It applies with equal force to the support of schools by subsidies. Divided responsibility means no responsibility.

Another thing, Mr. Chairman, it destroys usefulness by hampering the institution itself, and reducing it from the high position which every educational and charitable institution ought to maintain, and bringing it down to the low level of partisan politics and traffic with members of legislatures and of Congress for their support.

Every request for subsidy is treated with reference to its probable political effect, or at best as a matter of administrative detail, involving no principle and having no significance as a precedent.

A legislative committee can not investigate; it has no knowledge of the practical workings of the institution. It has neither time nor opportunity to attend to those. It must rely on reports which are largely perfunctory. It is nobody's business to look after or scrutinize the expenditures. Everything is left to those who are interested in a continuance of the appropriations. If we are to appropriate on the score of indigency, then I submit there ought to be some ascertained and certain gauge of indigency and some assurance that the gauge is used. We have nothing.

Mr. Chairman, I see that my time is fast fleeting, and I know of no better way to close my remarks, although I must leave much unsaid which I would gladly say, than to send to the desk and have read an extract from an address made by that splendid man and soldier, General Grant, at a reunion of the Army of the Tennessee, held in Des Moines, Iowa, in 1875.

The extract was read as follows:

If we are to have another contest in the near future of our national existence, I predict that the dividing line will not be Mason and Dixon's, but between patriotism and intelligence on the one side and superstition, ambition, and ignorance on the other. Now, in the centennial year of our national existence, I believe, is a good time to begin the work of strengthening the foundations of the structure commenced by our patriotic forefathers one hundred years ago at Lexington. Let us all labor to add all needful guarantees for the security of free thought, free speech, a free press, pure morals, unfettered religious sentiments, and of equal rights and privileges to all men, irrespective of nationality, color, or religion. Encourage free schools, and resolve that not one dollar appropriated to their support shall be appropriated to the support of any sectarian schools. Resolve that neither the State nor the nation, nor both combined, shall support institutions of learning other than those sufficient to afford to every child growing up in the land the opportunity of a good common-school education, unmingled with sectarian, pagan, or atheistical dogmas. Leave the matter of religion to the family altar, the church, and the private schools supported entirely by private contributions. Keep the church and the state forever separate.

Mr. HAINER of Nebraska. Mr. Chairman, I shall at the close of this debate ask consent to return to this section and move to strike out the paragraph making this appropriation. If that should meet with objection, I give notice now that I will in the House demand the yeas and nays on the amendment, to the end that the country shall understand exactly by what vote it is sought to reverse the action which has been had in this House on a previous occasion. I feel that I owe that to myself, I owe it to my constituency, I owe it to every gentleman who has participated in the gallant fight that has been made heretofore to place the House of Representatives on the footing of principle and to square our action with our professions.

Public funds should be sacredly devoted to public uses.

We are the trustees of those funds. Let us discharge our duty now as we would require at the hands of one to whom we had confided our private fortunes intended for our own children.

Mr. CANNON. Mr. Chairman, if the gentleman will allow me, I will say to him that this bill as reported does not carry the item which the sundry civil bill for many years has carried for Howard University. The gentleman from Kentucky [Mr. EVANS] moved an amendment yesterday inserting this item with a proviso, which gentlemen will recollect. So that as it stands now, if there can be no reconsideration of this item in Committee of the Whole, it will be reported to the House as an amendment to the bill with a favorable recommendation; and it seems to me that is perhaps as good a shape as the item can be in, because it is a proposition that can be disposed of by the House, or will have to be disposed of by the House, under the rules, and one on which the yeas and nays

can be called, and I think perhaps it will be better to have the House deal with it than to try to do something which is not within parliamentary rules.

Mr. EVANS. Mr. Chairman, before the gentleman from New York [Mr. BARTLETT], to whom I shall yield fifteen minutes, begins his remarks, I think it well that the amendment should be again reported.

The amendment was again read as above.

Mr. EVANS. I yield fifteen minutes to the gentleman from New York [Mr. BARTLETT].

Mr. BARTLETT of New York. Mr. Chairman, the gentleman from Nebraska [Mr. HAINER], not satisfied with having by his previous course of action defeated one appropriation bill, being mindful of the grave responsibility placed upon him by the people of the United States, and finding that this appropriation for the Howard University had been slipped through during his absence, rushed in yesterday afternoon and obtained, by the indulgence of the distinguished chairman of the Committee on Appropriations, an opportunity to make his speech this morning. It is, sir, somewhat unfortunate that our regular proceedings are interrupted week after week by these discussions of a semireligious character. But as a Democrat, I deem it my duty to raise a voice of protest against the principles enunciated by the gentleman from Nebraska in opposition to education on the one hand and to charity on the other hand.

Let us see what is the proposition of the gentleman from Nebraska. That, in the first place, we should make no appropriations for private institutions or in aid of any private institution of learning or of charity; in the second place, that no appropriation should be made by the Congress of the United States in aid of any institution where the Christian religion is taught in any form, or where the inmates are instructed in any of the tenets of Christianity. This is, indeed, sir, a fin de siècle period when we come here not to listen to an apostle of Christianity, but to listen to an advocate for the proscription of every form of the Christian religion. Dominated to a certain extent by his feeling toward the Roman Catholic Church, the gentleman feels bound to-day to attack the cause of the education of that unfortunate race which was liberated and emancipated by the great Lincoln, in whose honor yesterday we appropriated \$30,000 for the purchase of the house in which he died. Is that consistency? Is this a consistent theory for the Republican party here, which supported that appropriation which was passed yesterday without a voice of dissent? Having myself objected on the ground of principle to the appropriation of \$30,000, I withdrew my objection because I did not want to be placed in an unpatriotic light. Is it consistent, gentlemen, after making that appropriation yesterday, to refuse an appropriation of the sum of \$33,000 for the cause of the education of the colored people of this District and the colored people of the United States?

Mr. HAINER of Nebraska. Is it not true that you are personally responsible by your vote for the action of the Appropriations Committee in striking out the appropriation for the Howard University?

Mr. BARTLETT of New York. Responsible for what?

Mr. HAINER of Nebraska. By your vote—by your direct affirmative vote?

Mr. WILLIAM A. STONE. I make the point that anything which occurred in the committee ought not to be referred to here.

Mr. BARTLETT of New York. The gentleman from Nebraska has made various statements in regard to what took place in the committee room. He has gone so far as to tell you that gentlemen appeared before that committee who were influenced by improper motives. Now, sir, I have never seen anyone before the Committee on Appropriations whom I should venture to accuse of such an offense. As to my vote at any time in any body, I am responsible for it; but I do not feel that I am at liberty in this Committee of the Whole to reveal the secret deliberations of a committee of the House of which I am a member.

Mr. Chairman, I am not a member of the Roman Catholic Church. I am a Protestant, and in my veins courses no Catholic blood, save that Catholic blood which comes down to all of us, for we must all have been Catholics before the era of the Reformation. So, sir, I am absolutely unbiased. But I plead in behalf of each and every Christian denomination. I do not believe in attacking any Protestant denomination or the Roman Catholic Church, or any Christian creed whatsoever.

Some gentlemen of this House seem to have an idea that no money should be given, that no appropriation should be made to any denominational institution; and they refer vaguely to the Constitution of the United States. Why, sir, the only provision in the Federal Constitution on this subject is that found in the first amendment, which provides—what? Not that you shall not give a dollar of money to an institution because some Christian creed may be taught in it, because some prayer may be offered under the roof of the institution to which the appropriation is made, but

that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof."

Now, gentlemen of the committee, in all such speeches as those which have been uttered by the able gentleman from Nebraska what is the dominant spirit? It is against creed; it is against religion; it tends to prohibit the free exercise of religion—to declare that not one dollar shall be given to an institution, however deserving, if any tenet of the Christian religion, be it Protestant or Catholic doctrine, be uttered within the walls of that building. In other words, we are asked here now, at the end of the nineteenth century, to proscribe and denounce Christianity, to couple with each appropriation made a condition precedent that not one dollar of the appropriation shall be available unless Christianity is expelled from the institution. Why, sir, what a terrible doctrine; what a monstrous doctrine for the people of the United States!

But aside from this question, sir, of Christianity and of religion, why should we start out with a proposition that we can give no money to advance the cause of education or the cause of charity? The gentleman from Nebraska takes high ground. He says that in the first place the public money should not be used for a private institution. Let me call the attention of this committee to the fact that day after day, hour after hour, the Congress of the United States appropriates public moneys for private uses—for the benefit of private individuals. Let me call attention, aside from the various pension bills introduced by the gentleman from Nebraska, to the bills introduced by him for the benefit of the militia of Nebraska; that is, a specific appropriation is to be made by the Congress of the United States for the special benefit of the militia of the State—why? Because one of the leaders of our House and the leader of the crusade against religion and education and charity happens to be a distinguished representative here from that State. Let me call attention to this bill.

Mr. HAINER of Nebraska. I hope the gentleman does not mean to misrepresent me.

Mr. BARTLETT of New York. I never intend to misrepresent anyone; and I do not think the gentleman will accuse me of any such intention. I will allow the gentleman to interrupt me.

Mr. HAINER of Nebraska. The gentleman certainly is mistaken.

Mr. BARTLETT of New York. In what?

Mr. HAINER of Nebraska. That bill which I introduced was to restore arms and munitions which were destroyed by fire, and which had been used by the National Guard, a part of the militia of the United States.

Mr. BARTLETT of New York. That is all right. I speak whereof I know—that is, that the same ground of objection applies to the measures you did introduce, and I wish to call attention to some of these bills for the purpose of demonstrating the point. The first is a bill providing for the extension of the dependent pension act of June 27, 1890, to—what? To the militia of the State of Nebraska.

Mr. HAINER of Nebraska. Well, they rendered a public service. They fought against the enemy.

Mr. BARTLETT of New York. Well, let us see whether you have not got your bills a little mixed up.

Mr. HAINER of Nebraska. Oh, no. The gentleman from New York, in not observing the Raines law, is doubtless somewhat mixed himself.

Mr. BARTLETT of New York. Well, I do not know what the gentleman from Nebraska means by that. If he means to imply by that reference that I have not observed the Raines law, I will be compelled to have his words taken down. I will not allow the gentleman to make such a remark about me, or such an intimation.

Now I ask if the gentleman from Nebraska meant to intimate that I was under the influence of any spiritual intoxicant except the influence of his spiritual speeches? [Laughter.]

Mr. HAINER of Nebraska. Well, I did not know what actuated the gentleman. But if he means to ask me the sober question, whether in my judgment he is intoxicated or not, then, of course, I would have to frankly say no.

Mr. BARTLETT of New York. What, then, did the gentleman mean?

Mr. HAINER of Nebraska. Simply that the gentleman was badly mixed in his statement of facts.

Mr. BARTLETT of New York. And that was intended to be humorous, I suppose. [Laughter.]

Mr. HAINER of Nebraska. I presume so.

Mr. BARTLETT of New York. Now, Mr. Chairman, the first of the bills to which I have referred I will call your attention to, and let us see whether I am accurate or not in that statement. I refer to House bill No. 6722; that is a provision for the extension of the dependent act of 1890 to the officers and privates of the Nebraska militia. In other words, it gives all of them a pension to which they are not entitled under the general law. Is that appropriating the money of the United States for the use of your

State? Is that appropriating the money of the United States for a public rather than for a private purpose?

Next we find a bill to reimburse the State of Nebraska for expenses incurred in repelling a threatened invasion by the Sioux Indians in 1890-91. There is a bill that covers some \$42,000, to be taken from the Treasury of the United States for the benefit of the gentlemen in Nebraska.

Then the next bill is one to reimburse the State of Nebraska for what? Why, for some stores that were destroyed by fire, belonging to the State militia. Is that a Federal purpose? Does that belong to the Congress of the United States?

Of course, Mr. Chairman, I have drawn attention to these several bills; but the bills themselves are now before me on my desk and will verify the correctness of my remarks. The mere titles that I have read indicate their substance. There are many other such bills. I do not know how many of them there are, but the general purpose is to take the public money for private individuals by the gentleman from Nebraska. I am aware, in reference to these matters of appropriation, that he believes in the extension of paternalism and the extension of that form of socialism known as centralization.

He believes we ought to have a national university, I presume, in Washington, but he does not believe in aiding what is practically a national university for the benefit of the colored race, and an institution now existing here. There are special reasons why these people should be treated fairly. They are in a peculiarly helpless condition; the fact that a large number of colored people, amounting to somewhere between 70,000 and 90,000, are in this city should be considered, and the further fact that there is no other institution of knowledge, or university, devoted mainly to the education of the colored race—

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARTLETT of New York. Mr. Chairman, I ask an extension of five minutes longer.

Mr. EVANS. Mr. Chairman, I can not yield any of the time allotted to me, as I shall require it all.

Mr. CANNON. I will ask, with great pleasure, that there shall be a further extension of fifteen minutes on a side.

Mr. McRAE. I would like to know something as to how that time is going to be divided. I want five or ten minutes myself.

Mr. CANNON. If there is an extension of fifteen minutes on a side there will be no difficulty, I am sure, of the gentleman getting five minutes.

Mr. McRAE. Can I have five minutes of the time if extended?

Mr. CANNON. Well, I do not control it, but I have no objection.

Mr. McMILLIN. I suggest to the gentleman from Illinois that he ask an extension of twenty minutes on a side, and the gentleman from Arkansas will then be able to secure five minutes of it.

Mr. CANNON. I have no objection. I would like myself to have ten or fifteen minutes on this question.

But I will make the request, Mr. Chairman, and if granted I can accommodate the gentleman with five minutes out of the time, that it be extended for twenty minutes longer on a side, and that I have control of twenty minutes and the gentleman from Texas [Mr. SAYERS] have control of the other twenty minutes.

Mr. EVANS. I have no objection to the extension of the time, but I think the control of it had better be left as the first hour was controlled.

Mr. CANNON. Very well; let it be twenty minutes on a side, to be controlled by the gentleman from Kentucky and the gentleman from Nebraska.

Mr. McRAE. I will not consent unless it is understood that I am to have five minutes.

Mr. EVANS. You may have it. I yield five minutes to the gentleman from New York.

Mr. BARTLETT of New York. Mr. Chairman—

The CHAIRMAN. The time of the gentleman from New York has expired, and objection has been made to the extension.

Mr. McRAE. With the assurance that the gentleman from Kentucky will give me five minutes I withdraw the objection.

Mr. ANDREWS. Will the gentleman from New York yield for a question which I desire to ask for information?

Mr. BARTLETT of New York. Certainly.

Mr. ANDREWS. Does the Federal Government own the property of this university?

The CHAIRMAN. One moment. The Chair would like to inquire of the gentleman from Kentucky [Mr. EVANS] how much time he yields to the gentleman from New York [Mr. BARTLETT].

Mr. EVANS. I will yield to the gentleman from New York what he asks, five minutes more. That will be all that I can spare.

Mr. BARTLETT of New York. In answer to the gentleman from Nebraska [Mr. ANDREWS] I will say that I understand that these buildings are now the property of the Federal Government.

Mr. ANDREWS. The Federal Government, then, owns the property of this university?

Mr. BARTLETT of New York. So I understand, but I am not a trustee of the institution.

Mr. ANDREWS. Does it have legal control over the university to the extent—

Mr. BARTLETT of New York. I do not know; but I will refer the gentleman to the chairman of the Committee on Appropriations.

Now, Mr. Chairman and gentlemen, of course the position of the gentleman from Nebraska [Mr. HAINER] is sound, in so far as the proviso is concerned, that this money shall not—

Mr. CANNON. If the gentleman from New York will allow me, my attention has been called to the fact that he was under the impression that the Government owned the buildings of Howard University. I will say that it does not.

Mr. BARTLETT of New York. Very well. That is neither here nor there.

Mr. Chairman, I was about to remark, when interrupted by the distinguished chairman of the committee, that the gentleman from Nebraska [Mr. HAINER] is right in so far as his contention goes that the limitation, that this money shall not be spent by Howard University for any theological instruction, amounts to nothing. All the moneys given to charitable and educational institutions necessarily go into a common fund. They go into a general bank account, and each and every dollar of the money given is appropriated pro rata among all the items of expenditure, in the eye of the law. So of course that proviso is nugatory. It amounts to nothing; but I take the position that it is within our gift and power that we can give the moneys of the United States to any extent and in any form we see fit for the benefit either of education or of charity, and that such are appropriate and wise public uses.

Now, let me direct the attention of the committee to what we did yesterday, and to another item of the sundry civil bill which has escaped the observation of the distinguished gentleman from Nebraska [Mr. HAINER] who leads this anti-Christian raid. What is it? In the item for the National Home for Disabled Volunteer Soldiers at the Central Branch at Dayton, Ohio, a specific appropriation is made for the chaplain and for religious instruction. Does that meet with the views of the gentleman from Nebraska? Is not that making a specific appropriation of the moneys of the United States for teaching the tenets of some special Christian denomination? Because you all know that the chaplains of the National Homes belong to one of the Protestant sects and that the religious instruction which they give in the National Homes is the doctrine of the Protestant Church.

Now, I do not object to that. I say that is all right. I say that is a proper use of the public funds; but let us have fair play all around. Let us be just as fair to the Roman Catholic Church as we are to the Protestant Church, and do not let us unanimously pass a bill such as this, making specific appropriations for paying a chaplain and for religious instruction by a Protestant chaplain in the National Home for Soldiers at Dayton, Ohio, and then come in and in the same breath say you must not give one dollar or one penny to any Roman Catholic charitable or educational institution, either within the District of Columbia or anywhere within the United States.

Now, if a proviso were inserted with reference to these institutions to which I now refer, that is, the institutions controlled by Roman Catholic sisterhoods, or by Roman Catholic authorities, a proviso similar to that inserted in reference to the Howard University, that not one dollar should be used for the payment of religious instruction, that would be gladly accepted, because those who teach and those who devote their lives, their time throughout the whole year, to these institutions receive no pay, because they ask no salary. For that reason these Roman Catholic institutions are better able to give the same amount of care, attendance, and maintenance for the least possible sum, and for a lesser sum than that for which it can be given by any other institution.

[Here the hammer fell.]

Mr. EVANS. Mr. Chairman, I will yield five minutes to the gentleman from Texas [Mr. SAYERS], if he is ready to proceed, or to the gentleman from Arkansas [Mr. McRAE], if he is ready to proceed.

Mr. McRAE. Perhaps I ought to say to the gentleman from Kentucky that I do not favor the amendment, and it would be more proper for me to accept time from the other side.

Mr. EVANS. All right. I thought the gentleman favored the amendment. If the gentleman from Texas is not ready to proceed, I will yield ten minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Chairman, if I can have the attention of the committee I will try to talk directly to the point in my ten minutes. Howard University was incorporated many years ago. About the year 1880, it being then a full-fledged university and substantially engaged in the education of colored people, situated here in Washington, Congress then, for the first time, under the

lead of Representative Monroe of Ohio, appropriated \$10,000 to assist that university in its work. From year to year that appropriation has been contributed until the present time, and grown, until this year it is \$34,500. It is a complete university, and while white people are not barred out, it is substantially a university for the instruction of colored people. It has a medical, a law, a dental, a literary, a scientific, and a theological chair. When I say university, I mean it is a university in the broad sense.

Mr. WATSON of Ohio. May I ask the gentleman a question?

Mr. CANNON. Yes, sir.

Mr. WATSON of Ohio. Has the university a preparatory department?

Mr. HAINER of Nebraska. It has.

Mr. CANNON. Yes; it has a preparatory department. I had just as well be square—all of us have to be square with each other in this and all other questions. Being a university, it has that which some gentlemen object to (and I may say I would rather it did not have if it has public money to support it), a theological chair, in which theology is taught from the Protestant standpoint.

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

Mr. CANNON. Certainly.

Mr. ANDREWS. As I understand, the Government does not own any portion of the property of this university; then what legal control, if any, has the Government over the institution?

Mr. CANNON. If the gentleman will allow me to proceed in my own way I think I will answer his question. I have only ten minutes' time.

Now, then, it is stated, and I think no doubt truly stated, in the prospectus here that the expense of the theological chair is contributed substantially by the American Missionary Society. That is substantially true. I read from the prospectus and verified it later as to the theological chair. It says it is wholly supported by the funds of a single religious society.

Now, the president of Howard University gets a salary of \$4,000 a year. Twenty-eight hundred of that \$4,000, he having the supervision over the whole university, is paid from the appropriations made by Congress. A portion of this fund, \$6,000, is for repairs of the buildings of the Howard University. So that it may be said in part that the Government appropriates and keeps up the institution, paying the largest part of its funds, although the salaries of those who teach in the theological department are paid from the funds that I spoke of, contributed by the American Missionary Society.

Now, before I speak of the general object of this institution, or of the amendment of the gentleman from Kentucky, I will say that the Committee on Appropriations, by a majority vote, dropped this appropriation, some thinking it was a private institution, and that it ought not to receive Government aid, others objecting from the fact that there was a shadow of aid to the teaching of theology, and thereby joining church and state. Anyhow, the appropriation was not recommended in the bill by the Committee on Appropriations in their report. The gentleman from Kentucky [Mr. EVANS] moves an amendment to appropriate thirty-two thousand and some odd hundred dollars, and it is with a proviso that seems to me might well be enlarged, possibly later on in the House, when the House may have a chance to enlarge it, so as to absolutely prohibit the use of any money, in the event the House concurs in the appropriation, for the support of a theological institution or theological instruction. In other words, before the university could utilize the money that might be appropriated they would have to so divorce the theological school that it could not be supported from the public appropriations. It seems to me, if we make this appropriation, that is but just and proper.

Now, then, I am in favor, temporarily, and have been up to this time, and probably shall be for some years, of continuing aid from the national Treasury to Howard University; and for this reason—

Mr. Chairman, there is so much noise around me that I can hardly hear myself talk, and my throat is a little sore.

The CHAIRMAN. The committee will be in order. Gentlemen will cease conversation. Gentlemen in the rear of the seats will retire to the cloakroom or cease conversation.

Mr. CANNON. It is a matter of some importance that we consider.

The CHAIRMAN. Gentlemen in the rear of the seats will please cease conversation.

Mr. CANNON. Our Government is of the people; therefore the people are sovereign and must have both character and knowledge, and therefore we have the common school system, that I believe in.

That is entirely defensible. I will not go further into the argument; gentlemen know upon what ground those institutions stand. In addition to that the new States, when they are organized, receive grants of land for the support of common schools and the founding of universities. I believe in that also. Universities have also been founded in the older States through grants of land made within the last thirty-five years. Now, it has seemed to me

that in this capital city of the nation, under the peculiar conditions that prevail here, we might well afford to take this university and assist it from the public Treasury in the education of the colored people of the country. Somebody says, "Why the colored people?"

The CHAIRMAN. The time of the gentleman has expired.

On motion of Mr. McMILLIN, by unanimous consent, the time for debate on the pending paragraph was extended twenty minutes; ten minutes on each side.

Mr. CANNON. Gentlemen know the history of the country. A great block of people who are now clothed with sovereign power but a short time ago were slaves, having practically no rights under the law. In the twinkling of an eye their fetters were stricken off, and, without serving a probationary period of a generation or two, they were clothed with full citizenship, with sovereign power. The great mass of them were not competent to its exercise by education, by training, or by practice. They have made progress and they are making progress, and let me say that, in the nature of things, it would be impossible for a servile race suddenly to acquire a full equal status in fact with the race that had dominated it. That must be a matter of growth.

Now, from the standpoint of self-defense on the part of the people who are not colored, when we took in this great block of slaves and made them citizens it was necessary that we should do what we aptly could to make them worthy of citizenship, and the appropriation for this university was originally made to help support this institution, so that the colored people who attended it should receive instruction in the preparatory department, should receive instruction in the law, in the medical, and in the dental departments—should receive a little better instruction than they could get at their homes scattered through the North and the South, where, in many localities, great facilities for instruction do not exist—the appropriation, I say, was made to help this institution, to give those people instruction, so as to enable them to become in their turn instructors. It is the mission of this university to instruct these colored people and make them competent to go out as teachers among the people of their color. It has already, as I understand, borne much good fruit, and I believe that in the future it will bear more good fruit. I do not know whether Booker Washington, of Alabama, ever had training in this university or in any university like unto it, but the function of the university is to train men to do such work as he is doing for his race. One colored man well balanced, well instructed, well intentioned, going out among his fellows, can, by precept, by example, and by association do more to elevate them than 20 white men similarly equipped.

Now, Mr. Chairman, it is from that standpoint that I have felt that we ought not to withdraw support from this institution, which has 500 colored people under its guidance and instruction, giving them the training which will make them in turn competent to go out among the 7,000,000 of their race and help to raise them up to the common civilization. But it is said this is a private institution. So it is, and on the broad principle I agree with my friend from Nebraska [Mr. HAINER] that the permanent policy of assisting private institutions from the public Treasury ought not to be continued. But here is a private institution already organized which is doing its work well. We have not seen proper here in the capital of the nation to buy the necessary ground and erect a great university and officer it with men employed by the Government. That would be an immensely more expensive way of doing the work, though perhaps it would be the better way; but, pending the determination of that question, in my judgment, the greatest good to the greatest number of the people, black and white, is to be found along the line of letting this university continue its work.

"But," says somebody, "they have got a theological chair, and that is objectionable. You can not sacrifice principle." That is true. They have a theological chair, supported, in fact, by the contributions of the missionary society; but housed in that building which we repair, and presided over, if you please, by Dr. Rankin, the president of the university, whom we, in part, pay. For one, for the reasons I have stated, I am not willing to withhold this appropriation from this institution; but I do stand ready to say that no part of this public money shall be used for the purposes of the theological department of the institution. "But," says somebody, "are you not against religion?" No; I am not against religion; but I am against supporting religion from the public Treasury. That is all; and let me say here, measuring my words, after all the talk about sectarian appropriations out of the public Treasury, after careful examination, so far as I know, this is the only substantially sectarian institution here that has received the public aid. Speaking, in my judgment, advisedly, I make that assertion. So, Mr. Chairman, I believe for the present—

Mr. HAINER of Nebraska. I understand the gentleman to admit that this is a sectarian institution.

Mr. CANNON. I have admitted broadly that they have a theological chair there; that they teach theology in that university; and I say that, for that and perhaps other reasons, the item was

not reported by the Committee on Appropriations in this bill; but when the gentleman from Kentucky [Mr. EVANS] comes—and if he had not come somebody else would have come—and moves to restore the appropriation and puts in the proviso that this public money shall not be used directly or indirectly to support in the least degree the theological department of the university, then it is free, in my judgment, from the criticism which is made upon it from that point of view.

Mr. HAINER of Nebraska. Is it not true that even with the proviso to which the gentleman refers this appropriation would simply release other funds from pressure in other directions, and would practically allow the institution more money for theological purposes than it would have without this appropriation? In other words, are we not by the proviso simply beating about the bush?

Mr. CANNON. I will answer the gentleman's question. I have no objection to any honest religious opinion held or maintained by any Christian that draws the breath of life.

Mr. HAINER of Nebraska again rose.

Mr. CANNON. Let me answer your question. I will do so fairly. Mr. Chairman, I have no war—and I know that my friend has not—with any religion (I care not what you call it) that anybody honestly entertains and which makes him better or satisfies his conscience. But I want to be equally frank on another point and say that there is no man anywhere that in his private and his public action has been more consistent than I have in doing whatever was practicable toward keeping apart church and state; and in so far as any support which may be given this institution from the public Treasury can be tortured into support of the theological branch of the institution, I will not vote one cent until by apt provision we have negatived, if you please, the power to apply any part of this money to promoting theological instruction. I think the amendment offered by the gentleman from Kentucky [Mr. EVANS] substantially does this; but if there be any doubt on this point I will see that an amendment is moved in the House that will place the matter beyond all possible doubt.

Mr. HAINER of Nebraska. My friend misapprehended me. If he will notice the statement which he holds in his hand, he will find that the income of this institution is about \$57,000—

Mr. CANNON. Yes.

Mr. HAINER of Nebraska. Half of which comes from the Government.

Mr. CANNON. Oh, yes.

Mr. HAINER of Nebraska. Now, as the expenses of the theological department do not amount to \$29,000, is it not true that the proviso to which the gentleman refers can cut no figure, can have no practical force whatever, because the appropriation simply relieves the stress upon other funds?

Mr. CANNON. I will say to my friend, so far as that is concerned, that, in my judgment, the withholding of this \$32,000 from an income which, with the \$32,000, amounts to only \$57,000, will practically cripple and destroy the institution.

I have no objection to religion being taught to any of God's creatures. Howard University may teach religion if it wants to. My objection is to the teaching of religion—Protestant or Catholic or pagan—in a theological department at the public expense, and I will see to it before I vote for this appropriation that the amendment is put in such a form that not one cent of the public money thus appropriated can be directly or indirectly used to support a theological school or department in any institution.

Having said that much, I will conclude in a few words. From a standpoint of broad patriotism, in my judgment these 7,000,000 people who are part and parcel of the sovereign power of this country—who were slaves and are now free—many of whom are still ignorant, but who are in process of education, must be helped where help will make them progress. From the standpoint of self-defense for them, and in a far greater degree for the white people of this country, these people are to be encouraged in every effort that leads to industry and true education. I believe that this institution, by thoroughly equipping black men to go forth educated fairly well to instruct other black men in the country who are without instruction and who meet them as social equals, should not be hampered in its work. [Applause.]

Mr. EVANS. I had proposed to yield five minutes to the gentleman from Texas [Mr. SAYERS], whom I do not now see in the Hall. Mr. Chairman, how much time have I left?

The CHAIRMAN. Thirty-five minutes.

Mr. EVANS. I will yield three minutes to the gentleman from Ohio [Mr. WATSON].

Mr. WATSON of Ohio. I do not care to occupy the time.

Mr. EVANS. I yield now to the gentleman from Texas [Mr. SAYERS].

Mr. SAYERS. Mr. Chairman, I did not expect to take part in this debate, but I have no hesitancy in expressing an opinion as to what the committee should do touching this appropriation. I shall vote for it, coupled with the amendment that will be pro-

posed by the gentleman from Kentucky [Mr. EVANS], which is as follows:

*Provided*, That no part of this appropriation shall be used directly or indirectly for the support of the theological department of said university, nor for the support of any sectarian, denominational, or religious instruction therein: *And provided further*, That no part thereof shall be paid to said university until it shall accord to the Secretary of the Interior, or to his designated agent or agents, authority to visit and inspect such university and to control and supervise the expenditure therein of all moneys paid under this appropriation.

This proviso, Mr. Chairman, will not only entirely and successfully prevent the use of a single dollar of the appropriation for sectarian, denominational, or theological instruction, but it goes further. It puts the instruction under the direct supervision and control, so far as the expenditure of the appropriation is concerned, of the Secretary of the Interior.

Sir, this appropriation has been placed on this bill at each recurring session of Congress since 1880; but to-day and for the first time in its history an objection has been raised against its allowance. Heretofore the appropriation has been in a much more liberal and unrestricted form, but no one—Democrat, Republican, Greenbacker, Populist, or Independent—has ever been heard in the committee room or on this floor, or in the Senate, by speech or by vote, in opposition to it until now. Session after session, for the past sixteen years, this item has appeared, as I have already said, on the sundry civil bill, and it has been read from the Clerk's desk and in the actual presence of members and in the open House, and has been considered in the Committee of the Whole separately and distinctly from every other item in the bill, and has always passed the committees of both Houses, and also both Houses themselves, without a single dissenting voice. And, if I mistake not, the gentleman from Nebraska [Mr. HAINER], the leader of the opposition to the appropriation, sat in his seat during both sessions of the last Congress while the item was under consideration and was not heard at any time to raise the slightest objection to its passage. Why this sudden change now? Have members been sitting in their seats all these years with their eyes closed and their ears stopped? Have they—those here at this time, and all of those who have gone out of this House since 1880—been so blind that they could not read this particular item of appropriation, which since that year has always appeared on every sundry civil appropriation bill, and that, too, at the very same place in every bill? Or have they been so deaf that they have not been able to hear the item when read from the Clerk's desk in distinct and audible tones in the Committee of the Whole House as the bill was under consideration? Or have all these Representatives, able, careful, and patriotic as they were, been so dumb that they were not able to make known their objections, if any they had, by voice or by vote? Or, finally, have they been too cowardly to criticize and to denounce such an appropriation, supposing they may have deemed it improper? The RECORD, I repeat, signally fails to show that at any time and on any occasion during sixteen years past any member of either branch of Congress has, until now, in any way criticised or condemned it.

And yet, sir, the gentleman from Nebraska [Mr. HAINER], who has suddenly sprung to the front as the strongest and most prominent objector to this particular appropriation, was a member of the last Congress. If it would be wrong to make this provision now, it was quite as wrong to have made it at each regular session of that Congress, for the institution itself has in nowise changed; and yet not a word of objection or of protest was heard to fall from the lips of the gentleman at either session of the last Congress when this item was considered and when he was present, as he is to-day, though certainly in a different frame of mind.

Sir, I do not claim to be the especial champion of the colored people beyond other gentlemen on this floor, but I can fairly claim to possess a somewhat accurate acquaintance with their present condition, and also with their present necessities. I believe that what they most need in the South is good teachers—teachers who possess a thorough knowledge of the elementary and higher branches of education, and who have been so taught as to be able to properly and successfully instruct the children of their race. There are seven millions, or thereabouts, of these people in our country. They are endowed with the rights of citizenship and of suffrage. We appropriate annually large sums of money for the support and maintenance of the military and naval academies, including chaplains therein, to say nothing of the chaplains in the Army and Navy, and the chaplains for the two Houses of Congress; we appropriate also large sums annually for the education of Indian children, for the education of children in Alaska, irrespective of race, and for the higher education in this city of deaf and dumb unfortunates who are to become teachers in deaf and dumb institutions generally throughout the country. Shall we now draw the line on the preparatory education of colored youths which fits them for teaching the children of their own race, simply on the pretext that the rudiments of religion and theology are taught incidentally in connection with the regular

branches of scholastic instruction, the funds for the purpose accruing through private contribution? Congress appropriates each year for religious instruction to the Army and to the Navy, and to the two academies and to itself; yet one of the two reasons assigned for the rejection of this item is that the Howard University has a theological chair, which is not in any way, or to any extent, supported by Governmental appropriation, but solely and entirely from private sources and personal contributions. Are not gentlemen straining at a gnat and swallowing a camel? It is no answer to say that our Naval and Military Academies are legally open alike to the white and the colored. Practically they are not, and the whites are the only recipients of instruction in those institutions. Furthermore, we have an agricultural and mechanical college in almost every state, largely endowed through the bounty of the Federal Government, and receiving increasing permanent appropriations every year from the Federal Treasury, in pursuance to the enactment of Congress. These agricultural and mechanical colleges, moreover, are supplied at the Government expense with military instructors detailed from the officers of the Army. Their salaries are paid from appropriations made by Congress. And finally, in addition to these instances of appropriation for education, we annually grant large sums, not only for the education of the Indian, but for the importation and purchase of reindeer for the Alaskan Indians; and this year an appropriation is made, as has been done for several years past, for the physical support and subsistence of the Aleutian Indians on the islands of St. Paul and St. George, in Bering Sea.

Ah, Mr. Chairman, Congress has gone so far as to appropriate largely every year even for the maintenance of a magnificent park in the suburbs of this city for the preservation of the animal species indigenous to this country, and for the indirect education of the people. Congress appropriates likewise every year for the support of the National Museum and for the support of an organized Bureau of Education, all doubtless on the sound philosophy that education in a broad sense is a legitimate object of the concern of a Republic, a proper object of appropriation by the National Legislature, within certain obvious restrictions. With these, and many other educational objects of a kindred character that have received Congressional sanction and support, why should the committee hesitate to adopt this item as heretofore and pass this appropriation? The institution known as Howard University rests upon a corporate existence created by an act of Congress, and it is not under the auspices or control of any religious denomination whatever; and it has practically been for years a part of the school system of the District of Columbia, for whose support annual appropriations are made elsewhere. Since these appropriations began, in 1880, tuition has been free to all who came. Under these circumstances, to my mind, only an extreme and unreasonable hypercriticism can justify or seek to justify an objection to this appropriation of \$32,000 toward the maintenance of this institution. Guarded, as the appropriation will be, by the proviso to be submitted by the gentleman from Kentucky [Mr. EVANS], the money can not be used for sectarian or church purposes, and, to the extent of the expenditure, it is under complete governmental control. It is open to the colored youth of every State and Territory in the Union; and I am told that there are now twenty students from the State of Texas, though she is among the most distant States from the Federal capital.

