

SENATE.

MONDAY, *January 22, 1900.*

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

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on motion of Mr. TILLMAN, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection.

CREDENTIALS.

The PRESIDENT pro tempore laid before the Senate the credentials of WILLIAM V. SULLIVAN, chosen by the legislature of Mississippi a Senator from that State for the unexpired term ending March 3, 1901; which were read, and ordered to be filed.

IMPROVEMENT OF PEARL HARBOR.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Navy, transmitting information relative to the appropriation of \$100,000 for improving Pearl Harbor, Hawaii, in accordance with the report submitted by Rear-Admiral Walker, United States Navy, June 11, 1894, and suggesting the desirability of transferring that appropriation to the jurisdiction of the Navy Department; which was referred to the Committee on Commerce, and ordered to be printed.

NEVADA STATE CLAIM.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a statement from the Auditor for the War Department relative to the claim of the State of Nevada for moneys advanced in aid of the suppression of the rebellion in the civil war; which, on motion of Mr. STEWART, was, with the accompanying papers, referred to the Committee on Appropriations, and ordered to be printed.

REPORT OF THE BUREAU OF ANIMAL INDUSTRY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of Agriculture, transmitting the annual report of the operations of the Bureau of Animal Industry for the fiscal year ended June 30, 1899; which, with the accompanying paper, was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

ESTATE OF FELIX ROBERTS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Adele Virginia Spangler, administratrix de bonis non of the estate of Felix Robert vs. The United States; which was referred to the Committee on Claims, and ordered to be printed.

PROPERTY EXEMPT FROM TAXATION IN THE DISTRICT.

The PRESIDENT pro tempore laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, in response to a resolution of December 20, 1899, an itemized statement of all the real estate in the District of Columbia exempt from taxation, together with a reference to the statute under the authority of which such property has been exempted from taxation; also an itemized statement of all the real property in the District of Columbia acquired by the United States and the District government since the year 1893, inclusive; also an itemized statement indicating the property upon which the payments for construction and maintenance of sidewalks has been refused; which, with the accompanying papers, was referred to the Committee on the District of Columbia, and ordered to be printed.

URGENT DEFICIENCY APPROPRIATION ACT OF MARCH 9, 1898.

The PRESIDENT pro tempore laid before the Senate a report from the Auditor for the Treasury Department, transmitting, in response to a resolution of the 8th instant, an itemized statement of expenditures for allotments made to the Treasury Department from appropriations made by act of Congress approved March 9, 1898, entitled "An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1898, and for prior years, and for other purposes," covering the accounts settled in his office; which was referred to the Committee on Appropriations, and ordered to be printed.

REVENUE-CUTTER SERVICE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the chief of the division of the Revenue-Cutter Service, requesting that of the unexpended balance for expenses of the Revenue-Cutter Service for the fiscal year 1898 the sum of \$100,000 be reappropriated and made available in the urgent deficiency appropriation bill for the service of the current fiscal year; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

MILITIA OF THE DISTRICT OF COLUMBIA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Commissioners of the District of Columbia, requesting that the unexpended balance of the appropriation for rifle practice and matches for the militia of the District of Columbia for the fiscal year 1899, amounting to \$708.61, be made available in the urgent deficiency appropriation bill for the fiscal year 1900; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

DEFICIENCY APPROPRIATIONS FOR INTERIOR DEPARTMENT.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior, submitting urgent deficiency estimates of appropriations required for the service of the Interior Department, amounting to \$97,214.50; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War, submitting estimates of deficiencies in appropriations under the control of the Board of Managers of the National Home for Disabled Volunteer Soldiers; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

JUDGMENTS OF COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 19th instant, a list of judgments, amounting to \$27,730.22, rendered by the Court of Claims and requiring an appropriation for their payment; which, with the accompanying papers, was referred to the Committee on Appropriations, 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 bill (S. 1484) to authorize the Secretary of the Navy to change the material to be used in the construction of the dry docks at the navy-yards at League Island, Pa., and Mare Island, Cal., from timber to concrete and stone.

The message also announced that the House had passed the joint resolution (S. R. 53) to fill a vacancy in the Board of Regents of the Smithsonian Institution.

The message further announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 4602) to authorize the Chicago, Rock Island and Pacific Railway Company to construct and operate a railway through the Fort Reno and Fort Sill military reservations, in the Territory of Oklahoma, and for other purposes;

A bill (H. R. 5493) for the relief of claimants having suits against the United States pending in the circuit and district courts of the United States affected by the act of June 27, 1898, amending the act of March 3, 1897;

A bill (H. R. 6627) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1901; and

A joint resolution (H. J. Res. 129) authorizing the Secretary of War to receive for instruction at the Military Academy at West Point Olmedo Alfaro, of Ecuador.

The message also transmitted the resolutions of the House adopted as a tribute to the memory of Hon. LORENZO DANFORD, deceased, late a member of the House of Representatives from Ohio.

PETITIONS AND MEMORIALS.

Mr. SIMON. I present the petition of H. W. Corbett, president of the Home for Destitute Children, and sundry other citizens of Portland, Oreg., praying for a modification of the present Federal tax on legacies and bequests to colleges and benevolent and religious societies. I ask that the petition be printed in the RECORD, and referred to the Committee on Finance.

There being no objection, the petition was referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

To the Honorable the Senate and House of Representatives of the United States of America in Congress assembled:

The undersigned respectfully petition the Congress to amend paragraph 5, section 29, of "An act to provide ways and means to meet war expenditures, and for other purposes," approved June 13, 1898, by adding thereto the following:

"And further provided, That where the body corporate entitled to any beneficial interest in such property shall be a religious, charitable, or educational corporation the duty or tax shall be at the same rate as that imposed on such property passing to the lineal issue to the person who died possessed of such property."

Your petitioners are all religious, charitable, or educational corporations engaged in performing works and disbursing funds for the public welfare solely and not in any manner for private profit or gain. This amendment is asked for the following, among other, reasons:

(1) It has always been the policy of the Government to exempt from taxation religious, charitable, and educational institutions, on account of their meritorious nature and the fact that they relieve the Government of burdens which it would otherwise have to bear.

(2) The present tax compels such institutions as your petitioners to pay as high a tax as bodies corporate engaged in business for private gain.

(3) The present tax places a premium on cutting off legacies to such institutions as your petitioners and operates to close an important source of revenue, which in the past has been one of the chief means of obtaining funds for the work to be performed, the rate of taxation being six and two-thirds times as great as that levied on legacies to lineal issues.

(4) The present tax defeats itself as it discourages legacies, and hence falls as a source of revenue to the Government as well as to your petitioners.

Mr. SIMON. I present a petition, signed by sundry property owners and taxpayers of the county of Tillamook, Oreg., praying that an appropriation be made for the improvement of the Nehalem River in that county. I ask that the petition be printed in the RECORD, and referred to the Committee on Commerce.

There being no objection, the petition was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

*To the Senate and House of Representatives
of the United States in Congress convened:*

Your petitioners, citizens of the State of Oregon and property owners and taxpayers of the county of Tillamook, of said State, respectfully petition Congress of the United States for an appropriation of money, and for such measures as may be deemed proper, for the improvement at the mouth of the Nehalem River in said county.

We, the undersigned, being familiar with the resources of said county and the requirements essential and needful, respectfully represent: That said Nehalem River drains a large and fertile region, rich in coal, farm and dairy products, and inexhaustible timber.

That large and varied enterprises, such as sawmills, canneries of various kinds, stock raising, dairies, etc., are established in said county, particularly along the region above the mouth of said river, and that these, and more to be established, are but waiting for the opportunities the improvement asked for would afford for developments of vast importance to the people and the State.

That there is now an established coal field of sufficient depth for economic mining in Lower Nehalem is further evidenced by the United States Geological report, by Prof. G. S. Diller, of the years 1895 and 1896.

That the region referred to is one of the richest in the State in natural resources, and that the Nehalem River is the principal water course, affording among the inlets the most easy and convenient access to and by the commercial world by sea, and is therefore the river first requiring such attention.

That the mouth of said river now divides into two distinct channels, causing the waters to divide or spread in such manner as to not afford sufficient depth in either of said channels for the convenient entrance into said bay and river by ocean ships and steamers.

That this inconvenience greatly retards development, and that the improvement asked for, if made, would afford commercial opportunities and insure results immeasurably greater than the cost of making such improvement.

That said improvement may be made by closing one of said channels by means of a jetty or dike, which, by causing the waters to flow in but one of said channels, would secure sufficient depth for all navigable purposes.

That said jetty or dike may be built with ease and at comparatively small cost, the needed material being near at hand, close by said channels; and that the cost of building such jetty or dike would hardly exceed the sum of \$15,000 or \$25,000.

Wherefore, in praying for this appropriation for said improvement, we feel that our request is reasonable and just; that, in view of the urgent need and the commercial opportunities it would afford, the cost is but small; and that the granting of such appropriation will meet with approval of the people and the gratitude of your petitioners and all our citizens.

Mr. PLATT of New York presented a petition of the drug-trade section of the New York Board of Trade and Transportation, praying for the repeal of the stamp tax upon proprietary medicines, perfumeries, and cosmetics; which was referred to the Committee on Finance.

He also presented petitions of 139 railway mail clerks of New York City, 104 railway mail clerks of Buffalo, and sundry railway mail clerks of Cortland and Madison, all in the State of New York, praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. LODGE presented sundry petitions of railway mail clerks of Boston, Wakefield, Cambridge, Lawrence, Lynn, Medford, Dorchester, Haverhill, Ware, and Jamaica Plain, all in the State of Massachusetts, praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented the petitions of J. J. Pike & Co., of Chelsea; C. S. Hamlin and sundry other citizens of Boston, and of the Omega Chemical Company, of Boston, all in the State of Massachusetts, praying for the repeal of the stamp tax upon proprietary medicines, perfumeries, and cosmetics; which were referred to the Committee on Finance.

He also presented the petition of Mary A. Livermore, president of the Woman Suffrage Association of Melrose, Mass., praying for the adoption of a sixteenth amendment to the Constitution, prohibiting the disfranchisement of United States citizens on account of sex; which was referred to the Select Committee on Woman Suffrage.

He also presented the petition of Salome Merritt, president of

the National Woman Suffrage Association of Massachusetts, praying that the women of the new island possessions be granted equal rights with men; which was referred to the Select Committee on Woman Suffrage.

Mr. McMILLAN presented a petition of the common council of Detroit, Mich., praying for the construction of a railway bridge across the Detroit River at that city; which was referred to the Committee on Commerce.

He also presented a memorial of sundry citizens of Alabama, remonstrating against the enactment of legislation for the further prevention of cruelty to animals in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. WARREN presented a petition of sundry railway mail clerks of Laramie, Wyo., praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. BURROWS presented sundry petitions of citizens of Manistee, Escanaba, Muskegon, and Three Rivers, all in the State of Michigan, praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. BUTLER. I present a letter, in the nature of a petition, from Albert B. Guyton, secretary of the North Carolina Letter Carriers' Association, of Winston-Salem, N. C., praying for the passage of House bill 4911, to increase the pay of letter carriers. I move that the petition be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

Mr. ALDRICH presented the petition of W. A. Reynolds and 75 other citizens of Rhode Island, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. MASON presented a petition of sundry railway mail clerks of Rock Island, Ill., praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. HOAR presented the petition of Mary A. Livermore, president, and Henry B. Blackwell, secretary, of the Massachusetts Woman Suffrage Association, praying that the equality of political rights be granted the women of Hawaii and the other islands over which Congress has control; which was referred to the Select Committee on Woman Suffrage.

Mr. COCKRELL presented a petition of sundry soldiers of Capt. James M. Dennis's Company, Osage and Maries County militia, of Missouri, praying that they be placed on the pension roll; which was referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. McBRIDE, from the Committee on Public Lands, to whom was referred the bill (S. 101) for the relief of Clinton F. Pulsifer, of the State of Washington, reported it without amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (S. 194) providing for a monument to mark the site of the Fort Phil Kearny massacre, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Claims, to whom was referred the bill (S. 739) for the relief of the estate of George W. Lawrence, reported it without amendment, and submitted a report thereon.

Mr. NELSON, from the Committee on Public Lands, to whom was referred the bill (S. 200) granting to the State of Wyoming 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Wyoming State Soldiers and Sailors' Home, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 68) granting to the State of Kansas the abandoned Fort Hays Military Reservation, in said State, for the purpose of establishing western branches of the Kansas Agricultural College and of the Kansas State Normal School thereon, and for a public park, reported it without amendment, and submitted a report thereon.

Mr. KENNEY, from the Committee on Pensions, to whom was referred the bill (S. 1533) granting a pension to David Carroll, reported it without amendment, and submitted a report thereon.

Mr. HOAR, from the Committee on the Judiciary, to whom was referred the bill (S. 268) to amend the Revised Statutes of the United States relating to the northern district of New York, to divide the same into two districts, and provide for the terms of court to be held therein and the officers thereof and the disposition of pending causes, reported it with amendments.

Mr. WETMORE, from the Committee on the Library, to whom was referred the joint resolution (S. R. 36) to carry into effect two resolutions of the Continental Congress directing monuments to be erected to the memory of Generals Francis Nash and William Lee Davidson, of North Carolina, reported it without amendment, and submitted a report thereon.

Mr. MASON, from the Committee on Commerce, to whom was referred the bill (S. 2176) to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved March 3, 1899, reported it without amendment, and submitted a report thereon.

Mr. SHOUP, from the Committee on Pensions, to whom was referred the bill (S. 1489) granting an increase of pension to Robert C. Rogers, reported it without amendment, and submitted a report thereon.

Mr. COCKRELL. I am directed by the Committee on Pensions, to whom was referred the bill (S. 492) granting an increase of pension to William Carothers, to ask to be discharged from its further consideration. I move that the bill be postponed indefinitely, the claimant having died and no right descending to any heir.

The motion was agreed to.

ASSISTANT CLERK TO COMMITTEE.

Mr. JONES of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. FORAKER on the 18th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Pacific Islands and Puerto Rico be, and it is hereby, authorized to employ an assistant clerk, to be paid from the contingent fund of the Senate, at the rate of \$1,800 per annum, until otherwise provided by law.

INDEX TO PRIVATE CLAIMS.

Mr. PLATT of New York, from the Committee on Printing, reported the following order; which was considered by unanimous consent, and agreed to:

Ordered, That the usual number of the index to private claims, from the 4th day of March, 1891, and up to the 4th day of March, 1899, inclusive, prepared under direction of the Committee on Claims, in compliance with a resolution of the Senate of June 10, 1898, be printed.

PRACTICE OF POLYGAMY, ETC.

Mr. HOAR. I am directed by the Committee on the Judiciary, to whom was referred the resolution submitted by the Senator from Utah [Mr. RAWLINS] December 6, 1899, to report it with an amendment, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution; which was read, as follows:

Be it resolved by the Senate of the United States, That the Committee on the Judiciary is hereby instructed to inquire into and to report to the Senate—

First. To what extent polygamy is practiced or polygamous marriages entered into in the United States or in places over which they have jurisdiction.