[Here the hammer fell.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SAYERS. I would like ten minutes longer.

Mr. Chairman, this appropriation was inaugurated by the Forty-sixth Congress, by a Democratic House, on the report of a Democratic Committee on Appropriations, of which Gen. J. D. C. Atkins, of Tennessee, was the chairman. This, as I have already said, was in the year 1880, and the appropriation has been continued without interruption or objection from any quarter whatever until this date. I do not think it should be discontinued as long as the institution is properly conducted and no scandal arises in its administration. I have heretofore voted for the appropriation, and during the last Congress, when I had the honor to be chairman of the Committee on Appropriations, this bill was in my especial charge. I believed the appropriation to be a proper one then, and I believe it to be a proper one now. It has not been abused in the past, and the gentleman from Nebraska [Mr. HAINER] will not urge upon this floor to the contrary. He will not say that a single dollar of the appropriations heretofore made by Congress to assist this institution has been used for the payment of professors for teaching theology. He can not do so. There will be found in the catalogue of the institution a chair of theology—

Mr. HAINER of Nebraska. Will the gentleman allow me—

Mr. SAYERS. Certainly.

Mr. HAINER of Nebraska. I know my friend wants to be entirely fair.

Mr. SAYERS. Entirely so.

Mr. HAINER of Nebraska. The examination of the report of

the institution shows that the whole amount of the appropriation is covered into the treasury, and there is no segregation of it at all.

Mr. SAYERS. Certainly not.

Mr. HAINER of Nebraska. Then how can the gentleman state that no professor of theology has been paid out of this appropriation?

Mr. SAYERS. But the report shows, as I understand it from the reading by the gentleman from Illinois [Mr. CANNON], that the appropriation for the support of the theological chair, or, more properly speaking, the money for its support, comes from an appropriation or donation by some charitable association or society.

Mr. HAINER of Nebraska. I had read to the gentleman already a statement to the effect that there is an equal amount contributed to the college from other sources, and that out of the whole amount there are paid the salaries of the professors of theology. But the gentleman must not forget that the same professors teach other branches.

Mr. SAYERS. Oh, that may be, but the amendment which the gentleman from Kentucky [Mr. EVANS] will offer will exclude the payment of a single dollar for any theological professor whomsoever, will it not?

Mr. HAINER of Nebraska. Not practically; no. It is covered into their treasury, and a portion of it is used for one purpose and a portion of it for another. We had better be honest about this.

Mr. SAYERS. My understanding is that the gentleman from Nebraska bases his opposition to this appropriation solely upon the fact that it is a private institution?

Mr. HAINER of Nebraska. That includes it all. Of course I base it on the dual fact that it is a private institution, and that it is sectarian. Nobody disputes the proposition that it is sectarian, and that it is private.

Mr. SAYERS. The amendment offered by the gentleman from Kentucky [Mr. EVANS] prohibits the use of the appropriation for teaching any sectarian doctrine.

Mr. HAINER of Nebraska. The gentleman must know, as a practical man, that he is mistaken about that.

Mr. SAYERS. No; my construction of the amendment is that no portion of the appropriation can be used for the purpose.

Mr. HAINER of Nebraska. But it releases an equal amount of other moneys and will do it indirectly.

Mr. WILLIAMS. That is, with other money, which is not public money, they will teach theology.

Mr. SAYERS. If they should wish so to use the money that comes from private sources, let them do so.

Mr. HEPBURN. I should like to ask the gentleman from Texas is there any change in the situation now from a few days ago, when the committee, as I understand, by a unanimous vote, excluded this proposition from the bill? Why was it proper, by a unanimous vote in the secrecy of the committee room, to exclude this item, and here in the House now to be so eloquent in its advocacy?

Mr. SAYERS. It was not done by a unanimous vote. It was not done by my vote. I have no hesitancy in saying that. [Applause.] I will not do in the committee room what I hesitate to do in the House. Other gentlemen can speak for themselves as to that matter. As for myself, I voted for the appropriation in the committee room, and it was not stricken out from the sundry civil bill by my vote.

Mr. GROUT. It was by a bare majority that the item was stricken out in the committee.

Mr. SAYERS. I stood by the appropriation in the last Congress; and merely because this House is Republican, I shall not now condemn that which I then did, and admit that I did wrong when I was chairman of the Committee on Appropriations. [Applause.] If it is wrong to make this appropriation to-day, it was wrong two years ago and one year ago, and it was wrong all the time previous.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. TRACEY. I should like to ask the gentleman from Texas a question, and I ask unanimous consent that his time be extended five minutes.

Mr. CANNON. I ask that the gentleman's time be extended ten minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TRACEY. The question I want to ask is this, and I ask it because I believe the gentleman can give me the information I want—

Mr. SAYERS. I will give it if I can. I will answer the gentleman honestly.

Mr. TRACEY. This being admittedly a private institution in every sense of the word, why should it be singled out for an appropriation of public money in preference to other private institutions doing the same sort of work?

Mr. SAYERS. Well, my friend, I will answer the question.

It is a fair question, and I can answer it at least satisfactorily to myself. My answer is, that because of the peculiar condition of the colored people, and their peculiar relation toward the entire country—because they have not the same advantages as the white people [applause], because this institution has been to a great extent, or at least to some extent, supported by the Government ever since 1880, and has become accustomed to rely upon it, and in consequence has opened its doors to all and made its tuition free to all, I do not think it should be stricken down without a moment's warning.

Mr. HAINER of Nebraska. Will the gentleman allow me?

Mr. SAYERS. Certainly.

Mr. HAINER of Nebraska. Will the gentleman explain to this House why his reason applies to this institution rather than to the university at Atlanta, which is a colored institution doing the same kind of work and as high grade, or to the Indian schools, which give education to the Indians, who certainly present as equitable considerations as any other class?

Mr. SAYERS. We spend large sums of money for educating the Indians, and is not a colored man as good as an Indian? [Applause.]

Mr. HAINER of Nebraska. Certainly; but is it not true that this House has refused appropriations for sectarian schools for the Indians?

Several MEMBERS. Oh, no.

Mr. SAYERS. The gentleman pretends to be the especial friend of the colored race, and I have no doubt, again and again, when he is stumping his district in the State of Nebraska, one of the main points in his argument against the Democratic party was that it did not permit the colored people of the South to have a fair chance. Now let him give them a fair chance here. [Applause.]

Mr. HAINER of Nebraska. I want to say to my friend, whatever may be the practice which prevails in Texas, I do not play the demagogue when I am at home, and neither do I here.

Mr. SAYERS. Of course not.

Mr. HAINER of Nebraska. But I have branded the Democratic party and denounced them because they have robbed the colored man of his rights as a man; and I would be worse than an enemy to them if I undertook to repay by extending charity to them.

Mr. SAYERS. Mr. Chairman, I denounce what the gentleman from Nebraska has said in respect to the treatment of the colored people by the South as untrue. [Applause on the floor and in the galleries.] Let me inform him as to the manner in which the colored people are treated in my own State. For every dollar that goes out of our State treasury for the education of a white child in our common schools, another dollar goes to a colored child.

Mr. TUCKER. The same in Virginia.

Mr. SAYERS (continuing). We have a princely domain set apart in our State for the support of our common free schools, and also a very large investment in interest-bearing bonds. And in addition to these sources of revenue we subject ourselves to an ad valorem tax for the same purpose. To the amount accruing from this tax the colored people contribute but a very small proportion indeed, yet the colored child receives of this fund just as much as the white child—no more and no less.

But this is not all in the matter of education. In very many, if not all, of our incorporated towns and cities we have a system of graded schools, to support which our people subject themselves to an additional tax, and the proceeds of this tax—an ad valorem one—are applied in the fairest possible manner to the education of the children of both races, though the colored people contribute but very little to this tax. For the preparation of young colored men and women for teaching we have a splendid college, supported and maintained by the State. It is true that we do not have mixed schools. To attempt such a policy would be disastrous in the extreme. Sound policy, as well as common humanity, requires that the races, as regards education, should be kept apart; and they will be kept apart, however distasteful that policy may be to those who live elsewhere and know nothing of our peculiar conditions.

Mr. TRACEY. I would like to ask one more question.

Mr. SAYERS. I will answer it. But before doing so I wish to say that every charge made here or elsewhere against the people of the South in regard to the manner of their treatment of the colored people—that they do not afford them all the advantages to better their condition in life—is false, in whole or in part.

Mr. HAINER of Nebraska. Mr. Chairman—

Mr. SAYERS. Not now. I am not yet through with what I desire to say.

Mr. Chairman, in Texas every avocation and trade is open as well to the colored man as to the white man. In the district which I have the honor to represent we have colored ministers and teachers, colored lawyers and physicians; and in the various trades and handicrafts the colored race has its representatives. Colored mechanics find constant and lucrative employment, not

only at the hands of their own people, but also by the white people, and in a much larger degree. There is no discrimination whatever against them because of their color. The only question as to a colored workman is, "Can he do, and will he do good work?" If so, he will be employed, and for his labor he will receive good wages. Sir, it is no unusual thing to see the white man and the colored man, side by side, nailing shingles on the same roof or standing together at the same forge. Nowhere in this country does the colored man possess such facilities for intellectual and material advancement as in Texas. Economy, integrity, and industry there, on his part, will insure to him wealth and independence commensurate with his efforts.

Mr. Chairman, the South is the colored man's home; and whatever may be said to the contrary, he knows and feels that the Southern people are his best and his truest friends. If this be not so, why has he not gone elsewhere? Why does he continue to abide among the scenes and memories of his former slavery? He has been free for more than thirty years, and during that time the opportunity for migration to the Western States and Territories has been open to him. Why has he not availed himself of the opportunity? If he has been so robbed by the Southern people as has been alleged by the gentleman from Nebraska [Mr. HAINER], why has he continued and remained among his despoilers and oppressors for so many years, when he need travel but a short distance to find a home among those who freed him and who profess to be his best and his truest friends? Why has he not secured for himself a dwelling place in the West or in the Northwest, under the beneficent land system of the General Government? Why has he not hied himself to Nebraska, or to some other new Northwestern State? You, gentlemen, who live in those States, can perhaps answer the question.

Some months before his death, Frederick Douglass was before the Committee on Appropriations of the House asking that provision be made for workshops in Howard University, so that young men might be taught the mechanical arts. He said before the committee that he had but lately returned from Georgia and other Southern States, where he had seen colored carpenters, blacksmiths, and mechanics of every kind doing well whenever they were industrious and economical. He was asked how it was with respect to his race in such avocations in the North. The venerable man bowed his head and replied, in despondent tones, that colored men had but little opportunity to engage in such pursuits in the North. Is this true, gentlemen? Was he, the most famous man of his race on this continent, mistaken, or was he correct? He said that the rules and regulations established and enforced among the trades unions kept the colored man in the background. I know nothing about such matters, and will not assume to speak upon them. Gentlemen who represent Northern constituencies know whether this be true or not. I do not, and therefore do not make the charge.

Mr. HAINER of Nebraska. Mr. Chairman, if the gentleman will allow me—

Mr. SAYERS. Now, the gentleman knows whether that to which I have referred be true or not [laughter]; and if there is a member of this House who will say that it is not true, I would like for him to arise from his seat and deny it.

Mr. HAINER of Nebraska. I do not care to follow you in any excursion in respect to alleged facts as to unions.

Mr. SAYERS. Of course not.

Mr. HAINER of Nebraska. I call your attention to the fact that you based your former argument on the fact that these people had not received fair treatment.

Mr. SAYERS. I say that in the North they do not receive as fair treatment as in the South. We see colored waiters and colored barbers, but not any colored Representatives on this floor from the North.

Mr. HAINER of Nebraska. You count them out. Mr. Chairman, I call the gentleman's attention to the fact that he predicated his argument on the fact that the colored people had not been received on an equal footing, that they had been held down, and, therefore, they should have this school. He now makes the argument that in the South, where they live, that they receive equal aid and facilities in acquiring education.

Mr. SAYERS. Certainly.

Mr. HAINER of Nebraska. Then, if they do, what is the necessity of giving them this undue advantage, which you do not extend to the whites?

Mr. SAYERS. Does the gentleman call this an undue advantage?

Mr. HAINER of Nebraska. It is an unequal advantage. I understand you to say that the colored children have the same advantages in your State as the white children have?

Mr. SAYERS. Yes; they have exactly the same as to common free schools. Will the gentleman answer this question?

Mr. HAINER of Nebraska. Yes, sir.

Mr. SAYERS. Has a colored boy ever been nominated to the Military or Naval Academy from Nebraska?

Mr. HAINER of Nebraska. Yes, sir; I will. I want to say that in every district in my State appointments to West Point or Annapolis have been determined by competitive examination, where there has been absolutely no distinction made with respect to the color of any competitor. Now, did you ever nominate or appoint a colored boy to one of those institutions?

Mr. SAYERS. Certainly not. I never have.

Mr. HAINER of Nebraska. Did you ever know of a Democrat who did?

Mr. SAYERS. I have not done so.

Mr. HAINER of Nebraska. Why not? You claim to be the friend of the colored people.

Mr. SAYERS. I will answer the question; because I believe the white race to be the superior race, and that an appointment to either of the academies would be of no value whatever to a young colored man. Appointments to the Academies should be given only to those who are fitted to accomplish the course successfully and make good officers. So far, whenever attempted, trouble has resulted and no good whatever has accrued to the colored student. It is said that the cadets at these academies would not and did not receive them on equal terms, and therefore their lives there were very unpleasant.

Mr. HAINER of Nebraska. And yet you say you are the friend of the colored man.

Mr. SAYERS. Yes; I claim to be. I am certainly as good a friend to him as is the gentleman from Nebraska. Why should I not be? I have known him and been with him all the years of my life.

Mr. TRACEY. Now, I would like to ask the question I started to ask a few moments ago. Have I the gentleman's permission?

Mr. SAYERS. The gentleman has.

Mr. TRACEY. I wish to ask the gentleman a question for information. I do not know very much about this university, having had no opportunity to investigate it. Will the gentleman be kind enough to tell us of some of the beneficial results that have come to the colored people, as a practical matter, from the operations of the university and the appropriations heretofore made for it?

Mr. SAYERS. Will the gentleman admit that every young man or young woman who is educated at this university and goes out among his or her people to instruct them, and does properly instruct them, is a benefit to the community?

Mr. TRACEY. Certainly; and that is what I want to know about—what the university has done in that way.

Mr. SAYERS. Well, it has instructed many such people and qualified them to go out as teachers.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SAYERS. I would like to have a little more time.

Mr. HAINER of Nebraska. Mr. Chairman, I suppose it is understood that any extension of time that may be given will apply equally to both sides.

Mr. SMITH of Illinois. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Texas be extended ten minutes.

Mr. EVANS. How will that leave the general question of time, Mr. Chairman?

The CHAIRMAN. As the Chair understands, this is a request for a special extension of ten minutes for the gentleman from Texas, which would leave the general arrangement for time as it was before.

Mr. HAINER of Nebraska. Mr. Chairman, I hope that fairness will be observed in this matter of extending the time, and that both sides will be treated equally.

Mr. SAYERS (to Mr. HAINER). You can have as much time as you desire. I don't think your cause is advanced by discussion. [Laughter.]

Mr. HAINER of Nebraska. I thank the gentleman for his courtesy, but if he is correct he ought not to object to my having more time. Mr. Chairman, I desire to modify the request so as to provide that the additional time shall be divided equally between the two sides.

Mr. SAYERS. I have no objection to such an arrangement.

The CHAIRMAN. Unanimous consent is asked that the time for discussion of this question be extended twenty minutes, ten minutes to be controlled by the gentleman from Texas and the other ten by the gentleman from Nebraska. Is there objection?

Mr. SHERMAN. I object.

Mr. WILLIS. Mr. Chairman, I ask unanimous consent that the gentleman from Texas [Mr. SAYERS] be allowed five minutes more.

There was no objection and it was so ordered.

Mr. SAYERS. Mr. Chairman, much that is irrelevant and somewhat unpleasant has crept into this debate. This I deeply regret. As to the colored race, I have only to say, further, that the section most favorable to their happiness, prosperity, and advancement is the South. He has tried Mexico, and his efforts in that direction have resulted most disastrously to him. He has

tried Oklahoma and other portions of the West, and there he has been equally unfortunate. It is in Dixie that he must live and die, and upon the Southern people will devolve the proper solution of this, the greatest problem that confronts the country. The South, and the South alone—if it can be done at all—can and will successfully meet the issue; and this she is attempting to do. Of necessity the process of solution must be slow. But I sincerely believe that, if let alone and uninterfered with by well-meaning but altogether incompetent influences from without, the South will pursue a policy that will be mutually beneficial to the white and colored races.

Speaking for my own State, Mr. Chairman, I can truthfully say that there is not the slightest disposition among her people to do the colored man injustice. They have been willing, and they are now willing, and, in my opinion, they will always be willing, to accord to him every civil right and every political right consistent with his capacity, and at no time will they refuse to him that just recognition which every human being is entitled to have, for every virtue that he may possess. Whenever and wherever and however he may show himself to be economical, industrious, honest, and law abiding, he will be permitted to reap the full reward of such qualities. Every trade, avocation, and profession is open to him in our State under the law, and there is no under-running current of public opinion that will prevent his hopefully entering upon any pursuit which he may desire to follow. In my judgment, safety to both races imperatively demands that the two should, in all matters affecting domestic, educational, and social life, be kept rigidly apart and distinct. This our people are firmly resolved to do. In matters of business the situation should be, and is, different; and along that channel they can and do move together harmoniously and to the mutual benefit of them both. With the right of suffrage equally accorded to both and respected alike by both; in the equal enjoyment of our magnificent common-school system; with the right to adjudicate differences and to redress wrongs upon appeal to the courts equally shared by both, and with the right to sit on juries, when qualified, under a law that is absolutely impartial—under these conditions, I say, the way to further and continued advancement, intellectual, moral, and material, is open and clear to the colored man. Such, Mr. Chairman, is the policy of our State, as determined by her constitution and her laws, sanctioned by the approval of the entire people. Under the operation of such a policy I can not doubt that the colored man can, if he but will, realize the full fruition of his industry, honesty, energy, and economy.

But, Mr. Chairman, returning to the question directly under consideration, I venture to express the opinion that this committee will not be driven by the opposition of the gentleman from Nebraska [Mr. HAINER], and of those who concur with him, to refuse this appropriation, which has been annually made with the consent of every Senator and Member present when it has been under consideration in the two Houses of Congress since the year 1880, and thus deprive, without warning, this institution of the customary assistance which has thus far for so many years been given it.

Mr. BAILEY. May I ask my colleague a question?

Mr. SAYERS. Certainly.

Mr. BAILEY. I desire to know whether there are public schools provided for the education of the negro children in the District of Columbia?

Mr. SAYERS. There are such schools.

Mr. BAILEY. But I understand that this is a private institution?

Mr. SAYERS. It may have been a private institution, incorporated as such; but since governmental assistance was first rendered to it in 1880 it has become in a manner public—that is, its tuition has been and now is free to all; and it is required by its act of incorporation to make an annual report to the Secretary of the Interior, exhibiting the several items of expenditure and the objects thereof, and generally the work accomplished by said institution—all of which has heretofore been done, year by year. The effect of the amendment to be offered by the gentleman from Kentucky [Mr. EVANS] will be to give to it an additional public character and to make it more responsible to the Government. Whether my contention in this respect be true or not may be seen from the portion of the amendment which I will read:

No part thereof shall be paid to said university until it shall accord to the Secretary of the Interior, or his designated agent or agents, authority to visit and inspect such university, and to control and supervise the expenditure therein of all moneys paid under this appropriation.

Mr. BAILEY. I agree with my colleague that it is proper to provide educational facilities for the children of the District; but if educational facilities are already provided at the public schools, then it occurs to me that it may be a valid objection against this appropriation that it goes to a private institution.

Mr. SAYERS. I can only say further, Mr. Chairman, in reply to what has been said by my colleague, that in the city of Washington, and the District of Columbia, and by Congress, this institution has for sixteen years been regarded as a part of the school

system of this city and District. It has been regularly appropriated for since 1880, and in consequence of such appropriations its tuition has been made free to the colored youth, not only of this city and District, but also of the States and Territories. By virtue of the amendment to be offered by the gentleman from Kentucky [Mr. EVANS], it will be impossible to use a single dollar of the appropriation for sectarian or religious instruction; and further, it will be put under the immediate and direct control of the Secretary of the Interior, to the extent of the aid furnished by the Government. These provisions, it seems to me, should be satisfactory to all who favor appropriations for the education of colored children in the District. I have heard no one object to such appropriations.

Mr. Chairman, I do not care to consume further time. I am, indeed, obliged to the committee for its indulgence and attention. [Applause.]

Mr. HEPBURN. Mr. Chairman, I had no desire or intention to participate in this debate until I heard some of the astonishing theories of the gentleman from Texas [Mr. SAYERS]. The gentleman from Texas now appears here as a special champion of the colored race. He favors this proposition in order that the colored people may have proper educational advantages. I would like to ask the gentleman if in his own State, in the University of Texas or in the Agricultural College of Texas, colored men born in that State are eligible for membership?

Mr. SAYERS. I will answer that question. I reply frankly no; but the State of Texas supports other institutions for the education of the colored race.

Mr. HEPBURN. Ah, the State of Texas supports other institutions, but institutions of this class, about which the gentleman is so solicitous now, and of which he now appears to assume the championship—such institutions in his own State, as in every other State of the South, exclude colored youth from their benefits. The gentleman tells us here that there is a preeminent necessity for institutions of this kind; that the colored youth receiving higher education should be sent as missionaries among their own people, where one of them would be the equal of many whites in extending the great advantages of education. But in his own State, where he and his party have the power—in other States where they have the power—they refuse to give the colored people these advantages and reserve all efforts of that kind to public debate here, where they can secure the applause of the galleries.

The gentleman indulges in the other extraordinary statement that the people of the South are better friends of the colored people—

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

Mr. HEPBURN. Though it may seem discourteous, I must decline, as I have but ten minutes. The gentleman has forgotten some scenes in this House and some evidences that have been brought before the House bearing on this question—this House, I mean. The people of the South are the better friends of the colored people in securing them their rights! What wrong, then, has been done you if that is true? Let me refer to the proofs in the election cases that have been presented here, where it appeared that you had not only refused education of the better kind to the colored people, but where it was shown that you had robbed them of their civil rights, had refused them the right of suffrage, and, not content with stripping them of their rights, had used the stolen power thus given you here in this House of Representatives. Is it not true that it was shown in an election case here recently that many thousands of the colored people in one of the Alabama districts who had refused to vote, who had refused to be registered, who knew that their power would be rifled from them and prostituted to uses that they did not choose—that those people were registered without their knowledge or consent, that they were seemingly voted without their knowledge and consent, and that those votes were counted in order to give a fraudulent certificate to a man who presented it and added his vote to the political strength of the minority of this House?

Mr. Chairman, I could go on with one proof after another if it were necessary. Sir, another State, illustrating its great solicitude for the colored youth, has recently adopted a constitution—a deliberate act, an act intended not for the day, not for this year, but for time. I find among the provisions of that constitution this:

Separate schools shall be provided for children of the white and colored races; and no child of either race shall ever be permitted to attend a school of the other race.

There is not, I am told, a single educational institution of the higher class in the South at which the brightest colored youth in all the land is eligible for membership.

Mr. SAYERS, Mr. ELLIOTT of South Carolina, and others. That is not true.

Mr. HEPBURN. If I am in error I am willing to be corrected.

Mr. OWENS. The State of Kentucky has her normal college for the education of colored youth.

Mr. HEPBURN. With the whites?

Mr. OWENS. No, sir; by themselves.

Mr. HEPBURN. Oh, yes; you establish beggarly, "measly" institutions, to which you send persons of the colored race, but your institutions of the better class close their doors to them.

Mr. SAYERS. That is not so.

The CHAIRMAN. The gentleman from Iowa must not be interrupted without his consent.

Mr. HEPBURN. In the North, at Harvard, at Yale, at the Michigan University, at the Iowa University, and other institutions, all the doors are thrown wide open and colored people are invited to enter. Yet you tell us that you are the friends of the colored people; that you are their peculiar champions; that you of all men are those who best know what is for their good and are most solicitous to accomplish it.

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

Mr. HEPBURN. I shall be glad to be corrected.

Mr. LIVINGSTON. I call the gentleman's attention to Clark University, Georgia, for colored people—

Mr. HEPBURN. For colored people!

Mr. LIVINGSTON. Sustained equally, by taxation on the whole people, with the State university for the whites. There is no better institution of learning in the United States than the Clark University, supported under the legislation of the State by the common taxes of the people of Georgia. [Applause on the Democratic side.]

Mr. OWENS. The gentleman from Iowa will allow me to say that Berea College, in Kentucky, is open to both whites and blacks.

Mr. HEPBURN. Is it sustained by the State?

Mr. OWENS. No, sir; there are only two institutions sustained by the State, one for the whites and one for the colored people.

Mr. ALLEN of Utah. Was not Berea College founded by the abolitionists? [Laughter and applause.]

Mr. HEPBURN. "I thank thee, Jew, for teaching me that word."

Mr. OWENS. What was the gentleman's remark? I did not catch it.

Mr. HEPBURN. This is the first time that I have ever seen gentlemen on the other side assuming to be the champions of the colored race or the champions of Howard University. I commend them, however, for this new departure. I am glad to see that at last their eyes are beginning to be opened and that they see it is necessary for them to do something for this race. Gentlemen tell us that they have, by taxation—

Mr. OWENS. Will the gentleman permit me?

Mr. HEPBURN. I must decline respectfully to be interrupted now.

Mr. OWENS. I am only trying to get on your side of the question, if I can find out what side you are on.

Mr. HEPBURN. Well, I am not seeking support in that direction, at the expense of my time. [Laughter.]

Gentlemen tell us that they are entitled to special credit because in these Southern States, especially Texas, the white people pay nine-tenths of the taxes. Why, they do not pay it. Your taxation is levied on the property. The property pays it, and you have seen to it that the colored people have not very much chance of getting rich.

Mr. SAYERS. That is not true; not a word of truth in it. You have not been down there. I dispute the statement. What do you know of Texas? [Laughter.] Why such people as my friend do not live in Texas—

Mr. HEPBURN. Well, "I appeal from Philip drunk to Philip sober." A little while ago we were told by the gentleman that the white people of the State paid nine-tenths of the taxes—

Mr. SAYERS. Now, if the gentleman will allow me—

The CHAIRMAN. The Chair must remind gentlemen that the speaker can not be interrupted without his permission and consent. I am sure that the members here who are experienced in parliamentary affairs will appreciate the importance of adhering to that rule.

Mr. SAYERS. Just a moment, if the gentleman will permit me. If the gentleman will confine himself exactly within the limits of parliamentary debate of course he will not be interrupted.

The CHAIRMAN. The Chair trusts that gentlemen will observe the rule and not interrupt without consent.

Mr. SAYERS. Certainly not.

Mr. HEPBURN. Is the gentleman from Texas through? [Laughter.]

Mr. SAYERS. Go on.

Mr. HEPBURN. If I indulged in error it was because of the statement of the gentleman himself. I learned from him this morning that the whites of Texas paid nine-tenths of the taxes, and I assume that that taxation is based on the property in the State as it is everywhere else. But, Mr. Chairman, when it comes to the head tax, the poll tax, the per capita tax, I ask if the colored man does not pay just as much as my friend from Texas—just the same amount?

Mr. SAYERS. Certainly, and he should do it.

Mr. HEPBURN. Undoubtedly; I am not quarreling with that; I am only seeking for information. [Laughter.]

Mr. SAYERS. The objection I have to my friend is this: That all he wants with the colored man is to get his vote and have him attend political conventions.

Mr. HEPBURN. Well, the objection I have to the gentleman from Texas is that he insists on occupying all of my time. [Laughter.]

The CHAIRMAN. The time of the gentleman has expired. [Laughter and applause.]

Mr. HAINER of Nebraska. I yield five minutes to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Chairman, Oliver Wendell Holmes, the poet of Massachusetts, told the people that they could order up their ascension robes and prepare for the millennium when certain things would occur. I am of the opinion now that every man, woman, and child in the United States of America, particularly those of the colored race, can order up their ascension robes for use on the day of the millennium, which is certainly near at hand. [Laughter.]

According to the statement of my learned friend from Texas [Mr. SAYERS], the only decent place, the only paradise for the colored people is in the South. It is their paradise; it is their home; the only friends they have in the United States are the Southern people; the only advocates that they have on the floor of this House are the Southern Representatives, elected as Democrats and unjustly accused of depriving black men of their votes. In view of these statements, so earnestly and apparently sincerely made, I am convinced now that the end of the world is near at hand, and we all ought to be ready to put off things earthly and take upon us things spiritual in the unknown land beyond the dark river of death. The day has come when the lion and the lamb shall lie down, nay, have laid down, together in the South, although, privately, I may say I am confident if we had the X rays turned onto the lion we would find that the lamb was inside of the lion, and not pleasantly sleeping by his side. [Loud laughter.]

But what has it to do with the question now before the committee whether or not the Southern people make a "little tin god" of the colored man, or whether or not it is a passport to society in the South or a sure ticket of admission to the best Southern institutions of learning to be a colored man. Why, sir, I had no doubt when listening to the eloquent efforts and the rhetorical periods of my friend from Texas, so fervently were they pressed upon us, that all I needed to-day to obtain entry into the most fashionable and exclusive society of the South, especially in Texas, was to black my face, go down there, and say, "I am Sambo Johnson, from the plantation fields of old Virginia," and all doors would fly open to receive a colored man. [Laughter.]

Mr. SAYERS. The gentleman misapprehended me. He would not be likely to get into the most exclusive society in Texas.

Mr. JOHNSON of California. Mr. Chairman, I have not been very well for some time past, and am filled up with medicine, and so did not hear what the gentleman from Texas said, but no doubt it was a good thing, for everything that he says is good.

I have no doubt that from now on when the colored man comes to a Representative here or elsewhere and asks for a home for himself and for his family, and when he in addition says that he seeks education for himself or for his children; when he says, as many of them have said and many more will say, "I was a slave, I have felt upon my back the lash of my master, I feel now the degradation of my position, but, thanks to God, to Lincoln, and the American people, I am free, and I want my children to taste the blessings of that freedom I received so late in life and to obtain that education which every child upon this continent has a right to enjoy"—I have no doubt that we will all unite in one grand acclaim in singing the old plantation song and advising him to leave the cold and snowy fields of the North and go into the rich cotton fields of the South, where only he can find true friends of his race. Then we will further tell him that, thanks to the gentleman from Texas, you and your children will be educated in the best colleges the State of Georgia or the State of Texas can afford. [Applause and laughter.]

Does any one of us believe that? Does the gentleman from Texas or any other gentleman from the South believe that? If they do, then the day of the millennium has come and gone, and we are now living in a different atmosphere from that of humanity or even that of spirits. [Laughter.] No man has any right to expect us to believe it or to accept the roseate-hued picture painted by the gentleman from Texas of the kind and loving care taken of the colored man and his education by the Southern States as being as lovely as it is painted. No man has any right to expect us to believe anything except the facts as we know them, and from a study of them we feel constrained to differ from the verbal sketch of Southern white and black man that has been presented to us. But what has this to do really with the question before us? The question before us is, Shall we appropriate money for a sectarian institution? [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILES. Mr. Chairman, I ask unanimous consent that the gentleman be allowed to get to the question.

Mr. KEM. Mr. Chairman, I ask that the gentleman's time be extended five minutes.

Mr. HAINER of Nebraska. Mr. Chairman, the time of the gentleman from Texas has been repeatedly extended, and I ask unanimous consent that the time of the gentleman from California be extended five minutes.

Mr. WOODMAN. I should like to know how long this discussion is to go on.

The CHAIRMAN. That is entirely under the control of the committee. This debate is proceeding by unanimous consent.

Mr. WOODMAN. I want to call the attention of the House to one thing—

The CHAIRMAN. Debate on this request for unanimous consent is not in order.

Mr. WOODMAN. It is to explain my position.

The CHAIRMAN. Is there objection to the request that the time of the gentleman from California [Mr. JOHNSON] be extended five minutes?

There was no objection.

Mr. JOHNSON of California. The question before the House, as I understand it, is whether we shall vote money for sectarian institutions or not, and that is all the question.

I understand, and such was my understanding of his remarks, that my genial friend from Illinois [Mr. CANNON], the chairman of the Committee on Appropriations, has admitted squarely and frankly, as he always does when he admits anything, that this is a sectarian institution, and that we therefore are appropriating money for a sectarian institution when we pass this amendment. Hence there is no escape from the sole and only issue of whether we shall appropriate money for the support of a sectarian institution.

Mr. WILLIAM A. STONE. I wish to correct the gentleman in this. I was not present when the chairman of the committee made the admission, if he made it, but as a member of that committee, and having some knowledge of this institution, I do not admit that it is a sectarian institution.

Mr. JOHNSON of California. I am taking the statement of the chairman of the committee, and I am taking in addition a very little of my own knowledge of the matter, and therefore I reiterate that when the chairman of the Committee on Appropriations makes such an admission we must face the matter squarely as being a sectarian appropriation. It looks to me as though we were getting aside entirely from the question when we discuss, as we have been doing for some time, the relations of the South and North to the colored race and spend many minutes in friendly rivalry as to who is and has been their best friend. Let us reserve that for other days and other subjects. I will go as far as any man—I will take my friend from Texas [Mr. SAYERS], who during the twelve years that he has been a member of this House has been known to be always liberal, even to prodigality, with the people's money [laughter]—and I will go as far as he will in spending the money of the people to take care of the colored race, but I will not vote one dollar for any sectarian institution, I do not care what denomination it is, whether it is this, that, or the other. [Applause.] I voted with the majority of this House, some weeks ago, in favor of striking out sectarian appropriations, not because I was opposed to any particular religion, for I am not, nor because I belong to any political society, for I do not, but because I believe in the complete divorcement of church and state. I regard an appropriation to one religious association as equally wrong with any other, and shall and will consistently so vote.

I am opposed to all sectarian appropriations now, just as I was then. The question before us is not whether the colored race are entitled to support at our hands, nor whether the North or the South takes the better care of the colored people, or is more entitled to their support and friendship; but the question is, Shall we appropriate money to carry on a sectarian institution and excuse ourselves for so doing because it is one designed to better the condition by increasing the educational facilities of the colored race? If the question was squarely presented as to whether we should appropriate money to take care of a Government institution for the colored people alone, wherein they could acquire a higher education, I believe it would be carried unanimously. We would all like to favor this amendment; but you ought to take the religious question out of it. You ought not to appropriate money for a colored people's university and permit it to be used for sectarian purposes. The color of the students does not cure the sectarian character of the college.

The proviso in the amendment does not in my judgment cure the evil. It still leaves it a sectarian institution. It still leaves the money liable to be expended for sectarian purposes. It indirectly at least appropriates the money for sectarian purposes. It simply puts it into one fund to be used in one manner; but the character of the university is not changed by the verbiage of the amendment creating the fund.

I care not what religion is taught, I am unalterably opposed to the appropriation of any public money to any sectarian institution.

I do not follow those who make war on only one religion and except all others. They are not true to the noble American doctrine that church and state must be forever divorced in our country; they are mischief makers. The only salutary rule is to oppose giving public money to any and all sectarian institutions. I believe in the doctrine laid down in the constitution of my own State of California, that no public money shall be appropriated for sectarian institutions.