Second. Have polygamists or persons reputed to have more than one wife been elected to office by the people of Utah; and if so, has such election been for the purpose of encouraging polygamy or in violation of any compact between said State and the United States?

Third. Have polygamists or persons reputed to have more than one wife been appointed to office by the President, by and with the advice and consent of the Senate, or in cases where the concurrence of the Senate is not required; and if so, have such appointments been made in aid of polygamy or in violation of the compact between the United States and the State of Utah with reference to that subject?

Fourth. What, if any, steps should be taken or measures enacted for the prevention of polygamy in the United States and in places over which they have jurisdiction?

Mr. HOAR. The Committee on the Judiciary recommends striking out the second and third paragraphs and adopting the first and last paragraphs. I ask for the adoption of the amendment. There is no necessity to read it again.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. Strike out paragraphs 2 and 3, as follows.

Mr. HOAR. I suppose it is not necessary to read the paragraphs again.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The resolution as amended was agreed to, as follows:

Resolved, That the Committee on the Judiciary is hereby instructed to inquire into and to report to the Senate—

First. To what extent polygamy is practiced or polygamous marriages entered into in the United States or in places over which they have jurisdiction.

Second. What, if any, steps should be taken or measures enacted for the prevention of polygamy in the United States and in places over which they have jurisdiction?

BILLS INTRODUCED.

Mr. LODGE introduced a bill (S. 2577) for the relief of the sufferers by the wreck of the United States revenue cutter *Gallatin* off the coast of Massachusetts; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2578) for the relief of Eliza M. Abbott; which was read twice by its title, and referred to the Committee on Claims.

Mr. STEWART introduced a bill (S. 2579) for the relief of Mrs. Harriet A. Ferguson; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CULLOM introduced a bill (S. 2580) granting an increase

of pension to William Strain; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALLEN introduced a bill (S. 2581) to incorporate the National White Cross of America, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CULBERSON introduced a bill (S. 2582) to provide for the establishment of the intersection of the true one hundredth meridian with Red River; to ascertain the amount of taxes collected by the State of Texas in what was formerly known as Greer County, and the expenditures made on account of said county by said State, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 2583) providing for enlarging the public building at Dallas, Tex.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. MARTIN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 2584) for the relief of Mary E. McDonald;

A bill (S. 2585) for the relief of J. V. Davis;

A bill (S. 2586) to give the Court of Claims of the United States jurisdiction of the claims of the Alexandria and Washington Railroad Company and others against the United States for compensation for the use and occupation of the railroad of said company by the United States or the military authorities thereof; and

A bill (S. 2587) for the relief of the heirs of Valorous G. Austin, deceased.

Mr. MCBRIDE introduced a bill (S. 2588) to amend an act entitled "An act granting pensions to the survivors of Gray's Battalion, Arkansas Volunteers," approved February 17, 1897; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PRITCHARD introduced a bill (S. 2589) for the relief of W. N. Hedden; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 2590) for the relief of John P. Clark; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2591) to correct the military record of Cyrus E. Burnett; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. THURSTON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2592) granting a pension to Joseph A. Dudgeon;

A bill (S. 2593) granting a pension to Henry Bowerman;

A bill (S. 2594) granting an increase of pension to William McBrien;

A bill (S. 2595) granting an increase of pension to George W. Patterson;

A bill (S. 2596) granting a pension to W. P. Snowden;

A bill (S. 2597) granting a pension to Owen E. Davidson (with an accompanying paper);

A bill (S. 2598) granting a pension to Alden B. Thompson (with accompanying papers);

A bill (S. 2599) granting an increase of pension to George M. Ireland (with accompanying papers); and

A bill (S. 2600) granting an increase of pension to Charles Allen (with accompanying papers).

Mr. THURSTON introduced a bill (S. 2601) providing for an additional district judge in the district of Nebraska; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 2602) to remove the charge of desertion standing against John Daley; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2603) for the relief of L. B. Shepherd; which was read twice by its title, and referred to the Committee on Claims.

Mr. DAVIS (by request) introduced a bill (S. 2604) to revive and amend and extend the act of Congress of August 15, 1876, to encourage and promote telegraphic communications between America and Asia, across the Pacific Ocean, from the western shores of the United States to the Hawaiian Islands, to Japan and China; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. HOAR introduced a bill (S. 2605) granting an increase of pension to Elijah Gay; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2606) to amend sections 5398, 5399, and 5406, Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. BURROWS introduced a bill (S. 2607) granting a pension to Emily Brooks; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McMILLAN introduced a bill (S. 2608) to provide for and

create a judicial district in the State of Michigan, to be designated as the northeastern district of Michigan, and for the appointment of a district judge and other officers therein, and for the holding of courts therein; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 2609) to transfer certain old records of the city of Washington from the custody of the Commissioners of the District of Columbia to that of the Chief of Engineers, United States Army; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. WARREN introduced a bill (S. 2610) to authorize the purchase of the property known as the Corcoran Art Gallery, in the city of Washington, D. C.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2611) providing that the State of Wyoming be permitted to relinquish to the United States certain lands heretofore selected and to select other lands from the public domain in lieu thereof; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. TILLMAN introduced a bill (S. 2612) to remove the charge of desertion against Frederick Schulte or Schuldt; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. DANIEL introduced a bill (S. 2613) for the relief of Jacob Falwell; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 2614) to grant a pension to Miss Eva Turner; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. ELKINS introduced a bill (S. 2615) for the relief of Joseph Loudermilk; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2616) for the relief of J. W. and J. P. Hall; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2617) to abolish the office of justice of the peace within and for the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2618) granting a pension to William H. Winans; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CHILTON introduced a bill (S. 2619) to amend section 29 of the act entitled "An act to provide ways and means to meet war expenditures, and for other purposes," approved June 13, 1898; which was read twice by its title, and referred to the Committee on Finance.

Mr. ALDRICH introduced a bill (S. 2620) granting a pension to Mary A. Steere; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. 2621) granting an increase of pension to Charles Frye; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 2622) granting a pension to Maria A. Thompson; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Mrs. Maria A. Thompson, widow of Dr. Charles A. Thompson, surgeon Thirteenth Illinois and Ninetieth Illinois Volunteer Infantry, with affidavit of herself, and of Dr. R. E. Young, and of F. W. Roer and T. W. Towles, and of Dr. J. F. Thorpe, with a letter from the Pension Office. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. PLATT of New York introduced a joint resolution (S. R. 71) authorizing the President of the United States to invite the Government of Great Britain to join in the formation of an international commission to examine and report upon the diversion of the waters that are the boundaries of the two countries; which was read twice by its title, and, with an accompanying paper, referred to the Committee on Foreign Relations.

Mr. PRITCHARD introduced a joint resolution (S. R. 72) authorizing the President of the United States to appoint David Bagley as an additional cadet at the Naval Academy, Annapolis, Md.; which was read twice by its title, and referred to the Committee on Naval Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. STEWART submitted an amendment proposing an appropriation of \$462,441.97 to reimburse the State of Nevada for moneys advanced in aid of the suppression of the war of the rebellion, intended to be proposed by him to the urgent deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MASON submitted an amendment proposing to fix the sal-

ary of the chief clerk, office of the First Assistant Postmaster-General, at \$2,500 per annum, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. ELKINS submitted an amendment proposing an appropriation of \$10,000 for printing in book form reports of the committee on awards of the World's Columbian Commission on special subjects, intended to be proposed by him to the urgent deficiency appropriation bill; which was referred to the Committee on Printing, and ordered to be printed.

LAKE TAHOE NATIONAL PARK.

On motion of Mr. STEWART, it was

Ordered, That 500 extra copies of S. 2320, "to set apart certain lands in the States of California and Nevada as a public park and forest reservation, to be known as the Lake Tahoe National Park, and for other purposes," be printed for the use of the Senate.

TRANSACTIONS WITH NATIONAL CITY BANK, OF NEW YORK.

Mr. ALLEN. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

Whereas the report of the Secretary of the Treasury in answer to the Senate resolution of inquiry of January 4, 1900, is not complete in all respects and fails to transmit to the Senate copies of certain correspondence between the Secretary of the Treasury and the officials of the National City Bank, of New York; Therefore, be it

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the Senate copies of all letters and the substance of any conversation or agreement he may have written or had with A. B. Hepburn, of the National City Bank, of New York, in reply to a letter from Mr. Hepburn to him, dated June 5, 1897; also copies of any letters, communications, agreements, papers, and documents between the Treasury Department and the National City Bank, of New York, within the period embraced between June 5, 1897, and October 27, 1897; also copies of any letters, communications, agreements, papers, documents, or conversation between the Secretary of the Treasury or his subordinate officers or officials and the officials of the National City Bank, of New York, or the officials of the National City Bank and the Secretary of the Treasury or his subordinates, in reference to the letter from the Secretary of the Treasury to James Stillman, president of the National City Bank, of New York, of December 21, 1897, in which the Secretary of the Treasury wrote, "I have yours of the 20th instant, and note your suggestions as to a conference with Mr. Morgan in relation to the Treasury deposits in the national bank depositories of New York."

And the Secretary of the Treasury is further directed to transmit to the Senate copies of any letters, agreements, communications, papers, documents, or other information in his possession or in the possession of the Treasury Department respecting the conference between the Secretary of the Treasury and James Stillman, president of the National City Bank, J. Pierpont Morgan, of New York, and any other person or persons with whom he conferred in Philadelphia, as mentioned in his letter to James Stillman, president of the National City Bank, of New York, of December 21, 1897; and also whether or not the conference resulted in any agreement or understanding in regard to depositing Government moneys in the national bank depositories in the city of New York; whether or not any record was kept in the Treasury Department of telephonic or telegraphic communications between the Secretary of the Treasury or his subordinate officers and the officials of the National City Bank, of New York City, and if so, what agreement and understanding was arrived at by means of these telephonic, telegraphic, or other communications; whether or not the Secretary of the Treasury knew or had reason to believe that the Government funds deposited in the National City Bank, of New York, were used with a view of causing a liquidation of speculative stocks, as mentioned in the letter of James Stillman to the Hon. Lyman J. Gage of April 8, 1899, and whether or not the Secretary of the Treasury or any of his subordinates had any correspondence, telegraphic or telephonic, or otherwise, or any agreements, documents, papers, or conversation with the officials of the National City Bank, of New York, between the period embraced from April 23, 1898, to June 2, 1899; September 19, 1898, to October 29, 1898; August 26, 1899, to December 19, 1899; and if so, let him accompany his response to this resolution with copies thereof. And the Secretary of the Treasury is further directed to inform the Senate of the amount of United States bonds held in trust by the Treasury Department for the Standard Oil Company, of the city of New York, to secure Government deposits for the National City Bank, of New York City, and upon what dates these bonds were assigned and the amount thereof now or at any time held by the Government of the United States for the Standard Oil Company.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. ALDRICH. Let it go over and be printed.

The PRESIDENT pro tempore. It will be printed and go over under the rule.

Mr. ALLEN. Has objection been made to present consideration?

The PRESIDENT pro tempore. Objection has been made.

GETTYSBURG NATIONAL PARK.

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

Resolved, That the Secretary of War be, and he is hereby, directed to inform the Senate how far the act of Congress of February 11, 1895, which "authorized and directed the Secretary of War to acquire such lands in the vicinity of Gettysburg not exceeding in area the parcels of land shown on the map prepared by Maj. Gen. Daniel E. Sickles and now on file in the office of the Secretary of War, which were occupied by the infantry, cavalry, and artillery on the 1st, 2d, and 3d days of July, 1863, and such other adjacent lands as he may deem necessary to preserve the important topographical features of the battlefield," has been carried out, how much of the land indicated has been secured, how much money the commissioners of the Gettysburg National Park have expended on account of their salaries and otherwise, and the value of the improvements in said park turned over to the United States Government by the several States, and to inform the Senate what additional legislation, if any, is necessary to carry out the provisions of the said act of February 11, 1895.

REPORT ON COPPER RIVER EXPLORATION EXPEDITION.

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

Resolved, That the Secretary of War be, and he is hereby, directed to transmit to the Senate the report of Capt. W. R. Abercrombie on the Copper River exploration expedition to Alaska.

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

Resolved by the Senate (the House of Representatives concurring), That there be printed 5,000 copies of the report of Capt. W. R. Abercrombie on the Copper River exploration expedition to Alaska, transmitted by the Secretary of War, of which 1,500 shall be for the use of the Senate, 2,500 for the use of the House of Representatives, and 1,000 for distribution by the War Department.

BRUNSWICK (GA.) HARBOR IMPROVEMENT.

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

Resolved, That the Secretary of War be directed to furnish to the Senate a report from H. L. Marinden, an engineer of the Coast and Geodetic Survey, recently detailed by him to survey the outer bar of Brunswick, Ga., showing the amount of work done on said bar since his last report, its cost and its value to the Government, and an estimate as to the annual cost of maintaining the channel across said outer bar.

EXPENDITURE OF WAR APPROPRIATION.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed.

To the Senate:

In response to the resolution of the Senate of January 8, 1900, asking for information as to what portion of the \$50,000,000 appropriated by Congress under the act approved March 9, 1898, was expended by or under direction of the Department of State, I transmit herewith a detailed statement from the Secretary of State.

WILLIAM MCKINLEY.

EXECUTIVE MANSION.

Washington, January 23, 1900.

HOUSE BILLS REFERRED.

The bill (H. R. 5493) for the relief of claimants having suits against the United States pending in the circuit and district courts of the United States affected by the act of June 27, 1898, amending the act of March 3, 1897, was read twice by its title, and referred to the Committee on the Judiciary.

The bill (H. R. 6627) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1901, and for other purposes, was read twice by its title, and referred to the Committee on Pensions.

The following bill and joint resolution were severally read twice by their titles, and referred to the Committee on Military Affairs:

The bill (H. R. 4602) to authorize the Chicago, Rock Island and Pacific Railway Company to construct and operate a railway through the Fort Reno and Fort Sill military reservations, in the Territory of Oklahoma, and for other purposes; and

A joint resolution (H. J. Res. 129) authorizing the Secretary of War to receive for instruction at the Military Academy at West Point Olmedo Alfaro, of Ecuador.

POLICY REGARDING THE PHILIPPINE ISLANDS.

Mr. CLAY. Last Thursday my colleague [Mr. BACON] gave notice that he would on next Wednesday call up Senate joint resolution 45, introduced by himself, declaring the purpose of the United States with reference to the Philippine Islands, with a view of submitting some remarks thereon. I received a message from my colleague this morning stating that he has been called home for providential reasons and can not be here next Wednesday. I give notice for him that on Tuesday of next week, immediately after the morning business has been completed, he will call up the same joint resolution for the purpose of submitting some remarks.

RIGHT OF SUFFRAGE IN NORTH CAROLINA.

Mr. PRITCHARD. I desire to call up Senate resolution No. 68 and ask that it be read.

The PRESIDENT pro tempore. The Chair lays before the Senate the resolution submitted on the 8th instant by the Senator from North Carolina [Mr. PRITCHARD] relative to the violation of the fourteenth and fifteenth amendments to the Constitution of the United States, which will be read.

The Secretary read the resolution submitted by Mr. PRITCHARD on the 8th instant, as follows:

Resolved, That an enactment, by constitution or otherwise, by any State which confers the right to vote upon any of its citizens because of their descent from certain persons or classes of persons, and excludes other citizens because they are not descended from such persons or classes of persons, having all other qualifications prescribed by law, in the opinion of the Senate, is in violation of the fourteenth and fifteenth amendments to the Constitution of the United States and of a fundamental principle of our republican form of government.

Mr. PRITCHARD. Mr. President, I have carefully considered the speech of the honorable Senator from Alabama on the pending resolution. He has discussed the questions at issue with great adroitness, and has displayed that splendid ability which he brings to bear upon all the important questions that come before this body for consideration.

The distinguished Senator undertakes to show that this body does not have jurisdiction of the questions involved in the resolution, and in the next breath he insists that it relates to a question which in his judgment is now before the country for solution by popular suffrage. He says that it is a question which can not be repressed or evaded in the coming election. In dealing with this particular phase of the question, he says:

To refuse now to consider this question is to draw the country into a vortex of angry and dangerous excitement, such as seriously endangered the Republic in 1876 and 1877.

I heartily concur in the opinion that the question does involve the peace and welfare of the nation and the stability of our institutions. It does seem to me that no more important question will be presented for our consideration during the present session of Congress.

Article IV, section 4, of the Constitution of the United States provides as follows:

The United States shall guarantee to every State in this Union a republican form of government, and shall protect each of them against invasion; and on application of the legislature, or of the executive (when the legislature can not be convened) against domestic violence.

In reading the foregoing provision of the Constitution it will be observed that it is the duty of the United States to guarantee to each State a republican form of government. The language of the Constitution is mandatory, plain, and unequivocal. When the members of this body took the oath of office, among other things, they agreed to maintain the Constitution of the United States. However, the honorable Senator does not entertain this view as to the amendments in question. He says:

The question of the protection of the suffrage of the negro against discrimination under the laws is the only one in reference to which the Constitution gives specific plenary and discretionary power to Congress, to be exercised by appropriate legislation or to be declined if Congress refuses to exercise the power. It is not mandatory, and no man can be conscience bound to exercise the power if he feels that it would imperil the country. In the fourteenth amendment the power to reject the negro vote is admitted in favor of the States, and this right is nowhere taken away.

If the right thus given to the States is taken away by the fifteenth amendment, as I do not believe that it is, the power of Congress over the subject is again repeated separately in that amendment, and it stands as the sole authority to deal with the subject, to be exercised at the discretion of Congress. It may be that a power is given to Congress to deprive the State of the right reserved in the fourteenth amendment; but if so, it is only a power, and Congress is not bound to use it.

Unquestionably this legislative power is political and is not judicial, and it conveys no vested right in the negro race to vote that can stand against the power of Congress to permit a State to disqualify them by refusing to proceed to enforce their demand for the ballot.

Mr. President, this is indeed a startling declaration in view of the plain language contained in the amendments in question. According to the Senator's contention, we can violate the fourteenth and fifteenth amendments with impunity, provided it becomes necessary to do so in order to perpetuate Democratic rule in the South. This sounds to me very much like the doctrine that was taught by Calhoun in his time. In other words, it is nullification pure and simple. That section of the fourteenth amendment which relates to the representation of States in the electoral college and in the House of Representatives relates solely to the instances wherein the States, acting within the scope of their authority, see fit to deny the right of suffrage to any citizens residing therein in a manner so as to not discriminate against other citizens similarly situated on account of race, color, or previous condition of servitude. In discussing this phase of the question, Mr. Blaine, in his Twenty Years of Congress, says:

The adoption of the fifteenth amendment seriously modified the effect and potency of the second section of the fourteenth amendment. Under that section a State could exclude the negro from the right of suffrage if willing to accept the penalty of the proportional loss of representation in Congress which the exclusion of the colored population from the basis of apportionment would entail. But the fifteenth amendment took away absolutely from the State the power to exclude the negro from suffrage, and therefore the second section of the fourteenth amendment can refer only to those other disqualifications, never likely to be applied, by which a State might lessen her voting population by basing the right of suffrage on the ownership of real estate, or on the possession of a fixed income, or upon a certain degree of education, or upon nativity or religious creed. It is still in the power of the States to apply any one of these tests or all of them, if willing to hazard the penalty prescribed in the fourteenth amendment.

This is a complete answer to the statement made by the Senator from Alabama and leaves no doubt as to the proper construction to be placed upon the amendments.

In view of the fact that this resolution relates to the question as to whether or not the Constitution of the United States has been violated by constitutional enactment by certain States, about which we may be called upon at any time to legislate, I assume that no one will controvert the proposition that this body has jurisdiction of the subject to which it relates. In considering the question the inquiry naturally arises as to whether or not any State has adopted as a part of its constitution or by legislative enactment done that which is calculated to deprive any of its citizens of the privileges to which they are entitled under the Constitution of the United States. I am prepared to show that a number of States have attempted, by constitutional enactment, to deprive a certain class of citizens residing therein of privileges that are vouchsafed

to them by the fourteenth and fifteenth amendments to the Constitution.

The State of Louisiana has already adopted as an amendment to her constitution a provision which is in contravention of the fourteenth and fifteenth amendments to the Constitution of the United States, in that it discriminates against a certain class of citizens of that State to such an extent as to deprive them of the privileges that are guaranteed to other citizens who are similarly situated. There are other States that have adopted provisions that are equally repugnant to the amendments in question.

I call attention to the fact that the Democratic party in the State which I have the honor in part to represent is attempting to secure the adoption of a proposition to amend our constitution that is in many respects similar to the one which has been adopted by the people of the State of Louisiana.

The Constitution of the United States is not only intended for our guidance as representatives of the people, but it is consigned to the care and keeping of the Congress of the United States, and it is the duty of every member of this body to guard with zealous care each of its provisions and at all times to see that the principles enunciated therein are maintained and upheld in the spirit in which they were adopted.

Recognizing this fact, and realizing the responsibility that rests upon me as a member of this body, I feel that I would be recreant to the trust reposed in me were I to remain silent and without protest permit the Democratic party of North Carolina to adopt a policy that will ultimately result in the curtailment of our representation in the House of Representatives and in the electoral college. What is it that enables the States of New York, Ohio, Pennsylvania, Indiana, and Illinois to exert such a wonderful influence in the House of Representatives? Is it not due to their numerical strength in that body? The greater the numerical strength of a State in the House of Representatives the greater influence that State will be able to exercise in our national councils.

The State which I have the honor in part to represent is one that is rich in undeveloped resources. It has greater possibilities than any other Southern State. I point with pride to the fact that more cotton factories were established in North Carolina, under the benign influence of Republican legislation during the last year, than in any other Southern State. This is but an earnest of what we can do in the future if we are accorded that nurture and encouragement to which we are entitled as one of the great States of the Union.

How are we to secure needful legislation? Certainly not by the curtailment of our representation in the House of Representatives; and in this connection I wish to be plainly understood. I am a Southerner, I sympathize with the Southern people, and I will do everything in my power to prevent the adoption of any legislation that is calculated and intended to lessen the power and influence of the State of North Carolina. And while discussing this particular phase of the question I desire to call attention to a fact that has probably escaped the attention of many of the people of the South, and that is that the fourteenth amendment, among other things, provides:

SEC. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being 21 years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State.

This section of the fourteenth amendment clearly makes it the duty of Congress in the apportionment of representation to base the same upon the numerical strength of each State as shown by the number of votes therein cast. And it only remains for Congress to ascertain the facts as to any particular State in order to deprive that State of representation in proportion to the number of citizens denied the right of suffrage.

It is generally understood that the Republican party forced negro suffrage upon the South. This proposition is erroneous. I am prepared to show that the Democratic party of the South is in a great measure responsible for the enfranchisement of the negro. It will be remembered that the Howard amendment, which among other things provided that the Southern States should resume representation in Congress, did not undertake to place any restriction upon the States with respect to the elective franchise. It only undertook to fix the status of citizenship in each State in the Union, and, among other safeguards, provided that as long as the negro was denied the right to vote he should not be counted in the Federal enumeration.

The Howard amendment was rejected by all of the Southern States with the exception of Tennessee. The legislature of North Carolina, which was overwhelmingly Democratic at that time, voted almost unanimously to reject it. I do not propose to discuss the question as to whether or not the adoption of the fifteenth

amendment was the proper course to pursue at that time. That question has been settled by the people of the United States, and the fifteenth amendment is as much a part of the Constitution of the United States as any other amendment thereto. I find by an examination of the legislative journals of my State that ex-Senator Thomas J. Jarvis, a leading Democrat, together with the Hon. James L. Robinson, who was at one time elected lieutenant-governor of North Carolina by the Democratic party, Thomas M. Argo, W. W. Greer, P. Hodnett, T. C. Humphreys, J. A. Kelly, J. A. Mason, W. P. Welsh, R. D. Whitley, W. L. Lord, L. A. Mason, and J. W. Osborne, all Democrats, voted for the ratification of the fifteenth amendment.

If these distinguished Democrats at a time when the colored race had just been emancipated and was in a helpless state of ignorance thought it wise and proper that they should exercise the right of suffrage, I assume that I am right in contending, after a lapse of thirty years, that it is our duty as representatives of the American people to use all means in our power to secure the proper enforcement of the fifteenth amendment.

If the Senator from Alabama is right in his contention that the negro is not entitled to exercise the elective franchise, the Democratic party should have the manhood to propose the abrogation of the fifteenth amendment. This would raise the issue for which my distinguished friend contends and would afford the people of the United States an opportunity to pass upon the question—the only lawful method by which the colored people can be deprived of the rights which are now guaranteed to them by said amendment.

Judge Story, in his great work on the Constitution, said: "What is to become of the constitutions of government if they are to rest not upon the plain import of their words, but upon conjectural enlargements and restrictions, to suit the temporary passions and interests of the day?" Let us never forget that our constitutions of government are solemn instruments, addressed to the common sense of the people, and designed to fix and perpetuate their rights and liberties. They are not to be frittered away to please the demagogues of the day; they are not to be violated to gratify the ambitions of political leaders—they are to speak in the same voice now and forever. They are no man's private interpretation. They are ordained by the will of the people, and can be changed only by the sovereign command of the people.

And until the majority of the American people shall decree the abrogation of that amendment, the States are powerless by constitutional enactment or otherwise to do that which is a discrimination against any class of people residing therein, on account of race, color, or previous condition of servitude.

I consider the proposed amendment to the constitution of the State of North Carolina as the most important question that we have been called upon to deal with since the war. The right of suffrage is one that is prized very highly by the people of the United States. It is a historical fact that those who have once enjoyed the high privilege of the elective franchise are loath to yield it without a struggle. The constitution of 1868 of North Carolina was framed by the Republican party, and among other things it contained a provision which guarantees free suffrage to the rich, the poor, the illiterate, and the educated alike. Its adoption marked an era of encouragement to the common people of the State.

Therefore there had existed a deep-seated prejudice against the poor and illiterate white man as a result of the system of slavery which had done so much to degrade the poor man and to discourage those who earn their living by manual labor. This section of our constitution is consonant with the fourteenth and fifteenth amendments. Justice Swaine in the slaughterhouse cases, in referring to these amendments, among other things, said: "Fairly construed, these amendments may be said to rise to the dignity of a new Magna Charta."

There is to-day a manifest disposition to invade the liberty of the individual and to ignore the rights of property—a disposition which is concealed under many pretexts, and referring to which Mr. Guthrie, in his work on the fourteenth amendment, on page 30, says:

This tendency, bred of envy and discontent and the thirst for organic change—call it socialism or communism, or what you will—is the grave danger of the present, and it threatens humiliation and disaster. In this tendency lies the difficult problem which we of this generation must prepare to face and to solve. Much is to be dreaded and guarded against in the despotism of the majority wielding and abusing the power of legislation and ignorantly or intentionally undermining the foundation of the Constitution itself.

This is a correct portrayal of the conduct of those who seek to deprive the citizens of North Carolina of the rights that are guaranteed to them by the Constitution of the United States. There has never been a moment since the adoption of the constitution in 1868 when it has not been the intention of the leaders of the Democratic party to do all in their power, if the opportunity should present itself, to amend our constitution so as to restrict the right of suffrage, and, if possible, prevent the poor and illiterate white people of that State from exercising that privilege.

It has been contended all the while by the Republican party that, in the event of the Democratic party being permitted again to control our affairs, it would attempt eventually to so amend

the constitution as to exclude the poor and illiterate people of both races from the enjoyment of the privilege guaranteed them by the constitution of 1868.

On the other hand, the Democrats have strenuously denied that such was their intention, and, in doing so, have ridiculed the charges made by Republicans. During the last campaign Mr. Simmons, chairman of the Democratic executive committee, devoted a good deal of his time in attempting to convince the people that his party was not inclined to restrict the right of suffrage. I call attention to the following interview which Mr. Simmons gave out on the 25th of September of that year, published in the Raleigh News and Observer, one of the leading Democratic newspapers of the State:

For the past twenty years or more just before every election the Republican speakers, at their midnight meetings, have been in the habit of telling the negro that if the Democrats came into power their right to vote would be taken away from them. After the Democrats came into power in this State they always had some reason to give the credulous beings why the Democrats had not disfranchised them as they had before predicted.

First, they told them that if the Democrats got the State government they would disfranchise them. The Democrats got the State government and did not disfranchise them. Then they told them that if the Democrats elected a President they would disfranchise them. The Democrats elected a President and did not disfranchise them. Then they told them if the Democrats got control of Congress they would disfranchise them. The Democrats got control of Congress and did not disfranchise them. All along the honest white man of the State laughed at these lies and marveled that the negro did not have sense enough to see that he was being duped.

Finally, the negro himself began to see through the trick. He had seen the Democrats in full power in the State for twenty-odd years, and had learned through experience that that party did not propose to disfranchise him, and he, too, began to laugh at these lies, and finally refused to be frightened by their rot any longer. So the old Republican scarecrow had to be pulled down and put away.

I also call attention to the following statement contained in an address issued and signed by the Democratic members of the legislature of North Carolina in 1870:

In the last contest in this State the principal issue was upon the question of colored suffrage and civil rights of the colored race. That matter has been decided upon a solemn appeal by the people of the United States. The guaranty of their rights has now become a part of the Constitution. To that Constitution we have ever been willing to defer; to the laws made in pursuance of it we yield and ever have yielded a ready obedience.

The reconstruction acts of Congress, with the civil and political rights they confer on the colored race, we regard as a finality; we accept them in good faith. We are one of the States of the Union. Let us seek to forget the bitterness of the past, to build up the places made waste by the unfortunate war, and to promote the harmony and prosperity of all sections of our great country.

The colored man now enjoys the same political and civil rights as the white man. We accept his status as fixed by the constitution of this State and United States in good faith. We regard it as a final settlement of the question. It now becomes our duty as good citizens to elevate him morally and intellectually.