Section 22 of Article IV, constitution of California, contains these words, namely:

And no money shall ever be appropriated or drawn from the State treasury for the use or benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the State as a State institution, nor shall any grant or donation of property ever be made thereto by the State. \* \* \*

And section 30 of the same Article IV of the constitution of California contains the following words, namely:

Neither the legislature nor any county, city, and county township, school district, or other municipal corporation, shall ever make an appropriation or pay from any public fund whatever, or grant anything to or in aid of any religious sect, church, creed, or sectarian purpose, or help to support or sustain any school, college, university, hospital, or other institution controlled by any religious creed, church, or sectarian denomination whatever; nor shall any grant or donation of personal property or real estate ever be made by the State, or any city, county and township, or other municipal corporation for any religious creed, church, or sectarian purpose whatever. \* \* \*

The State reserves the right to grant aid to institutions "for the support and maintenance of minor orphans or half orphans, or abandoned children, or aged persons in indigent circumstances," with the condition that the State has the right to inquire at any time into the management of such institutions and that reports shall be made to the legislature and published with the laws at each session.

These are noble words; they express the true doctrine; they voice the sentiment of the people of California. They should be adopted by the people of every State in the Union. They act as a safeguard to the Treasury and a protection from religious zeal, which often runs to bigotry.

We had a long and a hard fight to get that incorporated into our constitution. We carried it by a large majority. We are in favor of it now, and I believe I echo the voice of the people of my State when I say, regardless of the question whether the people of the North employ colored carpenters and the people of the South do not, or vice versa, or whether there is a good school for the colored people in the South or a good school for the colored people in the North—regardless of any and all such facts, I voice the feeling of Californians when I say that they are opposed to sectarian appropriations, and that it makes no difference to them whether you say it is a colored man's religion or a white man's religion you are encouraging, they are both amenable to the objection. [Applause.] It may be that the gentleman from Texas [Mr. SAYERS] thinks this university is like Parson Brownlow said his paper was. I heard Parson Brownlow say that before the war he published the only religious journal that was published south of Mason and Dixon's line, "and God knows," he said, "that it was not pious enough to hurt." [Laughter.] So it may be with the religion of this institution, that it is not enough to hurt; but if it is sectarian at all I am opposed to it, and opposed to the appropriation upon that ground. [Applause.]

[Here the hammer fell.]

Mr. HAINER of Nebraska. I yield ten minutes to the gentleman from Arkansas [Mr. McRAE].

[Mr. McRAE addressed the committee. See Appendix.]

Mr. HAINER of Nebraska. I yield three minutes to the gentleman from Georgia [Mr. LIVINGSTON].

Mr. LIVINGSTON. Mr. Chairman, I send to the Clerk's desk and ask to have read a petition signed by every prominent colored pastor and elder in this city, asking Congress to investigate the disbursements of the funds appropriated for Howard University, and charging not only irregularity, but grave offenses against the management of that institution.

Now, if an appropriation for that university is to be made in this bill, I trust that it will not be made available until after this investigation shall have been concluded, so that Congress may have an opportunity to know whether these charges are true or false. I ask that the Clerk read the petition.

The petition was read, as follows:

WASHINGTON, D. C., February 24, 1896.

To the Senate and House of Representatives  
of the United States in Congress assembled:

The undersigned, citizens of the United States and residents of the District of Columbia, very respectfully represent to your honorable body: That in view of the frequent statements and charges made to the public to the effect that the administration of affairs at Howard University has been marked in recent years by unjust discriminations, irregularities, and questionable methods in using the funds of said university, to wit: By unjust methods in dismissing earnest, efficient, and honest members of the faculty for personal reasons; By improper use of the student's aid fund to debase so-called beneficiaries; By unwarrantable and extravagant use of university funds in building an additional and unnecessary residence for the president thereof, at a cost of \$22,000;

By building an additional and unnecessary chapel at a cost of several thousand dollars at a time when buildings of the university already constructed were in need of repairs, and at a time when the funds for the university demanded the strictest economy in their use;

By the defective methods of instructing and graduating students of the normal and college departments; and

Whereas all these statements and charges were presented in writing to the board of trustees of said university at their semiannual meeting held on January 29, 1896, with a respectful request to them to make an immediate investigation and remedy of the same, all of which they have failed in doing; and the presiding officer, through the public press of January 30, has declared such investigation to be impossible:

Therefore the undersigned most respectfully petition your honorable body to appoint a committee to investigate the present administration of Howard University as to those statements and charges and to recommend such changes in the same, to improve the present conduct of its affairs, and restore to this institution the moral and educational facilities and the material interests and purposes for the benefit of those for whom this institution was originally established, and your petitioners will ever pray.

Eugene A. Johnson, Lincoln Memorial Congregational Church; John H. Collett, presiding elder of the Potomac district African Methodist Episcopal Church; Collin B. Curson, 2450 B street northwest; H. Feb. Doyle, Israel Metropolitan Church, corner First and B streets southwest; J. J. W. Navin, pastor of Saint Paul African Methodist Episcopal Church; James E. Hunt, 3013 Vermont avenue; D. P. Seaton, pastor of Ebenezer African Methodist Episcopal Church, O street; W. H. Chambers, pastor Galbraith African Methodist Episcopal Zion Church; S. A. Lewis, pastor Mount Zion Methodist Episcopal Church, 1412 Twenty-eighth street northwest; R. A. Fisher, pastor; John Wesley, residence 719 Second street northwest; F. G. Barbae, 1824 Eleventh street northwest; W. C. Payne, 1521 Twenty-seventh street northwest, secretary E. R. Council; W. Bishop Johnson, pastor Second Baptist Church; J. A. Taylor, pastor Shiloh Baptist Church; George W. Lee, pastor Vermont Avenue Baptist Church; I. V. Bryant, pastor Walker Memorial Baptist Church; James H. Lee, pastor of the Third Baptist Church, northwest; Guy H. Berkeley, pastor Mount Bethel Baptist Church of Howardtown, D. C.; Sandy Alexander, pastor First Baptist Church, West Washington, D. C.; William P. Gibbons, pastor Mount Carmel Baptist Church; Rev. Junius I. Loving, 1511 Fourth street northwest; Rev. Edward Hillis, Liberty Baptist Church.

During the reading of the petition the following took place:

Mr. HEPBURN. Mr. Chairman, how does this come before the House?

The CHAIRMAN. It is sent up by the gentleman from Georgia [Mr. LIVINGSTON], who desires to have it read.

Mr. BARTLETT of New York. Mr. Chairman, I rise to a parliamentary inquiry. I desire to know whether this comes from the Committee on Appropriations or from the gentleman from Georgia as an individual?

Mr. LIVINGSTON. I introduced the petition into the House by request, and I am now having it read as a part of my remarks.

Mr. BARTLETT of New York. It does not come from the committee, then?

Mr. LIVINGSTON. No; I am responsible for it.

The CHAIRMAN (before the reading of the names attached to the petition had been concluded). The time of the gentleman from Georgia [Mr. LIVINGSTON] has expired.

Mr. LIVINGSTON. I ask that my time be extended until those names can be read. That paper is signed by the pastors of twenty different churches of this city, including a number of presiding elders. Among the signers are Baptist ministers, Congregational ministers, and many other ministers of this city.

Mr. SAYERS. Allow me to ask the gentleman from Georgia a question. Why did he not submit that paper to the Committee on Appropriations when we had this matter under consideration?

Mr. LIVINGSTON. I will answer the gentleman. This petition was only handed to me yesterday afternoon. I was asked to introduce it, and I did so, by request. I had it referred to the Committee on Appropriations. There has been no meeting of the committee since. I will see that the gentleman has ample opportunity to correct any of those statements, if he wants to do so, in the committee room.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. HAINER of Nebraska. I ask unanimous consent that the names attached to that petition be read for the information of the House.

Mr. BARTLETT of New York. I object.

Mr. SAYERS. Oh, let them be read.

Mr. LIVINGSTON. I ask consent that the names be all printed in the RECORD.

Mr. BARTLETT of New York. I withdraw my objection to the reading. I prefer that the names should be read rather than that they should be printed in the RECORD without reading.

The Clerk resumed and concluded the reading of the names attached to the petition as already given.

Mr. HAINER of Nebraska. I yield the remainder of my time to my colleague [Mr. ANDREWS].

Mr. ANDREWS. Mr. Chairman, the sectarian bias given to these discussions should not detract our attention from the central point in the problem. No question which has come before us in connection with this appropriation bill has appealed to my sympathies more strongly and distinctly than the proposition now under consideration. Believing as I do that this modern civilization of ours is very largely the result of Christian culture and

higher education, I would turn with pleasure to the support of any constitutional measure that would enlarge the influences that have brought about the benefits that we now realize from the operation of these forces during the centuries of the past. But this is not a question of sentiment. While the proposition appeals to me on the ground of high morals, while it appeals to me on the ground of high intellectual development, I come face to face with the question of public duty and responsibility: Should public funds be appropriated and expended otherwise than for public purposes and through public channels?

It has been conceded in these debates that this institution is distinctively a private institution so far as the Government is concerned. It has been conceded by the chairman of the Committee on Appropriations that the Government does not own any part of the property of the institution. It is also conceded that the Government does not exercise any direct legal control over the institution. Then we are called to pass upon the question of appropriating money out of the public Treasury for an institution which, so far as the Government is concerned, is a private institution. Believing firmly as I do that we are not justified in making appropriations of public money for private purposes, after those funds have been secured by public taxation upon all the people of this country, I do not see my way clear to support this amendment, however strongly it appeals to my sympathies. I gladly note the fact that higher education has always inspired the intellectual activity of the race and has borne the torch of knowledge from Greece to Italy, from Italy to the Continent, from the Continent to the British Island, and from the British Island to the land of American freedom, where it completed the splendid work of the intellectual emancipation of the people.

I also recognize the equally significant fact that Christianity has been the polar star of conscience during the heroic voyage of the race from realms of monarchy and intolerance across the storm-tossed ocean of human passion into the joyful harbor of American freedom.

Together they waged the warfare of popular rights and crowned their victories with civil and religious liberty. Neither could have won without the aid of the other. But, united, they laid here in this, "the land of the free and the home of the brave," the foundation of the American Constitution, reared upon it the best type of civil government the world has ever known. Of course such themes should appeal not simply to our sympathies but also to our highest admiration, to the highest and noblest manhood.

Nevertheless, the proposed appropriation involves merely the question of sworn duty and official responsibility. Then, dismissing the questions of education and religion and their sectarian bearings, and bidding godspeed to every denomination that is unfolding good influences for the elevation of our people in all the different walks and stations of life, are we justified as the representatives of the American people in voting public funds to an institution over which the Government has no control, in which it has no ownership, and for which funds we have no legal right to demand a clear accounting under the shadow of the law and the control of the officers of the Government?

Hence, Mr. Chairman, unless it shall be made plain by those who shall follow in support of this amendment that we are realizing some public benefit which the people who pay the public taxes will admit as a public benefit, I can not support this measure, however strongly I may sympathize with the enterprise, and however commendable the work may be that this institution or like institutions are doing in this country.

Mr. Chairman, I yield back the residue of the time to my colleague [Mr. HAINER].

The CHAIRMAN. The gentleman from Nebraska has three minutes remaining.

Mr. HAINER of Nebraska. I would like to have the other side exhaust at least a portion of their time.

Mr. EVANS. As I expect to use all the remaining time on this side, I would rather that gentlemen on the other side should get through before I begin.

Mr. HAINER of Nebraska. I think, Mr. Chairman, I have the right to close the debate.

Mr. EVANS. It is my amendment that is under discussion.

Mr. HAINER of Nebraska. We are not discussing the amendment.

Mr. EVANS. Oh, yes; nothing else. I admit that some gentlemen have not done so. [Cries of "Vote!" "Vote!"]

Mr. HAINER of Nebraska. Mr. Chairman, I rise to a parliamentary inquiry. In the present status, who has the right to close the debate?

The CHAIRMAN. The impression of the Chair is that the gentleman from Nebraska, who opened the debate, has the right to close it.

Mr. HAINER of Nebraska. Then I ask that the gentleman from Kentucky [Mr. EVANS] now proceed.

Mr. SAYERS. Before the gentleman from Kentucky begins, I

wish to ask unanimous consent to extend my remarks in the RECORD. I entered into the debate without any previous expectation of doing so.

Mr. LIVINGSTON. I ask that other gentlemen who have addressed the House may have the same privilege.

The CHAIRMAN. Unanimous consent is asked that all gentlemen who have addressed the Committee of the Whole on this subject may have the privilege of extending their remarks in the RECORD. Is there objection? The Chair hears none, and it is so ordered.

Mr. BOUTELLE. Before the gentleman from Kentucky proceeds, while I have no doubt he is thoroughly familiar with the whole subject and will very likely call attention to the point I have in view, yet I beg to ask the attention of the committee and his attention to the statement, in the remarks of the gentleman who recently addressed the House, that this institution is not of a public character. I hope he will direct the attention of the committee to the fact that the president of this institution is recognized as the president of a public institution, in so far as the printing of his reports by the Government is concerned—the report he makes to the Secretary of the Interior—and further, in regard to its being a matter of common knowledge on the part of the House that as to the appropriations for this institution the report submitted shows that he is required to make and does make specific statements of the expenditure of the funds appropriated by the Government.

Mr. ANDREWS. Let me ask the gentleman how the president of this institution is appointed?

The CHAIRMAN. The gentleman from Kentucky is entitled to the floor.

Mr. BOUTELLE. The gentleman from Kentucky will undoubtedly call attention to the official reports of the establishment, and at the same time answer the inquiry of the gentleman from Nebraska.

Mr. EVANS. Mr. Chairman, had I dreamed that the very innocent amendment—as I supposed it to be—which I had the honor—and I esteem it an honor—to submit to the House on yesterday to the pending bill would have raised such a breeze, I do not know but that I should have sought the assistance of some of the older and abler members rather than to have taken upon myself the burden of its support. I had no idea that the hubbub which has been created would have arisen in connection with the amendment. But I am here to defend every word of it, and I may further say that I do not fear the call of the yeas and nays, threatened by the gentleman from Nebraska [Mr. HAINER], because I for one would have insisted, if the opportunity offered, that every member of the House should put himself on record upon the question, and state fairly, fully, and distinctly whether or not he is willing for this House, with its hundred and odd Republican majority, to strike down an appropriation which the Fifty-second and the Fifty-third Congresses, and indeed many previous Congresses, made without hesitation for this institution. [Applause.]

So far from the yeas and nays having any terrors for me, I tell the gentleman that if I can get the requisite assistance of one-fifth of the members of the House, there shall be no escape from the yea-and-nay vote on the question, for I want to know if this appropriation is to be stricken down in the House on a false clamor that it is the extension of Government aid to a sectarian institution. For, Mr. Chairman, that clamor and that statement have no foundation in fact, and I want also to speak in the most emphatic manner on another proposition before I go further into the argument.

There is not a man within the sound of my voice who more earnestly condemns, or who would more earnestly condemn, an appropriation of the public money for sectarian purposes than would myself. I have never voted for such an appropriation, although I understand that some of those who are now opposing the amendment have heretofore done so. For one, Mr. Chairman, I repeat that I have never voted for the appropriation of a single dollar of the public money to a sectarian purpose, and so long as I have the right to vote here or elsewhere I shall never do it. Furthermore, I wish to say that I am willing to go still further on that line, and am prepared to vote—if I can not secure it in any other way—for an amendment to the Constitution of the United States that will forever forbid such a use of the public funds by Congress; and will go still further and settle the question by forbidding that right to any State or Territory.

Mr. FAIRCHILD. Do I understand the gentleman to claim that this university is not under sectarian control?

Mr. EVANS. I do most emphatically. I claim that it is not a sectarian institution in any just sense of the word, so far as this appropriation goes or can go.

Mr. WATSON of Ohio. That is right.

Mr. EVANS. Undoubtedly it is right. The opposition to this appropriation, under all the circumstances, is the exaggeration of sensitiveness upon the subject. We ought to discriminate justly and fairly in such cases and not jump to indefensible conclusions.

I repeat, Mr. Chairman, that no man can be more opposed to the appropriation of moneys for sectarian purposes than I am, and I will state the history of the introduction of this amendment. I have no connection whatever with the Committee on Appropriations. If I were asked to do so, I could not probably name five members of this House who are members of that committee. I know nothing of its business or proceedings except as they are developed in their reports to the House and in the discussions on this floor. But I happened to see in a newspaper that the appropriation for the Howard University was left out of the bill. I at once went, while the bill was under discussion, and got the twenty-eighth volume of the Statutes at Large to see in what part of the bill this appropriation had ordinarily been placed, and I found it just after the clause providing for the Columbian Institution for the Deaf and Dumb.

I prepared an amendment specifically appropriating, and in nearly the same terms as was usual, the amount now in the bill, and I went to the Chairman of the Committee of the Whole and told him of my purpose, and up to the time that the amendment was offered no other member had the slightest idea or knowledge that it was to be offered or that there was any suggestion of such an amendment excepting the Chairman of the Committee of the Whole House. I had not time or perhaps inclination to call attention to it. There was no special reason why I should do so, or why I should not have done so; but, at all events, nobody knew it; and when the time came and we had read the bill up to the proper point the amendment was offered and read.

A little manifestation of objection was made, not amounting to a great deal, but evidently there was no need to discuss it—and I never wish to detain the House in discussion if I can help it—and when the time came for a vote it was carried, and I supposed it was satisfactory to everybody. But it did chance that in passing one of the members of the Committee on Appropriations I incidentally said to him, without his having the slightest idea of my object, "Why did you leave out the appropriation for Howard University?" He said, "Oh, there was some objection to it on account of religion," and I at once went and prepared the proviso which appears in the amendment adopted, which I thought was ample to protect the fund appropriated against use by any sort of sectarian or religious agency or for any sort of sectarian or religious purpose.

But if that proviso is not sufficient, if it is inadequate for that purpose, I want it strengthened, so there can be no doubt about its being certain that no part of this money can be devoted in any way, directly or indirectly, to sectarian purposes. With the permission of the House, when an amendment shall be in order, I shall propose this substitute for the proviso:

*Provided, That no part of this appropriation shall be used, directly or indirectly, for the support of the theological department of said university, nor for the support of any sectarian, denominational, or religious instruction therein; And provided further, That no part thereof shall be paid to said university until it shall accord to the Secretary of the Interior, or to his designated agent or agents, authority to visit and inspect such university, and to control and supervise the expenditure therein of all moneys paid under this appropriation.*

Now, Mr. Chairman, I did not detect, and do not now detect, anything sectarian that can possibly be supported or encouraged by this appropriation. So far from that, permit me to say that I looked entirely to other objects and purposes when I was considering this amendment. I considered alone the colored people. If I may so state, the chords of memory, stretching back to the playgrounds of my earliest years and back to the time when, departing from the playground, I, too, much to my benefit in many ways, had to work in the field with 25 or 30 of them, I learned to be an abolitionist, learned then to hate and abhor slavery and all its concomitants so much that the first time I had the right to vote I voted for Abraham Lincoln, although living as I did in the heart of the slave region on the southern border of Kentucky. [Applause.] The second time I had the opportunity to vote I did not prate about my friendship for the colored man and do nothing for him, but I went to the polls and voted to give him the inestimable right of freedom, so far as by my vote I could do it. [Applause.] I say my memory went back to those days when I, living in a slaveholding family as I did, became an abolitionist. And it has always been my idea, not merely to talk on one side or the other, but to endeavor to do something for the colored man.

I remember, too, that this race has been a useful one, that though servile, though once enslaved, it has been most useful in a humble way and place in the development of this country. I remember that it has worked our fields for centuries. I remember that, though humble, it performs a most important function today. I remember that in the time of rebellion the slave, with his patient disposition, the counterpart of which has never been seen in this or any other age, found an army fighting to keep him in bondage, and actually labored peacefully at home to support that army; and I have thought when the Southern people were talking of pensioning anybody in the South that they should at least have granted a form of pension certificate to the colored people in their

midst, which would have given to them the free right to vote, and entire exemption from Kuklux or anything of that sort. [Applause.]

I am not saying here that the South mistreats the colored man to-day. I hope his rights are accorded to him. Nor do I say with some of our friends from the South that we are doing everything for the colored man there, but will not do anything for him in the nation at large. I am not here to speak from the political standpoint or to twit the South with this, that, or the other thing in reference to the colored race, and still get up and say that I am afraid to vote away a little public money for the benefit of this race. On the contrary, Mr. Chairman, it seems to me that this is a remarkable and exceptional case in every point of view. Hundreds of years ago the slave, against his will, was brought to this country from Africa. By brute force he was compelled for centuries to labor for his master. In the moment of rebellion he was made free. He had labored for centuries; and let me call the attention of my oversensitive friends who fear to make a little appropriation for this school to the fact that, notwithstanding the enthrallment of the colored man, when he came from Africa, notwithstanding his years of lowly useful toil without recompense, when he was made free you turned him loose; and now this little appropriation, doled out from year to year by Congress to this little university, is the only thing that this Government has ever given, as a Government, to the colored race as such for its hundreds of years of unrequited toil. [Applause.]

It is an exceptional instance, and I say if there were nothing else in this case the people of this country owe to the 7,000,000 of the colored race at least this much—that they shall not take from that race the only place, the only thing whereby they get the smallest amount of sustenance from the Federal Government for a most useful public purpose. If expenditures of public money for educational purposes; if the \$75,000,000 or more which are annually spent in this country for public schools is justifiable, then there can be no just cause of objection to this, because it all rests on the same principle.

Is there any other 7,000,000 of people belonging to any other class of our community who get and who demand so little from the public Treasury as the colored race? Is there any other race who asks so little, even those who have only gotten here from abroad within a few months and want education or other advantages?

If you take the foreigners who come and who are gladly welcomed to this country, within a few months after that class of men reach here they get more from the Government of the United States than the whole negro population of this country. [Applause.] I say it would be an outrage, in my judgment, if this Republican House in this exceptional instance should strike down this little institution, which can not live without this appropriation, and which has done great good as a means of education for the colored race. I have here a letter from one of the professors of the university addressed to another member of the House, from which I will read only one sentence:

Howard University was established thirty years ago by the National Government especially for the education of colored youth. It is a national institution, 42 States being represented by the students now in attendance. Thirteen hundred have been graduated from all departments; between 500 and 600 students attend annually, and they represent all shades of belief and denominations.

Now, it is for this House to decide. You have as much interest in it as I have. It is not the act of a politician with me; but I speak from the heart when I say that so long as I have known the colored man so long have I known him to be a fairly good citizen with the best lights before him. I am willing that the Government of the United States should dole out this little appropriation of some \$30,000 for the benefit, not of any church or creed, but of 7,000,000 of our population whom we held in bondage for a hundred years or more, and to whom we have given as a nation very little return for what benefit they did this country as laborers during that period, and who now, at least, should be accorded this much educational opportunity. It is something unexampled in history for 7,000,000 of negro slaves to be set free without education, helpless as babes politically, to be turned loose, and then to be refused this little appropriation upon the miserable pretext that it is for sectarian advancement, and upon that ground gentlemen would take away from these people that little pittance. If I thought this House would do that, I would go home a sadder man than I expect to be when we adjourn. If I thought this House would do such an injustice, or would be misled into supposing that a principle with the abstract justice of which I fully agree applied to this institution, I say I should be greatly shocked.

What is this amendment? I find that for sixteen years appropriations in some form or another have been made for this institution. The items making up the aggregate sum are separated. The first is:

For maintenance of the Howard University, to be used in payment of part of the salaries of the officers, professors, teachers, and other employees of the

university, the balance of which will be paid from the donations and other sources, \$27,500.  
For tools, materials, wages of instructors, and other necessary expenses of industrial department, \$3,000.

And yet I am afraid some gentlemen may find something sectarian in that item!

For books for library, law library, bookcases, shelving, and fixtures, \$900.

There is nothing sectarian in that. And then, after the other items, comes the proviso:

That no part of the money hereby appropriated shall be paid to any teacher or professor of theology or religion or to any chaplain in said university.

I believe the proviso is in apt language to prevent any perversion of this fund to sectarian uses. If it is not, I am willing to make it stronger. I am willing that this House shall make it as strong as the most strenuous opponent of sectarian appropriations (and I am one) could desire. Let us not reject the amendment upon the misconception that it is sectarian; but let us leave it for the purpose we have in view, of doing something for this institution. It has been assisted in this way for sixteen years, upon the faith that this would continue. Nearly 500 pupils are now there. If we think the time is approaching to stop the custom of making this appropriation, let us give timely notice a few years in advance, and see if by extraordinary exertions the benevolently inclined can supply the deficit. [Loud applause].

Mr. HAINER of Nebraska. Mr. Chairman, the discussion of this question has taken a wide range. The advocates of this appropriation have ingeniously sought an appeal to sentiment rather than principle. The practical facts involved have almost, I am afraid, been lost sight of. I wish, therefore, in closing to recall the attention of the committee to them. Thus far no person has disputed any proposition of fact which I laid down. This is a private institution. Its property is owned exclusively by the corporation, which was founded more than thirty years ago. The Government has absolutely no right to determine who shall enter that institution, how long a student or professor shall remain there, or when he shall be dismissed. The Government has absolutely no right whatever to control that institution in its operations. Its entire control is vested in the faculty and the board of trustees.

It is, therefore, a private institution. In fact, it was admitted by the president of the institution itself, in the hearing before the committee, that the Government has absolutely nothing to do with it except to make this appropriation. It is also a sectarian institution, for reasons which I have explained, and that is not denied. Even the chairman of the committee practically admits it. It is absolutely impossible for any person belonging to a particular church to teach theology without teaching the doctrines of that particular church. It is not worth while to mince matters. The facts are as they are. If this is not a sectarian institution none can be found. The gentleman who has just concluded urges this as an exceptional case; that we should give exceptional benefits to this class because they have so long been downtrodden. No other reason has been suggested. These people do not need any exceptional treatment; and they ought not to have it. They have no right to insist upon it. What they need, what justice demands, and what the cause of education demands, is that in all parts of this Union, North and South, and East and West, they shall be put upon the same platform and the same standing as any others. They are human beings, brothers and sisters of the gentleman from Texas and myself, and they should be treated as such. Give to them the same advantages and the same benefits that you ask for yourselves and your children, and then all will be well. But do not deal out charity to them instead of justice.

Mr. LEWIS. Will the gentleman permit me to ask him a question?

Mr. HAINER of Nebraska. I decline to yield.

Mr. Chairman, from the beginning of the consideration of this bill until its conclusion the chairman of the Committee on Appropriations at every step has felt bound to oppose appropriations for useful, beneficial, and proper objects, for the sole reason that there was no money in the Treasury out of which to pay such appropriations. Let gentlemen who propose to vote for this appropriation go home and say to their constituents, "We could not have those things which are legitimately demanded by the public interest; we could not take care of the maimed soldier; we could not establish a national university for all the people; we had no money for that; but we could vote an appropriation for the higher education, as it is technically called, of a favored few in the District of Columbia."

[Here the hammer fell.]

Mr. LEWIS. The question I wanted to ask the gentleman from Nebraska was whether he would be willing to go into slavery for two hundred years and then take his chance afterward of catching up and getting even?

The CHAIRMAN. The time limited for this debate has expired.

Mr. CANNON. As the amendment of the gentleman from Kentucky [Mr. EVANS] was adopted by the Committee of the

Whole, there will be, of course, a vote on it in the House in a few minutes. But before I move that the committee rise I wish to ask unanimous con—

Mr. SAYERS. Before that is done allow me a single word. During this debate a paper was read, which will appear in the RECORD, reflecting upon the character of the institution which has been under discussion. This is the first time I ever heard of that paper. One of the pages has just brought me a communication on the subject, which I ask to have read, so that it may appear in the RECORD along with the statement already read.

The CHAIRMAN. The gentleman from Texas asks the privilege of having read a communication which he sends to the desk. Is there objection?

Mr. SAYERS. I have just received it. I know nothing about it.

The CHAIRMAN. The Chair hears no objection. The Clerk will read.

The Clerk read as follows:

LIBRARY OF CONGRESS.

Governor SAYERS:

The paper presented by Mr. LIVINGSTON of Georgia was inspired by one Prof. James M. Gregory, who was dismissed from the university for borrowing money from the students and others and refusing to pay the same. The same individual was several years ago appointed a trustee of the public schools of the District of Columbia, and was dismissed by the District Commissioners for selling teacherships in the public colored schools. I myself aided in bringing this dishonest practice to the attention of the Commissioners.

DANIEL MURRAY.

Mr. CANNON. I ask unanimous consent to return to page 67 of the bill for the purpose of offering the amendment which I ask the Clerk to read.

The Clerk read as follows:

In lieu of the amendment offered by Mr. HYDE, insert, after line 19, page 67, as a separate paragraph, the following:

"For beginning the construction of permanent buildings, providing for sewerage, water supply, roads, and other means of communication and other necessary improvements, at the military post at Spokane, Wash., to be expended under the direction of the Secretary of War, \$50,000.

"To continue construction of buildings at the Fort Riley (Kans.) military post, to be expended under the direction of the Secretary of War, \$50,000."

The CHAIRMAN. Unanimous consent is asked that the amendment just read be adopted in lieu of the amendment offered yesterday by the gentleman from Washington [Mr. HYDE] and adopted in Committee of the Whole.

Mr. TERRY. What is the total amount which this amendment proposes to give to the Secretary of War for these purposes?

Mr. CANNON. This leaves the amount for general purposes the same as in the bill—\$300,000 for the construction of buildings and enlarging military posts.

Mr. TERRY. Do you take \$100,000 off that and give it to the two places named?

Mr. CANNON. No. I think the \$300,000 should not be disturbed. But yesterday an amendment was adopted taking \$75,000 of that amount for the construction of a new post at Spokane.

Mr. TERRY. This does not break in on the \$300,000?

Mr. CANNON. No, sir. This inserts the two \$50,000 items, and it leaves the general appropriation intact.

There being no objection, the amendment offered by Mr. CANNON was adopted.

Mr. CANNON. There is one other matter in connection with this bill which has been left undisposed of—the paragraphs relating to the Bureau of Engraving and Printing. The gentleman from Pennsylvania [Mr. BINGHAM], I believe, desires to move an amendment to those provisions.

Mr. BINGHAM. If I am in order, I submit the amendment which I send to the desk.

The Clerk read as follows:

After the words "Revised Statutes," line 13, page 17, insert:  
"Provided, That on and after the 1st day of January, 1897, no postage stamps shall be manufactured or furnished by the Bureau of Engraving and Printing; but said stamps shall be procured by the Post-Office Department as formerly, under the provisions of section 3709 of the Revised Statutes of the United States, requiring such work to be given out upon competitive bidding, after public advertisement for proposals."

Mr. SAYERS. Mr. Chairman, I reserve the point of order on the amendment. It is new legislation; and were it not, that it should appear on the Post-Office appropriation instead of the sundry civil bill.

Mr. BINGHAM. The gentleman from Texas makes the point of order?

Mr. SAYERS. I am perfectly willing to reserve the point of order.

Mr. CANNON. Mr. Chairman, I will ask the gentleman from Pennsylvania whether he had better settle the point of order now or does he prefer to have it reserved?

Mr. BINGHAM. I am perfectly willing that it shall be reserved until I have made a statement to the committee in connection with the amendment, to which I wish to call their special attention.

Mr. SAYERS. I shall agree, Mr. Chairman, that the point of

order be allowed to stand until the gentleman from Pennsylvania gets through with his remarks.

Mr. BINGHAM. Mr. Chairman, in October, 1893, when the then pending contract for the supply of adhesive postage stamps was about to expire, the Postmaster-General, in compliance with law (section 3709, Revised Statutes of the United States), published an advertisement inviting sealed proposals for furnishing stamps, such proposals to be received on or before November 15, 1893, and upon the receipt and opening of the proposals the bidders and the amounts of their respective bids, based upon the actual issue of postage stamps for the year ended June 30, 1893, were found to be as follows:

First. The Hamilton Bank Note Company, of New York, \$179,294.

Second. The American Bank Note Company, of New York, \$162,401.51.

Third. Charles F. Steele, of Philadelphia, Pa., \$146,454.71.

On the 20th of November, 1893, five days after the receipt and public opening of the foregoing bids, submitted in compliance with law, the Chief of the Bureau of Engraving and Printing submitted to the Postmaster-General an offer to furnish the stamps called for by the advertisement for the sum of \$139,487.53. The bid of the Bureau, it will be observed, was at only a comparatively small figure below that of Mr. Steele, of Philadelphia, who is my constituent.

Protests were made by the other bidders against the acceptance of the Bureau bid, on the ground that it was in violation of law; that it was unjust to private bidders, who had already exposed their figures; that it was contrary to the established policy of the Government to do work which could be as well if not better done by private enterprise, and that it would be found that the stamps, if produced by the Government, would cost much more than if furnished under the offers of the private bidders. These protests were disregarded upon no higher authority, upon the legal question involved, than that of the Solicitor of the Treasury, the Postmaster-General and the Secretary of the Treasury having refused the request of the private bidders to have the question appealed to the Attorney-General of the United States for opinion, and the contract was awarded to the Bureau by the Postmaster-General.

The claim of the Bureau was that its offer would fully cover the entire cost of producing the stamps, and that it would entail no additional expense upon the Government for furnishing the same. The Bureau also claimed to have abundant facilities for doing the work, and to be able to do it as well as it was then being done under existing contract.

The offer of the Bureau to undertake this additional work was made, as above stated, on the 20th of November, 1893, and the Commissioner of Internal Revenue, in his annual report for the fiscal year ended June 30, 1893, submitted under date of November 1, 1893, twenty days previous to the date of the Bureau bid for postage stamps, made the following statement with regard to the inability of the Bureau of Engraving and Printing to comply with the requirements of the Internal Revenue Bureau, namely:

#### STOCK OF STAMPS IN VAULT.

The present stock of stamps in the vaults of this Bureau does not come up to the requirements of the statute, and is inadequate to meet the demands of the service. It is estimated that the three months' supply which the statute requires to be in the vault should be 233,238,000 stamps of the various classes and denominations. The stock on hand in the vault at the present time is only 108,704,844 stamps of all denominations. The inability to maintain the stock at the statutory requirement is due to the failure of the Bureau of Engraving and Printing to fill the orders from this Bureau as called for. There are now due from the Bureau of Engraving and Printing on past orders 106,370,100 stamps, and orders for the November delivery amount to 78,940,600 stamps.

It may be well to add here that statements similar to the foregoing were made by the Commissioner of Internal Revenue in his subsequent reports for the fiscal years 1894 and 1895. Thus it would appear that the Bureau at the time of bidding for the contract for furnishing postage stamps was not able to do the work without detriment to its regular business, and that it has continued up to the present time to furnish the stamps at the expense of its regular work.

The prices to be paid to the Bureau by the Post-Office Department for furnishing the stamps were as follows:

- First. For ordinary postage stamps, 5 cents per 1,000.
- Second. Newspaper and periodical stamps, 11.40 cents per 1,000.
- Third. Postage due stamps, 6.05 cents per 1,000.
- Fourth. Special-delivery stamps, 11.40 cents per 1,000.

In his report for 1894 the Chief of the Bureau in referring to the manufacture by his Bureau of postage stamps stated that—

As the estimates of this (his) Bureau for the first year of this contract included the cost of new machinery amounting to something over \$40,000, an item of expense connected with the work which will not appear in subsequent years, it is safe to predict an annual saving to the Government of over \$50,000.

How absurd this claim was will appear hereafter in the light of actual results for the first year of the contract.

The Bureau contract was to begin on the 1st of July, 1894, but not being ready at that time to comply with its agreement about

650,000,000 stamps, equal to about three months' supply, were purchased by the Post-Office Department from the old contractors and paid for out of the appropriation for the year ended June 30, 1894. These stamps were turned over to the Bureau for issue to postmasters on and after July 1, 1894.