The foregoing is a portion of the address in question, which was dated on the 26th of March, 1870, and signed by the following gentlemen, who were Democrats, members of the legislature:

Thomas J. Jarvis, of Tyrrell; H. C. Jones, of Mecklenburg; C. T. Murphy, of Sampson; F. N. Strudwick, of Orange; J. A. Moore, of Caldwell; Plato Durham, of Cleveland; J. A. Moore, of Alamance; R. P. Matheson, of Alexander; John L. Smith, of Alleghany; J. H. Davis, of Carteret; Philip Hodnett, of Caswell; Joshua Barnes, of Wilson; J. Scott, of Onslow; J. W. Graham, of Orange; C. Melchor, of Cabarrus; A. M. Robbins, of Rowan; J. M. McLaughlin, of Iredell; L. A. Mason, of Gaston; R. S. Beal, of Caldwell; W. L. Love, of Jackson; B. P. High, of Columbus; W. T. Ferebee, of Camden; T. C. Humphries, of Currituck; J. A. Kelly, of Davie; J. C. McMillan, of Duplin; W. E. Armstrong, of Duplin; John Gatling, of Gates; B. C. Williams, of Harnett; W. P. Welsh, of Haywood; Tilman Farrow, of Hyde; T. A. Nicholson, of Iredell; G. F. Dardson, of Iredell; E. M. Painter, of Jackson; J. L. Robinson, of Macon; R. D. Whitley, of Mecklenburg; W. W. Grier, of Mecklenburg; W. W. Bodie, of Nash; Frank Thompson, of Onslow; T. M. Argo, of Orange; J. Hawkins, of Rowan; J. M. Shaver, of Rowan; J. C. Williams, of Sampson; J. W. Clayton, of Transylvania; D. E. Smith, of Wayne; David Proffitt, of Vance; J. O. Hicks, of Clay.

This was the position taken by the Democrats in 1870, and when the question arose during the last campaign in North Carolina as to whether or not the Democrats sought to restrict the right of suffrage, the Democratic executive committee of that State printed the address in question in full in the Democratic campaign book, beginning on page 8. In order to allay this apprehension the executive committee of that party issued a supplement to their handbook entitled: "Comments by the State Democratic Committee on the handbook issued by the People's Party State Executive Committee."

On page 18 of the supplement, in discussing the question as to whether or not they proposed to disfranchise any of the voters in that State, among other things I find the following:

It is the poor man's party. Nine-tenths of its members are poor men. How utterly absurd, then, is the false charge that the Republicans are trumping up to deceive the unwary. In order to give some color to it, they quote something from a Yankee newspaper, whose owners and editors are, we have always understood, Republicans, that Gen. W. R. Cox, who lives in Washington, told a reporter if the Democrats succeeded they would disfranchise the ignorant negro. But General Cox publishes over his own name a declaration that he never said that and never said anything like it, for he well knew that if even the Democrats should succeed and should have control of the legislature they would be powerless to disfranchise anybody. The Constitution forbids it.

The Constitution gives the right of suffrage to all male persons over 21 years of age not disqualified by crime, and the legislature can not add or take away a letter from that. That can only be done by the people themselves, and the Democrats will never submit any proposition to the people to take from

a man his right to vote. No Democrat has ever proposed such a thing. The charge is only intended to mislead, to deceive, and to make political capital. It is entirely false. There is not a Democratic convention that would not spit upon the man who might make such a proposition. There is not a Democratic candidate for office who would not pledge himself most solemnly against it. There is not a man who has any respect for his word who would make such a charge. It is, we learn, made by some radicals, but our people know the character of these men. They have no self-respect, and nobody else respects them. They are not entitled to the respect of people, because they do not respect themselves. It is wonderful how low down some people can get in political matters; with what unblinking effrontery they can invent falsehoods, until they become like the "organized" being referred to in the Populist Handbook.

The Wilmington Messenger, a Democratic organ, on the 18th of September, 1898, contained the following as part of an editorial:

The most stupid lie of the campaign is the Populist lie put out by the Skinner and Thompson gang and slyly repeated by the black radicals, the bald-faced lie that if the Democrats should carry the State they would disfranchise the negroes. If they desired it ever so much, they have no power to effect it. The lie is so stupid that it could not have been started and repeated but for the profound ignorance of the niggers generally. If they knew anything they would know that North Carolina has no power under Heaven to abridge the political rights and to deprive of the privilege of voting the negroes any more than the whites. The franchise is a right secured under the Constitution of the United States, and it takes the same power to abrogate the right as to confer, to repeal a law as to make it. So it is all bosh and falsehood to try and bewilder and befoul the poor, ignorant negroes in the way it has done. It is pitiful and mean to so work up them by lying and deception. Their right to vote is as absolutely secure as the white man's right to vote.

As we stated yesterday, the three amendments to the Constitution introduced and adopted soon after the war fixed the status of the negroes as citizens equal with that of the whites in their rights. The only way to rid the country of the negro ballot is by the same means and processes that were gone through with to enfranchise him in his stolid and stupid condition. So it is a lie out of whole cloth when the dirty tricksters imposed upon the ignorant, credulous negroes by telling them that a Democratic victory means depriving them of the right to vote.

The foregoing statements indicate the kind of campaign that was conducted by the Democratic party in North Carolina at the last election. The statement contained in the supplement reminds one very much of the declaration of the Apostle Peter on a certain occasion when he was about to betray our Saviour. It does seem to me that the statements ought to be treated as a solemn pledge made by the Democratic party of North Carolina to the people of that State with respect to the question of suffrage.

At that time we were in the midst of a most exciting campaign. The Democratic executive committee realized full well that unless it made a full and complete denial of the allegations that were being made by the Republicans against them that the voters of that State would again repudiate them. There has never been a more binding and solemn contract entered into by any political party than when a majority of the people of North Carolina voted the Democratic ticket with the assurance from its committee that there was no foundation for the statement that either white or colored would be deprived of the right of suffrage in the event of their party being successful. They even went so far as to characterize the Republicans as not being entitled to respect, and with inventing falsehoods, hoping thereby to convince the people that there was not the slightest foundation for the allegation that they proposed to disfranchise any citizen of that State. They sought to show that it was absurd to even intimate that the Democracy of North Carolina would favor the abridgment of the right of suffrage in the slightest degree, and in order to remove all doubt as to the sincerity of their professions they called attention to the fact that the Constitution (meaning thereby the Constitution of the United States) would not permit them to do that which the Republicans were alleging they would do in the event they should succeed. They said, among other things:

There is not a Democratic convention that would not spit upon the man who would attempt to make such a proposition.

What proposition? The proposition to submit to the people a proposed amendment to the Constitution which should have for its object the disfranchisement of the negro. It was not only the Democratic committee that made these pledges, but almost every Democratic candidate for the legislature made solemn pledges to the voters in their respective counties that, if elected, they would oppose any and all measures that might be presented for the disfranchisement of any class of our citizens.

I do not wish to be understood as saying that every Democratic leader in North Carolina has been guilty of duplicity in dealing with our people, because there are several honorable exceptions; and notably among these was my distinguished predecessor, the late Senator Vance, who was respected and admired by all parties for his honesty and strict integrity. So long as he remained at the helm of the Democratic party in North Carolina all attempts to disfranchise the poor and illiterate classes of both races were futile. I am informed that on one occasion, when it was proposed by that element of the Democratic party which now dominates its actions to pass an election law which would enable them by manipulation to thwart the will of the majority of the people, he went in person to the city of Raleigh and, by his wonderful influence, prevented the consummation of the conspiracy to deprive the people of their liberties. In this connection I call attention to

the following statement, to which he gave utterance in his speech delivered in the Senate of the United States on the 7th of April, 1881. Among other things he said:

The black people of my State have the same patriotism that we claim to have; they have the same pride in the character and the reputation and the prosperity of the Old North State that we claim to have; and when they came before the exodus committee they showed as much determination to maintain the good character and the good name of the land of their birth as the white people did, and they would do it now if you would let them alone. We have no objection to universal suffrage; we have no objection to the black people voting; we are willing for them to vote, and we are willing for them to continue to vote just as long as anybody else votes. They are improving daily; they are far more qualified to vote now than they were when you first gave them the suffrage; they are acquiring property, and they are acquiring intelligence; and, what is more, they are acquiring good feeling for the people of North Carolina; and the worst thing you can do, Senators, for the comfort and for the advancement of the black race, whose destiny you pretend to have so much at heart, is to step between them and their white neighbors of the South again, proclaiming that they are not now receiving their rights at the ballot box or in the courts or elsewhere. It is not true. It is alleged simply for the purposes of party aggrandizement.

It is a remarkable fact that the moment Senator Vance passed away the element of the Democratic party which had been held in check by his influence at once asserted itself and assumed control of the party machinery in that State.

If we are to profit by the lessons taught by the election methods in the States of South Carolina, Louisiana, and Mississippi, we are justified in the assumption that the adoption of the proposed amendment in North Carolina will sound the death knell to the aspirations of every Zeb. Vance Democrat in the State. While the proposed amendment is intended to crush out the principles of Republicanism, it is likewise intended to eliminate those who entertain the liberal views of the late Senator Vance, as well as those who are not willing to submit to the dictation of the machine.

Notwithstanding the many pledges made by the Democrats in order to induce the citizens of that State to vote for them, and thereby enable them to obtain control of the legislature, we are confronted with a proposition to amend our constitution, which, if adopted, will, in my judgment, disfranchise the poor and illiterate classes of both races. They were not content with submitting this proposition under the fair and impartial election law which had been enacted by a legislature consisting of Republicans and Populists, and under which they had so recently obtained control of the legislature, but, in order to carry into effect the scheme of disfranchisement of the unfortunate classes of our people to whom it refers, they enacted an election law which is framed with the sole view of manipulating our elections so as to thwart the will of the people, and thereby enable them to do that which the people would never consent to if given a fair opportunity of expressing their views at the ballot box and having the same recorded as expressed.

In order that we may have an intelligent conception as to the proposition which is submitted, I call attention to Article VI, section 1, of the constitution of North Carolina, which it is proposed to abrogate, which reads as follows:

Art. VI, sec. 1. Qualifications of an elector. Every male person born in the United States and every male person who has been naturalized, 21 years old or upwards, who shall have resided in the State twelve months next preceding the election and ninety days in the county in which he offers to vote, shall be deemed an elector; but no person who, upon conviction or confession in open court, shall be adjudged guilty of felony or any other crime infamous by the laws of this State, and hereafter committed, shall be deemed an elector, unless such person shall be restored to the rights of citizenship in a manner prescribed by law.

It will be observed that the foregoing article is in harmony with the fourteenth and fifteenth amendments to the Constitution of the United States, which read as follows:

Art. XIV, sec. 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without the due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Art. XV, sec. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Sec. 2. Congress shall have power to enforce this article by appropriate legislation.

It was expressly agreed at the time North Carolina was readmitted into the Union that the people of our State should retain a provision in its constitution in harmony with the provisions of the fifteenth amendment to the Constitution of the United States, and in order that there may be no mistake about the matter I call attention to the following provision contained in the enabling act, which was passed on the 25th day of June, 1868:

That each of the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama, and Florida shall be entitled and admitted to representation in Congress as a State of the Union when the legislature of such State shall have duly ratified the amendment of the Constitution of the United States proposed by the Thirty-ninth Congress, and known as Article XIV, upon the following fundamental conditions: That the constitution of neither of the said States shall ever be so amended or changed as to deprive any citizen or class of citizens of the United States of a right to vote in said State who are entitled to vote by the constitution thereof, herein recognized, except as a

punishment for such crimes as are now felonies at common law, whereof they shall have been duly convicted under laws equally applicable to all the inhabitants of said States.

The foregoing is plain and explicit, and leaves no doubt as to the precise conditions upon which the Southern States were readmitted into the Union. While it does not affect this controversy in a strictly legal sense, at the same time it clearly indicates the nature of the compact which was to be observed by the people of our State as the condition upon which the State was readmitted into the Union.

It may be contended by some that this enactment is the product of a Republican Congress and that a majority of the people of North Carolina never consented to its provision. The Republicans of that State gave their assent to it when they voted to ratify the adoption of the fourteenth and fifteenth amendments to the Constitution of the United States, and the Democrats, through their representatives who were members of the legislature in 1870, gave their assent to it when they issued the address to which I have heretofore referred.

Notwithstanding the provisions of the fourteenth and fifteenth amendments to the Constitution of the United States, together with the compact which was entered into when the enabling act was adopted, the legislature has submitted, among other things, certain sections as part of the amendment which is intended to be made to the constitution of North Carolina. I will ask the Secretary to read sections 4 and 5.

Mr. MASON. Of the proposed amendment?

Mr. PRITCHARD. Yes; of the proposed amendment.

Mr. MASON. Proposed by the legislature?

Mr. PRITCHARD. Yes, sir; and submitted to the people for ratification.

The Secretary read as follows:

SEC. 4. Every person presenting himself for registration shall be able to read and write any section of the constitution in the English language; and before he shall be entitled to vote shall have paid, on or before the 1st day of March of the year in which he proposes to vote, his poll tax, as prescribed by law for the previous year. Poll taxes shall be a lien only on assessed property, and no process shall issue to enforce the collection of the same, except against assessed property.

SEC. 5. No male person who was on January 1, 1867, or at any time prior thereto entitled to vote under the laws of any State in the United States, wherein he then resided, and no lineal descendant of any such person shall be denied the right to register and vote at any election in the State by reason of his failure to possess the educational qualifications prescribed in section 4 of this article: *Provided*, He shall have registered in accordance with the terms of this section prior to December 1, 1908. The general assembly shall provide for a permanent record of all persons who register under this section on or before November 1, 1908; and all such persons shall be entitled to register and vote at all elections by the people in this State, unless disqualified under section 2 of this article: *Provided*, Such persons shall have paid their poll taxes, as required by law.

Mr. PRITCHARD. It is a historical fact, of which the courts will take judicial notice, that in the year 1867 the colored people were not entitled to vote. It is contended by the honorable Senator from Alabama that section five of the amendment which is proposed to our constitution is not repugnant to the fifteenth amendment to the Constitution of the United States, in that there is nothing on the face of the amendment which in plain terms proposes to exclude the colored race from the exercise of the elective franchise. This contention is not warranted by the facts in the case. It is true that there is no provision in section five which in so many words declares that those of African descent shall not be entitled to vote, but there is a provision in that section which attempts to confer the right of suffrage upon those whose ancestors were entitled to vote in the year 1867, which can only be construed as an effort to exclude all citizens from the enjoyment of that right who were not entitled to vote in that year.

In order that we may be able to place an intelligent construction upon the proposed amendment and correctly determine as to whether or not it is in conflict with the Constitution of the United States, it is necessary to carefully ascertain the true intent and meaning of the fifteenth amendment. It is evident that the framers of the fifteenth amendment had but one object in view, and that was to embody in the Constitution of the United States a guarantee that there should be no discrimination on the part of any State against any class of people on account of race, color, or previous condition of servitude. The framers of the fifteenth amendment had in mind that race of people which had just been emancipated from slavery, and in order that there might be no cavil as to the true intent and meaning of said amendment, they not only provided that the right to vote should not be denied on account of race or color, but they went a step further and provided that no one should be denied the right on account of "previous condition of servitude." I call upon my Democratic friends to show me a single individual who, while in a condition of servitude, was entitled to vote. All will admit that no one had that right while in such condition. Therefore, the proposed amendment is as much in conflict with this clause of the fifteenth amendment as it would be with other portions of the amendment if it had declared that no one of African descent should be entitled to vote.