The following statistics, compiled from the official records, will show how far the Chief of the Bureau has failed to carry out his agreement to produce postage stamps at the price at which he agreed to furnish them to the Post-Office Department.

#### EXHIBITS OF BUREAU OF ENGRAVING AND PRINTING FOR 1894 AND 1895.

At the last session of the Fifty-third Congress the Chief of the Bureau was called upon to show the results of his work in connection with the production of postage stamps up to and inclusive of December 31, 1894. The exhibits made were in short as follows (see CONGRESSIONAL RECORD of January 25, 1895, pages 1505 to 1517), namely:

1. Number of stamps originally printed to December 31, 1894.....	1,488,886,200
2. Number of stamps originally printed but unfit for use.....	733,615,037
Balance acceptable stamps produced.....	755,271,163
Proportion of spoiled work.....	Per cent. 42.5
Proportion of acceptable work.....	57.5
Cost of above as given by Chief of Bureau, namely:	
Wetting.....	\$1,070.62
Plate printing.....	35,318.24
Examining.....	4,404.82
Gumming and perforating.....	22,865.94
Packing and issuing.....	4,899.20
Running machinery.....	2,877.18
Miscellaneous expenses.....	1,213.72
Total cost.....	72,610.72

This amount is equal to about 9½ cents per thousand for the 755,271,163 acceptable stamps produced to December 31, 1894. The foregoing statement, it will be observed, does not include the cost of the plant nor of the material entering into the manufacture of the stamps. It also allows nothing for the use of the building, heat, light, etc. The price paid by the Post-Office Department for the stamps was 5 cents per thousand for the acceptable stamps and nothing for the spoiled stamps.

The so-called acceptable stamps were really not fit for use, and they were used only under the spur of necessity. Their bad quality was freely commented upon by the public press throughout the entire country, and generally by people who were compelled to purchase and use them in payment of postages.

In face of the foregoing exhibits the Chief of the Bureau, in December, 1894, insisted over and over again before the subcommittee of the House Committee on Appropriations (see pages 35 to 42 of Hearings before subcommittee of House Committee on Appropriations in charge of sundry civil appropriation bill for 1896) that the money to be received from the Post-Office Department for the stamps to be furnished during the year ended June 30, 1895, would fully cover not only the cost of manufacturing the same, but also the cost of the plant to produce stamps, then estimated at about \$50,000.

#### STAMPS FURNISHED BY BUREAU, YEAR ENDED JUNE 30, 1895.

Total number of stamps of Bureau manufacture delivered to Post-Office Department, year ended June 30, 1895, as shown by report of Chief of Bureau for that year (Tables Nos. 4 and 5, page 13, Report of Chief of Bureau of Engraving and Printing for fiscal year ended June 30, 1895).....

Number of acceptable stamps produced to December 31, 1894, as previously shown.....

Balance to complete deliveries from January 1 to June 30, 1895.....

Amount finally received from Post-Office Department for 2,180,229,948 stamps delivered year ended June 30, 1895.....

Expended to December 31, 1894, for 755,271,163 acceptable stamps produced to that date.....

Balance remaining to cover cost of manufacture of 1,414,958,755 stamps required from January 1 to June 30, 1895, and to pay cost of plant, finally given by Chief of Bureau at \$56,243.....

What an absurd claim to make to the Committee on Appropriations of the House of Representatives in the light of such results!

The Chief of the Bureau was called upon early in January, 1896, by letter from myself, as chairman of the Committee on Expenditures of the Post-Office Department, to furnish a statement of the number and cost of the stamps produced for the year ended June 30, 1895, in detail of items as above; but up to the present time he has made no reply to that letter, although requested by me to do so, both orally and in writing.

It is only proper to call attention here to the fact that there is a very serious discrepancy between the number of postage stamps

issued during the year ended June 30, 1895, as reported by the Chief of the Bureau of Engraving and Printing and as reported by the Post-Office Department, the number shown in the Bureau report being considerably larger than that shown by the report of the Post-Office Department. Under a proper system of accountability there should not be a difference of so much as a single stamp between the reports of the two Departments.

The utter absurdity of the claim of the Bureau as above, and the fact that its annual appropriations were very largely drawn upon to cover the cost of producing the stamps over and above the price paid for the same by the Post-Office Department, will be readily apparent from an examination of the figures of the Bureau with regard to its work chargeable to annual appropriations.

First, as to—

**ESTIMATES AND RESULTS FOR THE YEAR ENDED JUNE 30, 1895, COMPARED.**  
See Table No. 1, herewith.

Number of sheets of work to be produced, year ended June 30, 1895, payable out of annual appropriations (see letter of Chief of Bureau, dated October 16, 1895, page 323, Book of Estimates for 1895, Executive Document No. 5, Fifty-third Congress, second session)	52,340,285
Number of sheets actually produced during 1895, chargeable to annual appropriations, as shown by report of Chief of Bureau for that year (see Table No. 2, herewith)	44,711,351
Deficiency in number of sheets produced from number called for by estimates	7,628,934
Or 14.6 per cent.	

**ESTIMATED COST OF ABOVE.**

Estimated cost of 52,340,285 sheets for 1895, for which appropriations were asked by the Chief of the Bureau in Book of Estimates, as above, namely:

1. Compensation of employees	\$419,800.00
2. Plate printing	495,400.00
3. Materials and miscellaneous expenses	196,200.00
	1,111,400.00
4. Add salaries estimated for in legislative bill	17,450.00
Total estimates	1,128,850.00
Average cost per 1,000 sheets	21.57

Appropriations were made in pursuance of the foregoing estimates as follows:

1. Compensation of employees:	
Sundry civil act August 18, 1894	\$378,000
Deficiency act March 2, 1895	41,800
	\$419,800.00
2. Plate printing:	
Sundry civil act August 18, 1894	469,000
Deficiency act March 2, 1895	26,400
	495,400.00
3. Materials and miscellaneous expenses:	
Sundry civil act August 18, 1894	181,000
Deficiency act March 2, 1895	15,200
	196,200.00
	1,111,400.00
4. Add salaries appropriated for in legislative act	17,450.00
Total appropriations as finally made, agreeing with original estimates of the Chief of Bureau in Book of Estimates above referred to	1,128,850.00
Amount expended out of foregoing appropriations for production of 44,711,351 sheets, as shown by Chief of Bureau was	1,127,946.12
Leaving unexpended balance of	903.88
Average cost per 1,000 sheets of the 44,711,351 sheets actually produced	25.23
Estimated cost per 1,000 sheets of work to be produced in 1895, as shown above, was	21.57

Excess per 1,000 sheets of actual overestimated cost, therefore, was 3.66  
Amounting on the 44,711,351 sheets actually produced in 1895 to 163,643.54

On the 11th of February, 1895, the Chief of the Bureau of Engraving and Printing was before the subcommittee of the House Committee on Appropriations in charge of the general deficiency bill for 1895 and prior years (see pages 72-74 of Hearings before Subcommittee, etc.) to explain his reasons for asking for deficiency appropriations sufficient to meet the amount of the reduction of his estimates as made by the sundry civil act of August 18, 1894, for the service of the year 1895. He then stated that his original "estimates were made carefully and down to the lowest figure at which they could be made," and that "the cost of the work is just what the estimates are." In his letter to the subcommittee of the same date he stated that "the number of impressions estimated to be produced in 1895 is substantially the same as was produced in 1894."

Estimated when? In his original estimates of October 16, 1893, for the year 1895, or at the time he wrote the subcommittee on appropriations, on the 11th of February, 1895?

Now, it has already been stated that the number of sheets produced out of annual appropriations in 1895 was 44,711,351, and it will be shown presently that this was 7,894,610, or 15 per cent, less than the number (52,605,961 sheets) produced out of annual appropriations in 1894, as shown by the reports of the Chief of the Bureau. Was the Chief of the Bureau intentionally deceiving the committee, or was he in ignorance of the fact, when nearly

two-thirds of the fiscal year 1895 had gone by, that the year's product would show a falling off of 15 per cent, or about one-seventh, from the number produced in 1894? Either horn of the dilemma is bad enough.

Be that as it may, by his urgent appeals to the committee on the deficiency appropriation bill the Chief of the Bureau got all the money for the year 1895 he originally asked for, and he spent it all except the insignificant sum of less than \$1,000. He represented to the subcommittee on the sundry civil bill that he was making economies in various directions; that he had reduced the wages of printers engaged on internal-revenue stamps at the rate of about \$23,000 per annum, amounting from the date of the reduction to the close of the fiscal year 1895 to about \$11,000, and that the cost of material was much less than it had been during the previous year. The undeniable fact was that he was obliged to skin his annual appropriations in every direction to meet the extra expenditure involved in the production of postage stamps over and above the amount which he was paid for the same by the Post-Office Department, and even then he came out barely ahead.

The Chief of the Bureau of Engraving and Printing having claimed before the subcommittee on the deficiency bill for 1895, as already mentioned, that the number of sheets of work payable out of annual appropriations for 1895 would be as great as that produced out of the corresponding appropriations for 1894, let us now examine the actual results for both of said years, as shown by his reports, to see how far his claim was sustained. The figures in detail for both years, as taken from his annual reports for the same, will be found in table marked No. 2, herewith, compiled from the Bureau reports, to which attention is invited. The exhibits are as follows:

**NUMBER OF SHEETS OF WORK PRODUCED OUT OF ANNUAL APPROPRIATIONS IN 1894 AND 1895 COMPARED.**

Total number of sheets produced year ended June 30, 1894, payable out of annual appropriations	52,605,961
Total number of sheets produced year ended June 30, 1895, payable out of annual appropriations	44,711,351
Decrease for 1895 as compared to 1894	7,894,610
Or 15 per cent.	

These results are not open to the allegation that the work produced in 1895 was generally of a more expensive character than that produced in 1894, but the fact is that the work of 1895 was as a whole of a cheaper grade than that of 1894, as an analysis of the figures will prove. Aside from United States and other bonds, the most expensive work involved was that under the head of "United States notes and certificates," together with that on "national currency," the cost of which several kinds would average about the same for like quantities.

Number of sheets of United States notes of 1890, silver certificates of 1891, currency certificates of 1875, and national currency produced in 1894	13,776,124
Number of sheets of United States notes of 1880, silver certificates of 1891, currency certificates of 1875, and national currency produced in 1895	11,721,158
Decrease for 1895 as compared to 1894	2,054,966
Or 14.2 per cent.	

So much for the foregoing, and now for all the remaining work (except United States and other bonds), which is generally of the same character, namely:

Number of sheets of United States internal-revenue stamps, custom stamps, checks, drafts, certificates, etc., and certificates of indebtedness for Cherokee Indians produced in 1894	38,736,251
Number of sheets of United States internal-revenue stamps, custom stamps, checks, drafts, certificates, etc., and certificates of indebtedness for Cherokee Indians produced in 1895	32,803,043

Decrease for 1895 as compared to 1894 5,933,208  
Or 15.3 per cent.

Number of sheets of United States bonds, District of Columbia bonds, and Pacific Railroad bonds produced in 1894	98,586
Number of sheets of United States bonds, District of Columbia bonds, and Pacific Railroad bonds produced in 1895	187,150

Increase for 1895 as compared to 1894 88,564  
Or nearly 100 per cent.

Proportion of total number of sheets produced out of annual appropriations represented by United States notes, silver and currency certificates, and national currency in 1894	26.1+
Proportion of total number of sheets produced out of annual appropriations represented by United States notes, silver and currency certificates, and national currency in 1895	26.1
Proportion of total number of sheets produced out of annual appropriations represented by United States internal-revenue stamps, custom stamps, checks, drafts, certificates, etc., in 1894	73.7
Proportion of total number of sheets produced out of annual appropriations represented by United States internal-revenue stamps, custom stamps, checks, drafts, certificates, etc., in 1895	73.5
Proportion of total number of sheets produced out of annual appropriations represented by United States and other bonds in 1894	.18
Proportion of total number of sheets produced out of annual appropriations represented by United States and other bonds in 1895	.49

INTERNAL-REVENUE STAMPS PRODUCED IN 1894 AND 1895 SEPARATELY COMPARED.

By far the largest number of sheets of any single class of work done, very nearly three-fourths of the whole, is that of internal-revenue stamps, and these stamps are accordingly worthy of particular notice, especially as the Bureau of Engraving and Printing has not been able during the past two years or more to meet the demand of the Internal-Revenue Bureau, or to enable it to comply with the law governing the supply of stamps to be kept on hand. The exhibit for the years 1894 and 1895, as appearing from the reports of the Chief of the Bureau for said years, is as follows:

Number of sheets of internal-revenue stamps produced year ended June 30, 1894.....	37,097,706
Number of sheets of internal-revenue stamps produced year ended June 30, 1895.....	31,545,838
Decrease for 1895 as compared to 1894.....	5,551,868
Or 15 per cent.	
Proportionate number of sheets to total number of sheets produced out of annual appropriations in 1894.....	70.5
Proportionate number of sheets to total number of sheets produced out of annual appropriations in 1895.....	70.6

Upon a close examination of the product of 1894 and 1895 by classes it will be found that the proportion of the more expensive stamps to the whole number was greater in 1894 than it was in 1895. Thus the total number of stamps produced in 1894 was 1,060,270,374, and this was an average of 28.58 stamps per sheet.

The total number of stamps produced in 1895 was 1,016,550,112, and this was an average of 32.23 stamps per sheet. The average number of stamps per sheet was, therefore, 3.64 greater in 1895 than in 1894.

The larger and more expensive stamps—those containing from one to five stamps per sheet—are put up in volumes, making an additional expense for this work. The number of volumes in 1894 was 90,818, containing 5,057,800 stamps, and the number of volumes in 1895 was only 64,728, containing 3,741,480 stamps. This was a decrease for 1895 as compared to 1894 of 26,090, or 29.8 per cent, in the number of volumes, and of 1,316,320, or 26 per cent, in the number of stamps put up in volumes. The decrease in the total number of sheets of internal-revenue stamps, in volumes and not in volumes, it will be remembered, was at the rate of 15.3 per cent.

Thus it is conclusively proved that an unduly large share of the falling off in the total number of sheets for 1895 consisted of the larger sized and more costly stamps, and consequently that the work on internal-revenue stamps was less expensive in 1895 than it was in 1894 for like quantities.

Here it may be well to quote what the Commissioner of Internal Revenue had to say in his report, dated November 1, 1895, for the fiscal year ended June 30, 1895, concerning the failure of the Bureau of Engraving and Printing to furnish an adequate supply of internal-revenue stamps up to that time, namely:

STOCK OF STAMPS IN VAULT.

The stock of stamps on hand in the vault October 1, 1895, of the various classes and denominations is 126,722,664, and the value of the same is \$57,266,959.29.

This is very much below the estimated three months' supply which the statute requires to be kept in the vault; but the inability to maintain the stock at statutory requirement is due entirely to the failure of the Bureau of Engraving and Printing to deliver the stamps ordered by this Bureau, and not to any official neglect on the part of this office. The statement of the Bureau of Engraving and Printing of October 1, 1895, shows a balance due on past orders of 154,690,100 stamps, and the orders for October delivery amount to 102,462,000.

The Bureau of Engraving and Printing was a delinquent to the Treasury Department, the very Department for whose sole use it was created, when it voluntarily and with much self-contention assumed the work of making postage stamps for the Post-Office Department in 1893, and it was still a worse delinquent to the Treasury Department in 1895 as a consequence of making postage stamps. The Bureau would have been guilty of a much greater delinquency to the Post-Office Department, one entailing the most serious consequences to the public convenience and to the postal revenue, if the Post-Office Department, at the very outset of the Bureau contract, had not purchased about 650,000,000 postage stamps, or a supply for nearly three months, from the old contractors, to enable the Bureau to finally get ready to keep its agreement. Even then the Bureau imposed upon the public postage stamps whose bad quality was a disgrace to the Government and the nation. And the question occurs, how much of the delinquency of the Bureau of Engraving and Printing to the Treasury Department in 1895 was due to the necessity on the part of the Bureau of diverting its regular appropriations from the purposes for which they were provided to enable it to keep up the supply of postage stamps?

GOVERNMENT AND OTHER BONDS IN 1894 AND 1895.

The only item in the list of work payable out of annual appropriations which shows an increase for 1895 over 1894 is that of Government bonds; but this item constitutes too small a propor-

tion of the total work to appreciably affect the totals of work and cost. In neither year did this item constitute as much as one-half of 1 per cent of the total number of sheets produced. In 1894 the number of sheets of Government bonds produced was 90,646, and in 1895 it was 186,150, or a little more than double the number produced during the previous year. So far as the cost is concerned, there should not have been a corresponding increase, as it is to be presumed that the expense of engraving the designs and of preparing the plates for printing was in the main paid out of the appropriations for 1894. In the matter of material alone the increase must have been insignificant, as the paper, like that of all securities for the Treasury Department, was paid out of separate and independent appropriations not under control of the Bureau.

Before comparing the aggregate cost of the work for 1894 and 1895 it may be well to make some contrast in the items of expenditure for the said years.

COST OF WORK FOR 1894 AND 1895 COMPARED BY ITEMS.

The increase of expenditure for 1895 over 1894 for like quantities of work payable out of annual appropriations, by items, as shown by the reports of the Chief of the Bureau of Engraving and Printing, is as follows, namely:

1. Salaries:	
Expenditure for 1894.....	\$17,397.35
Expenditure for 1895.....	17,230.35
Decrease for 1895.....	167.00
Or 6 per cent.	
Average cost per 1,000 sheets for 1894.....	.33
Average cost per 1,000 sheets for 1895.....	.39
Excess per 1,000 sheets for 1895 over 1894.....	.06
Amount of excess on 44,711,351 sheets for 1895.....	2,633.00
2. Compensation of employees:	
Expenditure for 1894.....	440,507.12
Expenditure for 1895.....	419,775.28
Decrease for 1895.....	20,731.84
Or 4.7 per cent.	
Average cost per 1,000 sheets for 1894.....	8.37
Average cost per 1,000 sheets for 1895.....	9.39
Excess per 1,000 sheets for 1895 over 1894.....	1.02
Amount of excess on 44,711,351 sheets for 1895.....	45,005.58
3. Plate printing:	
Expenditure for 1894.....	597,455.27
Expenditure for 1895.....	495,034.62
Increase for 1895.....	42,420.65
Or 7.9 per cent.	
Average cost per 1,000 sheets for 1894.....	10.22
Average cost per 1,000 sheets for 1895.....	11.07
Excess per 1,000 sheets 1895 over 1894.....	.85
Amount of excess on 44,711,351 sheets for 1895 over 1894.....	38,004.65
4. Material and miscellaneous expenses:	
Expenditure for 1894.....	186,413.16
Expenditure for 1895.....	195,845.87
Increase for 1895.....	9,432.71
Or 5.1 per cent.	
Average cost per 1,000 sheets for 1894.....	3.54
Average cost per 1,000 sheets for 1895.....	4.38
Excess per 1,000 sheets for 1895 over 1894.....	.84
Amount of excess on 44,711,351 sheets for 1895 over 1894.....	37,557.53
Totals of (1) Salaries; (2) Compensation of employees; (3) Plate printing; and (4) Material and miscellaneous expenses for 1894 and 1895, compared:	
Expenditure for 1894.....	\$1,181,772.90
Expenditure for 1895.....	1,127,946.12
Decrease for 1895.....	53,826.78
Or 4.5 per cent.	
Average cost per 1,000 sheets for 1894.....	22.46
Average cost per 1,000 sheets for 1895.....	25.23
Excess per 1,000 sheets for 1895 over 1894.....	2.77
Amount excess on 44,711,351 sheets for 1895 over 1894.....	123,850.44

A closer analysis of the foregoing will show the following results (see Table No. 3, compiled from the reports of the Chief of the Bureau for 1894 and 1895, herewith), namely:

First. As to compensation of employees: Notwithstanding that there was a falling off of 15 per cent in the number of sheets of work produced out of annual appropriations in 1895 as compared to 1894, there was a decrease of only 4.7 per cent in the expenditure for compensation to employees. The rate of expenditure was, therefore, 10.3 per cent greater in 1895 than it was in 1894 for like quantities, in spite of the fact that there was an admitted saving of \$11,000 for 1895 caused by a reduction of wages.

The number of employees engaged on each of the several classes of work is not given by the Chief of the Bureau, but the total

average number of employees engaged on all classes is stated in his reports at 1,380 for 1894 and 1,427 for 1895. The number of employees engaged on postage-stamp work alone in 1895 was given by the Chief of Bureau in his testimony before the subcommittee on the sundry civil bill in December, 1894, at "less than 100; possibly 90 or 95." Allowing 95 for this class of work would leave a balance of 1,332 to perform all the other classes of work, namely, work payable out of annual and permanent appropriations. The total number of sheets of these two classes produced in 1894 was 55,516,961, and in 1895 it was 49,012,351. This was an average of 40,230 sheets to each employee in 1894, and of only 36,796 sheets in 1895. There was consequently a decrease of 3,434 sheets or 8.5 per cent per employee for 1895 as compared to 1894.

But it is not at all reasonable to suppose that the employees of the Bureau suffered such a decrease of efficiency for 1895 as compared to 1894 as would appear from this exhibit of decreased production. It is more reasonable to suppose, indeed it is susceptible of demonstration, that the number of employees actually required to do the work on postage stamps was more than double the number stated by the Chief of the Bureau. Thus, allowing 1 employee for each 40,230 sheets of work, being the average rate for 1894, would make 1,218 as the number of employees engaged in producing the 49,012,351 sheets of work payable out of annual and permanent appropriations in 1895; and this would leave 209 employees, out of the total force of 1,427, to do the work of producing postage stamps in 1895. The Chief of the Bureau stated in his testimony before the Committee on Appropriations in December, 1894, that the employees of the Bureau were engaged indiscriminately on the regular work and on postage stamps, no separate roll being kept for the different classes of work; and it is reasonable, therefore, that the work on postage stamps would require the exclusive services of at least 209 employees, especially since it has been claimed that the number of employees engaged on this work under the last contractor in New York was nearly 200. It is well also to remember that the employees of the Bureau work only eight hours per day and are allowed thirty days leave of absence with pay, while the employees of private establishments work ten hours per day and, as a rule, get no leave of absence with pay. Now, the Chief of the Bureau, in accounting for the \$107,699.78 received from the Post-Office Department in payment for postage stamps, charged only \$29,167.84 to the item of compensation to employees. Two hundred and seven employees for, say, three hundred working days in the year would make a total of sixty two thousand one hundred and eighty days' service for a single employee, affording a compensation, out of the \$29,167.84 alleged to have been expended for employees on postage-stamp work, of about 47 cents each per day. What a ridiculous compensation that would be, and how absurd to suppose that \$29,167.84 covered the cost of employees for doing the work on postage stamps in 1895. The real fact is that in the matter of compensation to employees, as in all other items of expenditure connected with the production of postage stamps, the regular appropriations of the Bureau were drawn upon to supply the deficiencies in the amounts received from the Post-Office Department to pay for the stamps.

What a pity that the employees of the Bureau of Engraving and Printing were assessed a portion of their hard-earned wages in order that the Chief of the Bureau might be enabled to cover up his mistake in undertaking to furnish the Post-Office Department with postage stamps at about one-half the actual cost of producing the stamps.

#### SECOND—PLATE PRINTING.

The decrease in the number of sheets of work produced out of annual appropriations in 1895 as compared to 1894, it will be remembered, was at the rate of 15 per cent, while the decrease in the rate of expenditure for plate printing was only 7.9 per cent. The increased rate of expenditure for 1895 over 1894 was, therefore, 7.1 per cent for like quantities, and this increase was in spite of the fact that there was, as already shown, a reduction of \$11,000 in the wages of plate printers for 1895.

Of the \$107,699.78 paid by the Post-Office Department, outside of the annual appropriation in payment for postage stamps produced during 1895, the sum of \$17,622.03 was charged by the Chief of the Bureau to the item of plate printing, and this amount was to cover the expense of plate printing for a total of 2,180,229,948 stamps produced during the year. In the detailed statement of expenditure in the letter of the Chief of the Bureau of January 11, 1895, the cost of plate printing the 755,271,163 stamps produced to December 31, 1894, was given at \$35,318.24. That is to say, the cost of printing the stamps produced to December 31, 1894, was stated by the Chief of the Bureau in his letter of January 11, 1895, at more than twice the amount given in his annual report for printing nearly three times as many stamps, constituting the entire product of the year. Further comment on the subject of plate printing is unnecessary.

#### THIRD—AS TO MATERIALS AND MISCELLANEOUS EXPENSES.

This item is the only one which shows an absolute increase in the amount of expenditure for 1895 over 1894, in face of the largely

decreased quantity of work produced during the latter year. The decrease in the quantity of work for 1895, it will be remembered, was at the rate of 15 per cent, while the increase in the aggregate cost of materials was at the rate of 5.1 per cent, making a total increase of over 20 per cent of expense for 1895 as against 1894 for like quantities. And yet the Chief of the Bureau stated in his testimony before the subcommittee of Appropriations on the sundry civil bill, in December, 1894, that "we are buying material for a good deal less than we bought in the past."

The average cost of material for work payable out of annual appropriations, as already shown, was \$3.54 per thousand sheets in 1894, and \$4.38 per thousand sheets in 1895, being a difference against 1895 of 84 cents per 1,000 sheets, amounting on the 44,711,351 sheets produced in 1895 to \$37,557.53.

The amount charged by the Chief of the Bureau for materials and miscellaneous expenses against the funds received from the Post-Office Department in payment of the stamps was \$60,909.91, which, added to the \$37,557.53 taken out of the annual appropriations, would make the cost of material used for postage stamps in 1895, \$98,467.44, or only \$9,232.34 less than the entire alleged cost of producing the stamps. Now, the Chief of the Bureau stated, as already mentioned, that he was "buying material for a good deal less" in 1895 than in 1894, and therefore, except for this reduction, the aggregate cost of material would have been much greater in 1895 than it actually was. What is a "good deal less"?

Let us ascertain the amount from his own figures. For the year ending June 30, 1894, the cost per thousand sheets for work payable out of annual appropriations was \$3.54. In his estimates submitted to Congress in 1895 for the service of the year ending June 30, 1897, he allowed for a total production of 56,830,437 sheets of work payable out of annual appropriations, and as a part of the cost of producing this work he asked for an appropriation of only \$166,650 for the item of materials and miscellaneous expenses. This amount on the 56,830,437 sheets to be produced would be equal to \$2.93 per thousand sheets, being a reduction of 61 cents, or a little over 17.2 per cent, in the cost of materials for 1897 as compared to that of 1894 for like quantities. Allowing for a reduction of only 15 per cent in the cost of material for 1895 as compared to 1894—and let us remember that the Chief of the Bureau testified before the subcommittee on Appropriations that he was buying material for a good deal less in 1895 than in 1894—would make the saving for materials used in 1895, as compared to the prices of 1894, \$34,561.03, as will appear from the following statement, namely:

Actual cost of materials for the 44,711,351 sheets of work payable out of annual appropriations produced in 1895 .....	\$195,845.87
Amount of which \$195,845.87 is 85 per cent, to represent cost of work for 1895 as compared to that of 1894 for like quantities.....	230,406.90

Gives balance to represent the amount of savings in materials payable out of annual appropriations for 1895 .....	34,561.03
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The saving of \$34,561.03 in the cost of material payable out of annual appropriations in 1895 was swallowed up by the extra cost of producing postage stamps over and above the amount paid for the same by the Post-Office Department, and it is therefore properly chargeable to the actual cost of the stamps for that year.

So much for materials, and now for other items of expense to the Government occasioned by the manufacture of postage stamps.

#### RENT OF POSTAGE-STAMP AGENCY.

The specifications in the contract for postage stamps required the contractor to furnish suitable office room for the use of the agent and clerical force of the Post-Office Department to supervise the manufacture and distribution of the stamps without extra cost to the Government. The space available in the Bureau building did not admit of these office rooms, and accordingly outside rooms for the use of the agent and his clerical force were rented in a building on F street northwest, more than 1 mile from the Bureau of Engraving and Printing in Washington. How well the agent could perform his duties of inspection at this distance from the place of manufacture can readily be surmised. Be that as it may, the rental of these outside office rooms constituted an additional charge upon the work of producing postage stamps. The amount of annual rental was \$600, and the amount expended during the year ended June 30, 1895, for this purpose was \$566.67, and it was paid, not out of the funds of the Bureau, nor out of the amount reimbursable by the Post-Office Department, but out of specific appropriations by Congress.

#### THE RENTAL OF OUTSIDE QUARTERS FOR OTHER WORK.

The occupancy in the Bureau building of a large quantity of space, given by the Chief of the Bureau at nearly 10,000 square feet, necessitated the rental of outside quarters for doing some special work on World's Fair business, and the "act (Public—No. 29) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1896, and for prior years, and for other purposes," contains an item of \$860 for

the rental of outside quarters from April 20, 1895, to June 30, 1896, at \$60 per month. Of the \$860 thus appropriated \$140 is due to the fiscal year 1895 and \$720 to the fiscal year 1896, and both amounts are properly chargeable to the extra cost of producing postage stamps in both of said years.

#### ACTUAL COST OF PRODUCING POSTAGE STAMPS IN 1895.

Having considered the various known elements of expense involved in the manufacture of postage stamps by the Bureau of Engraving and Printing during the year ended June 30, 1895, the approximate, if not actual, cost of the work may now be ascertained. There is of course an omission of one element of expense not ascertainable in amount through the failure to include a proper allowance for the use and care of the building in which the work is done, and for heat and light of the same, payable out of permanent appropriations for the Treasury Department and not charged to the cost of work produced by the Bureau.

The recapitulation by items of the cost of producing postage stamps by the Bureau of Engraving and Printing in 1895, as far as known, is as follows:

1. Amount reimbursed at contract price by the Post-Office Department for postage stamps produced.....	\$107,699.78
2. Amount expended on production of postage stamps over and above the foregoing and taken out of annual appropriations, as ascertained by the excess of cost for 1895 over 1894 for like quantities of work payable out of said appropriations.....	123,850.44
3. Amount of admitted savings by reduction of wages of employees in 1895 absorbed in the cost of producing postage stamps.....	11,000.00
4. Amount of savings by reduction in cost of materials as shown for 1895 and absorbed in the cost of producing postage stamps.....	34,561.03
5. Amount paid for rental of postage-stamp agency for 1895 under special appropriation by Congress, and not included in the foregoing statement of cost.....	566.67
6. Amount paid from April 20 to June 30, 1895, for rental of outside quarters for World's Fair work, necessitated by use of space in Bureau building for producing postage stamps and supplied by urgent deficiency appropriation by Congress.....	120.00

Total cost of producing postage stamps for 1895, as far as ascertainable..... 277,797.92

Number of stamps furnished by Bureau of Engraving and Printing, year ended June 30, 1895, 2,180,229,948.  
Average cost per 1,000 stamps, 12.79 cents.

The price paid by the Post-Office Department for the foregoing stamps was \$107,699.78, as above. The excess of cost over and above this amount payable out of the general Treasury was therefore \$170,098, and this amount represented only a little more than three-fourths of the amount of stamps required by the Post-Office Department for the fiscal year ended June 30, 1895, nearly one quarter's supply having been purchased from the old contractors by reason of the inability of the Bureau to begin the work at the time at which it stipulated to do it. If, therefore, the Bureau had manufactured all the postage stamps required by the Post-Office Department for the fiscal year ended June 30, 1895, the extra cost of their production payable out of the general Treasury over and above the amount reimbursable by the Post-Office Department would have amounted to about \$225,000.

The foregoing computation of course includes the cost of the plant—that is, of the additional machinery required to manufacture postage stamps. The cost of this additional machinery, originally estimated at \$40,000 or \$50,000, was finally given in exact figures in the text of the report of the Chief of the Bureau for the year ended June 30, 1895, at \$56,243. This amount nowhere appears in the detailed statement of expenditures out of the various items of appropriations, but it is of course divided up and covered up among the various items of expenditure.

It is only fair to say, however, that this machinery having already been purchased and paid for, while an element of actual cost of the stamps for 1895, will not appear as a part of the cost of the stamps for subsequent years.

Let us ascertain the actual cost of stamps, exclusive of the cost of the plant, for the year 1895, namely:

#### COST OF STAMPS FURNISHED IN 1895, EXCLUSIVE OF COST OF PLANT.

Total cost of stamps and plant for 1895, as previously shown.....	\$277,797.92
Deduct cost of plant, as above given.....	56,243.00
Leaves balance to represent cost of stamps exclusive of cost of plant.....	221,554.92
Number of stamps furnished by Bureau June 30, 1895, as above.....	2,180,229,948
Average cost per thousand stamps exclusive of cost of plant for 1895.....	10.11 + cts.

These figures include nothing for the use and care of the building in which the stamps were manufactured, and nothing for heating and lighting the same payable out of permanent appropriations and not chargeable to the Bureau of Engraving and Printing.

Aside from this latter expense, and from the cost of the additional machinery, it will be seen that the cost of the stamps was more than double the price paid for them by the Post-Office Department, and consequently that nearly one-half the cost of the same was borne out of the general Treasury.

Number of stamps furnished by Bureau of Engraving and Printing, year ended June 30, 1895, as above..... 2,180,229,948

Cost to the Government for production of the same, including cost of plant, as above..... \$277,797.92  
Amount paid by Post-Office Department for same, as above..... 107,699.78

Excess of actual cost to the Government over amount paid by the Post-Office Department, as above..... 170,098.14

Cost to the Government at prices in the bid of Charles F. Steele, the lowest bidder, under the advertisement for the contract... 115,120.42

Excess of cost to the Government through production of the stamps over amount in bid of Charles F. Steele..... 162,677.50

Cost of the foregoing stamps at the price in the bid of the American Bank Note Company, of New York, the next lowest bidder for the contract, uniform at 5.85 cents per 1,000 stamps.... 127,543.45

Excess of cost to the Government through production of stamps by the Bureau of Engraving and Printing in lieu of the American Bank Note Company, inclusive of \$56,243 paid for additional machinery by the Bureau of Engraving and Printing... 150,254.47

To recapitulate: First, if the postage stamps furnished to the Post-Office Department by the Bureau of Engraving and Printing during about three-quarters of the year ended June 30, 1895, at a cost of production to the Government of \$277,797.92, had been obtained from Charles F. Steele, at the prices in his bid, the Government would have saved \$162,677.50; and, second, if an equal number of stamps had been obtained from the American Bank Note Company, the next lowest bidder and the old contractor, at the price in the bid of the said company, the Government would have saved \$150,254.47 and, besides, have gotten very much better stamps.

#### STOCK ON HAND AT CLOSE OF 1895.

In the table (No. 12) in his report for the year ended June 30, 1895, "showing the annual production of securities in sheets," etc., the Chief of the Bureau gives only the number of sheets of stamps delivered to the Post-Office Department, making no allowance for any stamps remaining on hand at the close of the year, but in the text of his report (page 3, report for 1895) he says that the Bureau had "accumulated in its finished vaults a stock of finished stamps of the value of \$27,754." He must have had some stamps on hand, because he could not be expected to deliver stamps fresh from the presses, but it is not likely that he had in stock any considerable quantity of stamps that were fit for issue.

In his letter of January 11, 1895, to the chairman of the Committee on Appropriations of the House (pages 1511 to 1513 of the CONGRESSIONAL RECORD of January 25, 1895), he admitted that he had a large quantity of damaged stamps in his vaults, a part of which had been condemned as unfit for use, and a very large part of which had been returned from the post-offices as unserviceable. Some of these stamps he thought might be worked over so that they would go, the public expectation having been greatly lowered by the quality of the stamps furnished by the Bureau of Engraving and Printing. Did not the \$27,752 worth of stamps reported on hand on the 30th of June last consist mainly of the bad work referred to above?

#### QUALITY OF STAMPS FURNISHED.

The bad quality of the stamps furnished has just been referred to, and there is need of saying very little more on the subject. The Chief of the Bureau professes to be satisfied with the quality of the work, but that is very much more than the public was. The public prints have been filled with complaints touching nearly every detail of manufacture, the color, the quality of printing, the perforation, and, above all, the gumming.

Will the Chief of the Bureau urge, in extenuation of the excessive cost and bad quality of the work produced, a lack of experience, technical skill, and expertness during the first year of his contract term? If so, he will be met with his own published assurances to the contrary, to be found on page 4927 of the CONGRESSIONAL RECORD of April 25, 1894, namely:

The Bureau is amply able to do the work on postage stamps. There is no kind of work on these stamps that the Bureau is not now doing on the stamps for the Internal Revenue Bureau, and surely if it has, without interruption, successfully executed these for the past sixteen years, it can execute the work on postage stamps. The number of sheets of internal-revenue stamps executed annually is five times as great as the number of sheets of postage stamps that will be required.

#### THEFT OF POSTAGE STAMPS FROM BUREAU OF ENGRAVING AND PRINTING.

One of the principal reasons urged by the Chief of the Bureau of Engraving and Printing for having the work on postage stamps done by his Bureau was that it might be surrounded with greater security than was possible when done under private contract. On this point, as well as on the question of cost, he made the following statement, to be found on the same page of the CONGRESSIONAL RECORD just referred to, namely:

Mr. Carlisle has reported to the House that this work can be done by the Bureau of Engraving without any expense whatever, except within the amount appropriated in the pending Post-Office bill. All the securities of the Government are now made by the Bureau of Engraving and Printing with absolute safety against robbery or peculation of any kind that surrounds that establishment. It is certainly safer for the Government to do this work than to place it in the hands of any private individual. While no robberies are known to have occurred, and probably none have ever occurred in the establishment of private contractors who have made the stamps, yet they are liable to occur, and may have occurred in the past without the knowledge of any one except the perpetrators.

How did the vaunted security of the Bureau of Engraving and Printing turn out? The Bureau had hardly commenced its work before the public prints were filled with the story of thefts by employees, under most disgraceful circumstances, of postage stamps from its vaults, and these thefts were only revealed to the Bureau after they had been discovered by outside detectives, who found the thieves publicly disposing of the stamps in large quantities. One or more of the thieves are now in the penitentiary. There is pretty good reason also to believe that these are not the only thefts of postage stamps from the Bureau since it undertook the work of making the stamps.

An equally striking commentary on the boasted security of the Bureau, through its alleged system of checks and balances to insure a proper accountability for its product, is to be found in the very large discrepancy, already referred to, between the accounts of the Bureau and the Post-Office Department as to the number of stamps furnished to postmasters. The accounts between the Post-Office Department and its old contractors never varied so much as a single postage stamp.

#### LIABILITY TO THE USE OF WASHED STAMPS.

A great source of danger to the postal revenue is through the liability to the use of washed stamps caused by the bad standards furnished to postmasters by the Bureau of Engraving and Printing. The worst effort at cleansing stamps for reuse is liable to escape detection when compared with the wretched standards of the Government, and in this way many washed stamps will be passed by postmasters because of the inability to detect the difference between them and the Bureau stamps which have not been previously used.

#### COUNTERFEITING STAMPS.

Another source of danger to the postal revenue from the bad standards set up was through the counterfeiting of stamps, and this danger materialized by the discovery in the summer of 1895 of a large number of spurious stamps in actual circulation. It was said in official quarters, and not in an ironical way, that the discovery of the bogus stamps was due to the superiority in their workmanship over that of the stamps produced by the Government.

Having disposed of the work of 1894 and 1895, let us now turn to the estimated cost of postage stamps for the year ending June 30, 1896, the present fiscal year, namely:

#### ESTIMATED COST OF POSTAGE STAMPS FOR 1896.

Number of postage stamps of the various kinds to be required during the fiscal year ending June 30, 1896, as estimated by the Third Assistant Postmaster-General (page 25, pamphlet edition, Report of Third Assistant Postmaster-General for year ended June 30, 1894)	3, 180, 124, 000
Estimated cost to the Government for production of the same by the Bureau of Engraving and Printing, at — cents per thousand, being the rate of cost shown for stamps produced in 1895, exclusive of cost of plant	\$321, 510. 53
Estimated amount to be paid to Bureau of Engraving and Printing for furnishing the above stamps at Bureau prices	159, 943. 00
<b>Excess of actual cost to the Government over amount to be paid by the Post-Office Department for the stamps</b>	<b>161, 567. 53</b>
Cost to the Government of the foregoing stamps at the prices in the bid of Charles F. Steele, the lowest bidder under the advertisement for the contract	167, 829. 77
Excess of cost to Government over amount of bid of Charles F. Steele	153, 680. 76
Excess of cost to the Government through production of stamps by the Bureau of Engraving and Printing in lieu of Charles F. Steele	186, 037. 25
Cost of the foregoing stamps at the price in the bid of the American Bank Note Company, of New York, the next lowest bidder for the contract, uniform at 5.85 cents per 1,000 stamps	135, 473. 28
Excess of cost to the Government through production of stamps by the Bureau of Engraving and Printing in lieu of the American Bank Note Company	135, 473. 28

To recapitulate for the year ending June 30, 1896: First, if the postage stamps estimated to be required during the above year at a cost of production to the Government of \$321,510.53 could have been obtained from Charles F. Steele at the prices in his bid, the Government would have saved \$153,680.76 by giving the contract to Mr. Steele instead of the Bureau of Engraving and Printing; and second, if an equal number of stamps had been obtained from the American Bank Note Company, at the price in the bid of said company, the Government would have saved \$135,473.28 for the year 1896 alone by giving the contract to the said Bank Note Company instead of the Bureau of Engraving and Printing.

The American Bank Note Company was the existing contractor at the time the various bids were submitted in November, 1893, and it had for years acceptably and faithfully carried out its contract obligations. To repeat, the Government would have saved \$135,473.28 during the year ended June 30, 1896, if the contract had been awarded to the American Bank Note Company in lieu of Charles F. Steele and the Bureau of Engraving and Printing, which, with all its facilities, proved to be no better than an untried bidder. Will the Congress of the United States further permit the Bureau to do the work at such a greatly increased cost to the Government? The Post-Office Department may claim a trifling saving, as it did, by giving the work to the Bureau, but it was largely at the expense of the Government as a whole.

#### FURTHER EXTRA EXPENSE TO BE INCURRED.

That the Government may be put to still further expense by the voluntary assumption by the Bureau of Engraving and Printing of the work of producing postage stamps appears from the fact that the Secretary of the Treasury in his annual estimates for 1897 (Executive Document No. 12, Fifty-fourth Congress, first session, page 175) called for an appropriation of \$92,000 for the erection of additional buildings for the use of the said Bureau. Could not this proposed outlay for new buildings have been avoided if such a large quantity of space had not been appropriated by the Bureau for the work of producing postage stamps? Will Congress give its sanction to the enterprise (?) of the Bureau by making the appropriation asked for the new building?

#### CONCLUSION.

Now, Mr. Chairman, I have gone over this case pretty exhaustively, and think I have shown conclusively that the Government has indulged in a very costly experiment in transferring this work of making postage stamps to the Bureau of Engraving and Printing. I opposed this transfer originally, and I have been persistent in trying, whenever suitable opportunity occurred, to remedy the evil. An injustice was done to all the bidders for the contract, who, in good faith, submitted their offers in pursuance of the advertisement published in compliance with law. It was little short of an outrage for the Bureau of Engraving and Printing, after all the bids had been submitted and opened, to come in and make an offer which was just a shade below the prices named by the lawful bidders, and without any regard to the expense to which the Government would be put in producing the stamps. What mattered it to the Bureau of Engraving and Printing, so that it magnified its own importance, if the stamps should cost the Government, as they have done, twice the amount at which it agreed to furnish them? The private bidders would suffer financially if the work should prove to be undertaken at a loss; but the Chief of the Bureau could lose nothing in a pecuniary way if he failed to produce the stamps at the price at which he offered them to the Post-Office Department. Unlike the private bidders, he had the Treasury of the United States back of him to supply any deficiency.

The award to the Bureau was especially unjust to Mr. Steele, of Philadelphia, my constituent, who was the lowest bidder for the work. He should have been given the opportunity to do the work, and if he failed the Post-Office Department could have fallen back upon the next lowest bidder, the American Bank Note Company of New York, whose bid was a reasonable one, and concerning whose ability to carry out the contract there was no question of doubt.

The rejection of all the private bids by the Postmaster-General was not only unfair to all the private bidders but it was calculated to cause great injury to all the engraving and printing interests of the country. This view of the case was presented to me in the strongest light within the past few days by the president of the Western Bank Note Company of Chicago, a most reputable concern, who was not even a bidder for the contract, but who, in common with others in the same line of business, has come to me in the name of the guild to urge me to use my efforts to right the wrong which was committed by the Government in the matter of this award. The Government works its employees but eight hours a day, and gives them thirty days' leave of absence with pay; and, as a preference is always given to employment under the Government, outside concerns are compelled to pay higher salaries, and to take the chances of having their employees leave them under more tempting offers by the Government. Incidentally, the withdrawal of work from the private engraving and printing establishments to the Government has the result of causing the loss to the private establishments of much work which has come here from abroad, notably the South American countries, by reason of the superiority of the engraving and printing talent of our workmen. In this way the country suffers as a whole when the Government by its action depreciates the standards of private enterprise.

It is in direct contravention of our institutions for the Government to undertake the production of work which can be done as well, if not much better, by private enterprise.

The postage stamps of the United States have heretofore taken high rank among the nations of the world for excellence of design and superiority of workmanship. Postage stamps are used by everybody and go everywhere; and by many people they are accepted as a criterion of the artistic tastes of the people of the country which produces them. How far we have suffered in this respect through the circulation of the bad work produced by the Bureau of Engraving and Printing is simply incalculable. The work of the Bureau has met with the derision of the stamp-collecting fraternity, whose names are legion throughout the entire world.

In the name, therefore, of fair play, which has been outraged; in the name of my constituents, whose rights were trampled upon; in the name of the engraving and printing interests of the United States, which suffer as a class; in the name of the Government, which is being put to a large and wholly unjustifiable expense; and, above all, in the name and for the sake of the majesty of the law, which was violated in giving this contract to the Bureau of Engraving and Printing, I ask that this House in Committee of the Whole will sustain the amendment which I have offered, depriving the Bureau of a further continuance of the work.

Appendix to speech of Hon. HENRY H. BINGHAM, of Pennsylvania, chairman of the Committee on Expenditures in the Post-Office Department and member of the Committee on Appropriations of the House of Representatives, on the subject of manufacturing and issuing adhesive postage stamps for the Post-Office Department by the Bureau of Engraving and Printing of the Treasury Department.

TABLE No. 1.

Estimates submitted in 1893 of work to be done by the Bureau of Engraving and Printing of the Treasury Department during the fiscal year ended June 30, 1895, compared to actual results finally shown for said fiscal year.

[Compiled from reports of Chief of Bureau of Engraving and Printing.]

Description.	Number of sheets of articles called for by estimates.	Number of sheets of articles in estimates not produced.	Number of sheets in estimates actually produced.	Number of sheets of articles not in estimates but actually produced.	Total number of sheets actually produced.	Decrease of total production from total estimates.		From what fund payable.
						Number of sheets.	Per cent.	
<b>United States notes and certificates:</b>								
United States notes, series of 1880, unsealed.....					2,121,000			Annual appropriations.
Silver certificates, series of 1891, unsealed.....					7,580,000			Do.
Currency certificates, series of 1895, unsealed.....					1,500			Do.
<b>Total.....</b>	<b>10,925,000</b>		<b>9,702,500</b>		<b>9,702,500</b>	<b>1,222,500</b>	<b>11.2</b>	<b>Do.</b>
<b>National currency:</b>								
Series of 1875.....	185,000		163,113					Do.
Series of 1882.....	2,060,000		1,855,545					Do.
<b>Total.....</b>	<b>2,245,000</b>		<b>2,018,658</b>		<b>2,018,658</b>	<b>226,342</b>	<b>10</b>	<b>Do.</b>
<b>United States internal-revenue stamps.....</b>	<b>36,679,280</b>		<b>31,545,838</b>		<b>31,545,838</b>	<b>5,133,442</b>	<b>14</b>	<b>Do.</b>
Customs drafts.....	430,000		199,000		199,000	231,000	53.7	Do.
Checks, drafts, certificates, etc.....	2,060,025		1,056,205		1,056,205	1,003,820	48.7	Do.
Pacific Railroad registered bonds, unsealed.....	1,000	1,000				1,000		Do.
4 per cent certificates indebtedness for Cherokee Indians.....				2,000	2,000	*2,000		Do.
3.50 per cent District of Columbia registered bonds, unsealed.....				1,000	1,000	*1,000		Do.
<b>United States bonds:</b>								
5 per cent registered bonds, unsealed.....				18,000	18,000	*18,000		Do.
5 per cent coupon bonds, unsealed.....				37,500	37,500	*37,500		Do.
4 per cent registered bonds, unsealed.....				49,700	49,700	*49,700		Do.
4 per cent coupon bonds, unsealed.....				80,950	80,950	*80,950		Do.
<b>Total payable out of annual appropriations.....</b>	<b>52,340,285</b>	<b>1,000</b>	<b>44,522,201</b>	<b>189,150</b>	<b>44,711,351</b>	<b>+7,628,934</b>	<b>+14.6</b>	<b>Do.</b>
<b>Treasury notes, series of 1891, unsealed (payable out of permanent appropriations).....</b>	<b>3,850,000</b>		<b>4,301,000</b>		<b>4,301,000</b>	<b>*451,000</b>	<b>*11.7</b>	<b>Permanent appropriations.</b>
<b>Total of estimates, etc.....</b>	<b>56,190,285</b>	<b>1,000</b>	<b>49,012,351</b>	<b>189,150</b>	<b>49,012,351</b>	<b>+7,177,934</b>	<b>+12.8</b>	<b>Annual and permanent appropriations.</b>
<b>Add postage stamps not in estimates and not furnished prior to 1895; cost of production reimbursable out of price paid for the stamps by the Post-Office Department.....</b>					<b>21,873,682</b>			<b>Reimbursable.</b>
<b>Total number of sheets of all kinds produced.....</b>					<b>70,886,033</b>			<b>Annual and permanent appropriations and reimbursable.</b>

\* Increase.

† Net decrease.

TABLE No. 2.

Statement showing number of sheets of work produced by the Bureau of Engraving and Printing of the Treasury Department for the fiscal years ended June 30, 1894 and 1895, with comparison of same; estimates of work to be produced during the fiscal years ending June 30, 1896 and 1897; funds out of which payable; appropriations and estimates of appropriation, and cost of each of several classes of work.

[Compiled from reports of Chief of Bureau of Engraving and Printing.]

Classification of work and fund out of which payable.	Number of sheets actually produced.				Estimated number of sheets to be produced.	
	Year ended June 30, 1894.	Year ended June 30, 1895.	Decrease for 1895.		Year ending June 30, 1896.	Year ending June 30, 1897.
			Number of sheets.	Per cent.		
<b>1. Payable out of annual appropriations:</b>						
<b>UNITED STATES NOTES AND CERTIFICATES.</b>						
United States notes, series of 1880, unsealed.....	1,871,000	2,121,000	*250,000	*13.4		
Silver certificates, series of 1891.....	8,838,000	7,580,000	1,258,000	14.2		
Currency certificates, series of 1875.....	3,000	1,500	1,500	50		
<b>Total.....</b>	<b>10,712,000</b>	<b>9,702,500</b>	<b>1,009,500</b>	<b>9.43</b>	<b>10,375,000</b>	<b>10,375,000</b>
<b>UNITED STATES BONDS.</b>						
4 per cent coupon bonds, unsealed.....		80,950	*80,950			
5 per cent coupon bonds, unsealed.....	44,500	37,500	7,000	15.7		
4 per cent registered bonds, unsealed.....	27,146	49,700	*22,554	*83		
5 per cent registered bonds, unsealed.....	19,000	18,000	1,000	5.3		
<b>Total.....</b>	<b>90,646</b>	<b>186,150</b>	<b>*85,504</b>	<b>*94.3</b>	<b>12,000</b>	<b>24,000</b>

TABLE No. 2—Continued.

Statement showing number of sheets of work produced by the Bureau of Engraving and Printing of the Treasury Department, etc.—Continued.

Classification of work and fund out of which payable.	Number of sheets actually produced.				Estimated number of sheets to be produced.	
	Year ended June 30, 1894.	Year ended June 30, 1895.	Decrease for 1895.		Year ending June 30, 1895.	Year ending June 30, 1897.
			Number of sheets.	Per cent.		
<b>UNITED STATES BONDS—continued.</b>						
<b>1. Payable out of annual appropriations—Continued.</b>						
3.85 District of Columbia registered bonds.....	1,000		1,000			
3.50 District of Columbia registered bonds.....		1,000	*1,000			
Pacific Railroad registered bonds, unsealed.....	1,940		1,940		1,000	1,000
4 per cent certificates of indebtedness for Cherokee Indians.....		2,000	*2,000			
National currency.....	3,064,124	2,018,655	1,045,466	34.1	3,058,000	2,680,000
United States internal-revenue stamps.....	37,097,706	31,545,838	5,551,868	15	41,689,296	41,678,880
Customs stamps.....	201,000	199,000	2,000	1	372,000	382,000
Checks, drafts, certificates, etc.....	1,437,545	1,056,205	381,340	26.5	1,815,300	1,689,557
<b>Total, payable out of annual appropriations.....</b>	<b>52,605,961</b>	<b>44,711,351</b>	<b>7,894,610</b>	<b>15</b>	<b>57,322,596</b>	<b>50,830,437</b>
<b>2. Payable out of permanent appropriations:</b>						
Treasury notes, series of 1891, unsealed.....	2,911,000	4,301,000	*1,390,000	*47.75	4,800,000	4,800,000
<b>Total, payable out of annual and permanent appropriations.....</b>	<b>55,516,961</b>	<b>49,012,351</b>	<b>6,504,610</b>	<b>11.7</b>	<b>62,122,596</b>	<b>61,630,437</b>
<b>3. Reimbursable by Post-Office Department:</b>						
Postage stamps.....		21,873,682	*21,873,682		+32,354,300	32,430,600
<b>Grand total of sheets.....</b>	<b>55,516,961</b>	<b>70,886,033</b>	<b>*15,369,072</b>	<b>*27.7</b>	<b>94,476,896</b>	<b>94,061,037</b>
<b>PRODUCTION AND COST OF SAME.</b>						
<b>4. Payable out of annual appropriations:</b>						
Number of sheets a above.....	52,605,961	44,711,351	7,894,610	15	57,322,596	50,830,437
Cost of same as shown by Bureau.....	\$1,181,772.90	\$1,127,946.12	\$53,826.78	4.55	\$1,196,750.00	\$1,131,450.00
Average cost per 1,000 sheets.....	\$22.46	\$25.23	*\$2.77	*12.33	\$20.88	\$19.90
<b>5. Payable out of permanent appropriations:</b>						
Number of sheets of Treasury notes of 1891, as above.....	2,911,000	4,301,000	*1,390,000	*47.75	4,800,000	4,800,000
Cost of same, as shown.....	\$134,039.90	\$198,043.87	*\$64,003.97	*47.75	\$250,000.00	\$250,000.00
Average cost per 1,000 sheets.....	\$46.05	\$46.05			\$52.08	\$52.08
<b>6. Payable out of annual and permanent appropriations:</b>						
Number of sheets, as above.....	55,516,961	49,012,351	6,504,610	11.7	62,122,596	61,630,437
Cost of same, as shown.....	\$1,315,812.80	\$1,325,989.99	*\$10,177.19	*.77	\$1,446,750.00	\$1,381,450.00
Average cost per 1,000 sheets.....	\$23.70	\$27.05	*\$3.35	*14.13	\$23.29	\$22.42
<b>7. Reimbursable by Post-Office Department:</b>						
Number of sheets of postage stamps, as above.....		21,873,682			+32,354,300	32,430,600
Cost of same, as shown by Bureau, viz:						
a. Amount reimbursed by Post-Office Department.....		\$107,699.78			\$163,612.16	\$164,585.29
b. Amount appropriated for rent of postage stamp agency.....		\$566.67			\$900.00	\$900.00
Average cost per 1,000 sheets.....		\$4.95			\$5.07	\$5.07
<b>8. Payable from all sources:</b>						
Grand total of sheets, as above.....	55,516,961	70,886,033	*15,369,072	*27.7	94,476,896	94,061,037
Total cost of same, as shown.....	\$1,315,812.80	\$1,434,256.44	*\$118,443.64	*9.00	\$1,610,962.16	\$1,546,635.29
Average cost per 1,000 sheets.....	\$23.70	\$20.23	\$3.47	14.64	\$17.16	\$16.44

\* Increase.

+ Estimate calls for 8,068,575 sheets of 400 stamps each, extended as above to 32,354,300 sheets of 100 each, the same as given for other years.

† Amount of Bureau estimates. Appropriation is \$1,157,450.

NOTE—The 44,711,351 sheets of work furnished in 1895 payable out of annual appropriations, if produced at a cost of \$22.46 per thousand sheets—the rate of cost exhibited for the work of 1894—would amount to \$1,004,216.94, or \$123,729.18 less than the actual cost of the same as shown above.

TABLE No. 3.

Statement showing expenditure and funds out of which payable for work done by the Bureau of Engraving and Printing of the Treasury Department for the fiscal years 1894 and 1895, with comparison of same, average cost per 1,000 sheets of work produced in each of said years, etc.

[Compiled from report of Chief of Bureau of Engraving and Printing.]

Funds out of which payable and items of expenditure.	Amount of expenditure.		Increase 1895 over 1894.		Average cost per 1,000 sheets.		Excess of cost per 1,000 sheets 1895 over 1894.
	Year ended June 30, 1894.	Year ended June 30, 1895.	Amount.	Per cent.	1894.	1895.	
<b>1. Payable out of annual appropriations:</b>							
A. Salaries.....	\$17,397.35	\$17,290.35	*\$107.00	*0.6	\$0.33	\$0.39	\$0.06
B. Compensation of employees.....	440,507.12	419,775.28	*20,731.84	*4.7	8.37	9.39	1.02
C. Plate printing.....	537,455.27	495,064.62	*42,390.65	*7.9	10.22	11.07	.85
D. Materials and miscellaneous expenses.....	186,413.16	195,845.87	9,432.71	5.1	3.54	4.38	.84
<b>Total.....</b>	<b>1,181,772.90</b>	<b>1,127,946.12</b>	<b>*53,826.78</b>	<b>*4.5</b>	<b>22.46</b>	<b>25.23</b>	<b>2.77</b>
<b>2. Payable out of permanent appropriations (Treasury notes of 1891):</b>							
A. Salaries.....							
B. Compensation of employees.....	53,851.88	95,669.58	41,817.70	77.6	18.50	22.24	3.74
C. Plate printing.....	47,101.18	53,905.70	6,804.52	14.4	16.18	12.54	*3.64
D. Materials and miscellaneous expenses.....	33,086.84	48,468.59	15,381.75	46.5	11.37	11.27	*.10
<b>Total.....</b>	<b>134,039.90</b>	<b>198,043.87</b>	<b>64,003.97</b>	<b>47.7</b>	<b>46.05</b>	<b>46.05</b>	
<b>3. Reimbursable by Post-Office Department (postage stamps):</b>							
A. Salaries.....							
B. Compensation of employees.....		29,167.84				1.33	
C. Plate printing.....		17,622.03				.81	
D. Materials and miscellaneous expenses.....		60,909.91				2.78	
E. Rent of postage-stamp agency (paid out of special appropriations).....		566.67				.03	
<b>Total.....</b>		<b>108,266.45</b>				<b>4.95</b>	
<b>4. Total payable from all of the above sources:</b>							
A. Salaries.....	17,397.35	17,290.35	*107.00	*.6	.31	.25	*.06
B. Compensation of employees.....	494,359.00	544,612.70	50,253.70	10.2	8.91	7.68	*1.23
C. Plate printing.....	584,556.45	566,562.35	*17,994.10	*3.1	10.53	7.99	*2.54
D. Materials.....	219,500.00	305,224.37	85,724.37	39	3.95	4.30	.35
E. Rent of postage-stamp agency.....		566.67	566.67		.07	.07	
<b>Total.....</b>	<b>1,315,812.80</b>	<b>1,434,256.44</b>	<b>118,443.64</b>	<b>9</b>	<b>23.70</b>	<b>20.23</b>	<b>*3.47</b>

\* Decrease.

PRODUCTION.		
Number of sheets of work payable out of annual appropriations, produced in 1894.	52,005,961	
Number of sheets of work payable out of annual appropriations, produced in 1895.	44,711,351	
Decrease for 1895.	7,894,610	or 15 per cent
Number of sheets of work payable out of permanent appropriations, produced in 1894.	2,911,000	
Number of sheets of work payable out of permanent appropriations, produced in 1895.	4,301,000	
Increase for 1895.	1,390,000	or 47.7 per cent
Number of sheets of work payable from all sources, produced in 1894.	55,516,961	
Number of sheets of work payable from all sources, produced in 1895.	70,886,033	
Increase for 1895.	15,369,072	or 27.7 per cent

TABLE No. 4.

United States internal-revenue stamps produced by the Bureau of Engraving and Printing for the years ended June 30, 1894 and 1895, compared.  
[Compiled from reports of Chief of Bureau of Engraving and Printing.]

Classification.	Year ended June 30, 1894.			Year ended June 30, 1895.			Number of stamps per sheet.	
	Number of volumes.	Number of sheets.	Number of stamps.	Number of volumes.	Number of sheets.	Number of stamps.	1894.	1895.
Tax-paid stamps for distilled spirits, series of 1873.	15,504	775,200	2,325,000	2,666	133,300	399,900	3	3
Tax-paid stamps for distilled spirits, series of 1894.				4,220	211,000	633,000		3
Tax-paid stamps for distilled spirits, series of 1873, imprinted.				2,100	105,000	315,000		3
Stamps for rectifiers, series of 1892.	18,730	423,500	1,694,000	13,194	355,500	1,422,000	4	4
Stamps for wholesale liquor dealers, series of 1878.	2,920	292,000	876,000	2,140	214,000	642,000	3	3
Tax-paid stamps for oleomargarine, series of 1890.	14,870	743,500	2,974,000	6,680	334,000	1,338,000	4	4
Warehouse stamps, series of 1878.	4,540	454,000	1,816,000	3,390	339,000	1,356,000	4	4
Warehouse stamps, series of 1890.	140	14,000	56,000	80	8,000	32,000	4	4
Warehouse stamps, series of 1894.				750	75,000	300,000		4
Brewers' permit stamps, series of 1878.	190	19,000	76,000	165	16,500	66,000	4	4
Export distilled-spirits stamps, series of 1878.	490	49,000	196,000	90	9,000	36,000	4	4
Export tobacco stamps, series of 1883.	230	23,000	92,000	240	24,000	96,000	4	4
Export cigar stamps, series of 1883.				20	2,000	8,000		4
Export oleomargarine stamps, series of 1886.	20	2,000	8,000	90	9,000	36,000	4	4
Export fermented-liquor stamps, series of 1891.	300	30,000	120,000	70	7,000	28,000	4	4
Stamps for fortified sweet wines, series of 1890.	30	3,000	12,000	60	6,000	24,000	4	4
Tobacco stamps, stub, series of 1891.	28,345	2,267,600	11,338,000	21,555	1,721,400	8,622,000	4	5
Snuff stamps, stub, series of 1891.	150	12,000	60,000	120	9,600	48,000	5	5
Special-tax stamps for liquors, series of 1895.				5,822	149,420	208,430		1+
Special-tax stamps for oleomargarine, series of 1895.				1,276	12,760	12,760		1
Beer stamps, series of 1878.		4,977,000	99,540,000		4,160,000	83,200,000	20	20
Tobacco stamps, strip, series of 1891, new issue.		12,855,000	404,625,000		12,618,000	461,245,000	36+	36+
Tobacco stamps, sheet, series of 1891.		55,000	660,000		80,000	960,000	12	12
Snuff stamps, small, series of 1891.		400,000	61,896,000		371,000	58,200,000	15+	15+
Snuff stamps, strip, series of 1891.		682,000	12,460,000		535,000	9,740,000	18+	18+
Snuff stamps, sheet, series of 1891.		57,000	684,000		46,000	552,000	12	12
Cigar stamps, strip, series of 1891.					52,000	520,000		10
Cigar stamps, strip, series of 1883.		8,797,000	88,485,000		5,950,000	58,115,000	9+	9+
Cigarette stamps, small, series of 1895, new issue.		3,252,300	258,664,000		3,779,600	302,760,000	80	80
Cigarette stamps, strip, series of 1883.		65,000	672,000		64,000	664,000	10+	10+
Stamps for playing cards.					134,350	26,870,000		300
Lock seals, series of 1875.		5,556	300,024		7,408	400,032	54	54+
Special-tax stamps for liquors, series of 1893.	155	3,800	6,300				1+	
Special-tax stamps for oleomargarine, series of 1893.	250	2,500	2,500				1	
Special-tax stamps for liquors, series of 1894.	4,680	149,310	263,210				1+	
Special-tax stamps for oleomargarine, series of 1894.	1,274	12,740	12,740				1	
Cigar stamps, strip, series of 1891.		46,000	460,000				1	
Cigarette stamps, small, series of 1883.		648,700	51,896,000				80	
Total.	90,818	87,097,706	1,060,270,374	64,728	31,545,838	1,016,550,112	28.58+	32.22+

EXTRACT FROM TESTIMONY OF MR. CLAUDE M. JOHNSON, CHIEF OF BUREAU OF ENGRAVING AND PRINTING, ON THE 18TH OF DECEMBER, 1894, BEFORE THE SUBCOMMITTEE ON THE SUNDRY CIVIL APPROPRIATION BILL FOR 1896. SEE PAGES 35 TO 42 OF PRINTED COPY OF "HEARINGS BEFORE SUBCOMMITTEE OF HOUSE COMMITTEE ON APPROPRIATIONS, CONSISTING OF MESSRS. SAYERS, O'NEIL OF MASSACHUSETTS, BROOKSHIRE, COGSWELL, AND CANNON OF ILLINOIS, IN CHARGE OF SUNDRY CIVIL APPROPRIATION BILL FOR 1896."

Mr. CANNON. Right at that point. How much is your estimate for postage stamps?

Mr. JOHNSON. The Post-Office Department has estimated they will require 8,083,575 sheets, which, according to our estimates, will cost \$159,708.50. That, of course, comes in the Post-Office appropriation. It is repaid to the Bureau by them on bills rendered for a certain number of postage stamps which are delivered.

Mr. CANNON. Have you a deficiency in that matter this year?

Mr. JOHNSON. No, sir.  
Mr. CANNON. Then, if any inquiries are to be made about that expenditure, they would have to be made upon this bill; that is, the Post-Office bill carries the item for printing for the postage stamps, and you are reimbursed from that appropriation, but as to the Treasury notes, that is a permanent appropriation by law.

The CHAIRMAN. Your next item is "for wages of plate printers." You ask for \$547,700 for this item. How is it that the estimate is so large this year as compared with previous years? Now, for 1895 you had an estimate for \$493,400. It is \$52,000 more this year than last year.

Mr. JOHNSON. Well, the same answer applies to that; that nearly 5,000,000 more sheets are to be printed. The same answer applies to each one of these items of appropriations. It is the increase of the number of sheets to be produced by the Bureau; each department of the service every year increases estimates and uses more. The Government is growing.

Mr. CANNON. What is this I notice in the public prints about reduction of the wages of plate printers?

Mr. JOHNSON. Well, sir, it is a fact that the rates have been reduced 10 per cent on the internal-revenue work only; not on bank-note, or faces, or miscellaneous work, but internal-revenue work only.

The CHAIRMAN. Why is this?

Mr. JOHNSON. Because it is a cheaper grade of work. The internal-revenue stamp is made up principally of lathe work and lettering and printed on green paper, and it does not require the same care which it does to print the bank notes, which are pictures and portraits, and printed on white paper,

and they have to be printed very carefully, and the men who were printing internal-revenue work were making more money than the men who were printing the faces on the bank notes under the rates which prevailed in the Bureau, and it looks to me like it was a gratuity of twenty-odd thousand dollars a year for the men doing the cheapest work, and I explained that to the Secretary, and it was reduced 10 per cent.

Mr. O'NEIL. What pay do they make at the reduced rates?

Mr. JOHNSON. They make on an average of from \$4 to \$5 a day under the new arrangement.

Mr. CANNON. I want to ask a question right there. You say between \$4 and \$5 would be their average wages. What is that for, a day of eight hours?

Mr. JOHNSON. Yes, sir.

Mr. CANNON. How does that pay compare with wages for similar employes in private establishments?

Mr. O'NEIL. Say the American Bank Note Company?  
Mr. JOHNSON. Well, the rates of the American Bank Note Company in some instances, possibly, are a little higher than in the Bureau of Printing and Engraving; but what they call jobs are small. For instance, they will have two or three kinds of securities a day to print, whereas the printers in the Bureau have continuous work on one class of work.

Mr. CANNON. Do they have thirty days' leave of absence under you?

Mr. JOHNSON. Yes, sir; and in a private establishment they do not.

Mr. CANNON. Do you take that into consideration?

Mr. JOHNSON. Yes, sir.

Mr. CANNON. You mean the wages here and the wages of a private establishment which gives thirty days' leave?

Mr. JOHNSON. No, sir; but I was going to say the printers of the Bureau make more money than the printers in private establishments in the country.

The CHAIRMAN. Without regard to the thirty days?

Mr. JOHNSON. That is counted in, as they get pay for the thirty days' leave of absence.

Mr. CANNON. What are the hours of work for private establishments?

Mr. JOHNSON. My impression is, it is ten hours.

Mr. CANNON. Do you mean a little more pay, hour for hour, or a little more pay for the printers in the Government office for eight hours than for the printer in the private office for ten hours? Do you reckon that by hours or by the year?

Mr. JOHNSON. By days. My information is that printers in the Bureau make a little more than in private establishments day by day.

Mr. CANNON. Notwithstanding they work two hours less?

Mr. JOHNSON. Yes, sir.

The CHAIRMAN. And have thirty days' leave of absence?

Mr. JOHNSON. Yes, sir.

Mr. O'NEIL. These are highly skilled men?

Mr. JOHNSON. Yes, sir; they are skilled men.

Mr. O'NEIL. You only select the best men you can get, and if they are not good you let them go?

Mr. JOHNSON. Yes, sir.

The CHAIRMAN. "For engravers', printers', and other materials, etc.," you ask \$200,000. That is about as much as you asked last year?

Mr. JOHNSON. Yes, sir. Well, we have a great many more sheets to print, nearly 5,000,000, as we say; but we have not asked for much more, because we are buying material for a good deal less than we bought it in the past.

Mr. BINGHAM. You have simply taken an exception to the fact that you are or are not the contractor; but as to this agent, his line of work is the verification of stamp delivery to the Post-Office Department, etc., and he represents the Post-Office Department?

Mr. JOHNSON. That is true.

The CHAIRMAN. I wish you would explain the method you have adopted in order to prevent them from being stolen or lost, and also the method which you have also adopted for distribution.

Mr. JOHNSON. Well, in the first place all paper that we receive for the purpose on which postage stamps are printed is delivered to us and we are charged with that by the Treasury. The division of loans and currency receives all the paper; therefore we have to account for every sheet. Then it goes into what is known as the "wetting division," and they are charged with this. They wet and distribute it among the printers, and it is returned at night to the examining division, and from the examining division it goes to the gumming division, and from that division to the perforating division, and finally, after being completed, to the finish vault. Now, each one of the various branches of the Bureau is charged with every sheet of paper, and they have to account for them or put up the money themselves for it; and even if it is a blank sheet and it is lost the money has to be put up for it.