In this connection I call attention to the case of the United States vs. Reese, to be found in 93 United States Reports, on page 214, Chief Justice Waite, in discussing the questions at issue in that case, and referring to the intent and meaning of the fifteenth amendment, among other things said:

The fifteenth amendment does not confer the right of suffrage upon anyone. It prevents the States, or the United States, however, from giving preference in this particular to one citizen of the United States over another on account of race, color, or previous condition of servitude. Before its adoption this could be done. It was as much within the power of a State to exclude citizens of the United States from voting on account of race, etc., as it was on account of age, property, or education. Now it is not. If citizens of one race, having certain qualifications, are permitted by the law to vote, those of another having the same qualifications must be. Previous to this amendment there was no constitutional guarantee against this discrimination. Now there is. It follows that the amendment has invested the citizens of the United States with a new constitutional right which is within the protecting power of Congress. That right is exemption from discrimination in the exercise of the elective franchise on account of race, color, or previous condition of servitude.

This construction by the Supreme Court of the United States leaves no doubt as to the real intent and meaning of the fifteenth amendment, but I do not rely solely on the decision of the Supreme Court of the United States. The supreme court of North Carolina has rendered a decision in the case of Riggsbee vs. Town, of Durham, reported in 94 North Carolina Reports, on page 800, which involves the principle in question. This was a case wherein the legislature sought, by enactment, to levy a tax on the property of the white people for the purpose of maintaining white schools, and likewise on the property of the colored people for the purpose of maintaining colored schools. Chief Justice Smith, in rendering the opinion of the court, among other things said:

It matters not however regular and free from objection may be the prescribed method of levying the taxes, if, when collected, those paid by one race are to be separated and applied exclusively to the schools in which children of that race are taught, and the same discrimination in the disposition of the fund is made, as if the taxes had been raised by separate and distinct assessments on the races. It is true, as was ruled by the judge, the present assessment is uniform, and not obnoxious to one of the objections considered in the case referred to, but the essential objection remains, that there is "discrimination in favor or to the prejudice of" one of the races (Const., art. 9, par. 2), which renders the enforcement of the tax for such proposition illegal.

Mr. BUTLER. That was a Democratic court.

Mr. PRITCHARD. Yes; that was a Democratic court.

The foregoing construction which has been placed on article 9, section 2, of our constitution is to the effect that funds that were raised by taxing the property of white people can not be applied to the education of the white children to the exclusion of the colored children, on the ground that it would be discrimination in favor of, or to the prejudice of one of, the races. Is it not reasonable to infer that it will likewise be held to be a discrimination against the colored race to attempt to confer upon a certain class of our people the right of suffrage to the exclusion of the colored race, when the fifteenth amendment provides that there shall be no discrimination against any class of people on account of race, color, or previous condition of servitude, in much plainer language than that of article 9, section 2, of our State constitution.

Also in the case of Preuit vs. Commission, 94 N. C., page 719, Chief Justice Smith says:

It is not therefore every distinction dependent upon race, color, or previous condition of servitude that comes in conflict with the Federal Constitution, but only when it produces inequality in right or interests; and when this is the result the State legislation from which it flows is rendered inoperative. When the same essential privileges are secured to all, such legislation is valid and rests in the sound discretion and views of public policy of those who make the law.

It will be observed that the opinions rendered by the supreme court of North Carolina are in harmony with the opinions of the Supreme Court of the United States as to the right of a State legislature, by enactment, to discriminate against any class of people similarly situated on account of race, color, or previous condition of servitude. As my colleague suggested a while ago, I call attention to the fact that this court at that time was composed exclusively of Democrats.

It is also contended by some that the proposed amendment contains identically the same provisions that are to be found in the amendment to the constitution of the State of Massachusetts. The statement is without foundation, as will appear by an examination of the Massachusetts constitution. The amendment to the Massachusetts constitution to which they refer reads as follows:

Art. XX. No person shall have the right to vote, or be eligible to office, under the constitution of this Commonwealth who shall not be able to read the constitution in the English language and write his name: *Provided, however,* That the provisions of this amendment shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who now has the right to vote, nor to any person who shall be 60 years of age or upward at the time this amendment shall take effect.

There is no similarity between the amendment to the constitution of Massachusetts and the proposed amendment to the constitution of North Carolina. The amendment to the constitution of Massachusetts requires all parties to be able to read and write as a condition precedent to a right to vote; the only exceptions being those who are physically incapacitated to comply with the requirements, those who were at the time of the adoption of said amend-

ment entitled to vote, and those who had attained the age of 60 years, and were therefore presumed to have reached that point where they were practically incapacitated from learning to read and write the English language. There is nothing in the exceptions that can be construed so as to exclude any race of people from its operations. It is a provision which affects all races alike, and does not conflict with the fifteenth amendment in the slightest degree.

It is different with the proviso which accompanies the amendment to the constitution of North Carolina, in which it is provided that all those whose ancestors were entitled to vote in the year 1867 shall not be required to comply with the educational requirements of the amendment as a condition precedent to the right to vote. It is plain that it is an attempt to deprive the colored race of the right to vote, which is now guaranteed them by the fifteenth amendment to the Constitution of the United States.

Mr. CHANDLER. I will ask the Senator if he knows why the date January 1, 1867, was fixed?

Mr. PRITCHARD. It was fixed, I understand, with a view of caring for the white men of the State who were entitled to vote at that time.

Mr. CHANDLER. That being the date of the reconstruction acts of Congress which gave the right to the colored people to vote?

Mr. PRITCHARD. Yes, sir. You will remember that the fifteenth amendment was not ratified by the several States and the result announced until about the 20th of March, 1870, I believe it was. In 1867 they were not entitled to vote.

Mr. MASON. That is, the ancestor of the black man was not entitled to vote?

Mr. PRITCHARD. No, sir.

Mr. MASON. But the ancestor of the white man was?

Mr. PRITCHARD. Yes.

Mr. MASON. Regardless of any qualifications?

Mr. PRITCHARD. Yes.

Mr. MONEY. Will the Senator from North Carolina permit me to ask him a question?

Mr. PRITCHARD. Yes, sir.

Mr. MONEY. I did not intend to do so but for the two questions put by the Senator from New Hampshire and the Senator from Illinois. I understood the Senator from North Carolina to say that the descendants of those who could vote in 1867 were entitled to vote under the proposed amendment. That is your proposition?

Mr. PRITCHARD. That is what the proposed amendment provides.

Mr. MONEY. They are not compelled to comply with the requirements of section 4 of the proposed amendment?

Mr. PRITCHARD. The way the constitutional amendment was read at the desk was that those who voted at that time—

Mr. MONEY. Or prior to that time.

Mr. PRITCHARD. Yes.

Mr. MONEY. Either in North Carolina or in any other State.

Mr. PRITCHARD. Yes.

Mr. MONEY. Does not the Senator from North Carolina know that up to 1835 the colored people did vote and there must be in that State a great many descendants of such people; and is it not quite likely that many colored people under the amendment will be able to vote? I only ask that question in view of the two questions which have been asked.

Mr. CHANDLER. If the Senator from North Carolina will allow me, I will ask a question so that he can answer it with the question of the Senator from Mississippi. The question is whether that language was not intended by the framers to mean white people alone?

Mr. PRITCHARD. I so understand it.

In reply to the question propounded by my distinguished friend, the Senator from Mississippi, I desire to say that while it is true that the colored people were entitled to vote in North Carolina prior to 1835—

Mr. BUTLER. That is, free negroes.

Mr. PRITCHARD. Free negroes; it is also true that in the Dred Scott decision the court decided that they were not citizens of the United States; and I further call attention to the fact that you may eliminate the word "color" and the word "race" and the proposed amendment is still in violation of the fifteenth amendment, which expressly provides against discrimination on account of "previous condition of servitude."

I ask the Senator from Mississippi when he comes to make his speech to show me a single individual in any State in this Union who was entitled to vote while in a condition of servitude.

Mr. MONEY. Does the Senator from North Carolina desire that I shall answer him now?

Mr. PRITCHARD. The Senator can answer it any time he desires, but I would rather go on now. I will be delighted to hear from him at any time, however.

It is unfair to attempt a comparison between North Carolina

and Massachusetts, when it is well known that Massachusetts has all the while had the best public-school system of any State in the Union, while ours has been weak and inefficient. At the close of the late civil war the soldier from the State of Massachusetts returned to a home of peace and plenty, where his children had enjoyed uninterruptedly the benefits of the public school, while, on the other hand, the Confederate soldier returned to a home of desolation and ruin, to find that his children had been denied the privilege that had been enjoyed by the children of Massachusetts.

The Massachusetts soldier, if diseased or wounded, was granted a pension by a generous Government for service rendered in its behalf; the Southern soldier, if diseased or wounded, was called upon to face the struggle for life in his pitiable and destitute condition, and the only ones who aided him were the children of his household, who at that time ought to have been in the public schools learning to read and write, and as a result they were unable to obtain an education. It is now proposed by the leaders of the Democratic party that his children and their descendants shall be denied the right of suffrage because of their inability to read and write the constitution in the English language.

Mr. CAFFERY. Will the Senator from North Carolina permit me to ask him a question?

Mr. PRITCHARD. Certainly.

Mr. CAFFERY. The fifth section of the amendment proposed for adoption by the people of North Carolina provides virtually that all white men who could vote on or before the 1st of January, 1867, their sons and grandsons, shall be entitled to vote under the suffrage amendment, notwithstanding that they do not possess the qualifications required by the fourth section. Now, would not that qualify the illiterate white people whom he says this ordinance would deprive of the right of suffrage?

Mr. PRITCHARD. It would, provided the Supreme Court of the United States should decide that section 5 is constitutional. I will discuss that phase of the question later on.

The Senator from Alabama contends that the Mississippi case has practically settled the question in favor of the proposed amendment. The case in question is *Williams vs. State of Mississippi*, reported in 170 United States Reports, page 213. In that case the syllabus reads as follows:

The equal protection of the laws is not denied by a State constitution and laws which make no discrimination against the colored race in terms, but which grants a discretion to certain officers, which can be used to the abridgment of the rights of colored persons to vote and serve on juries, when it is not shown that their actual administration is evil, but only that evil is possible under them.

The case is one wherein the defendant, who was indicted on a charge of murder, moved to quash the bill of indictment on the ground that the section of the act under which the grand jury had been summoned and charged was unconstitutional and repugnant to the letter and spirit of the Constitution of the United States of America, fourteenth amendment thereof, in that colored men were not permitted to serve on the grand jury. It will be observed by reading the facts as stated in that case that there was no discrimination against the colored race in terms, and it was not shown that the administration of the provisions was of such a character as to exclude the colored race from voting.

The constitution of Mississippi provides, section 244 of article 13, that:

On and after the 1st day of January, 1862, every elector shall, in addition to the qualifications, be able to read any section of the constitution of this State; or he shall be able to understand the same when read to him or give a reasonable interpretation thereof.

This provision on its face applies to all races of that State alike, and there is nothing contained therein that undertakes to classify its citizens, and the only possible harm that could come to any particular race in consequence thereof would be the evil administration of the same, and at the time the case in question was heard it was not shown that there had been an improper administration of the law; that no valid objection can be raised to said amendment until it shall appear to the court that its provisions are administered to the detriment of the colored race.

Justice McKenna, in discussing the case at bar, among other things said:

It can not be said, therefore, that the denial of the equal protection of the law arises primarily from the constitution and laws of Mississippi, nor is there any sufficient allegation of an evil and discriminating administration of them. The only allegation is "by granting a discretion to the said officers," as mentioned in the several sections of the constitution of the State and the statute of the State adopted under the said constitution, the use of which discretion can be and has been used by said officers in the said Washington County to the end complained of, to wit, the abridgment of the elective franchise of the colored voters of Washington County, and such citizens are denied the right to be selected as such jurors to serve in the circuit court of the county, and that this denial to them of the right of equal protection and benefits of the law of the State of Mississippi on account of their color and race, resulting from the exercise of the discretion partial to the white citizens, is in accordance with the purpose and intent of the framers of the present constitution of said State.

The case in question was decided solely on what appeared in the constitution, and there was no evidence that there had been

an evil administration of its provisions. In this connection I call attention to what Justice Matthews, among other things, said in the case of *Yick Wo vs. Hopkins Sheriff*, 118 U. S., 356:

Though the law itself is fair on its face and impartial in appearance, yet if it is applied and administered with an evil eye and unequal hand, so as to practically make unjust and illegal discrimination between persons in similar circumstances, material to their rights, the denial of equal justice is still within the prohibition of the Constitution.

These principles of interpretation have been sustained in *Henderson vs. Mayor of New York* (*Henderson vs. Wickham*), 92 U. S., 259; *Chy Lung vs. Freeman*, 92 U. S., 275; *Ex parte Virginia*, 100 U. S., 339; *Neal vs. Delaware*, 103 U. S., 370, and *Soon Hing vs. Crowley*, 133 U. S., 703.

Here is an explicit statement by Justice Matthews which declares that although a law may be fair on its face and impartial in appearance, yet if it is capable of being administered "with an evil eye or an unequal hand," so as to discriminate between persons similarly situated, that the denial of guaranteed rights is violative of the spirit and letter of the Constitution. Will any one deny that the proposed amendment is capable of being administered "with an evil eye and unequal hand?"

In commenting on the foregoing statement Justice McKenna said, page 225:

This comment is not applicable to the constitution of Mississippi and its statutes. They do on their face discriminate between the races, and it has not been shown that their actual administration was evil, only that evil was possible under them.

According to the quotations which I make, it is apparent that the decision in the Mississippi case can not be taken as having the slightest bearing on the proposed amendment for two reasons: First, there is nothing in the constitution of Mississippi which proposes to classify the citizens of that State, or which can be construed, in a spirit of fairness so as to exclude any race from the operation of its provisions. Secondly, it was not shown in that case that there had been an improper administration of its provisions which had resulted in an injury to any particular race of people in that State.

However, I am of the opinion that if the amendment to the constitution of Mississippi is enforced with a view to disfranchising the colored people of that State, and if it should be made to appear to the court that its provisions are administered with "an evil eye and unequal hand," in that event it would be in conflict with the Constitution of the United States.

There is much in the proposed amendment which is calculated to create apprehension and alarm on the part of the illiterate and poor white people of North Carolina, as well as the colored race. It is a carefully prepared and well-devised scheme by which it is sought to forever prevent the common people of North Carolina from participating in the management and control of her affairs. While it is pretended by those who advocate the proposed amendment that its object is to secure white supremacy, at the same time there lurks beneath the surface a purpose to disfranchise thousands of our citizens, both white and colored, and thereby enable a certain class in our State to hold the offices and enjoy the emoluments of the same.

The proposition which they propose to submit is an attempt to confer the right of suffrage by inheritance, a plan which is repugnant to every principle of the organic law of the land, and one which ignores all that is sacred and dear to a free and independent people. If it were possible to enforce this unwise provision, it would sooner or later result in the complete overthrow of that republican form of government to which we are entitled under the Constitution of the United States.