Every impression that is made by a press is registered by automatic registering machines, and we have register clerks who watch every revolution of that press, so it is impossible for a revolution to be made and an impression to be taken from these plates without a full record of it. After being delivered to the finish vault, then they are counted out by the vault keeper to the packing branch, and they are packed under the inspection of the man who is supposed to be the representative of the Post-Office Department, and is the representative of that Department, and delivered to the city post-office. They never go into the Post-Office Department at all, and we have the complete handling of them.

The CHAIRMAN. Is this agent there the person who has supervision of the distribution of these stamps?

Mr. JOHNSON. No, sir; he has a clerk who stays over there, and he comes there once in awhile, but very seldom.

The CHAIRMAN. So the clerk does the work?

Mr. JOHNSON. Yes, sir.

#### Postage stamps, manufacture of:

The CHAIRMAN. General BINGHAM, you may now ask Mr. Johnson any questions you desire in regard to the manufacture of stamps.

Mr. BINGHAM. What was the price bid per 1,000 by the Bureau for those stamps?

Mr. JOHNSON. Five cents for the ordinary stamps.

Mr. BINGHAM. That is, for the great body of stamps, 5 cents per 1,000. Now, what was bid by the Bureau in 1885?

Mr. JOHNSON. Really, I can not say.

Mr. BINGHAM. Was it not 7½ cents per 1,000?

Mr. JOHNSON. I can not say, as I can not recollect now.

Mr. BINGHAM. Was not that estimate made by Mr. Sullivan?

Mr. SULLIVAN. No, sir; that was not made by me; it was made by the accountants.

Mr. BINGHAM. The bid of the Bureau in 1893 was 5 cents per 1,000 and in 1885 it was 7½ cents per 1,000, and I am simply asking if you made that bid, Mr. Sullivan.

Mr. SULLIVAN. No, sir.

Mr. BINGHAM. My purpose in making that inquiry was to ask you why that difference between 1885 and 1893—a difference of 2½ cents per 1,000; but that you do not know?

Mr. SULLIVAN. I did not make the estimate.

Mr. BINGHAM. What is the cost of manufacturing and issuing stamps per 1,000, as shown by your work, actually, up to date?

Mr. JOHNSON. Well, sir, it is less than our estimate.

Mr. BINGHAM. Can you give a detailed statement of how you make up that cost in your estimate?

Mr. JOHNSON. No, sir; we could not do it now, but I could furnish it.

Mr. BINGHAM. You can furnish it. Mr. Chairman, can Mr. Johnson furnish that statement?

The CHAIRMAN. Certainly. Mr. Johnson, will you furnish that statement?

Mr. BINGHAM. Is an account kept of the cost of postage stamps in your department apart from the other work?

Mr. JOHNSON. Yes, sir.

Mr. BINGHAM. Has there been a recent reduction of wages of employees in the department with reference to that kind of work?

Mr. JOHNSON. No, sir.

Mr. BINGHAM. What has been the general quality of the work you have done?

Mr. JOHNSON. You mean what we have done or what we are doing?

Mr. BINGHAM. I mean of what you have done since taking the contract.

Mr. JOHNSON. The first shipments of stamps were not satisfactory. The haste in making them was too great, and we went too fast at first; but the Post-Office Department insisted upon so many being produced each day, and the Bureau was not fully equipped at that time to do that many. We did not think it was necessary, but they insisted upon it, and there were a great many stamps which went out which were not properly gummed. They thinned the gum and ran them through the machines too fast, and it sunk into the paper and did not stay on the surface.

Mr. BINGHAM. In other words, there was a defect in the gumming. Was there any defect in the engraving or printing?

Mr. JOHNSON. No, sir.

Mr. BINGHAM. Was it not criticised?

Mr. JOHNSON. Yes, sir; the color was somewhat weak at first, but the stamps are now absolutely satisfactory in every respect.

Mr. BINGHAM. Well, what about the perforating? Have there been any complaints heretofore?

Mr. JOHNSON. No, sir.

Mr. BINGHAM. Just give us your explanation covering what is called a stamp, the engraving, printing, gumming, perforating, etc. You know better than I do what a stamp means.

Mr. JOHNSON. The stamps now being produced are absolutely satisfactory in every particular as to the printing, gumming, and perforating. The

stamps previously, as I stated before, issued in the first shipments were not satisfactory.

Mr. BINGHAM. You have submitted in your statement to the committee as to the careful preservation and records kept of each sheet of paper furnished. What number of stamps have been spoiled in the course of manufacture and destroyed up to December 1, and what proportion was this of the total number originally printed? That, of course, you can not give from memory, but you can give it in the statement.

Mr. JOHNSON. Yes, sir.

Mr. BINGHAM. Because each sheet will be a sheet of record, and that will show whether the work is good or poor.

The CHAIRMAN. Right here, now, I want you to append to that statement a note of explanation whenever it becomes necessary to explain anything, as we have no technical knowledge of this subject.

Mr. CANNON. That is, you want all the facts?

Mr. JOHNSON. I will give you all the facts.

Mr. BINGHAM. In the same connection you can give me the number of stamps manufactured by the Bureau furnished to postmasters upon requisitions of the Post-Office Department up to December last. That is matter, of course, of record?

Mr. JOHNSON. Certainly.

Mr. O'NEIL. When you give this information just asked for by General BINGHAM about the return of unfit stamps, I wish you would also give the dates. In other words, you admit in the beginning of the manufacture of these stamps they were faulty, but you claim that to-day they are all right; so we want the date of these returns so as to bear out that statement.

Mr. CANNON. Now, I want a little information about another matter, and when you go to answer those questions put this down. Does your estimate of the cost of stamps include the plant? I mean by plant the house, heating, lighting, presses, and everything that is necessary to make stamps.

Mr. JOHNSON. It includes presses and all machinery that has been bought. We will pay for the plant, what we call the plant, out of the appropriation for this year which we will receive from the Post-Office Department. Of course next year we will not have any plant to buy. We do not include house and light and heat, because those expenses are permanent and on the Government before.

Mr. CANNON. And they are not increased?

Mr. JOHNSON. Well, yes; to some extent, but not to any material extent.

The CHAIRMAN. How many employees are there engaged in printing these stamps?

Mr. JOHNSON. Less than 100; possibly 90 or 95.

The CHAIRMAN. Are they not paid out of the Post-Office appropriation?

Mr. JOHNSON. They are paid out of our appropriation, of course, but we get reimbursed from the Post-Office Department.

Mr. CANNON. One further question. The expense of the presses of which you spoke, is that an independent expense—I mean independent of the 5 cents a thousand?

Mr. JOHNSON. No, sir; it is included in our estimate.

Mr. CANNON. Your estimate was 5 cents a thousand for the production of stamps. Now, does that 5 cents a thousand include the cost of presses?

Mr. JOHNSON. It does.

Mr. CANNON. So that the first year you will print at 5 cents a thousand, and out of that 5 cents a thousand you buy the plant?

Mr. JOHNSON. Yes, sir.

Mr. CANNON. Without any increased cost?

Mr. JOHNSON. Yes, sir.

The CHAIRMAN. I would like to ask you another question. Will that 5 cents a thousand also compensate you for whatever losses may be incurred in the way of paper by imperfect manufacture, etc.?

Mr. JOHNSON. It will. We expect to come out even on the postage stamps this year.

The CHAIRMAN. Will the expenses be reduced the next year?

Mr. JOHNSON. Yes, sir; \$50,000.

The CHAIRMAN. And they will be \$50,000 under those of the present year?

Mr. JOHNSON. I do not want to make too extreme a statement.

The CHAIRMAN. How much will they be under the expenses of the present year?

Mr. JOHNSON. Our plant will cost nearly \$50,000, and we will pay for it this year. That will be our profit this year substantially, and next year we do not have to pay for a plant.

The CHAIRMAN. Then it will be \$50,000 under the present year?

Mr. JOHNSON. Yes, sir; fully \$50,000. The printing of stamps at the Bureau of Engraving and Printing will save this Government at least \$50,000 a year. I do not hesitate to state that.

Mr. BINGHAM. In one year or four years?

Mr. JOHNSON. In one year.

Mr. BINGHAM. Have you any figures there which indicate the amount of stock transferred for issue of stamps from the old contractor on the 1st of July last; how many millions?

Mr. JOHNSON. My impression is it was about 600,000,000.

Mr. BINGHAM. That was enough to run you for two months or three months?

Mr. JOHNSON. Four months; well, three at any rate.

Mr. BINGHAM. Therefore you had three months after the commencement of your contract to get ready for the contract?

Mr. JOHNSON. Yes.

Mr. BINGHAM. I merely wish to show that they had ample time to do the work, because they had an amount of stock on hand for three months.

Mr. JOHNSON. Let me say right here we did not have ample time. When we made the estimate for the printing of the postage stamps in October, the Post-Office Department did not accept it until the last of February, nearly the 1st of March, leaving us only four months to the 1st of July, when our work began, instead of seven, as we anticipated; when we had calculated, we had that seven and the three in addition, on account of turning over this stock from the American Bank Note Company. It was quite an undertaking to prepare. We had to make new machinery. We had to make new presses, new gumming machines, and new perforators. We had to invent our gumming machine. There were none for sale in this country—no manufactory established in this country, that I could find, that could furnish those gumming machines.

Mr. BINGHAM. Right in that connection I want to ask, did not you make your estimates after the proposals had been duly advertised and bids opened by the Post-Office Department? Did not you submit your estimate to the Post-Office Department after all the other bidders had submitted their bids, and therefore you were at no disadvantage?

Mr. JOHNSON. Yes, sir.

Mr. BINGHAM. Your estimate came in after all the bids had been opened and after all the other contractors had submitted their bids?

Mr. JOHNSON. We did not bid.

Mr. BINGHAM. Well, you estimated, then?

Mr. JOHNSON. We made an estimate and submitted it to the Department for their consideration, that we could do this work at a certain figure, and that we have done.

Mr. BINGHAM. What number of stamps were there in the stock of Bureau manufacture on the 1st of December fit for issue, and what were the number of finished stamps in the vaults or in stock on the 1st of December which were regarded as unfit for issue? I wish to ascertain your failures in connection with your work. State also what safeguards are used to prevent thefts by employees while the stamps are in course of manufacture or in stock. Also, give the system of checks and balances in detail, and that is for the reason there has been a defalcation in the Bureau. There are a great many other questions I will submit to you without bringing them in to consume time. What is your daily supply to the Post-Office Department?

Mr. JOHNSON. The daily consumption is about 8,000,000.

Mr. BINGHAM. Does that run the Department?

Mr. JOHNSON. Yes, sir.

Mr. BINGHAM. How do you employ your subordinate force in connection with this Post-Office work?

Mr. JOHNSON. They are employed as all the other employees.

Mr. BINGHAM. How are they paid?

Mr. JOHNSON. As all the other employees.

Mr. BINGHAM. On the same roll; in the same way?

Mr. JOHNSON. Yes, sir.

Mr. BINGHAM. Do you keep a distinct roll for this work?

Mr. JOHNSON. No; not a distinct roll.

Mr. BINGHAM. How do you make up the estimate of cost, then?

Mr. JOHNSON. We know exactly the employees who are engaged on this particular work.

The CHAIRMAN. Let me ask a question right there. Do we make an appropriation upon this bill for these employees who manufacture postage stamps?

Mr. JOHNSON. Yes; but the reimbursement comes from the Post-Office Department.

The CHAIRMAN. Then, why is it necessary to make an appropriation upon this bill, if you get it from the Post-Office Department?

Mr. JOHNSON. Oh, no; you misunderstand me. You do not appropriate for that at all, except we pay, you understand, right along, and we get reimbursed from the Post-Office Department from time to time as we render bills for so many stamps.

The CHAIRMAN. Then I understand you to say in these estimates, while they have been increased over those for the present fiscal year, they do not result from the fact that you are engaged in the manufacture of postage stamps?

Mr. JOHNSON. None in the least. They have no bearing whatever on the manufacture of postage stamps.

Mr. BINGHAM. Right in that connection, Mr. Chairman, I would like to ask what disposition is made of the money appropriated for the Post-Office Department for procuring the stamps?

Mr. JOHNSON. It is paid the Bureau of Printing and Engraving just as it was paid to the American Bank Note Company—on its bills.

Mr. BINGHAM. The \$160,000 that will be appropriated in the bill for the next fiscal year for the Post-Office Department for the manufacture of adhesive postage stamps is paid to your Bureau?

Mr. JOHNSON. Yes, sir.

Mr. BINGHAM. To whom in your Bureau?

Mr. JOHNSON. It is deposited to the credit of the appropriations for the Bureau.

Extract from testimony of Mr. Claude M. Johnson, Chief of the Bureau of Engraving and Printing, on February 11, 1895, before the subcommittee of the House Committee on Appropriations, in charge of deficiency appropriations for 1895 and prior years. (See pages 72 to 74 of printed copy of "Hearings before subcommittee of House Committee on Appropriations," consisting of Messrs. Breckinridge of Kentucky, SAYERS, LIVINGSTON, CANNON of Illinois, and HENDERSON of Iowa, in charge of deficiency appropriations for 1895 and prior years.)

The CHAIRMAN. Your Bureau asks for \$41,800 for salaries of clerks and employees other than plate printers and plate printers' assistants, \$26,400 for wages of plate printers, and \$15,200 for various materials for engraving and printing other than distinctive paper. Will you please give us briefly your reasons for there being a deficiency, and an explanation of why these amounts are necessary for your Bureau?

Mr. JOHNSON. The reason for there being a deficiency is the fact that the committee cut down the appropriation that much below the estimates submitted for the cost of the work for this year, and those estimates were made carefully and down to the closest figure at which they could be made. The cost of the work is just what the estimates are.

The CHAIRMAN. Are the wages of plate printers for which you ask fixed by law?

Mr. JOHNSON. They are fixed by the Secretary.

The CHAIRMAN. As these are the two items for which you ask a deficiency, I will ask you if it was not within the power of the Secretary or yourself, by reducing salaries, to come within the sum fixed by legislative enactment?

Mr. JOHNSON. It was probably technically within the power of the Secretary to do it, but whether it could have been done successfully is the question. The rates for plate printing are fixed, I might say, by agreement with the plate printers.

Mr. HENDERSON. Between them and the Secretary?

Mr. JOHNSON. Not exactly an agreement; but in case of a reduction in the rates the plate printers would be liable to strike and cause an interruption of the operation of the Bureau.

The CHAIRMAN. Were not the wages of the plate printers recently reduced?

Mr. JOHNSON. Yes, sir.

The CHAIRMAN. How much?

Mr. JOHNSON. Ten per cent on a certain class of work.

The CHAIRMAN. What was the aggregate saving by that reduction?

Mr. JOHNSON. My recollection is that it was \$23,000. The saving for this year would be about half of that, or \$11,000.

The CHAIRMAN. Was that \$11,000 taken into account when you made your estimate for this year?

Mr. JOHNSON. No, sir.

The CHAIRMAN. Has that been taken into account in making these estimates for this deficiency?

Mr. JOHNSON. Yes, sir; we must get this amount to come out even. We have been endeavoring to economize on our estimates to keep down the deficiency.

Mr. HENDERSON. Then your estimates were too low?

Mr. JOHNSON. I think they were a little bit too low.

The CHAIRMAN. If you can save that, and if you did not take into account the \$11,000, your estimates must have been at least \$11,000 too low.

Mr. JOHNSON. In making these estimates I anticipated a saving. I saw various places where I could save.

The CHAIRMAN. In the second item you asked this year for \$495,400, and we gave you \$469,000, which was the amount you spent last year minus \$17,000 deficiency; and this year you ask \$26,400 deficiency, which is \$9,000 more than you spent last year. Why do you estimate for this increase?

Mr. JOHNSON. This year we are printing bonds, as you know, and that is very expensive printing. Then the work on postage stamps has added to

that. We have had to increase expenses in plate printing on account of making the postage stamps. It is taking it off one and putting it on another item.

Mr. CANNON. The matter of postage stamps is reimbursable.

Mr. JOHNSON. We have to pay the money out. I think you will see that we ask for less money this year than we did last.

The CHAIRMAN. Not on this item. Will you send a statement so that we can get it to-morrow, explaining this matter?

Mr. JOHNSON. I will do so.

The CHAIRMAN. The next item is for rental of office by the agent of the Post-Office Department. What office is that?

Mr. JOHNSON. The Post-Office Department has an agent and we have rented an office for that officer in the new building on F street, the Insurance Building. There is no suitable place in the Bureau for him.

Mr. SAYERS. What does that agent do, now that your Bureau has undertaken the printing of postage stamps?

Mr. JOHNSON. I do not see that he has anything to do, if you ask me the direct question.

Mr. SAYERS. Why does your Department have to rent a room for him?

Mr. JOHNSON. That is a part of the agreement between the Treasury and the Post-Office Department, that we should provide office room for the agent of the Post-Office Department.

The CHAIRMAN. This agency was established when the printing of stamps was done by private contract, and then the Government was compelled to have some one to represent it in receiving and distributing these stamps; but now that the printing of stamps is done by the Bureau of Engraving and Printing, is it your judgment that there is any necessity whatever for this expenditure?

Mr. CANNON. I should think that it would be entirely proper that these stamps, which are to be distributed through the country, ought to be looked after by the Post-Office Department. That Department ought to attend to it and know where they go, or otherwise the Department should do the distributing; that is to say, the Post-Office Department takes the stamps and becomes responsible for them in their distribution to the 65,000 post-offices.

Mr. JOHNSON. No; the Post-Office Department never sees the stamps.

TREASURY DEPARTMENT,  
Bureau of Engraving and Printing, February 11, 1895.

SIR: In answer to your interrogatory as to why the appropriation for the plate printing for the fiscal year 1895, including the deficiency asked, should exceed the appropriation for the year 1894 by something over \$9,000, I beg to say that such is not the case, which will be shown by the following table:

For fiscal year 1894:			
Act of March 1, 1893.....	\$469,000.00		
Act of April 21, 1894.....	72,665.92		
			\$541,665.92
For fiscal year 1895:			
Act of August 18, 1894.....	469,000.00		
Deficiency asked.....	26,400.00		
			495,400.00
Decrease in amount for 1895.....		46,265.92	

The appropriations for compensation of employees for the year 1894 were \$440,549.47. The deficiency asked will make this appropriation for 1895 \$419,800, showing a decrease in 1895 under the amount appropriated for 1894 of \$20,749.47. The appropriations for materials and miscellaneous expenses are substantially the same for the two years. Notwithstanding the reductions which are thus shown, the number of impressions estimated to be produced in 1895 is substantially the same as was produced in 1894.

Very respectfully,

CLAUDE M. JOHNSON,  
Chief of Bureau.

HON. W. C. P. BRECKINRIDGE,  
Chairman Subcommittee on Appropriations,  
House of Representatives, United States.

Supplemental hearings before subcommittee of House Committee on Appropriations, consisting of Messrs. Sayers, O'Neil of Massachusetts, Brookshire, Coyswell, and Cannon of Illinois, in charge of sundry civil appropriation bill for 1895, concerning printing of postage stamps.

TREASURY DEPARTMENT,  
Bureau of Engraving and Printing, January 11, 1895.

SIR: I have the honor to acknowledge the receipt of your letter of the 21st ultimo, inclosing interrogatories suggested by Hon. H. H. BINGHAM, of Pennsylvania, a member of the Committee on Appropriations, relative to the manufacture of adhesive postage stamps by this Bureau, and to submit answers thereto.

I desire to say, in connection with said answers, and in accordance with your instruction to submit any additional information pertaining to this subject, that this Bureau submitted estimates to the Post-Office Department November 20, 1893, of the cost of printing adhesive postage stamps for the sole purpose of saving the Government unnecessary expenditure of money and of giving to the manufacture of about \$50,000,000 worth of these stamps the additional security of the system of checks employed in the handling of the bank notes, bonds, and other securities of the country without additional cost.

These estimates were accepted and notice of the acceptance was given this Bureau about March 1, 1894, thus allowing but four months for preparation for this work, whereas the Bureau had expected at least seven months. The machines used in the manufacture of postage stamps in this Bureau are entirely new, of new pattern, and in several instances were invented by employees of the Bureau. The work of manufacturing the stamps was begun July 1, 1894, with, as before stated, an entire new outfit of machinery and without a single operative skilled in this particular work on the rolls of the Bureau. Therefore it devolved upon this office to educate a great number of people in this work and at the same time accomplish the manufacture of postage stamps in immense quantities to the satisfaction of the Post-Office Department and of the people. It would therefore be unreasonable to expect that during the first six months of this great undertaking the same good results should be attained as would be shown at the end of the fiscal year in the annual report on the operations of the Bureau. In fact, it seems very unfair that under these conditions the Bureau should be required to make a statement upon which judgment of any kind is to be passed so soon after undertaking this work.

The advantage that would be gained in a statement of the cost of this work at a later period of the year is shown by the fact that from July 1 to November 30, 1894, the spoilage in printing, etc., was 21 1/2 per cent, while during the month of December alone it was but 14.8 per cent. I anticipate that the spoilage in the next few months will be reduced to about 5 per cent, which will make considerable difference in the general cost of the work. There is no doubt that the more familiar the operatives become with the machinery and the more experience they have in the processes, the less will be the amount

of spoiled work and the fewer the number of people required to do the work, which must result in a reduction of cost. The estimate submitted by this Bureau of the cost of printing the 1 and 2 cent ordinary postage stamps, which represent about 90 per cent of the whole amount of these stamps required, was 5 cents per 1,000 stamps, or \$20 per 1,000 sheets. From a careful summary of the cost of producing these stamps to-day in this Bureau I find the total cost per 1,000 sheets to be \$18.0178.

With certain contemplated improvements to the Bureau's machinery, some of which are now in course of construction, I can safely predict that the present cost will be reduced to a considerable extent, and while the experience of the past six months will show that this Bureau has spent more than the amount estimated for that period, I am gratified to say that said experience justifies the estimates made, and that the future will produce the full amount of saving promised when the estimates were submitted. It should be remembered that the difficulties have been so great at the commencement of this work that it has not been a question of cost so much as a question of supplying, from day to day, the stamps necessary for the business of the country, and that a great deal of the work has been done in over hours and at night, which is less productive of good results for the same proportion of expenditure than work done in the ordinary business hours. This condition, now that our operatives are trained to the work, will not exist longer than the present month, and after that time I am confident that the cost of this work will be reduced even below that of the present time.

The answers to the interrogatories submitted by General BINGHAM are as follows:

(1) The estimates submitted in 1885 by this Bureau for the manufacture of postage stamps was \$0.0775 per 1,000 stamps. The estimate submitted in 1893 was as follows: Ordinary stamps, \$0.05 per 1,000; postage due stamps, \$0.0605 per 1,000; special delivery stamps, \$0.114 per 1,000. The estimate of 1893 was submitted after the bids received by the Postmaster-General were opened.

(2) The estimate submitted in 1885 included a pro rata of the cost of superintendence and other items that would not be increased by the addition of the postage stamps to the work of the Bureau, while the estimate of 1893 covered only the cost of the additional labor and material required to execute the stamps.

(3) The cost of the additional labor and material required for manufacturing and issuing the stamps, as shown by the work actually done to December 31, 1894, is:

Wetting	\$1,070.62
Plate printing	35,318.24
Examining	4,404.82
Gumming and perforating	22,865.94
Packing and issuing	4,860.20
Running machinery	2,877.18
Miscellaneous expenses	1,213.72
<b>Total</b>	<b>72,610.72</b>

No account is kept of the cost of the postage stamps apart from that of other work, but the additional expense on account of their manufacture can be ascertained from the accounts as kept.

(4) The general quality of the work done has been good, and there have been no special defects in the printing, perforating, or general workmanship. A few of the 2-cent stamps first issued were light in color, but this defect was at once remedied. The officials of the Post-Office Department made complaint as to the gumming of the stamps first sent to postmasters, and investigation showed that the gum applied was too thin and was absorbed by the paper to such an extent that sufficient deposit of it was not left on the surface of the stamps to adhere properly when applied to mailing matter. This condition of affairs was the result, in my opinion, of undue haste in the gumming of the stamps, caused by apprehension on the part of the postage-stamp agent of the Post-Office Department that the stock of stamps transferred from New York would be exhausted before those prepared by this Bureau would be ready for delivery.

Although I assured the Post-Office Department that the Bureau would be able to supply all demands for postage stamps, an order was issued that this Bureau should finish 10,000,000 stamps a day, which was a greater amount than the capacity of the Bureau at that time warranted. To accomplish this the operatives employed in gumming the stamps thinned the gum, with the result above indicated. The assignment to this work of inexperienced examiners who were entirely unfamiliar with the requirements and passed the thinly gummed sheets was another result of the undue haste referred to. The defect was not discovered until the stamps were issued to the postmasters and used to a certain extent by the people, but when brought to the attention of the Bureau was at once corrected. Since the 25th of October the stamps have been gummed to the satisfaction of the Post-Office Department, and there is now no complaint as to any of the work on the stamps, except some imperfect perforation of the stamps, caused by the dies of the perforating machines being too much worn, and as the urgency of this work has required the operation of these machines day and night, there has not, until recently, been any opportunity to make the necessary repairs. The machines are now being furnished with new dies and no cause for complaint on this ground will any longer exist.

(5) The number of stamps spoiled in the course of manufacture up to December 31 was 291,821,700, and this is 19.6 per cent of the total number originally printed.

(6) The number of stamps of Bureau manufacture furnished to postmasters upon requisition of the Post-Office Department up to December 31 was 683,830,666. Of these 30,238,183 stamps were returned by the Post-Office Department upon complaint of postmasters as to their unfitness for use. The unfitness was due to the gumming only.

(7) The number of stamps of Bureau manufacture in the vault on December 31 was 395,466,589. Of this amount, 293,727,909 stamps were of the stock gummed prior to October 25 and were not being issued on requisitions, but it is believed that a very considerable portion of them are fit for issue, and it is the intention to have them examined and assorted when opportunity permits.

(8) The system of checks and balances in operation in this Bureau to prevent the abstraction of sheets by employees is the same that has been in operation here with regard to all the securities of the United States. The paper is required to be carefully counted and put up in packages of 1,000 sheets each at the mill where manufactured; is then shipped in cases to the Office of the Secretary of the Treasury; is then counted in that office and held for issue to this Bureau upon proper orders and requisitions. On the proper order being issued by the Post-Office Department, the amount of paper authorized is placed to the credit of this Bureau for each denomination, and, as it is needed, requisitions are made daily, specifying the number of sheets, the size, and the denomination for which intended. It is charged to this Bureau on the basis of the number of stamps of the denomination called for which can be printed upon the sheet specified, and this Bureau is liable for the face value of each of these blank sheets delivered to it.

On receipt of the paper by this Bureau it is carefully counted, prepared for printing, and held subject to the requisition of the printing division. Each day a specified quantity of paper is delivered to the printing division for each printer employed on the stamps. It is counted by the printing

division and issued to the printer. On each press there is a mechanical device known as a register for recording every impression which is made by the press. Every impression so recorded is charged to the printer, and at the close of the day the number of impressions recorded by the register, the number of blank sheets delivered, and the number of printed sheets returned by the printer are compared, and, if they tally, he is relieved from further responsibility.

As each 200 impressions are printed they are taken from the press and sent to the examining division, where they are counted and entered to the credit of the printer on his pass book and on the entry book of that division. They are then spread on racks to dry. When dry they are counted and examined, and the perfect impressions are put up in packages of 100 sheets each, and these packages are combined into larger packages of 1,000 sheets each. The imperfect impressions are put up into packages in the same manner, and, after being canceled, are delivered to the division of loans and currency, office of the Secretary of the Treasury, and final receipt taken therefor.

The perfect impressions are pressed and again counted. They are then sent to the gumming room, gummed, straightened, pressed, and counted, and the day's work balanced. They are then examined, and those fit for perforation are put up in packages of 1,000 sheets each and sent to the perforating room. The imperfect sheets are canceled and sent to the Treasury Department, as above indicated. Those sent to the perforating room are perforated, separated into sheets containing 100 stamps each, and are taken from the machines directly to the counters, who count them. The perfect sheets are made up into packages of 500 sheets, or 50,000 stamps each, each hundred sheets being separated by a printed marker. Each of these packages is counted by two counters, each of whom acts as a check upon the other.

The perfect sheets are tied up between boards in bundles of four packages each and are delivered to the finished vault. The imperfect sheets are canceled and delivered to the division of loans and currency, as above indicated. Each day a requisition is received from the Post-Office Department and the stamps necessary to fill it are counted out of the stock in the finished vault and are sent to the packing room. In this room the counters lay out the stamps necessary to supply each postmaster named in the requisition. The odd sheets in these separate orders are counted by the Bureau counters and verified by a counter representing the Post-Office Department. The stamps for each of these separate orders are placed in envelopes where the order is for 5,000 stamps or less, and when over 5,000 stamps, are put up in packages inclosed in strong manila wrappers. The envelopes are gummed and closed with a paper seal. The packages are closed with sealing wax and a paper seal is placed on each end. These envelopes and packages are then sent to the Washington City post-office and registered.

During the entire progress of this work, from the blank paper to the finished stamp, there is constant supervision and watchfulness to prevent inaccuracies, serious errors, or loss from theft. It is, however, impossible to guard against the dishonesty of a trusted employee at certain points.

(9) Some time after this Bureau had commenced to issue the stamps transferred to it from the former contractor claims were made by postmasters of shortages in the shipments of stamps made to them. At first it was supposed that these shortages were the result of errors, and efforts were made to trace the errors and rectify them.

On October 8, 1894, the most serious case was reported—that of the postmaster at Ionia, Mich.—who claimed to be 50,000 2-cent stamps short, the value of which was \$1,000. Upon an examination of the original package returned by the postmaster, it became evident that his claim was correct, as the wrapper would not hold the full amount of 100,000 stamps which should have been sent to him. It was even then thought this was the result of a misshipment, and that some postmaster who should have received 50,000 stamps had, by an error in packing, received 100,000 stamps. In accordance with this theory the Third Assistant Postmaster-General sent out tracers to all postmasters who had been supplied on the same order with the postmaster at Ionia, Mich. These tracers had hardly been sent when information was received which led to the suspicion that an employee of this Bureau, William B. Smith, was abstracting stamps.

The circumstances, as they came to the knowledge of the officers of this Bureau, were immediately submitted the Secretary of the Treasury, with a request that the Secret Service Division of that Department be authorized to make full investigation. The case was placed in the hands of that division, and within a few hours facts were developed which warranted the arrest of Smith. It was found that he had offered for sale postage stamps at a very large discount, and that some of the stamps so offered were of the Bureau manufacture, which had not been issued to postmasters or placed on sale, and which therefore could not have come into his hands except by theft. Smith was at once arrested.

William B. Smith, the principal, was appointed a laborer and assigned to duty in this Bureau June 20, 1894. He was at first assigned to packing stamps in the packing room, and subsequently was transferred as a helper in the vault. It was his duty to put in their proper places the stamps delivered to the finished vault and to take out for delivery the stamps required to fill the daily requisition from the Post-Office Department. It was also his duty to keep a memorandum account of the stamps that were deposited in and taken from the finished vault. His compensation was at the rate of \$470 a year for eight hours a day, with an allowance for such extra time as he actually made. His compensation averaged, during the time that he was employed in the Bureau, \$40.43 a month. He was recommended by Hon. John T. Dunn, of New Jersey; Hon. JOHN W. DANIEL, of Virginia, and Mr. L. Cabell Williamson. His statement when he reported for duty was that he accepted the small place only as a temporary matter and until such time as he should be given a better one.

(10) The number of stamps stolen is as follows:

Bank-note manufacture	52,100
Bureau manufacture	40,000

The stamps were missed from this Bureau before their loss was discovered by outside detectives, but no circumstance had transpired to throw suspicion upon any employee of this Bureau or to lead to the belief that stamps were being stolen until the information was received as above stated. The detective who first discovered that stamps were being offered for sale failed to communicate the fact to the officers of this Bureau, and thus some time was lost. It is difficult to determine the precise dates when the thefts occurred.

(1) The stamps could not have been missed sooner by this Bureau under any system of checks and balances that could be devised. These thefts were the result of dishonesty on the part of an employee who was supposed to be fully trustworthy, and who was therefore in a position to purloin the stamps, as he did, from packages which had been finally prepared ready for shipment to postmasters. The thieves were sent to jail pending action of the grand jury.

(2) The money appropriated to the Post-Office Department for the manufacture of adhesive postage stamps is used by that Department to pay the bills of this Bureau for the number of stamps completed and delivered by it, and the amounts of these bills are carried by warrant to the credit of the appropriations for this Bureau, and thus become available by it to pay the expenses of manufacturing and furnishing the stamps. This is done in accordance with the uniform practice of the Treasury Department for years. The internal-revenue stamps were formerly furnished by this Bureau under

this system, and the Treasury notes of 1890 are now being furnished by it in the same way.

(13) The total floor space in use in the building of this Bureau for the manufacture, storage, and issue of the postage stamps is, as far as it can be separated from the other work, 9,537 square feet. This, however, includes the gumming room and the examining and straightening rooms connected with that process, in which about one-fifth of the work performed is internal-revenue stamps. This work is not all done in one room, not on the same floor, but in the different rooms of the building devoted to the processes involved in the work of the Bureau. The manufacture of postage stamps is, in fact, treated as a part of the regular work of the Bureau, and is performed in the same manner and in the same rooms as the internal-revenue stamps, United States notes and certificates, drafts, warrants, and other work for the different Departments of the Government.

(14) The estimate for outbuilding submitted last year was omitted from the estimates for this year by an oversight, and the attention of the Department was called to the matter prior to the submission of these interrogatories.

(15) The agreement between the Secretary of the Treasury and the Postmaster-General under which the work of preparing and delivering the postage stamps is now being done requires that the stamps shall be manufactured and issued under the supervision of an agent of the Post-Office Department, and that he shall be furnished suitable rooms for himself and his assistants. In accordance with this agreement, rooms were furnished the agent of the Post-Office Department in this Bureau, but, being located so near the space in which the stamps were being packed for shipment, they were not deemed suitable by the agent, and, at his request and with the approval of the Secretary of the Treasury and the Postmaster-General, rooms were procured for him in the National Union Building, on F street, near Ninth street, this city. The rental of these rooms was authorized by Congress for a period of four months, and an appropriation was made for the expense thus incurred. These rooms were selected by the postage-stamp agent, with the approval of the Postmaster-General, which is sufficient to indicate that they are properly located for the purpose intended.

As an evidence of the fact that the work of manufacturing the stamps is progressing to the satisfaction of the Post-Office Department, I have the honor to submit herewith a copy of a letter received from the Third Assistant Postmaster-General.

Very respectfully,

CLAUDE M. JOHNSON,  
Chief of Bureau.

HON. JOSEPH D. SAYERS,  
Chairman Committee on Appropriations,  
House of Representatives United States.

POST-OFFICE DEPARTMENT,  
OFFICE OF THIRD ASSISTANT POSTMASTER-GENERAL,  
Washington, D. C., January 9, 1895.

DEAR SIR: After a careful inspection of the manufacture of postage stamps at the Bureau of Engraving and Printing, I am convinced that there is no longer any doubt of the ability of the Bureau to furnish stamps in sufficient quantities to meet the demands of the Post-Office Department. I think, however, a reserve of several hundred millions should be accumulated as soon as possible, to provide against any contingency.

It affords me pleasure to state that much progress and improvement have been made in the manufacture of stamps. The printing, gumming, and coloring show a decided improvement. The perforation is still objectionable. The perforated line not infrequently runs into the engraved surface, and when torn apart presents a ragged edge. This defect should be remedied. I feel confident that in a short time you will be able to produce a finished stamp which will be beyond criticism.

Yours, very respectfully,

KERR CRAIGE,  
Third Assistant Postmaster-General.

Mr. CLAUDE M. JOHNSON,  
Chief of Bureau of Engraving and Printing, Washington, D. C.

I.