There are perils attending the submission of this amendment which, in my judgment, can not be escaped by the poor and illiterate white people of North Carolina, and in order that I may be fully understood when I make this declaration I call attention to the fact that in the event the Supreme Court of the United States should decide that the ancestor and grandfather clause of the proposed amendment is unconstitutional, there is danger that they may go a step further and decide that the educational and poll-tax qualifications can properly be segregated from the other provisions, and thereby permitted to become a part of the organic law of our State, and as such apply to all classes and races of people alike, and as a result thousands of white farmers and laboring men would be disfranchised and denied the rights for which their ancestors fought at Kings Mountain and Guilford Court-House.

My distinguished friend from Alabama, in attempting to defend the action of the Democracy of North Carolina, failed to consider this important phase of the question. The fact that he did not undertake to show that there was no danger of section 5 being declared unconstitutional by the Supreme Court and at the same time section 4 permitted to become part of our organic law is conclusive to my mind that he realizes that there is grave doubt about the result, to say the least of it, and his silence on this subject is enough within itself to alarm every illiterate white man in that State.

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

Mr. PRITCHARD. Certainly.

Mr. TILLMAN. If I understood the Senator in the remark he has just made, he is afraid of some possible decision of the Supreme Court on this question when it reaches it.

Mr. PRITCHARD. If we should ever get one I fear that it will disfranchise both races.

Mr. TILLMAN. If you succeed in defeating the amendment before the people next summer, of course it will never get there; but if you do not, will it not be time enough for us to consider this proposition when it reaches us in the regular order of our affairs, when some Senator appears here elected under it, or when the other end of the Capitol shall have taken it up in the election of a Representative?

Mr. PRITCHARD. Are you through?

Mr. TILLMAN. That is question enough. If you will answer that it will satisfy us all, I think.

Mr. PRITCHARD. Mr. President, among other things it is our duty to uphold and maintain the Constitution of the United States, and I know of no better employment that we can engage in than to do that which will prevent the violation of the plain language of the Constitution of the United States. I do not think that the proposed amendment to our Constitution will be adopted by the people of my State if we get a fair election, but I want to say to the Senator now that if the election methods are applied in my State that have been applied in other Southern States, we shall have no opportunity whatever to be heard at the ballot box, and it is for that reason that I want to call the attention of the country at large to this proposed attempt to disfranchise not only the colored men of my State, but the poor white men as well.

However, Mr. President, it is contended by some of the Democratic leaders that sections 4 and 5 of the proposed amendment will either stand or fall together, and that the Supreme Court does not have the power in dealing with this question to segregate the objectionable or unconstitutional part from that which is not in conflict with the Constitution. This is an erroneous idea, and in order that there may be no doubt about the question I call attention to the following statement of Chief Justice Fuller in the income-tax cases recently decided by the Supreme Court of the United States:

It is elementary that the same statute may be in part constitutional and in part unconstitutional, and if the parts are wholly independent of each other, that which is constitutional may stand while that which is unconstitutional will be rejected.

This case will be found in 158 U. S. Reports, page 635.

I also call attention to the case of *Riggsbee vs. Town of Durham*, 94 N. C., page 800; *Johnson vs. Winslow*, 63 N. C., page 553.

The question then arises, Does section 4 depend upon section 5 in any respect for its validity? In other words, is it not complete within itself, and does it not give full expression to the legislative will without referring to section 5? I shall assume that the advocates of the proposed amendment, if they should ever reach the courts, will take the position that there is no discrimination in the proposed amendment, and that therefore it does not conflict with the fifteenth amendment.

They will be compelled to take this position in order to obtain standing in any court, and when they once admit that it was not the intention of the legislature to discriminate against any race of people the court will have no difficulty in arriving at the conclusion that section 4 is complete within itself, because it certainly provides for that which the advocates of the proposed amendment say was the object of those who framed it. What was the object of the legislature if there was no discrimination meant? Was it not to restrict and qualify suffrage? Such being the case, does not the fourth section restrict and qualify suffrage by requiring all the citizens of North Carolina to be able to read and write the Constitution in the English language and pay a poll tax as a condition precedent to the right to vote? Can there be any doubt as to the construction that the court will place upon the proposed amendment?

Mr. President, in addition to the dangers already pointed out, there is another to which I desire to call attention. It will be observed by reading section 5 that the last proviso therein contained reads as follows:

Provided such persons shall have paid their poll tax as required by law.

That is to say, the grandfather clause will not avail those citizens who, in consequence of poverty and misfortune, are unable to pay their poll tax on or before the 1st of March in the year in which they propose to vote, as provided in section 4 of the proposed amendment. This clause, if adopted, will disfranchise many of the best people of our State. There are hundreds of good citizens to be found in every county of North Carolina who do not pay their poll tax promptly on or before the 1st day of March, owing to some misfortune over which they have no control. It is only the rich class of people, and those who are engaged in business in the towns and cities, who can promptly pay their poll tax on or before the 1st day of March of each election year.

I am informed that the framers of the amendment, after they had inserted the educational qualification, became alarmed lest our poor people should all learn to read and write, and in order to render it more difficult for that class of people to exercise the right of suffrage it was provided that they should not only be able to read and write any section of the Constitution in the English language, but it was also provided that they must pay their poll tax on or before the 1st day of March. Why fix the 1st day of March? And why was it that they failed to fix the day of election as the time on or before which citizens should be required to pay their poll tax? Can it be possible that it occurred to them that if more time was given our people that it might enable them to realize on their crops, or by hard labor earn enough money and pay their poll tax and thereby qualify themselves to exercise the right of franchise?

In order that you may fully understand and appreciate the result of the proposed amendment, it is necessary for each citizen of North Carolina to answer this question: How many men in your voting precinct, if called upon to-morrow to write any section of the Constitution in the English language, from dictation, would be able to correctly write the same, and if they should succeed in doing so, how many are able to pay their tax promptly on or before the 1st day of March in each election year?

During the late civil war there were no property or educational qualifications required of those who were called upon to fight for the Confederacy, neither were there any educational or property qualifications required of the brave and patriotic North Carolina boys who responded so nobly to the call of their country during the war with Spain. Many of the brave boys who faced the shot and shell during the war with Spain were unable to read and write, and I am informed that an examination of the muster rolls discloses the fact that not a member of the legislature which submitted the proposed amendment participated in that struggle. It is not the first time in history that an attempt has been made by the rich and educated to cast reflection upon the illiterate class.

After the battle of Cowpens the British officer, Tarleton, in conversation with Mrs. Wiley Jones, of North Carolina, observed: "You appear to think very highly of Colonel Washington; and yet I have been told that he is so ignorant a fellow that he can hardly write his own name." "It may be the case," she readily replied, "but no man better than yourself, Colonel, can testify that he knows how to make his mark." It was in the battle of Cowpens that Colonel Washington had wounded Tarleton in the hand, and which caused Mrs. Jones to make the pointed retort.

Some of the best people in my State, owing to circumstances over which they had no control, are unable to read and write, but they know how to make their marks, and many of them have acquired what might be termed large fortunes; and in almost every instance they are people of high character and standing, with sufficient intelligence to vote on any of the great questions that may be submitted to the American people for their consideration. I want to suggest to those gentlemen who, like Tarleton, would cast reflection upon them and deprive them of their liberty as Tarleton proposed, that they must not forget the fact that although they may not be able to read and write they can make their marks when it comes to the question of depriving them of their liberties, for which their ancestors fought at Cowpens. It is the poor and illiterate classes of our people who perform the greater portion of the public duties required by the State.

In time of peace they are required to pay poll tax and work the roads, and in time of war they sacrifice their health and risk their lives in defense of our people. The State of North Carolina has not afforded her citizens proper educational facilities in the past, and as a result we have a large per cent of illiteracy; and the Democratic party, having been in control of the State for a greater portion of the time since the war, is responsible for this deplorable condition of affairs, and it is cruel and inhuman in the leaders of that party to attempt to punish our people for that which they can not help.

In this connection I call attention to the following letter written by Prof. C. H. Mebane, superintendent of public instruction of the State of North Carolina. This letter clearly indicates the deplorable condition of the public-school system in North Carolina. Among other things it discloses the fact that 23 per cent of the white population are unable to read and write.

Mr. TELLER. Is that a recent letter?

Mr. PRITCHARD. Yes, sir; it was dated just the other day. I have not the date of it, but it is quite a recent letter.

We can not hope to reduce the percentage of illiteracy of that State in any appreciable degree with our present school facilities between now and December, 1908, the period at which time it is provided the proposed amendment shall apply to white as well as colored people.

Mr. Mebane, in his letter, says:

In reply to your letter, will say as to illiteracy I can only give you the figures taken from the Census Reports of 1890, which are as follows:

Illiteracy of the whole population of North Carolina, 38 per cent. Illiteracy of white population, 23 per cent. Illiteracy of colored population, 60 per cent. Percentage of school children in North Carolina according to Educational Report of this Department, enrolled in schools was in 1898, 62½ white

and 64.7% colored. Percentage of school population in average attendance on school was in 1898, white, 34.7%; colored, 32.7% per cent. Average length of school terms in weeks or days was in 1898, whites, 14½ weeks, or 71 days; for colored, 12½ weeks, or 64 days. Total expenditure for schools for the school year ending June 30, 1899, was \$999,801. Number of insolvent white polls was 20,076. Number of insolvent colored polls was 18,233.

Massachusetts has about nine and one-half months of public school. Their term for the entire State will average this. In North Carolina the term will only average about three and one-half months.

We spend \$836,000 for three and one-half months school, and this pays only a salary to teachers of an average of about \$25 per month.

Even at the low prices paid teachers, in order to make our term equal to that of Massachusetts, we would have to spend more than three times as much as we do now.

It has been boldly proclaimed by Chairman Simmons and other leaders of the Democratic party that the proposed amendment will not, if adopted, disfranchise a single white voter in the State of North Carolina. May I ask those gentlemen what is to become of that unfortunate class of our white people who are unable to pay their poll tax and in consequence thereof have been placed on the insolvent list? The fact that they are unable, by sickness, poverty, or otherwise, to pay their poll tax should not be taken advantage of by the lawmakers of our State for the purpose of degrading them in the estimation of the public in consequence of their poverty.

I know of many citizens whose names are on the insolvent list whose character and standing is as good in every respect as that of the gentlemen who have submitted the proposed amendment to the constitution of our State, and I, for one, will never give my consent to a proposition which has for its object the humiliation and degradation of those unfortunate people.

This does not include the many hundreds and thousands who by neglect or oversight fail to pay their poll tax so far in advance as the 1st of March.

The PRESIDENT pro tempore. The Senator from North Carolina will suspend one moment, while the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 1) to define and fix the standard of value, to maintain the parity of all forms of money issued or coined by the United States, and for other purposes.

Mr. SPOONER. I ask that the regular order be laid aside temporarily, in order that the Senator from North Carolina may conclude his speech.

The PRESIDENT pro tempore. The Senator from Wisconsin asks that the regular order may be temporarily laid aside, in order that the Senator from North Carolina may proceed with his speech. Is there objection? The Chair hears none, and the Senator from North Carolina will proceed.

Mr. PRITCHARD. Mr. President, the Democrats of North Carolina attempt to justify their actions in regard to the proposed amendment by asserting that they fear negro domination. According to the census of 1890 our population was 1,617,947, and of that population only 562,000 were negroes; and I am sure that if a census could be taken at this time it would disclose the fact that the white people outnumber the negro in a greater proportion than they did in 1890. According to the census of 1890 the whites outnumbered the negroes more than two to one, and no intelligent citizen can be induced to believe that two white North Carolinians are in danger of being dominated by one negro.

It is absurd to contend that there is any danger of negro domination in North Carolina. In the very nature of things it can not be. From the earliest dawn of civilization to this good hour the great white race has given to the world its history, its philosophy, its laws, its government, and its Christianity, and it will continue to do so. The colored people of my State in the main are conservative and well behaved. They have never acted offensively, nor have they shown a disposition to interfere with the white people in the management of the State's affairs. It is true that there are some exceptions, but in no instance has the conduct of the negro been of such a nature as to challenge the serious consideration of the white people. I take it that no one will seriously contend that there is or ever was the slightest danger of the State government of North Carolina being dominated or controlled by the colored people.

It has often been contended by the Democrats that there are not more than 30,000 white Republicans in North Carolina. I have made a careful poll of the white Republicans in the State, and I am prepared to show by documentary evidence that can not be contradicted that there are over 60,000 white Republican voters in that State. I do not believe that there are to-day more than 100,000 colored voters in the State, and I am sure that at the last election not more than 80,000 colored people voted for the cooperative ticket. I do not undertake to say that the remainder of the colored people voted the Democratic ticket, but I do say that hundreds of them were compelled to vote the Democratic ticket by intimidation and violence, their votes in many cases being counted for the Democrats when actually cast for the Republican candidates, and quite a number were prevented from voting at all.

The Democratic party in North Carolina is inconsistent in crit-

icising the Republicans for having recognized the colored people by giving them office, in view of the fact that it has in many instances preferred colored people to white men when they thought that such a policy would enable them to control the election. The first coalition movement that was arranged in North Carolina was entered into between the negroes of Craven County on the one part and the Democratic party of that county on the other part.

There are 97 counties in North Carolina, of which number there are 12 counties, according to the census of 1890, wherein the colored people are in the majority, and not one of them has been dominated or controlled by the colored people.

In most of the twelve counties in North Carolina in which the negroes are in the majority the Democrats elected their legislative and county tickets at the last election. Take, for instance, the county of Halifax, wherein there is a majority of 1,420 negroes over the combined white vote; the Democratic party secured a majority in that county for the legislative and county candidates. Now, one of two things is certain—they either failed to count the votes that were cast for the Republican ticket in that county or the negroes voted the Democratic ticket. I do not care which horn of the dilemma my Democratic friends may choose to take, but I will assume that they acted honestly and will say that the majority of the negroes in that county voted the Democratic ticket. Such being the case, it does seem to me that the cry of negro domination is ludicrous in the extreme.

There are about 50,000 negroes in North Carolina who can read and write, and will be entitled to vote in the event the proposed amendment is adopted, provided they can pay their poll tax on or before the 1st day of March in each election year.

Mr. President, the old-fashioned cornfield hand belongs to the class of colored people that will be disfranchised under the proposed amendment. It was he who remained at home during the late civil war and cared for the white women and children while his master was in the army fighting to forge the chains of slavery closer about his limbs. His devotion to the white women and children of the South during that terrible ordeal is without a precedent in the history of the world.

There is not a single instance, in so far as I am informed, wherein the slave betrayed the trust that was reposed in him by his master, who had practically left him in charge of his affairs during his absence. It was the faithful old colored servant who followed his master on the bloody field of battle and who was ever ready and willing to sacrifice his life for his master's ease and comfort. It is that class of people who are now deserted by the very men who received such splendid service at their hands.

In speaking of this class of colored people the late lamented Grady, in his famous speech in Boston, said:

What of the negro? This of him: I want no better friend than the black boy who was raised by my side and who is now trudging patiently, with downcast eyes and shambling figure, through his lonely way of life. I want no sweeter music than the crooning of my old "mammy," now dead and gone to rest, as I heard it as she held me in her loving arms, and bending her old black face above me stole the cares from my brain and led me smiling into sleep. I want no truer soul than that which moved the trusty slave, who for four years, while my father fought with the armies that barred his freedom, slept every night at my mother's chamber door, holding her and her children as safe as if her husband stood guard, and ready to lay down his humble life on her threshold. History has no parallel to the faith kept by the negro in the South during the war.