Copy of blank form of proposal and specifications issued to bidders in pursuance of public advertisement of the Postmaster-General, dated October 16, 1893, for contract for furnishing the Post-Office Department with adhesive postage stamps for and during a period of four years, beginning on the 1st day of July, 1894, said advertisement having been issued in compliance with the requirements of section 3709 of the Revised Statutes of the United States. Specifications submitted to bidders competing for the contract and showing the requirements for doing the work. Special attention should be given to the covenant and agreement on the part of the contractor and his sureties that on failure to do or perform any or all of the stipulations he shall forfeit and pay to the United States the sum of \$200,000, as well as the guaranty requirement of \$25,000 in case of failure to enter into contract.

PROPOSALS FOR ADHESIVE POSTAGE STAMPS.

The undersigned, \_\_\_\_\_, doing business as \_\_\_\_\_, in the city of \_\_\_\_\_, submit to the Post-Office Department, in conformity to the terms of an advertisement and specifications dated October 16, 1893, a printed copy of which is hereto attached and made part hereof, the following proposal for furnishing adhesive stamps during a period of four years beginning on the 1st day of July, 1894, the work to be done in apartments containing \_\_\_\_\_ square feet of available space in the fireproof building known and designated as \_\_\_\_\_, on \_\_\_\_\_ street, in the city of \_\_\_\_\_, and State of \_\_\_\_\_, to wit:

Classification of bids.	No. 1.—Price per 1,000 stamps if printed on hand-roller presses.		No. 2.—Price per 1,000 stamps if printed on steam-power presses which require a portion of the work, such as wiping and polishing, to be done by hand.		No. 3.—Price per 1,000 stamps if printed entirely by steam power.	
	Dollars.	Cts.	Dollars.	Cts.	Dollars.	Cts.
Ordinary stamps for use of the public						
Newspaper and periodical stamps						
Postage-due stamps						
Special-delivery stamps						

In the event of the acceptance of the foregoing bid, or any item or items thereof, the said \_\_\_\_\_ agree, within ten days from the date of such acceptance, to enter into contract according to the terms, conditions, and requirements of the advertisement and specifications aforesaid; in which contract the contractor and \_\_\_\_\_ sureties shall covenant and agree that in case the said contractor shall fail to do or perform all or any of the covenants, stipulations, and agreements of said contract on the part of the said contractor to be performed, as therein set forth, the said contractor and \_\_\_\_\_ sureties shall forfeit and pay to the United States of America the sum of \$200,000, for which said forfeiture the said contractor and \_\_\_\_\_ sureties shall be jointly and severally liable as fixed and settled damages, and not as a penalty to be reduced or diminished, to be sued for in the name of the United States.

(Signature of the bidder.)\* \_\_\_\_\_

GUARANTY.

We, \_\_\_\_\_, guarantee and bind ourselves, and each of us, our and each of our heirs, executors, and administrators, in the event that a contract for furnishing adhesive postage stamps, or any of them, according to the advertisement and specifications of October 16, 1893, shall be awarded to \_\_\_\_\_, and in case of failure of the said \_\_\_\_\_ to enter into contract as above, that we will forfeit and pay to the United States the sum of \$25,000, for which forfeiture we will be jointly and severally liable, as liquidated damages.

Dated, \_\_\_\_\_, 1893.

(Signatures of guarantors.) \_\_\_\_\_

CERTIFICATE.

The undersigned, \_\_\_\_\_, in the State of \_\_\_\_\_, certifies, under his oath of office, that he is acquainted with the above guarantors, and knows them to be men of property, and able to make good their guaranty.

Dated at \_\_\_\_\_, 1893.

† \_\_\_\_\_

PROPOSALS FOR FURNISHING ADHESIVE POSTAGE STAMPS.

[Advertisement.]

POST-OFFICE DEPARTMENT,  
OFFICE OF THE POSTMASTER-GENERAL,  
Washington, D. C., October 16, 1893.

Sealed proposals are invited from parties carrying on the business of steel-plate engraving and plate printing, or who have had experience in conducting that business, and will be received at this Department until 12 o'clock noon, on Wednesday, the 15th of November, 1893, for furnishing adhesive postage stamps of the following-named classes, in such quantities as may be called for by the Department during a period of four years, beginning on the 1st day of July, 1894, viz:

- Ordinary postage stamps for the use of the public.
- Newspaper and periodical stamps.
- Postage-due stamps.
- Special-delivery stamps.

Proposals must be made on the blank forms provided by the Department, securely enveloped and sealed, indorsed "Proposals for furnishing adhesive postage stamps," and addressed to the Third Assistant Postmaster-General, Washington, D. C. Bids delivered in person must be handed in at or before the hour above specified for the receipt thereof; otherwise, they will not be considered.

Blank forms of proposal, with full specifications, will be furnished upon application to the Third Assistant Postmaster-General.

WILSON S. BISSELL,  
Postmaster-General.

Specifications—Furnishing adhesive postage stamps.

KIND OF STAMPS.

Bids are invited for each of the several kinds of stamps, as follows:  
Ordinary stamps for use of the public.  
Newspaper and periodical stamps.  
Postage-due stamps.  
Special-delivery stamps.

SIZES OF STAMPS.

The sizes of the stamps shall be the same as those of the corresponding kinds now in use, namely:

- Ordinary stamps, three-fourths by seven-eighths ( $\frac{3}{4}$  by  $\frac{7}{8}$ ) of an inch for the engraving, exclusive of blank margin.
- Newspaper and periodical stamps, a little over fifteen-sixteenths of an inch by one inch and three-eighths ( $\frac{15}{16}$  by  $1\frac{3}{8}$ ) for the engraving, exclusive of blank margin.
- Postage-due stamps, a little over twelve-sixteenths of an inch by one inch ( $\frac{12}{16}$  by 1) for the engraving, exclusive of blank margin.
- Special-delivery stamps, a little over thirteen-sixteenths of an inch by one inch and seven-sixteenths ( $\frac{13}{16}$  by  $1\frac{7}{16}$ ) for the engraving, exclusive of blank margin.

To admit of proper perforation, the blank space or margin between the different stamps on a sheet shall be of equal width to that on the corresponding kinds now issued.

DIES, ROLLS, AND PLATES.

The dies and rolls now in use for furnishing postage stamps, being the property of the Government, will be turned over to the successful bidder as soon after the execution and approval of the contract as he may require them; and from such dies and rolls he must produce the necessary working plates with which to provide a sufficient supply of stamps of the several kinds and denominations to make deliveries promptly as called for from the beginning of the contract term. The working plates from which stamps are now being furnished will also, if found by the Department to be necessary, be turned over to the new contractor as soon as their use can be dispensed with under the present contract, either before or after the beginning of the new contract term.

The contractor will be required to keep in repair all dies, rolls, and plates from which the stamps are produced, and to renew them whenever required. The several series of stamps comprehended in these specifications are now made up—

- The ordinary stamps, of 11 denominations.
- The newspaper and periodical stamps, of 24 denominations.
- The postage-due stamps, of 7 denominations.
- The special-delivery stamps, of 1 denomination.

It is not likely that any of the designs of the newspaper and periodical, the postage-due, or the special-delivery stamps will be changed during the existence of the contract. As to changes in the series of ordinary stamps, nothing

\* When the bidder is a partnership or firm, the names of all the persons composing it must be signed to the proposal or embodied therein.  
† To be signed by a district or circuit judge of the United States, or by a United States district attorney.

positive can be now stated, except that the present 30 and 90 cent denominations will probably be at once abandoned, and four new denominations—50 cents, \$1, \$2, and \$5—adopted. In this event the contractor will be required to get up drawings of appropriate designs, subject to the approval of the Department, and to have the necessary dies, rolls, and plates made in time for printing when the contract term begins.

It is to be distinctly understood that the Postmaster-General reserves the right to change the designs of any of the stamps whenever he may deem it proper, or to add new denominations, and in any such case the contractor shall prepare the necessary drawings, dies, rolls, and working plates without cost to the Department.

All the work in connection with the preparation, renewal, and repair of the dies, rolls, and plates shall be done under the immediate supervision of the contractor and of the Government agent, and in accordance with such regulations as the Postmaster-General may prescribe.

The contractor shall not manufacture or permit to be manufactured by any person in his employ any dies, rolls, or plates for producing postage stamps, except such as may be required for his use in carrying out the contract, and he shall be liable in damages for the unauthorized manufacture of such dies, rolls, and plates, and for the production of stamps therefrom. He shall be responsible for the safe-keeping of the dies, rolls, and plates while in his use or custody; when not in use they shall be safely stored and kept in such manner and under such regulations as the Postmaster-General may prescribe.

All dies, rolls, and plates made or used at any time in filling the contract shall immediately become the absolute property of the United States, and, together with those that may be turned over to the contractor, shall be delivered in good working order to the Postmaster-General, or his authorized agent, whenever demanded.

Worn-out or discontinued plates may be required to be canceled or destroyed at the discretion of the Postmaster-General, under such regulations as he may prescribe.

#### COLORS OF STAMPS.

The colors of the stamps at the outset shall be the same as those of the corresponding kinds now used; but the Postmaster-General shall have the right to change the colors whenever he may think proper, to do so, provided that in any such changes the contractor shall be compensated for any extra expense thereby involved; and also provided that if less expensive colors be selected, the Department shall be credited with the reduction in cost, the amount of such increase or reduction to be determined by the Postmaster-General. Aniline colors shall not be used.

New denominations, when introduced, shall be of such colors as the Postmaster-General may select.

#### MODE AND QUALITY OF PRINTING.

Proposals should comprehend the furnishing of stamps printed on both hand-roller and steam-power presses, as follows:

- No. 1. For stamps printed on hand-roller presses.
- No. 2. For stamps printed by steam-power presses which require a portion of the work, such as wiping and polishing, to be done by hand.
- No. 3. For stamps printed by presses upon which all the work is done by steam power.

After the proposals shall have been received and opened, the Postmaster-General will determine under which of these items he will award the contract.

The printing shall be done from hardened steel plates, engraved in the highest style of the art of steel engraving, and shall be subject in every respect to the approval of the Postmaster-General or his duly authorized agent.

#### PAPER, GUMMING, PERFORATIONS, ETC.

The paper from which the stamps are to be printed must be run and calendered to a uniform thickness, each sheet to be fair, perfect, and free from creases and folds, and it shall be equal in quality, sizing, finish, and tensile strength to that of the samples attached to these specifications. The paper may be required to be watermarked, in the discretion of the Postmaster-General, with such design of watermark as he shall approve. The stamps shall be well gummed with the best quality of adhesive gum uniformly laid on. The stamps shall be perforated in the best manner, so that every stamp may be readily detached for use. The sheets shall be well pressed and suitably packed or put up, so as to prevent them from adhering together—each sheet of the finished work to contain not more than 100 stamps. The stamps shall be subject in every respect to the approval of the Postmaster-General or his duly authorized agent, and his right of rejection shall be absolute. All spoiled and rejected stamps shall be effectually canceled by and at the expense of the contractor, in such manner as the Postmaster-General may direct, and shall then be turned over to the Postmaster-General or his duly authorized agent for destruction.

#### BUILDING, PLACE OF MANUFACTURE, ETC.

The stamps will be required to be manufactured in a fireproof building and in apartments distinct from those in which any other work is done, and the premises shall be fitted up with a fire and burglar proof safe or vault, to be specially provided for storing the finished stamps: the said building, apartments, and safe or vault to be subject to the approval of the Postmaster-General. Suitable provision will also be made by the contractor for the safe-keeping on the premises of the stamps while in course of preparation, under such regulations as may be prescribed by the Postmaster-General or his duly authorized agent, and subject to his approval. The building must at all hours of the day and night be policed or guarded in such manner as the Postmaster-General shall require; and the contractor, his employees, and agents shall conform to such regulations as the Department may from time to time adopt for the security of the Government. Each bidder will be required to designate in his proposal the building in which he proposes to manufacture the stamps, and the quantity of space to be devoted to the purpose.

#### AGENT—OFFICE ROOMS—INSPECTION.

A resident agent and inspector of the Department will have supervision of the manufacture, storage, and issue of the stamps, and he shall at all times have full and free access to the apartments, safes, and vaults where the stamps are manufactured and stored, for the purpose of inspecting them. The Postmaster-General shall also have the right at any time to cause an inspection to be made, by any agent or agents whom he may specially designate for the purpose, of the apartments, safes, and vaults used for the manufacture and storage of stamps, and of the stamps in course of manufacture or in stock.

The contractor shall furnish the resident agent of the Department and his clerks suitable and properly furnished office rooms connected with the premises on which the stamps are made, for the transaction of the business of the agency, without cost to the Government.

#### STOCK ON HAND.

The contractor will be required to have at the beginning of the contract term a sufficient stock of the several kinds and denominations of stamps to meet the requirements of the Department, and thereafter he shall at all times keep on hand such a quantity of finished stamps as will suffice to promptly meet the orders of the Department, and to provide against any and all contingencies that may be likely to occur during the existence of the contract; the stamps to be held subject to the control of the Postmaster-General or

his duly authorized agent or agents. The Postmaster-General, moreover, shall have the right to require the contractor, at any time or times during the existence of the contract, to provide an extra quantity of stamps, not exceeding a supply for three months. The contractor may be required to continue the issue after the close of the contract term of all stamps ordered by the Department during its existence.

The contractor shall faithfully account to the Postmaster-General, or his duly authorized agent, for all stamps printed or produced by him, and he shall be liable in damages for the theft, misappropriation, or loss, before they leave his custody, of any stamps that may be manufactured by him or come into his hands as contractor.

The Postmaster-General reserves the right to impose a fine upon the contractor, in such sum as he may deem proper, to be deducted in the settlement of accounts, for the failure to have on hand at any time a sufficient supply of stamps to promptly meet the demands of the Department.

The Postmaster-General also reserves the right to impose a fine, in such sum as he may see proper, for errors made by the contractor in the count of stamps when issued to postmasters, whereby either a greater or less number or a greater or less value shall be sent than the orders of the Department call for.

In the event that the exigencies of the public service shall require the acceptance by the Department of any stamps which, in the opinion of the Postmaster-General or of his duly authorized agent, are not fully up to contract requirements, the right is reserved to the Postmaster-General absolutely to fix such price therefor, less than the regular price, as may seem to him just and reasonable under all the circumstances; and payment at this rate shall be a complete discharge of all liability on the part of the Government for such stamps.

On failure to promptly furnish, when called for, any of the stamps covered by the contract, the Postmaster-General reserves the right to cause them to be manufactured and furnished by such parties as he may select; and if a greater price be paid than that fixed by the contract for like articles, the difference shall be charged to the contractor in the settlement of accounts. Failure to furnish stamps promptly after they shall have been ordered may be regarded by the Postmaster-General as a sufficient cause for the annulment of the contract.

Should the contractor, in the performance of work under the contract, make unauthorized use of any machinery, or material, or other thing on which a patent has been granted by the United States, the Government is to be made free of all liability for such infringement.

#### PACKING—BLANKS.

When fifty or more sheets of stamps are required to be sent to any address, they must be packed in strong binders' board boxes, bound on the edges and corners with muslin, and enveloped in two thicknesses of strong manila paper; but when less than that number are required to fill an order they shall be inclosed in strong manila envelopes equal to those now in use for the same purpose; such envelopes, as well as blank labels of directions for the wrapped packages, to be furnished by the contractor and addressed by the agent. All the wrapped packages and the envelopes inclosing stamps shall be securely sealed with wax and impressed with a stamp of special device, or securely fastened with a paper seal of special design, subject to the approval of the Postmaster-General or his duly authorized agent. The contractor shall also furnish all blanks required to be inclosed with the stamps.

#### DELIVERY.

Delivery of the stamps will begin on the 1st of July, 1894, and thereafter they shall be furnished in such quantities as may be ordered by the Department, daily or otherwise, to fill the requisitions of postmasters, every lot to be put up separately for mailing.

The stamps may be required to be delivered by the contractor in separate packages, as above provided for, at the post-office in the place where they are manufactured, or at such other post-office in the immediate vicinity of the place of manufacture as the Postmaster-General may direct, and under such regulations as he may prescribe.

#### STOCK ON HAND AT EXPIRATION OF CONTRACT.

The Department will, after satisfactory inspection, accept and pay for, at the regular contract prices, the stock of stamps that may remain on hand at the close of the contract term; and the contractor may be required, at the discretion of the Postmaster-General, to continue the issue of such stamps until they shall be exhausted, subject to all conditions of the contract; but provided that such stock shall not exceed in quantity the average requirements of the Department for a period of one-half of one-quarter of a year. Any surplus over that quantity may be destroyed, at the discretion of the Postmaster-General, without any compensation therefor. The right is also reserved to the Postmaster-General to authorize the issue by the present contractors of such stamps as may remain in their hands at the close of their contract, and the new contractor shall not be entitled to damages on account of such issue.

#### REPORTS.

The contractor will be required to report weekly or otherwise, under oath, and in such manner and form as may be prescribed by the Postmaster-General, the number, denomination, and kind of stamps manufactured (finished, unfinished, and spoiled), the number issued, and the number available for issue.

#### AWARD—FORM OF BIDS.

The contract will be awarded, as a whole, to the lowest responsible bidder, on the basis of the number of the several kinds of stamps issued during the year ending June 30, 1893, as follows:

Ordinary stamps for use of the public.....	2,750,293,990
Newspaper and periodical stamps.....	4,171,091
Postage-due stamps.....	18,101,990
Special-delivery stamps.....	3,538,070

The amount of a bid will be ascertained by multiplying these figures by the prices bid respectively for the several kinds of stamps under each item comprehended in the blank form of proposal herewith, and then severally aggregating the results. It must be understood, however, that the above-stated issues are given merely as a basis for making the award, and that the contractor will be required to furnish all the stamps of the several kinds and denominations that may be called for by the Department during the contract term. Should the use of any kind or denomination be discontinued, the contractor will not be entitled to compensation on account of such discontinuance.

Each bidder must submit a proposal for furnishing stamps of all the above kinds; and his proposal should comprehend also the furnishing of stamps printed by one or more of the several modes of printing hereinbefore set forth, and described in the form of proposal. The prices named in the proposal shall include everything required to be done and furnished as set forth in these specifications. In determining upon the award, the Postmaster-General reserves the right to make a selection from among the several classes of bids specified. Preliminary to an award, the bidder will be required to demonstrate to the satisfaction of the Postmaster-General, within ten days from the date of notice given him to do so, that he either has in his possession or is able to procure within a reasonable period all suitable and necessary facilities with which to properly commence and carry on the contract. If the Postmaster-General shall be satisfied of the inability of a bidder to perform the contract, he may, in his discretion, decline to accept the bid, without notice,

In case it should be decided by the Secretary of the Treasury to submit bids or estimates for doing the work and furnishing the stamps by the Bureau of Engraving and Printing, the Postmaster-General reserves the right to make award under said bids or estimates, if they should be found to be lower or more advantageous to the Government than the bids submitted by private bidders, the work to be performed in such event in general conformity to these specifications, under such regulations as may be adopted by the Postmaster-General with the concurrence of the Secretary of the Treasury.

#### PROPOSALS—AGREEMENT—BOND.

Each proposal must be signed by the individual or partnership making it, and when made by a partnership the name of each partner thereof must be disclosed; and it must be accompanied with a guaranty, signed by at least two responsible guarantors, that the bidder shall, within ten days after being called upon to do so, execute a contract, with at least two good and sufficient sureties of the character and to be certified as hereinafter required, to furnish promptly and in quantities as ordered the article or articles to be furnished by him, and faithfully and diligently to keep, perform, and abide by each and every of the requirements, provisions, and terms of such contract, and these specifications to be hereto annexed, the responsibility and sufficiency of the signers to such guaranty to be certified to by a district or circuit judge or a district attorney of the United States; and by such contract the contractor and his sureties shall covenant and agree that in case the said contractor shall fail to do or perform all or any of the covenants, stipulations, and agreements of said contract on the part of the said contractor to be performed, as therein set forth, the said contractor and his sureties shall forfeit and pay to the United States of America the sum of \$30,000, for which said forfeiture the said contractor and his sureties shall be jointly and severally liable, as fixed, settled, and liquidated damages, and not as a penalty to be sued for in the name of the United States. Such sureties shall justify their responsibility by affidavit, showing that they severally own and possess property of the clear value in the aggregate of \$400,000 over and above all debts and liabilities and all property by law exempt from execution, to be sworn to before a district or circuit judge of the United States, and to be approved by him or by a district attorney of the United States.

If the bidder to whom the first award may be made should fail to enter into a contract, as herein provided, or if after entering into contract it should be annulled by the Postmaster-General because of the contractor's inability to properly begin work under it, then the contract may be let to the next lowest responsible bidder, if not deemed too high by the Postmaster-General, and so on until the required contract is executed; and such next lowest bidder shall be required to fulfill every stipulation embraced herein as if he were the original party to whom the contract was awarded.

The contract will also provide that if at any time during its continuance the sureties, or either of them, shall die or become irresponsible, the Postmaster-General shall have the right to require additional and sufficient sureties, which the contractor shall furnish to the acceptance of the Postmaster-General within ten days after notice; and in default thereof, the contract may be annulled.

#### RESERVATIONS.

The Postmaster-General reserves the right to reject any and all bids if, in his judgment, the interest of the Government shall require it; also the right to annul the contract when made, if the contractor shall fail to properly begin work under it, or if there shall be a failure at any time to perform faithfully any of its stipulations, or in case of a willful attempt to impose upon the Department stamps inferior to those required.

The contract can not in any case be lawfully transferred or assigned.

#### PAYMENTS.

Payments for stamps actually issued and delivered will be made monthly, after proper examination and verification of accounts.

Payments may be withheld by the Postmaster-General if it shall appear to his satisfaction that the contract has not been complied with in any particular.

#### EXTENSION.

Should the interest of the Government require, the contract may be extended for any period or periods beyond the time named, not exceeding three months in all, by order of the Postmaster-General, and the contract prices and all conditions herein set forth shall govern in such extended contract.

#### ADDRESS OF PROPOSALS.

Proposals must be made on the blank form hereto annexed, securely enveloped and sealed, indorsed "Proposals for furnishing adhesive postage stamps," and addressed to the Third Assistant Postmaster-General, Washington, D. C.

WILSON S. BISSELL,  
Postmaster-General.

POST-OFFICE DEPARTMENT,  
Washington, D. C., October 16, 1893.

COPY OF ORDER (NO. 18) OF POSTMASTER-GENERAL, DATED FEBRUARY 21, 1894, AWARDED TO THE BUREAU OF ENGRAVING AND PRINTING THE WORK OF FURNISHING ADHESIVE POSTAGE STAMPS TO THE POST-OFFICE DEPARTMENT FOR AN INDEFINITE PERIOD, AND REJECTING THE PROPOSALS OF PRIVATE BIDDERS SUBMITTED IN PURSUANCE OF PUBLIC ADVERTISEMENT DATED OCTOBER 16, 1893, AND IN COMPLIANCE WITH THE REQUIREMENTS OF SECTION 3709 OF THE REVISED STATUTES OF THE UNITED STATES, FOR CONTRACT FOR FURNISHING THE POST-OFFICE DEPARTMENT WITH ADHESIVE POSTAGE STAMPS FOR AND DURING A PERIOD OF FOUR YEARS, BEGINNING ON THE 1ST DAY OF JULY, 1894.

No. 18.—Order of Postmaster-General awarding work of furnishing adhesive postage stamps to the Bureau of Engraving and Printing.

No. 59.] FEBRUARY 21, 1894.

Ordered: It appearing to the Postmaster-General that the interest of the Government requires it, it is hereby ordered that the proposals received at this Department on the 15th of November, 1893, for furnishing adhesive postage stamps during the four years beginning on the 1st day of July, 1894, be all rejected, and that the work of preparing and furnishing such stamps be done by the Bureau of Engraving and Printing of the Treasury Department, upon the basis of its estimate transmitted through the Secretary of the Treasury.

Memorandum of agreement between the Secretary of the Treasury and the Postmaster-General, relative to the furnishing of adhesive postage and special-delivery stamps by the Bureau of Engraving and Printing.

1. The Bureau of Engraving and Printing is to manufacture, substantially after the manner of manufacturing now in vogue, furnishing the necessary labor and materials therefor, and in all respects subject to the approval of the Postmaster-General or his authorized representatives, all the adhesive postage and special-delivery stamps, of the kinds and denominations now in use or hereafter to be adopted, that may be called for by the Post-Office Department during the period of four years from the 1st of July, 1894; and it is to keep constantly on hand a stock of all such stamps sufficient to promptly meet the wants of postmasters as communicated in orders of the Department.

The several kinds of these stamps now in use and to be furnished are known as—

Ordinary postage stamps.  
Newspaper and periodical stamps.

Postage-due stamps,  
Special-delivery stamps.

2. The stamps in general are to be turned over daily to the agent of the Post-Office Department upon formal orders sent to him by the office of the Third Assistant Postmaster-General, embodying the needs of postmasters throughout the country, and in such quantities as may be therein specified, each lot of the several kinds and denominations for any one postmaster to be put up separately for mailing. After verification by the agent, and when these packages are all securely sealed, addressed, and ready for mailing, they are to be placed in secure iron boxes, locked, and taken to the Washington City post-office for dispatch to their several destinations by registered mail. Deliveries of stamps will also comprehend such as may be turned over to the Bureau on or before the 1st of July, 1894, from the stock of stamps made up to that time by the American Bank Note Company, the present contractor for furnishing stamps.

3. When fifty or more sheets of stamps are required to be sent to any address they are to be packed in strong binder's-board boxes, bound on the edges and corners with muslin, and enveloped in two thicknesses of strong manila paper; but when less than that number are required to fill an order they are to be inclosed in strong manila envelopes equal to those now in use for the same purpose; such envelopes, as well as blank labels of direction for the wrapped packages, to be furnished by the Bureau and addressed by the postage-stamp agent. All the wrapped packages and the envelopes inclosing stamps are, after verification by the agent, to be securely sealed with wax and impressed with a stamp of special device, or securely fastened with a paper seal of special design, subject to the approval of the Postmaster-General. The Bureau is also to furnish blank invoices for transmission with the stamps, intended to be signed as receipts by the postmasters to whom the stamps are sent, which invoices or receipts are to be filled up properly by the agent and inclosed with the stamps before sealing. Any other blank forms or circulars that may be found necessary to inclose with the packages of stamps are also to be furnished by the Bureau. Whenever necessary the stamps are to be so wrapped in paraffin paper as to prevent their adhesion during transmission, the wrapping to be similar to what is now done.

4. The Bureau is to furnish to the agent of the Post-Office Department, contiguous to the rooms where the stamps are to be packed, suitable and properly furnished quarters for himself and the employees under him, and to give him every facility for superintending the manufacture, packing, and delivery of the stamps. He is to be the general medium of intercourse between the Post-Office Department and the Bureau, is to have the right to look generally after the interests of that Department connected with the making and issuing of stamps, and is to be subject only to his orders.

5. The Bureau is to keep securely all the stamp dies, rolls, or plates now in existence that have been or may be turned over to it, and it is to make new ones whenever necessary, and to keep all of them in proper repair, constantly ready for use. All such dies, rolls, and plates are to be regarded as the property of the Post-Office Department, and are therefore to be disposed of as the Postmaster-General may at any time direct. The Postmaster-General is to have the right to order changes of design for any of the stamps whenever he deems it proper, to discontinue any denomination or kind of stamps, to change the colors thereof, and otherwise to do as under the law or practice he may now do; and the Bureau is to conform to his wishes in all such cases.

6. The Bureau is to make regular weekly reports in detail to the postage-stamp agent, showing the kinds and denominations of stamps manufactured, issued, and on hand, and the number spoiled. And all spoiled stamps are to be destroyed weekly, under the supervision and with the cooperation of the agent.

7. At the end of every month accounts are to be rendered to the postage-stamp agent by the Bureau, showing the number and kinds of stamps delivered during the month, whereupon, after such accounts have been verified and approved by the agent, the Post-Office Department is to pay the Bureau by warrant on the United States Treasurer, the cost of manufacture at the following rates:

	Cents.
Ordinary postage stamps a thousand.....	5
Newspaper and periodical stamps a thousand.....	11.4
Postage-due stamps a thousand.....	6.65
Special-delivery stamps a thousand.....	11.4

8. This arrangement may be modified, with the consent of the Postmaster-General and the Secretary of the Treasury, at any time when found to be desirable.

J. G. CARLISLE,  
Secretary of the Treasury.  
W. S. BISSELL,  
Postmaster-General.

WASHINGTON, D. C., June 9, 1894.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. The gentleman from Texas [Mr. SAYERS] has made a point of order. Does the gentleman in charge of the bill desire to say anything on the point of order?

Mr. CANNON. No; I am willing to let the Chair rule.

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. BINGHAM] desire to say anything on the point of order made against the amendment?

Mr. BINGHAM. Yes, Mr. Chairman; but I supposed from the statement of the Chair that the matter of the point of order was held in abeyance until I had completed my statement.

The CHAIRMAN. The gentleman has occupied his ten minutes on the merits of the case.

Mr. BINGHAM. Is there any limitation in the time?

The CHAIRMAN. The Chair so understood from the gentleman in charge of the bill.

Mr. CANNON. There was a limitation as to the other matter, but I do not think there is here, except the five-minute rule, and I think it was understood between the gentleman from Pennsylvania and myself, with consent of the Committee of the Whole House, that he should have such time as he desired.

Mr. BINGHAM. As I understood the gentleman in charge of the bill, when we came to this paragraph there was to be general debate. That was the understanding when the bill was first submitted to the House.

Mr. CANNON. I will say to the gentleman that I have no desire to prevent his having such time as he wishes; but I suggest to him that it is now half past 4. Does the gentleman think we can complete the bill this afternoon? How much time does he think the discussion will take?

Mr. BINGHAM. I do not know.

Mr. CANNON. Well, how much time does the gentleman desire?

Mr. BINGHAM. I want a very few moments myself; but hope that I shall provoke a debate upon the proposition.

Mr. CANNON. I hope such time as the gentleman desires may be given.

The CHAIRMAN. The gentleman from Pennsylvania will proceed, if there is no objection.

Mr. HAGER. I object.

Mr. BARTLETT of New York. Mr. Chairman and gentlemen of the committee, the question here involved is simply the throwing open to public competition of the printing of postage stamps. The practical question is, How can postage stamps be printed at the lowest cost?

Mr. Chairman, it may well be that if this point of order be pressed by the distinguished gentleman from Texas, who yesterday succeeded in having an appropriation of \$30,000 inserted in this bill, without the report of any committee of the House in favor of it—it may be that if this point of order be pressed, against the interests of American labor, the Chairman will feel bound to sustain it.

Mr. SAYERS. I want to say to the gentleman that I am going to press it, and I am not going to withdraw it.

Mr. BARTLETT of New York. The information is satisfactory enough to me, though it was hardly necessary for the gentleman from Texas to have conveyed it at this time, especially as it came out of my five minutes. But I want to call the attention of the committee to this fact, that one amendment in the interest of American labor, providing for back pay for three years on leave of absence to the next of kin or legal representatives of printers employed in the printing office, was passed here without objection. Why? Because, although we all knew that this change of the existing law was there, we did not care to take a stand against the manifest justice of the proposition in favor of the interest of skilled labor.

Now, I speak in behalf of the skilled artisan, the skilled mechanic, in all our great cities; that is, in Chicago, Philadelphia, New York, and every city where men are employed by bank-note printing companies. I say that the statistics show that our bank-note companies can make these stamps at a cost varying from 5½ cents to 5.85 cents per thousand, whereas the same number of postage stamps now cost the Treasury Department 9½ cents. It is for this reason that I advocate the amendment proposed by the gentleman from Pennsylvania [Mr. BINGHAM], because the record shows that since the change has gone into operation there has been a spoilage account of 4,000,000 postage stamps. I say that the printing of these stamps should be thrown open to public competition, because in the large cities our skilled mechanics with plants that have been in existence for the last half century can do the work better and at less cost than the Government of the United States can do it; and it is for this reason the amendment should be incorporated into the statutes of the United States.

The CHAIRMAN. On the point of order raised by the gentleman from Texas [Mr. SAYERS]—

Mr. BINGHAM. I understand the question is upon the point of order?

The CHAIRMAN. It is. The Chair will say that there is much force in what the gentleman from Pennsylvania has said respecting that section of the statute, and the bidding of different parties for the privilege of supplying those articles to the General Government; but it is the understanding of the Chair that the Attorney-General has made a construction of that by which the Bureau of Engraving and Printing can compete for the printing of these stamps. Now, as the Chair understands, the amendment further—

Mr. BINGHAM. That I do not dispute. A fair competition I do not dispute.

The CHAIRMAN. The amendment offered by the gentleman from Pennsylvania prohibits the Bureau of Engraving and Printing from printing these stamps after 1897, which is clearly new legislation, inasmuch as it prohibits the Government from becoming a bidder in competition with private individuals; and for that reason the Chair will sustain the point of order made by the gentleman from Texas.

Mr. CANNON. Mr. Chairman, I move that the committee rise and report this bill with amendments to the House with a favorable recommendation.

Mr. BINGHAM. If the gentleman will allow me.

Mr. CANNON. For one moment, certainly.

Mr. BINGHAM. I now submit the following amendment:

The Clerk read as follows:

After the words "Revised Statutes," on line 13, page 17, insert the following: "And provided, That no part of the moneys herein appropriated shall be expended or used for the production and issue of postage stamps, the cost of producing and issuing said stamps being reimbursable out of the funds appropriated to the Post-Office Department for procuring the same, and the Chief of the Bureau of Engraving and Printing in his annual report shall state the cost by items of producing postage stamps apart from that of the other work done by his Bureau."

Mr. SAYERS. I raise the point of order on that amendment. The CHAIRMAN. The Chair sustains the point of order.

Mr. CANNON. Mr. Chairman, I now ask unanimous consent to return to page 2, for the purpose of enabling the gentleman from New York [Mr. DANIELS] to move an amendment which will explain itself.

There was no objection.

Mr. DANIELS. I offer the amendment which I send to the desk.

The amendment was read, as follows:

At the end of line 12, page 2, add, as a new paragraph, the following:

"For a brick addition, 1 story in height, extending northerly 16 feet from the northerly side and 10 feet from the easterly end of the United States post-office building in the city of Buffalo, and 73 feet in depth on the northerly side, and 43 feet on the easterly end of said building, a sum not exceeding \$1,300."

Mr. CANNON. Mr. Chairman, this provides for a temporary building to be used in connection with the present building, pending the construction of the new post-office building in Buffalo. Having looked into the matter myself, as the gentleman from New York has done, we are satisfied that it is necessary in order to carry on the public service there, unless you rent a building outside.

The amendment was adopted.

Mr. CANNON. I move that the committee rise and report the bill and amendments to the House with a favorable recommendation.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HOPKINS, from the Committee of the Whole, reported that they had had under consideration the bill (H. R. 7664) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1897, and for other purposes, and had directed him to report the same to the House with sundry amendments and with the recommendation that the bill as amended do pass.

Mr. CANNON. Now, Mr. Speaker, I yield a moment to the gentleman from Kentucky [Mr. EVANS], who desires to offer a substitute for the proviso in an amendment offered by him in Committee of the Whole, and adopted by the committee and reported to the House.

Mr. EVANS. Mr. Speaker, I offer the amendment which I send to the desk as a substitute for the proviso in the amendment already offered by me and adopted by the Committee of the Whole.

The amendment was read, as follows:

Provided, That no part of this appropriation shall be used directly or indirectly for the support of the theological department of said university, nor for the support of any sectarian, denominational, or religious instruction therein; And provided further, That no part thereof shall be paid to said university until it shall accord to the Secretary of the Interior, or to his designated agent or agents, authority to visit and inspect such university and to control and supervise the expenditure therein of all moneys paid under this appropriation.

Mr. CANNON. I understand that that is an amendment which proposes to strike out the proviso in the amendment offered by the gentleman from Kentucky in Committee of the Whole and to substitute the language just read.

Mr. EVANS. That is correct.

Mr. BINGHAM. Mr. Speaker, I ask to be allowed to extend in the RECORD my remarks, which were somewhat limited by lack of time.

There was no objection, and it was so ordered.