Often 500 negroes to a single white man, and yet through those dusky throngs women and children walked in safety, and the unprotected homes rested in peace. Unmarshaled the black battalion marched patiently to the fields in the morning, to feed armies their idleness would have starved, and gathered anxiously at the big house to "hear the news from marster," though conscious that his victories made their chains enduring. Everywhere humble and kindly; the rough companion of the little ones; the observant friend; the silent sentry in his lowly cabin; the shrewd counselor; and when the dead came home, a mourner at the open grave. A thousand torches would have disbanded every Southern army, but not one was lighted.

When the master, going to a war in which slavery was involved, said to his slave, "I leave my home and loved ones in your charge," the tenderness between man and master stood disclosed. And when the slave held that charge sacred through storm and temptation, he gave new meaning to faith and loyalty.

I rejoice that when freedom came to him, after years of waiting, it was all the sweeter because the black hands from which the shackles fell were stainless of a single crime against the helpless ones confided to his care.

Mr. President, some of our Democratic friends justify their conduct by the assertion that the negro is inferior to the white man, and that therefore he is not entitled to the enjoyment of the rights guaranteed by the fifteenth amendment; and in the next breath they are compelled to admit that on and after the 1st day of December, 1908, it is the purpose of the proposed amendment to place the unfortunate white man in the same category that they now propose to place the illiterate and poor colored man. In other words, on and after December, 1908, all white men who are unable to read and write are to be placed upon a level with the colored man, who, they contend, is a degraded being. The proposed amendment will not in the slightest degree affect the race question. The Democrats will always contend that there is a race question so long as any number of negroes vote against the Democratic party.

While I contend that it is the duty of every white and colored voter in the State who is in favor of a republican form of government to vote against the proposed amendment, at the same time I am of the opinion that in the event the white Republicans and the Democrats of that State will show their magnanimity and patriotism by defeating the proposed amendment, and it is highly probable it will result in a division of the colored vote, and thereby preclude the possibility of racial prejudice interfering with the fair consideration of public questions in that section. As I have already stated, the proposed amendment will not exclude all the colored race, and so long as the Democrats can have a pretense for the contention that the colored race casts a solid vote for the cause of Republicanism, so long will the demagogue take advantage of that fact in order to make political capital for his party.

In the face of the fact that many colored people have voted the Democratic ticket in the past and that thousands of their votes have been counted for that party by unscrupulous election officials, it is loudly proclaimed by Chairman Simmons that the Democratic party is a white man's party. I am informed that quite a number of colored voters are ready and willing to openly espouse the cause of Democracy, and once they adopt such a policy the mask under which the Democracy has been parading heretofore will be withdrawn, and when it is, it will disclose the fact that the Democrats are not now and have never been entitled to the distinction of being the white man's party.

Mr. President, the Senator from Alabama undertakes to convey the idea that the Democratic party of the South is the white man's party. In this connection I call attention to the following statement, which I take from a speech of the Senator from Nebraska [Mr. ALLEN], delivered on the 12th day of February, 1895, in this body. In referring to the black counties and the election methods in Alabama, among other things, he said:

There, Mr. President, is the seat of the fraud. It is capable of proof beyond all question and beyond all doubt that in many of these counties, where from three to five thousand, and in many instances 6,000, votes were returned in favor of the Democratic candidate, Mr. Oates, there were not registered 1,000 voters. In some instances but very few; in many instances the vote returned exceeding the vote for the county by 200 per cent or relatively so. So by this system of manipulation and fraud in what is known as the black belt, the Populists, Jeffersonian Democrats, and Republicans having carried, I think, almost two-thirds of the white counties; by controlling the election machinery in the black belt, counties where the colored people stayed away from the registration board, and where they stayed away from the polls to a very great extent, the entire result of the honest vote cast in that State in the white counties was overcome by this system of political rapine and fraud.

Mr. President, what effect does this have? It overturns the republican form of government and makes it a hiss and a byword, a snare, and a delusion.

This statement was deliberately made by the distinguished Senator from Nebraska after having carefully investigated the sworn testimony of leading citizens of that State, and is, I presume, a fair statement of the conditions that then existed in Alabama. I am informed that at the last Congressional election in the State of Alabama, in some of the Congressional districts the Democrats, according to the election returns, were defeated in the white counties and had to rely on the black counties in those districts for the majorities on which their certificates of election are based. As a notable instance, I call attention to the Fourth district of Alabama.

In that district it will be found from an examination of the records that, taking the white counties in the district, Mr. Aldrich, the contestant, had a clear majority of 816 votes, and that in the county of Dallas, wherein there is a negro majority over the combined white vote of 6,385, the contestee received 2,046 majority. According to the logic of the Senator from Alabama, and assuming that there were no frauds perpetrated in the county of Dallas, we are irresistibly forced to the conclusion that the Democratic party in that district is the negro party.

Mr. PETTUS. Will the Senator allow me?

Mr. PRITCHARD. Certainly.

Mr. PETTUS. Will he also include in his information the fact that the man who ran for Congress on the Republican ticket gave orders that the negroes should not vote, and that they did not vote?

Mr. PRITCHARD. I am not advised as to that.

Mr. PETTUS. Well, that is the fact.

Mr. PRITCHARD. Mr. President, I am not advised as to that particular matter, but it is a peculiar fact that in all these colored counties in Alabama and elsewhere our Democratic friends succeed in getting a majority every time. I do not know how they do it, but they work it out some how or other by some kind of rule.

Mr. PETTUS. Will the Senator allow a further interruption?

Mr. PRITCHARD. Certainly.

Mr. PETTUS. Does the Senator know that in Dallas County, which he speaks of, there are 7,000 colored voters and only about 2,500 white men, and as the order was given to the colored men by the Republican candidate not to vote in that election, the man who was elected did not get 3,000 votes altogether?

Mr. PRITCHARD. Mr. President, I am not advised as to that matter, but I understand a number of white people there voted for Mr. Aldrich. However, I am not prepared to contest that question.

Mr. PETTUS. I should be very much obliged to the Senator if he would speak of what he knows and not of these vulgar reports.

Mr. PRITCHARD. I have been speaking from the records taken from the sworn testimony of as good citizens as live in Alabama.

If the Democratic party of the South is sincere in its professions that it only desires to perpetuate white supremacy, why is it that these unlawful and unconstitutional methods are invoked in the black belt for the purpose of overcoming the result of the vote in the white counties? Take the State of North Carolina, for instance, and in almost every instance where there are but few colored men you will find an overwhelming majority for the Republican party. In the county of Mitchell, where there are only 45 colored votes, the Republican majority is 1,300.

Take the county of Madison, in which I reside, where there are only about 62 colored voters in the entire county, and you will find a majority of over 800 for the Republican ticket—a county in which the Democrats have not been able to elect a county officer for about twenty-two years, with the exception of a few constables and justices of the peace. The cry of negro domination has not only been used against those of us who have advocated the principles of Republicanism, but it has been used with as much energy and more intensity against the Democrats who have joined what is known as the Populist party. In the campaign of 1894 the Populists of North Carolina were denounced with more bitterness by the Democratic orators than had ever been used by them in denouncing the Republicans previous to that date. They were accused of being negro lovers and a black-and-tan crowd, just as the Democrats had abused the Republicans theretofore.

Mr. President, the wave of prosperity and the general revival of business that is now pervading every nook and corner of the United States, and which is as much in evidence in our beautiful Southland as in any other section of this country, together with the fact that the Spanish war has once more reunited our country and fired the Southern heart with renewed ardor and patriotism, and prompted them with a desire to sustain President McKinley in his efforts to bring to a speedy termination the war that is now being waged in the Philippines, has alarmed the leaders of the Democracy and caused them to resort to the agitation of the race question, in order, as they think, to blind the Southern people to such an extent as to prevent them from considering the splendid results that have followed in the wake of Republican legislation.

I make this statement after mature deliberation, and I am prepared to demonstrate to the satisfaction of anyone that such is the case. There are some people in North Carolina who are honestly of the opinion that the proposed amendment will only affect the colored people, and that its adoption will settle the race question. These gentlemen are honest in their opinions, but they are sadly mistaken in believing that the Democrats will ever cease to yell "Nigger," and to ostracize those who advocate Republicanism, if by doing so they can induce one citizen to vote for the Democratic party.

Take many of the Southern States as illustrations. The negro has no voice in the control or management of the affairs of state; but in the face of that fact the South Carolina Republicans are still denounced as belonging to the "nigger party," and will be denounced as such as long as they tamely submit to the inhuman treatment which is accorded them by the leaders of the Democracy.

Mr. TILLMAN. Will the Senator from North Carolina allow me right there?

The PRESIDENT pro tempore. Does the Senator from North Carolina yield?

Mr. PRITCHARD. Yes, sir.

Mr. TILLMAN. When in a Southern State negro postmasters are forced on the people, and at the North there are no negro postmasters, how can we separate the negro from the Republican party when the Republican Administration will not let us forget that they are doing those things?

Mr. PRITCHARD. There it is again, Mr. President. You might read the Ten Commandments to my distinguished friend from South Carolina and he would yell "negro" back at you. [Laughter.]

Mr. TILLMAN. If you read the thirteenth, fourteenth, and fifteenth amendments at me I certainly should yell "nigger" back at you, because they are chock-full of "nigger," and nothing else.

Mr. PRITCHARD. That is exactly right. I am accustomed to that kind of talk. When we say that a protective tariff is the proper thing to have and undertake to show to the people that the Democratic party is opposed to it, they only answer by yelling "negro" at us. When we say we ought to hold the Philippines, they will answer by saying "negro," and when we say the people ought to rule and control their own affairs, they yell "negro" back at us; and that is the only answer we are able to get. [Laughter.]

Mr. TILLMAN. We do not say "negro," but we say "nigger." Mr. PRITCHARD. The Senator may adopt that pronunciation if he desires. It is purely a matter of taste. [Laughter.]

Mr. TILLMAN. I am merely speaking of the facts and you are drawing on your imagination.

Mr. PRITCHARD. I am speaking of facts, and that is what hurts some people. They do not like to hear the facts.

It is a well-known fact that many Southern States have, by indirection, completely ignored the fifteenth amendment. The motive which has prompted this policy was a determination to perpetuate Democratic rule in the South at all hazards. Not only has there been a well-defined policy on the part of the Democratic party of the South to deprive the colored man of his vote, but the leaders of the party have been equally determined in their efforts to restore the rule of the classes, and thereby prevent the great common people from participating in the control and management of public affairs. This policy has caused that class of people to lose interest in public questions to a great extent, and as a result, the farming and laboring classes are ignored and all of the political power is being centered in the cities and towns.

There has been a gradual encroachment of the rights of Southern Republicans since the election of 1876, and while the methods that have been used in those States have not heretofore been invoked in North Carolina, I am sorry to say that we are at last called upon to face the same propositions which have been presented to the Republicans of the Southern States to which I have heretofore referred.

Mr. MONEY. Will the Senator excuse me if I interrupt him for a moment? I was not paying close attention and did not catch what he was reading from the proofs there. Did the Senator name the States?

Mr. PRITCHARD. No, sir; I did not, but I am going to refer to some States in a few moments in which the Senator will probably be interested.

In the beginning, in those States, the Democrats claimed that their policy was only to rid the States of negro domination, and they solemnly declared that they did not propose to disfranchise any white man; but in the light of the recent election returns we are irresistibly forced to the conclusion that the real intent and effect of the Democratic methods in those States, as well as in North Carolina, is to restore the rule of the classes and to ignore the masses.

I find by an examination of the public records that in the State of Louisiana there were in 1898 149,975 white people who were 21 years of age and upward and entitled to vote, and by an examination of the Congressional election returns of that year I find that the entire Democratic vote of that State was 27,453 and the total opposition vote was 5,429, which makes the total vote cast for that year 32,882. Admitting that none but white people voted, we are confronted with the astounding fact that there were 117,000 white voters in that State who, for some cause or other, did not exercise the right of suffrage. In South Carolina there were in 1898 about 117,000 white voters and 154,000 colored voters.

The Congressional election returns for that State in 1898, as taken from the World Almanac, show that there were 29,027 cast for the Democratic candidates and 2,804 for the opposing candidates, and assuming that all those who voted were white men, we find that over 86,000 white men, for some cause or other, were prevented from exercising the right of suffrage.

Mr. TILLMAN. Will the Senator allow me to explain that?

Mr. PRITCHARD. With pleasure.

Mr. TILLMAN. I will do it with a great deal of pleasure, and without a particle of doubt on your part or that of anybody else as to my explanation being true. Under our new State constitution (which is patterned after that of Massachusetts, requiring an educational qualification and enlarging the suffrage by giving the ballot to an illiterate who pays on \$300, and which had the Mississippi clause in it, but which no longer has, because we limited its operation to three years) we have about 14,000 registered negro voters and about 98,000 or 100,000 white registered voters. Our fight is in the Democratic primaries for the nominations, and in those primaries we usually cast about 80 to 90 per cent of our vote. There is no opposition, no Republican party in South Carolina, except a little machine which sends delegates to the national convention of the Republican party and controls the patronage; and those delegates, when there is any struggle for the nomination between Republican candidates, live on the money which they get for their votes.

Mr. PRITCHARD. Mr. President—

Mr. TILLMAN. Let me get through.

Mr. PRITCHARD. I did not yield for a speech.

Mr. TILLMAN. I am merely explaining why it is that the white vote, the regular vote, in November substantially registers the action of the Democratic primaries in July. Therefore, when he says we suppress the white vote the Senator does not know what he is talking about, or else he misstates the facts.

Mr. PRITCHARD. I am quoting from the record, and the record shows that in South Carolina there were 86,000 white men

who, for some cause or other, did not vote at the last election. That is what the record says about it.

In Mississippi, in the year 1898, 134,000 white men were entitled to vote at the Congressional elections, but the returns show that there were 22,365 votes cast for the Democratic candidate and 4,822 for the opposition, which makes the total vote cast in that State 27,187, and assuming that only white men voted, we find that 87,436 white voters, who were entitled to cast their ballots, for some cause or other did not vote.

And in order that you may have some idea as to whether or not our Southern people are inclined to exercise the elective franchise when afforded an opportunity to do so, I call attention to the fact that in North Carolina in the year 1898, out of a voting population of 380,000, there were 337,960 votes cast under a fair election law, which was enacted by a legislature composed of Republicans and Populists. These figures clearly indicate that the white people of the States of South Carolina, Louisiana, and Mississippi, by some means or other, were prevented from exercising the elective franchise.

This is only accounted for in one of two ways: One is that the elections were conducted in such a manner as to prevent them from voting, and the other is that they were ignored by the leaders of the Democracy in these States to such an extent as to discourage them, which always results in a spirit of indifference on the part of those ignored.

Mr. MONEY. Will the Senator from North Carolina permit me for a moment?

The PRESIDENT pro tempore. Does the Senator yield?