Mr. CANNON. Now, Mr. Speaker, I move the previous question upon the third reading and passage of the bill.

Mr. RICHARDSON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. I did not understand what disposition was made of the proposition of the gentleman from Kentucky [Mr. EVANS].

The SPEAKER. That proposition is pending.

Mr. CANNON. And the previous question will operate upon it as well as upon the bill and the other amendments.

Mr. RICHARDSON. Does the gentleman offer that as a substitute for the amendment which was adopted in the Committee of the Whole, or as an amendment to the amendment?

The SPEAKER. The gentleman offers it as an amendment to the amendment adopted in the Committee of the Whole. He moves to strike out the proviso in that amendment and to insert what has just been reported to the House.

The previous question was ordered.

The SPEAKER. Is a separate vote asked for on any other of the amendments?

Mr. HAINER of Nebraska. I desire a separate vote on the amendment relating to the appropriation for Howard University.

The SPEAKER. A separate vote must be taken on that. There is an amendment to the amendment pending. Is a separate vote demanded on any other amendment? [A pause.] The Chair hears none.

The remaining amendments were agreed to.

The SPEAKER. The question is now upon the amendment of the gentleman from Kentucky [Mr. EVANS] to strike out the proviso of the amendment adopted by the Committee of the Whole and substitute the proviso which has been read.

The amendment to the amendment was adopted.

The SPEAKER. The question is now on agreeing to the amendment as amended.

Mr. HAINER of Nebraska. On that question I call for the yeas and nays.

The yeas and nays were ordered, there being—ayes 58, noes 116 (more than one-fifth voting in the affirmative).

Mr. BAILEY. I rise to a parliamentary inquiry. The yeas and nays having been ordered, if the House should now adjourn would not this question be the first to be considered at the session tomorrow?

The SPEAKER. It would.

Mr. BAILEY. I do not desire myself to make the motion to adjourn, but I suggest it to the gentleman from Illinois, as it is now within three minutes of 5 o'clock.

Mr. CANNON. There is now a full attendance of members, and the vote will take but a short time.

The question was taken; and there were—yeas 128, nays 106, not voting 120; as follows:

YEAS—128.

Adams,	Dingley,	Lacey,	Russell, Conn.
Aldrich, Ala.	Dulliver,	Lawson,	Sayers,
Aldrich, Ill.	Dovener,	Leighly,	Sherman,
Arnold, Pa.	Elliott, S. C.	Leonard,	Skinner,
Avery,	Erdman,	Lewis,	Smith, Ill.
Baker, Kans.	Evans,	Lorimer,	Sorg,
Baker, Md.	Fairchild,	Loudenslager,	Southard,
Barham,	Faris,	Low,	Steele,
Bartholdt,	Fischer,	Marsh,	Stewart, N. J.
Bartlett, N. Y.	Fitzgerald,	McCleary, Minn.	Stokes,
Belknap,	Fletcher,	McClellan,	Stone, C. W.
Bennett,	Footo,	McClure,	Stone, W. A.
Bingham,	Foss,	McCormick,	Strowd, N. C.
Boutelle,	Gamble,	Meyer,	Sulzer,
Brennell,	Gardner,	Miles,	Taft,
Burrell,	Gibson,	Milliken,	Tawney,
Burton, Ohio	Griswold,	Murphy,	Taylor,
Calderhead,	Grout,	Noonan,	Thomas,
Cannon,	Grow,	Northway,	Towne,
Chickering,	Halterman,	Odell,	Updegraff,
Clark, Iowa	Hardy,	Overstreet,	Van Horn,
Clark, Mo.	Heatwole,	Parker,	Walker, Mass.
Cobb, Mo.	Henderson,	Patterson,	Walsh,
Codding,	Henry, Ind.	Pendleton,	Warner,
Cooke, Ill.	Hopkins,	Perkins,	Watson, Ohio
Cousins,	Howe,	Pickler,	Wellington,
Crowley,	Hulick,	Pitney,	White,
Cummings,	Johnson, N. Dak.	Poole,	Willis,
Curtis, N. Y.	Kerr,	Powers,	Wilson, N. Y.
Daniels,	Kiefer,	Pugh,	Wilson, S. C.
Dayton,	Kirkpatrick,	Ray,	Woodman,
De Witt,	Kulp,	Roysse,	Wright.

NAYS—106.

Allen, Miss.	De Armond,	Lester,	Sauerhering.
Allen, Utah	Dinsmore,	Little,	Shafroth.
Andrews,	Doolittle,	Livingston,	Shuford,
Apsley,	Downing,	Lockhart,	Simpkins,
Atwood,	Ellett, Va.	Long,	Snover,
Babeock,	Ellis,	Loud,	Sparkman,
Bailey,	Gillet, N. Y.	Maddox,	Stewart, Wis.
Barney,	Gillet, Mass.	McCreary, Ky.	Strait,
Bell, Colo.	Graft,	McCulloch,	Strode, Nebr.
Berry,	Griffin,	McDearmon,	Strong,
Bishop,	Hager,	McLachlan,	Swanson,
Black, Ga.	Hainer, Nebr.	McLaurin,	Talbert,
Blue,	Hanly,	McMillin,	Tate,
Bowers,	Harrison,	McRae,	Terry,
Broderick,	Hartman,	Meiklejohn,	Tracey,
Buck,	Hatch,	Mercer,	Tucker,
Burton, Mo.	Hendrick,	Minor, Wis.	Turner, Ga.
Clardy,	Hepburn,	Money,	Turner, Va.
Clarke, Ala.	Hermann,	Moody,	Tyler,
Cockrell,	Hilborn,	Mozley,	Underwood,
Connolly,	Hitt,	Neill,	Wadsworth,
Cook, Wis.	Hull,	Ogden,	Williams,
Cooper, Tex.	Hyde,	Otey,	Wilson, Idaho
Cooper, Wis.	Johnson, Cal.	Otjen,	Wood,
Crump,	Jones,	Owens,	Yoakum.
Curtis, Iowa	Kem,	Richardson,	
Curtis, Kans.	Knox,	Russell, Ga.	

NOT VOTING—120.

Abbott,	Denny,	Kyle,	Reeves,
Acheson,	Dockery,	Latimer,	Reyburn,
Aitken,	Draper,	Layton,	Robertson, La.
Anderson,	Eddy,	Lefever,	Robinson, Pa.
Arnold, R. I.	Fenton,	Leisenring,	Rusk,
Baker, N. H.	Fowler,	Linney,	Scranton,
Bankhead,	Grosvenor,	Linton,	Settle,
Barrett,	Hadley,	Maguire,	Shannon,
Bartlett, Ga.	Hall,	Mahany,	Shaw,
Beach,	Harmer,	Mahon,	Smith, Mich.
Bell, Tex.	Harris,	McCall, Mass.	Southwick,
Black, N. Y.	Hart,	McCall, Tenn.	Spalding,
Brewster,	Heiner, Pa.	McEwan,	Spencer,
Brosius,	Hemenway,	McKenney,	Sperry,
Brown,	Henry, Conn.	Meredith,	Stable,
Brumm,	Hicks,	Miller, Kans.	Stallings,
Bull,	Hill,	Miller, W. Va.	Stephenson,
Catchings,	Hooker,	Mines,	Suloway,
Cobb, Ala.	Howard,	Miner, N. Y.	Tracewell,
Coffin,	Howell,	Mondell,	Treloar,
Colson,	Hubbard,	Morse,	Van Voorhis,
Cooper, Fla.	Huff,	Moses,	Walker, Va.
Corliss,	Huling,	Newlands,	Wanger,
Cowen,	Hunter,	Payne,	Washington,
Cox,	Hurley,	Pearson,	Watson, Ind.
Crisp,	Hutcheson,	Phillips,	Wheeler,
Crowther,	Jenkins,	Price,	Wilber,
Culberson,	Johnson, Ind.	Prince,	Wilson, Ohio
Dalzell,	Joy,	Quigg,	Woodard,
Danford,	Kendall,	Raney,	Woomer.

So the amendment reported from the Committee of the Whole, as amended on motion of Mr. EVANS, was adopted.

The following pairs were announced: Until further notice:

- Mr. HEMENWAY with Mr. ROBERTSON of Louisiana.
- Mr. HADLEY with Mr. McDEARMON.
- Mr. MILLER of West Virginia with Mr. WOODARD.
- Mr. REYBURN with Mr. MCKENNEY.
- Mr. SETTLE with Mr. DINSMORE.
- Mr. HOOKER with Mr. MINER of New York.
- Mr. HUBBARD with Mr. DOCKERY.
- Mr. WHITE with Mr. CLARKE of Alabama.
- Mr. EDDY with Mr. KYLE.
- Mr. LEISENRING with Mr. STALLINGS.
- Mr. MILLIKEN with Mr. BANKHEAD.
- Mr. RANEY with Mr. COWEN.
- Mr. JOHNSON of Indiana with Mr. WASHINGTON.
- Mr. GROSVENOR with Mr. BARRETT.
- Mr. DALZELL with Mr. CRISP.
- Mr. WOOMER with Mr. WHEELER.
- Mr. McCALL of Massachusetts with Mr. BELL of Texas.

On this vote:

- Mr. BAKER of New Hampshire with Mr. MOSES.
- Mr. CROWTHER with Mr. LAYTON.
- Mr. TRELOAR with Mr. HALL.
- Mr. STRODE of Nebraska with Mr. CLARKE of Alabama.
- Mr. SPENCER with Mr. JENKINS.

Mr. MOODY. Mr. Speaker, my colleague, Mr. BARRETT, is paired on this question with the gentleman from Ohio, Mr. GROSVENOR. If my colleague were present he would vote "nay," and Mr. GROSVENOR, if present, would vote "yea."

Mr. GIBSON. My colleague from Tennessee, Mr. McCALL, is absent on account of sickness. If present he would vote "yea."

Mr. MOZLEY. I wish to say on behalf of my colleague, Mr. TRELOAR, that he was present and voted "nay" on the first roll call. I believe his name was read with the names of those who are paired.

Mr. MADDOX. My colleague from Georgia, Mr. BARTLETT, is confined to his room to-day by sickness. If he were present, he would vote "nay."

The result of the vote was announced as above stated. [Applause.]

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

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

ENROLLED BILLS SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 55) for the establishment of a light-house and fog-signal station at or near the entrance to Maurice River, New Jersey; and

A bill (H. R. 6408) authorizing the sale of title of the United States to certain tracts of land in the District of Columbia to Margaret Shugrue, Caroline Lochboehler, and John R. Scott.

RETURN OF BILL TO THE SENATE.

The SPEAKER laid before the House the following resolution of the Senate; which was read:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 941) granting to the Atchison and Nebraska Railroad Company and the Chicago, Burlington and Quincy Railroad Company, its lessee in perpetuity, a right of way over a part of the Sac and Fox and Iowa Indian reservations, in the States of Kansas and Nebraska.

The SPEAKER. Without objection, the request of the Senate will be granted.

There was no objection, and it was so ordered.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. PITNEY, for three days, on account of important business.

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

And then, on motion of Mr. CANNON (at 5 o'clock and 25 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Treasury, transmitting the report of the Attorney-General of the payments made from the appropriation for protecting property in the hands of receivers of United States courts—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior, submitting estimates of appropriations to pay certain United States deputy surveyors—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Interior, giving a statement in regard to an account between the Oklahoma and Iowa branches of the Sac and Fox (of Mississippi) tribe of Indians—to the Committee on Indian Affairs, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior, submitting an additional estimate of appropriation for the expenses of the Eleventh Census—to the Committee on Appropriations, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. HULL, from the Committee on Military Affairs, to which was referred House bill No. 5676, reported in lieu thereof a bill (H. R. 7862) to provide for the relief of certain officers and enlisted men of the volunteer forces, accompanied by a report (No. 1086); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BARTHOLDT, from the Committee on Immigration and Naturalization, to which was referred House bill No. 9, reported in lieu thereof a bill (H. R. 7864) to amend the immigration laws of the United States, accompanied by a report (No. 1079); which said bill and report were referred to the House Calendar.

Mr. TRACEY, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 7468) to improve Jefferson Barracks and making an appropriation therefor, reported the same without amendment, accompanied by a report (No. 1081); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DANFORD, from the Committee on Immigration and Naturalization, to which was referred the bill of the House (H. R. 58) providing for the inspection of immigrants by United States consuls, reported the same with amendment, accompanied by a report (No. 1082); which said bill and report were referred to the House Calendar.

Mr. SHAFROTH, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 1317) to grant certain lands to the city of Colorado Springs, Colo., reported the same without amendment, accompanied by a report (No. 1094); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

#### 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. SNOVER, from the Committee on Claims: The bill (H. R. 7226) for the relief of Twyman O. Abbott. (Report No. 1067.)

By Mr. MINOR of Wisconsin, from the Committee on Claims: The bill (H. R. 6431) to pay Peter P. Ferguson \$1,765 and interest. (Report No. 1068.)

By Mr. DOWNING, from the Committee on Claims: The bill (H. R. 1021) granting relief to Albert Augustine for property taken for the Cayuse war. (Report No. 1069.)

By Mr. GRAFF, from the Committee on Claims: The bill (H. R. 5740) authorizing the Secretary of the Treasury to issue a duplicate bond to Benjamin March, guardian of Ruth March. (Report No. 1070.)

By Mr. DENNY, from the Committee on Claims: The bill (H. R. 1845) for the relief of George H. Plant, of the District of Columbia. (Report No. 1071.)

The bill (H. R. 3705) for the relief of F. F. White. (Report No. 1073.)

The bill (H. R. 4434) for the relief of P. M. M. Alexander, of Holmes County, Miss. (Report No. 1074.)

The bill (H. R. 7161) for the relief of Benjamin F. Jones. (Report No. 1075.)

The bill (H. R. 6187) for the relief of Joshua Bishop. (Report No. 1076.)

By Mr. DE WITT, from the Committee on Claims: The bill (H. R. 596) for the relief of Ellis H. Roberts. (Report No. 1077.)

The bill (H. R. 1121) for the relief of C. W. Michaels, postmaster at Yalesville, Conn. (Report No. 1078.)

By Mr. WOOPER, from the Committee on Military Affairs: The bill (H. R. 1515) for the relief of Hugh McLaughlin. (Report No. 1080.)

By Mr. STRODE of Nebraska, from the Committee on Pensions: The bill (H. R. 3888) to pension James L. McKinney for services in Oregon Indian wars. (Report No. 1083.)

The bill (H. R. 3939) to pension Daniel Giles for services in Oregon Indian wars. (Report No. 1084.)

By Mr. KERR, from the Committee on Invalid Pensions: The bill (H. R. 3166) granting a pension and arrearage of pension to George B. Merchant. (Report No. 1085.)

By Mr. ANDERSON, from the Committee on Invalid Pensions: The bill (H. R. 5793) granting a pension to Mary L. Tweddle. (Report No. 1086.)

By Mr. WOOD, from the Committee on Invalid Pensions: The bill (H. R. 5532) to increase the pension of Josephine Glover. (Report No. 1087.)

By Mr. MILES, from the Committee on Invalid Pensions: The bill (H. R. 6560) to increase pension of Emily M. Tyler. (Report No. 1088.)

The bill (H. R. 1095) granting a pension to Annie M. Ermer. (Report No. 1091.)

By Mr. McCLELLAN, from the Committee on Invalid Pensions: The bill (H. R. 1066) granting a pension to Ella Hatfield, invalid daughter of Maj. David Hatfield, First Regiment New Jersey Infantry Volunteers. (Report No. 1092.)

By Mr. LAYTON, from the Committee on Invalid Pensions: The bill (H. R. 2396) granting a pension to Isaac Holbrook, late private in Company G, One hundred and twenty-first Regiment Ohio Volunteer Infantry. (Report No. 1089.)

By Mr. BAKER of Kansas, from the Committee on Invalid Pensions: The bill (H. R. 6039) granting a pension to Margaret Kirkpatrick. (Report No. 1090.)

By Mr. SULLOWAY, from the Committee on Invalid Pensions: The bill (H. R. 6730) granting a pension to Edward C. Spofford. (Report No. 1093.)

By Mr. LOUDENSLAGER, from the Committee on Pensions: The bill (H. R. 1832) granting a pension to Hannah E. Rogers. (Report No. 1095.)

#### ADVERSE REPORTS.

Under clause 2 of Rule XIII, Mr. DENNY, from the Committee on Claims, reported adversely (Report No. 1072) the bills (H. R. 1076 and H. R. 6043) for the relief of George T. Vance and Guy P. Vance, executors of William L. Vance, deceased; which said bills and report were laid on the table.

#### 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. BABCOCK: A bill (H. R. 7859) authorizing and directing certain extensions of street railway routes within the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

By Mr. WATSON of Ohio: A bill (H. R. 7860) making an appropriation for the erection of a monument to commemorate the services and achievements of the private soldiers and sailors of the United States in the late war of the rebellion—to the Committee on the Library.

By Mr. MEIKLEJOHN: A bill (H. R. 7861) to protect commerce and to countervail foreign discriminating duties, exactions, and conditions—to the Committee on Ways and Means.

By Mr. McCALL of Massachusetts: A bill (H. R. 7863) to provide for a commission to investigate the consular and diplomatic service with reference to its reorganization—to the Committee on Foreign Affairs.

By Mr. ADAMS: A bill (H. R. 7865) to allow the return free of duty of certain articles exported from the United States for exhibition purposes—to the Committee on Ways and Means.

By Mr. MOODY: A bill (H. R. 7866) to require all American vessels carrying lifeboats, yawls, gigs, dories, or small boats of any description to equip such boats with a provision safe—to the Committee on the Merchant Marine and Fisheries.

By Mr. LITTLE (by request): A bill (H. R. 7867) for the payment of arrears of interest to Chickasaw Nation of Indians—to the Committee on Indian Affairs.

By Mr. HUBBARD: A bill (H. R. 7868) authorizing the construction of a bridge across the Missouri River at or near the city of Boonville, Mo.—to the Committee on Interstate and Foreign Commerce.

By Mr. MURPHY of Arizona: A bill (H. R. 7869) to ratify and confirm an agreement with the Indians of the San Carlos Reservation, Ariz., for the cession and relinquishment to the United States of a certain portion of the reservation—to the Committee on Indian Affairs.

By Mr. KIRKPATRICK: A bill (H. R. 7870) to donate one condemned cannon and balls for two pyramids to Coffeyville Post, Grand Army of the Republic, No. 153, of Kansas—to the Committee on Military Affairs.

By Mr. LACEY: A bill (H. R. 7905) to establish and provide for the government of Greer County, Okla., and for other purposes—to the Committee on the Judiciary.

#### 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 bill (H. R. 7736) granting a pension to Mrs. Clifford Neff Fyffe—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 3898) granting a pension to Herbert W. Leach—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

#### PRIVATE BILLS, ETC.

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

By Mr. BERRY: A bill (H. R. 7871) for the benefit of George W. Herndon, of Campbell County, Ky.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7872) for the benefit of Joel H. Hallowell, of Covington, Ky.—to the Committee on Invalid Pensions.

By Mr. BLUE: A bill (H. R. 7873) increasing the pension of Ephraim Pringle, of Lawrence, Kans.—to the Committee on Invalid Pensions.

By Mr. COOKE of Illinois (by request): A bill (H. R. 7874) for the relief of James McCauley—to the Committee on War Claims.

By Mr. COOPER of Wisconsin: A bill (H. R. 7875) to increase pensions in certain cases—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7876) to increase the pension of James K. Van Matre, late of the Fifth Wisconsin Battery—to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 7877) for the relief of Jason R. Gossett—to the Committee on Military Affairs.

By Mr. HENDRICK: A bill (H. R. 7878) for the relief of Samuel C. Green—to the Committee on War Claims.

Also, a bill (H. R. 7879) for the relief of the heirs of Jacob Ullman, deceased, of McCracken County, Ky.—to the Committee on War Claims.

By Mr. HILBORN: A bill (H. R. 7880) to correct the military record of Frank D. Sweetser, late captain of Company E, Second (Berdan's) United States Sharpshooters, and to grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. HULING: A bill (H. R. 7881) granting a pension to Arthur G. Kiddy, late a private of Company D, Home Guards, One hundred and thirty-third Regiment Virginia Militia—to the Committee on Invalid Pensions.

By Mr. KERR: A bill (H. R. 7882) to remove the charge of desertion against William Thomas—to the Committee on Military Affairs.

By Mr. KIRKPATRICK: A bill (H. R. 7883) granting a pension to Barney Schriver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7884) granting a pension to Isaac N. Cisson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7885) granting a pension to Evan Schriver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7886) granting a pension to Patrick Lacy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7887) granting a pension to Clara M. Keath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7888) for the relief of Martha A. and B. W. Hiatt—to the Committee on War Claims.

Also, a bill (H. R. 7889) granting a pension to Josiah Moosa—to the Committee on Pensions.

By Mr. PICKLER: A bill (H. R. 7890) granting a pension to Samuel G. Trine—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: A bill (H. R. 7891) to refer the claim of Joseph W. Parish to the Secretary of the Treasury for examination and report—to the Committee on Claims.

By Mr. TERRY: A bill (H. R. 7892) for relief of the estate of Charles Labell—to the Committee on War Claims.

By Mr. THOMAS: A bill (H. R. 7893) granting a pension to Jane Innels—to the Committee on Invalid Pensions.

By Mr. VAN HORN: A bill (H. R. 7894) for the relief of Elizabeth P. Wethers, of Kansas City, Mo.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7895) for the relief of William H. Trabue, of Kansas City, Mo.—to the Committee on Claims.

Also, a bill (H. R. 7896) for the relief of Cornelius Boyle, of Kansas City, Mo.—to the Committee on War Claims.

By Mr. WHEELER: A bill (H. R. 7897) to pension Mrs. Katharine Clark—to the Committee on Pensions.

By Mr. PAYNE: A bill (H. R. 7898) granting an increase of pension to William D. Seamans, late a private Company L, Fourteenth New York Heavy Artillery—to the Committee on Invalid Pensions.

By Mr. MEYER: A bill (H. R. 7899) to correct military record of James Fanning—to the Committee on Military Affairs.

By Mr. TERRY: A bill (H. R. 7900) for the relief of Elvy Brewer, of Saline County, Ark.—to the Committee on War Claims.

By Mr. GIBSON: A bill (H. R. 7901) for the relief of Miller E. Rosier—to the Committee on Military Affairs.

Also, a bill (H. R. 7902) for the relief of David Hampton Rosier—to the Committee on Military Affairs.

By Mr. WOOD: A bill (H. R. 7903) granting a pension to Mrs. Hester A. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7904) to increase the pension of John M. Robinson—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. AITKEN: Petition of Gordon H. True and 38 others, of Agricultural College, Mich., asking for the passage of House bill No. 7251, looking toward the adoption of the metric system of weights and measures—to the Committee on Coinage, Weights, and Measures.

By Mr. ALLEN: Protests of certain citizens of Cleveland, Ohio, against the passage of House bill No. 4566, to amend the postal laws relating to second-class matter—to the Committee on the Post-Office and Post-Roads.

By Mr. BABCOCK: Petition of citizens of Washington, D. C., containing 47 names, urging the passage of House bill No. 5220 or some similar measure, requiring the Eckington and Soldiers' Home Railway Company to adopt rapid transit on its lines, and opposing the extension of the tracks of said company until its existing lines are modernly equipped and operated—to the Committee on the District of Columbia.

By Mr. BARTHOLDT: Petition of the St. Louis Association of Stationary Engineers, favoring the passage of House bill No. 3618, to increase the efficiency of the personnel of the Navy—to the Committee on Naval Affairs.

By Mr. BINGHAM: Memorial of the Philadelphia Maritime Exchange, favoring the passage of the Torrey bankruptcy bill—to the Committee on the Judiciary.

By Mr. DALZELL: Remonstrance of 120 citizens of the Twenty-second Congressional district of Pennsylvania, against the maintenance of the Père Marquette statue at the Capitol and petitioning for its removal—to the Committee on the Library.

By Mr. DAYTON: Petition of T. S. Punnall, of Cumberland, W. Va., asking for favorable action on House bills Nos. 838, 4566, and 5560, to provide 1-cent letter postage per half ounce, and to amend the postal laws relating to second-class and free matter—to the Committee on the Post-Office and Post-Roads.

By Mr. EVANS: Petition of W. E. Loughridge and others; also of George T. Lonnon and others, all of Louisville, Ky., respecting the Marquette statue—to the Committee on the Library.

By Mr. FOSS: Papers to accompany House bill No. 783, to remove the charge of desertion from the record of Friedrich Bertram—to the Committee on Military Affairs.

By Mr. GROSVENOR: Memorial of M. W. Whitney, of the Labor Independent, Nelsonville, Ohio, protesting against the passage of House bill No. 4566, to amend the postal laws relating to second-class matter—to the Committee on the Post-Office and Post-Roads.

By Mr. HARMER: Memorial of the Philadelphia Maritime Exchange, in favor of the passage of the Torrey bankruptcy bill—to the Committee on the Judiciary.

By Mr. HILBORN: Memorials from the State of California, of citizens of Oakland, Crescent Mills, Waterford, Farmersville, National City, Susanville, San Francisco, Healdsburg, Greenville, Escondido, and the county of Alameda, against the appropriation of public moneys for sectarian undertakings, and a petition for the passage of joint resolution No. 11, to amend the Constitution of the United States—to the Committee on the Judiciary.

By Mr. HOWELL: Eighteen petitions of the Liquor Dealers' Protective League of the State of New Jersey, protesting against the passage of House bill No. 6668, to raise the license fee in the District of Columbia from \$400 to \$800—to the Committee on the District of Columbia.

Also, petition of the American Association of Masters and Pilots of Steam Vessels of New York; also of James W. Hoff and other citizens of Keyport, N. J.; also of James E. Terry and others, urging the passage of House bill No. 5687, appropriating \$25,000 for the erection of a light-house at East Point Shoals, Raritan Bay, New Jersey—to the Committee on Rivers and Harbors.

Also, petition of Mrs. M. C. Laviness and others, of Asbury Park and Ocean Grove, N. J., protesting against the introduction of military training in the public schools of this country—to the Committee on Education.

By Mr. KENDALL: Papers relating to the claim of C. C. Haggard, of Mount Sterling, Ky.—to the Committee on War Claims.

By Mr. KIRKPATRICK: Memorial of the International Asso-

ciation of Machinists, of Parsons, Kans., for an investigation into the treatment of the members of the association employed in the Brooklyn Navy-Yard—to the Committee on Labor.

Also, memorial of Eggleston Post, No. 244, Grand Army of the Republic, of Wichita, Kans., praying for the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, memorial of the White Ribbon Women of Pomona, Kans., praying for the appointment of a commission of arbitration to adjust all troubles between the United States and England—to the Committee on Foreign Affairs.

By Mr. LEIGHTY: Resolutions of De Long Post, No. 67, of Auburn; also of Sion S. Bass Post, No. 40, of Fort Wayne, Grand Army of the Republic, Department of Indiana, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of citizens of Lagrange, Ind., favoring House bill No. 5729, for the protection of game, birds, and fish—to the Committee on Interstate and Foreign Commerce.

By Mr. LINTON: Resolutions adopted by the Trades League of Philadelphia, Pa., asking for favorable action on House bills Nos. 838, 4566, and 5560, to provide 1-cent letter postage per half ounce and to amend the postal laws relating to second-class and free matter—to the Committee on the Post-Office and Post-Roads.

By Mr. LONG: Petition of John Goldy Post, No. 90, of Milan, Department of Kansas, praying for the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LOUDENSLAGER: Petitions of the Liquor Dealers' Association of Phillipsburg, N. J.; also of Retail Liquor Dealers' Association of Mercer County, N. J.; also of Hudson County Liquor Dealers' Association, New Jersey; also of Hunterdon County Hotel Keepers' Association, New Jersey; also of Retail Liquor Dealers' Association of South Amboy, N. J., against the passage of House bill No. 6668, amending an act regulating sale of intoxicating liquors in the District of Columbia—to the Committee on the District of Columbia.

By Mr. MORSE: Petition of the Brockton Central Labor Union, of Brockton, Mass., asking for the unlimited coinage of silver at the ratio of 16 to 1—to the Committee on Coinage, Weights, and Measures.

By Mr. SNOVER: Petitions of Typographical Union, Trades and Labor Council, Cigarmakers' Union, Journeymen Barbers' Union, Longshoremen's Union, and Eddison Union, all of Port Huron, Mich., for a law restricting immigration—to the Committee on Immigration and Naturalization.

By Mr. SORG: Petition of Cincinnati Chamber of Commerce and Merchants' Exchange, of Cincinnati, Ohio, indorsing a bill to create a department of commerce and manufactures as a branch of the executive department of the Government, signed by Fred Guckenberger, secretary—to the Committee on the Judiciary.

By Mr. STEWART of Wisconsin: Remonstrance and petition of A. E. Montgomery and 77 others, of Bay Shore Council, No. 48, of Marinette, Wis., against the continuance of the statue of Marquette in Statuary Hall—to the Committee on the Library.

By Mr. WILLIAM A. STONE: Resolution of Council No. 92, Daughters of Liberty, of Allegheny, Pa.; also resolution of Lodge No. 397, Order of St. George, of Washington, D. C., unanimously indorsing the Stone immigration bill—to the Committee on Immigration and Naturalization.

By Mr. THOMAS: Petition of David Handshaw and 106 other citizens of Parkville, St. Joseph County, Mich., favoring the passage of House bill No. 2626, for the protection of agricultural staples by an export bounty—to the Committee on Ways and Means.

By Mr. UPDEGRAFF: Petition of White & Co., of Charles City; also petition of Ice Cave Creamery Company of Decorah, Iowa, recommending the passage of House bill No. 5213, which places a tax on the manufacture and sale of filled cheese—to the Committee on Agriculture.

By Mr. VAN HORN: Paper to accompany House bill for the relief of Elizabeth P. Wethers, of Kansas City, Mo.—to the Committee on Invalid Pensions.

## HOUSE OF REPRESENTATIVES.

FRIDAY, April 3, 1896.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN.

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

### BRIDGE ACROSS THE MISSISSIPPI AT ST. LOUIS.

Mr. MURPHY of Illinois. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 2698) authorizing the construction of a bridge over the Mississippi River to the city of St. Louis, in the State of Missouri, from some suitable point between the north line of St. Clair County, Ill., and the southwest line of said county.

The SPEAKER. The bill will be read, subject to objection.

The bill was read, as follows:

*Be it enacted, etc.* That the consent of Congress is hereby given to the East St. Louis and St. Louis Bridge and Construction Company, of the city of East St. Louis, of the county of St. Clair and State of Illinois, a corporation organized under the laws of the State of Illinois, its assigns, successors, grantees, mortgagees, representatives, and successors in interest, to build, own, operate, and maintain a bridge and approaches thereto, as hereinafter described, across the Mississippi River, from some point suitable to the interests of navigation between the north line of St. Clair County, Ill., and the southwest line of said county, to the city of St. Louis, State of Missouri: *Provided*, That the plan and location of the said bridge, so far as the interests of navigation are concerned, shall be recommended by a board of three United States engineers appointed by the Secretary of War and shall be approved by the Secretary of War. And it shall be the duty of the said board to give a public hearing in the city of St. Louis to all parties interested in the construction of said bridge whenever the design and drawings of said bridge and maps of location shall have been submitted to the Secretary of War as herein provided. Said board to give reasonable notice of time and place of such hearing and report its recommendations to the Secretary of War as soon thereafter as may be expedient. Said bridge shall be constructed for the purpose of providing for the passage of wagons, vehicles, street cars, animals, and foot passengers, and shall be deemed and taken as a public highway for the purposes named only, subject to the provisions hereinafter set forth: *Provided*, That street-railway companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of cars over the same and over the approaches thereto, and in case the owner or owners of said bridge and the street-railway companies, or any one of them, desiring such use shall fail to agree upon the rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall be decided by the Secretary of War, upon hearing the allegations and proofs of the parties in question.

SEC. 2. That any bridge built under this act and subject to its limitations shall be a lawful structure and shall be recognized and known as a post route, upon which also no charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States, and it shall enjoy the rights and privileges of other post roads in the United States; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and the United States shall have the right of way across said bridge and its approaches for postal telegraphic purposes.

SEC. 3. That in case the said bridge shall be built below the bridge heretofore constructed and known as the Eads Bridge, it shall be built with unbroken and continuous spans, and shall have at least two channel spans of not less than 750 feet clear width, each measured at right angles to the current at any and all stages of water; and the lowest part of said spans shall not be of less elevation in any case than 75 feet above the St. Louis city directrix; and in case the said bridge shall be built above the said Eads Bridge there shall be at least three channel spans of not less than 500 feet clear width, each measured at right angles to the current at any and all stages of water; and the lowest part of said span shall not be of less elevation in any case than 50 feet above the St. Louis city directrix plus the slope of the river from the foot of Walnut street, in the city of St. Louis, to the point where the bridge shall be built; and the piers of said bridge shall be parallel with the current of the river.

SEC. 4. That the piers of all high-channel spans shall be built parallel with the current of the river at the stage of water which is most important for navigation, and riprapping or other protection for imperfect foundations which will materially lessen the waterway or which may injure navigation shall not be employed in the channel ways of the high spans, and piers which will produce cross currents or bars dangerous to navigation shall not be constructed; and if, after construction, any piers or protection walls are found to produce the above-mentioned effects the nuisance shall be abated or corrected by or at the expense of the persons owning said bridge, and the approaches to the channel spans mentioned in this act shall provide sufficient waterway for the passage of floods.

SEC. 5. That the persons owning, controlling, or operating the bridge authorized by this act shall maintain, at their own expense, from sunset to sunrise, throughout the year, and during heavy fogs, such lights or other signals as the Light-House Board shall prescribe, and shall also each day during the season of navigation have posted in a conspicuous place the clear headroom under the channel span on that day, the figures expressing this height to be readily visible to the naked eye from any point in the channel of the river for a stretch of 4,000 feet, of which 3,000 feet shall be above and 1,000 feet shall be below the channel span of the bridge.

SEC. 6. That no bridge shall be erected or maintained under the authority of this act which shall at any time substantially or materially obstruct the free navigation of said river; and if any bridge erected under such authority shall, in the opinion of the Secretary of War, obstruct such navigation, he is hereby authorized to cause such change or alteration of said bridge to be made as will effectually obviate such obstruction; and all such alterations shall be made and all such obstructions removed at the expense of the persons owning or controlling such bridge; and in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, caused or alleged to be caused by said bridge, the case shall be brought and tried in the circuit court of the United States for the southern district of Illinois.

SEC. 7. That any bridge authorized to be constructed under this act shall be built and located under and subject to such regulations for the security of navigation of said river as the Secretary of War shall prescribe; and the said company or corporation shall submit to the Secretary of War, for his examination and approval, a design and drawings of the bridge and a map of the location, giving, for a sufficient distance above and below the bridge, the topography of the banks of the river, the shore lines at high and low water, the direction and strength of the current at low, medium, and high water stages, and the soundings, accurately showing the bed of the stream, the location of any other bridge or bridges, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said plan and location of the bridge are approved by the Secretary of War the bridge shall not be built; and should any changes be made in the plan of said bridge during the progress of construction, such changes shall be subject to the approval of the Secretary of War.

SEC. 8. That in case the construction of the bridge authorized in this act shall not be commenced within one year and completed within five years from the date of its approval, then this act shall be null and void.

SEC. 9. That a principal reason for giving authority to build the bridge herein contemplated is to secure reasonable rates and tolls to that class of traffic described in this act for passage over the same, and to facilitate the transaction of business across the Mississippi River at the city of St. Louis.

SEC. 10. That said corporation may transport on said bridge and approaches thereto persons and property of the class described in this act, and may allow others so to do; and said bridge and approaches may be used for the transportation of all that class of persons and property described in this act, under such regulations as the directors of said corporation or the parties owning the said bridge may prescribe. The said corporation or individuals owning the said bridge may take, receive, and collect such rates and tolls for travel,