Mr. PRITCHARD. I should like to get through with my remarks.

Mr. MONEY. I am very reluctant to interrupt the Senator at that point; but if he wants to know how this happened, I will make reply in substantially the same manner as the Senator from South Carolina [Mr. TILLMAN] has done, that the nomination of the primary convention settles the whole business. The opposition is so small that the votes of the parties interested in the nominating convention and in the nominating primaries are really conclusive of the contest. That is the fact, and the conclusion which the Senator draws, while he no doubt thinks it is perfectly logical, is not so by any means.

On the contrary, there has never been a contest in Mississippi in which any fraud or violence on our part has been charged by anybody. The facts show and the records of the House of Representatives show that a Democrat who was elected by what was considered a fraudulent election was unseated by a Democratic House and a colored man put in his place, and the Democrat who was unseated immediately joined the Republican party because he said the Democrats did not stand by him.

I want to say that in another contested-election case in that House, in which it was alleged that certain means were exerted to keep the colored people from the polls, a Republican committee seated the Democratic contestee, and there has not yet been a contest made that has been successful in a Congressional case, although a number of elections have been held since that constitution went into effect; and before that time there had never been any charge of fraud, intimidation, or violence.

Mr. CHANDLER. Will the Senator from North Carolina allow me to ask the Senator from Mississippi a question?

Mr. PRITCHARD. I yield to the Senator.

Mr. CHANDLER. I ask the Senator from Mississippi whether there was an election in Mississippi last year?

Mr. MONEY. I presume there was. There were elections in most of the States.

Mr. CHANDLER. Will the Senator examine his mind and tell me whether he knows?

Mr. MONEY. Oh, yes; I will say there was an election there, if you simply want information, because I am willing to give the Senator information at any time.

Mr. CHANDLER. The population of Mississippi is 1,300,000. The vote last year in Mississippi was, Democrat 42,273, Populist 6,097. Why is it that the voters of Mississippi do not take any more interest in their elections?

Mr. MONEY. The Senator was hunting up a little mischief instead of listening to what I said to the Senator from North Carolina [Mr. PRITCHARD].

Mr. CHANDLER. I shall be very glad to hear it again.

Mr. MONEY. The truth of the business is the Senator from New Hampshire knows very well he does not hear what is said by anybody. He is usually hunting up a point on somebody, and I am just as much afraid of him as I am of a monkey turned loose in a powder magazine with a box of matches. I am always expecting mischief from the Senator.

Mr. CHANDLER. Is that all the explanation the Senator is going to make of the small vote in Mississippi?

Mr. MONEY. I thought I had already made the explanation;

but if the Senator has not heard it I will repeat it if the Senator from North Carolina will allow me.

Mr. CHANDLER. I should like to know why the people in Mississippi take so little interest in the elections there?

Mr. MONEY. Would the Senator rather continue questioning me, or will he allow me to answer?

Mr. CHANDLER. I was afraid, from the personal remarks the Senator was making about me, that he was not going to answer the question.

Mr. MONEY. The Senator knows very well I regard him with the greatest kindness and respect, but it is certainly not out of place if I use a simile which is recognized by the Senate; and I am just as likely to be a victim of the Senator's wit as anybody else, as I have been, I believe, once before.

Mr. CHANDLER. I am listening to the Senator.

Mr. MONEY. Very well. Last year there was an election in my State for officers from governor down to constable, except for members of the other House. There was a hot contest in the State. There were two Senators to be elected by the legislature, and a governor of the State was to be elected. In fact, elections were held for all the offices in the State, and the contest was waged at the primaries. The voters in the counties turned out at the primaries, and the nominees of the convention were chosen by a smaller vote than they received in the primaries, because the opposition was so small that nobody thought it worth while to quit fishing or plowing or anything else to go to the polls to vote. The Senator does not consider that the votes cast in the primaries practically settle the question. When the people are called upon to select delegates to the convention they express their wishes as to the selection of the nominees, and the people turned out when the real question was to be decided; that is, as to who should be the nominees. The election was simply a ratification of the action of the people held prior to the convention.

Mr. CHANDLER. Mr. President, I understand the Senator's answer, and I believe it to be a correct statement of the fact. It shows that in Mississippi and one or two other States that I will not mention—

Mr. TILLMAN. And South Carolina as well.

Mr. CHANDLER. Because, if I do, I shall have more than one Senator upon the floor talking to me at the same time—politics has been reduced to a contest in the Democratic primaries.

Mr. MONEY. Very much in the same way that it has been with the Republicans in the State of Massachusetts.

Mr. CHANDLER. In the Democratic white primaries; and the black voters in those States have been absolutely excluded from any participation whatever in politics, either in the primaries or at the regular elections by the people. That is the situation; I do not deny it. [Laughter].

Mr. PRITCHARD. I believe I shall proceed, Mr. President.

In reply to my distinguished friend from Mississippi [Mr. MONEY], I desire to say that his statement of the case within itself is enough to convince anyone that there is not that fair consideration of public questions in the State of Mississippi which should be accorded to people residing in that State. If I understand the Senator correctly, those who attend primaries have the power to absolutely name the individuals who are to fill the offices. To all intents and purposes you had just as well let your primaries settle the matter, and not have the formality of an election.

If this policy is persisted in by the Democratic leaders in the South, the day is not far distant when only those who hold office and those who expect to run for office will participate in the management of the governmental affairs in that section.

I call attention to the fact that in those States wherein these unconstitutional methods have been invoked it has been rendered impossible to secure a fair discussion and consideration of the great public questions that command the attention of the American people and of the arraignment of any public abuses that naturally result from the rule of the machine at the bar of public reason.

Mr. MONEY. Mr. President, will the Senator from North Carolina excuse me for a moment?

The PRESIDENT pro tempore. Does the Senator from North Carolina yield?

Mr. PRITCHARD. I should like to proceed with my remarks. The PRESIDENT pro tempore. The Senator from North Carolina declines to yield.

Mr. MONEY. I want to call the Senator's attention to his use of the words "unconstitutional methods." We do not know of any such methods in Mississippi, and I beg the Senator to exclude Mississippi from the statement, for we have not resorted to unconstitutional methods there.

Mr. PRITCHARD. I have been informed that in the State of Mississippi unconstitutional methods have been invoked in order to give the Democratic party the majority which it claims in that State. I am informed also that while the constitution of Mississippi is fair on its face, it has been administered, as was said in the

case of *Yick Wo vs. Hopkins*, "with an evil eye and an unequal hand."

Before the war it was the slave owners and the aristocratic classes who dominated the politics of the Southern States, and we are rapidly drifting to a point where only the favored few will be given political preferment. It is, indeed, a sad day for republican institutions when the majority of the people for any cause fail to vote on the great questions of the hour. It is a fact that the blight known as dry rot on the limbs of trees will eventually reach the trunks and result in their destruction; and it is equally true that in a republican form of government, where any part of the government fails to perform its functions, it is only a question of time when the citizens of that State will lose interest in public affairs, and, as a result of the corrupt influences that naturally thrive under such conditions, will culminate in the complete overthrow of its republican institutions.

We have heard a great deal of late about the Goebel election law, enacted by the legislature of the State of Kentucky, but after a careful comparison of the Goebel election law with the one which was passed by the Democratic legislature of North Carolina at its last session, I do not hesitate to say that our election law is in every respect a more unjust and discriminating measure than the Kentucky statute. Section 11 clothes the registrars of the election with a judicial discretion to be exercised in passing upon the qualifications of applicants for registration, and many of the qualifications enumerated in said section are not to be found in that section of our State constitution which contains the prescribed qualifications of an elector.

This section was drawn for the express purpose of enabling the unscrupulous election registrar to deprive the citizens of the State of the rights that are vouchsafed to them by the constitution of the State of North Carolina as well as of the Constitution of the United States.

The idea of requiring the voter to prove his age and date of birth by two creditable witnesses! There are not half a dozen members of this body, if called upon by one of those registrars to prove by two creditable witnesses that they were born on a certain day, would be able to comply with its provision. It was enacted solely with a view of depriving those who might oppose the Democratic party of the rights which are guaranteed them by the Constitution.

Mr. President, unless I am badly mistaken, the people of North Carolina will never submit to the enforcement of such an outrageous and infamous law. The people of that State are noted for their conservatism, and it affords me pleasure to state that the statute in question does not reflect the honest sentiment of a majority of the Democratic party. It was conceived and enacted by the self-constituted leaders whose chief desire was to secure their own preferment regardless of the effect that it might have on the fortunes of the good citizens of that section.

I regard the proposed amendment as an attempt to legalize the fraudulent methods and practices of the Democratic party that have obtained in the conduct and control of elections in the past.

Take the election law in connection with the proposed amendment, and you will have no difficulty in divining the true intent and purpose of the Democratic party in submitting this proposition to the people.

Mr. ALLEN. If the Senator will allow me a moment, I wish to inquire if he is referring to a violation of the Constitution of the United States?

Mr. PRITCHARD. In reply to my distinguished friend from Nebraska, I desire to say that I am referring to an amendment which is proposed to our State constitution, restricting the right of suffrage.

Mr. ALLEN. Would not such a restriction be in violation of the Constitution of the United States?

Mr. PRITCHARD. It certainly would be, if I am correct in the views I entertain in reference to the question.

Mr. ALLEN. It seems to me that to adopt such an amendment to a State constitution would be a violation of the Federal Constitution.

Mr. PRITCHARD. In reply to the Senator's question, I desire to say that I do not think it is the purpose of a majority of the people of the State of North Carolina so to do, but the Democratic party of that State has submitted an amendment of that kind.

Mr. ALLEN. Such an amendment would be declared by the courts to be in violation of the spirit or the letter of the Federal Constitution.

Mr. PRITCHARD. Mr. President, I have great confidence in the patriotism of the people of North Carolina, and I do not believe that they will ever permit such an unjust proposition to become a part of the constitution of our State.

The Republican party can not afford to fold its hands and permit the Democratic party to again secure political ascendancy in the nation by resorting to such unrepugnant and unconstitutional methods. No public question is ever properly settled until

it is settled in accordance with the principles of justice, and while the Democracy of the South has apparently been having its own way since 1876, it has at last reached that point where every move which it may make in the future looking to the deprivation of the voters of the South of those rights to which they are entitled will be promptly met. Some of the Democratic newspapers in my State are attempting to construe my action in this respect to mean an attack upon the State which I have the honor, in part, to represent. The statement is false and without foundation and is made for the purpose of preventing the people from giving to this subject that careful consideration to which it is entitled.

I am indebted to the people of North Carolina for all that I am. I stand ready and willing on any and all occasions to defend her good name when assailed. If the people of North Carolina had been consulted in regard to the proposed amendment, it would not have been submitted to them for their consideration. A more loyal, devoted, and patriotic people are not to be found in any State of this Union. The resolution was introduced for the purpose of calling the attention of the country at large to the iniquitous scheme which had been proposed by the leaders of the Democracy of that State for the purpose of enabling that party to retain control of our affairs regardless of the will of the majority of our people.

North Carolinians have always done their duty in every great emergency in which they have been called upon to act, and if the people in that State are given an opportunity to express themselves freely at the ballot box at the next election, they will consign to oblivion those who now seek to do that which can only result in great injury to the welfare of our people, and which will impede the rapid strides we are now making in our industrial development.

Mr. President, I understand that a number of my Democratic friends in the Senate desire to discuss this question, and I therefore ask unanimous consent that the resolution may lie upon the table.

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

Mr. CHANDLER. Mr. President, I do not object; but I myself desire, in connection with this resolution, at some time to submit a few remarks, occasioned by the extraordinary speech of the senior Senator from Alabama [Mr. MORGAN] on the 8th of January. I should go on to-day were I not informed that the Senator from Washington [Mr. TURNER] prefers to speak; and therefore I give notice that I shall make those remarks to-morrow after the Senator from Louisiana [Mr. McENERY] has spoken upon the resolution of the Senator from North Carolina [Mr. PRITCHARD].

POLICY REGARDING THE PHILIPPINES.

Mr. TURNER. I ask the Chair to lay before the Senate the joint resolution (S. R. 45) declaring the purpose of the United States with reference to the Philippine Islands.

The PRESIDENT pro tempore. The Chair lays before the Senate the joint resolution indicated by the Senator from Washington, which will be read.

The joint resolution (S. R. 45) declaring the purpose of the United States with reference to the Philippine Islands was read, as follows:

Resolved, etc., That the Government and people of the United States have not waged the recent war with Spain for conquest and for the acquisition of foreign territory, but solely for the purposes set forth in the resolution of Congress making the declaration of war, the acquisition of such small tracts of land or harbors as may be necessary for governmental purposes being not deemed inconsistent with the same.

SEC. 2. That in demanding and in receiving the cession of the Philippine Islands it is not the purpose of the Government of the United States to secure and maintain permanent dominion over the same as a part of the territory of the United States, or to permanently incorporate the inhabitants thereof as citizens of the United States, or to hold said inhabitants as vassals or subjects of this Government; and the United States hereby disclaim any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over said islands.

SEC. 3. That the United States, having accepted the cession of the Philippine Islands from Spain, and having by force of arms overthrown all organized authority and opposition to the authority of the United States therein, the duty and obligation rest upon the United States to restore peace and maintain order throughout the same; to protect in said islands the enjoyment of life and property and the pursuit of lawful avocations; and to continue such protection until the power and duty to maintain said protection shall have been transferred and intrusted by the United States to a government of the people of said islands deemed capable and worthy to exercise said power and discharge said duty.

SEC. 4. That when armed resistance to the authority of the United States shall have ceased within said islands, and peace and order shall have been restored therein, it is the purpose and intention of the United States, so soon thereafter as the same can be practically and safely accomplished, to provide the opportunity and prescribe the method for the formation of a government by and of the people of the Philippine Islands, to be thereafter independently exercised and controlled by themselves, it being the design of the United States to accord to the people of said islands the same measure of liberty and independence which have been pledged by the Congress of the United States to the people of Cuba.

SEC. 5. That when a stable government shall, by the method aforesaid, have been duly formed and erected in said islands, competent and worthy, in the judgment of the United States, to exercise the powers of an independent government and to preserve peace and maintain order within its

jurisdiction, it is the purpose and intention of the United States, reserving to themselves only such harbors and tracts of land as may be needed for coaling stations or other governmental purposes, to transfer to said government, upon terms which shall be reasonable and just, all rights and territory secured in said islands under the treaty with Spain, and to thereupon leave the dominion and control of the islands to their people.

SEC. 6. That when said government has been thus formed and set up in the Philippine Islands and approved by the United States, it is the design and intention of the United States, through such means and measures as may be deemed most efficient and appropriate, to secure the guarantee of the continued independence of the same.

Mr. TURNER. Mr. President, we have now had at the present session of Congress in this Chamber two deliverances on the Philippine question from an Administration standpoint—one by the President in his annual message to Congress, and one by the junior Senator from Indiana [Mr. BEVERIDGE] in the speech delivered by him in this Chamber on Tuesday of last week. I think it may be presumed that both deliverances were authoritative—that of the President, of course, because it was the utterance of the President; that of the Senator from Indiana because we were told by the inspired press that its delivery was determined after consultation with the President, and because the Senator himself told us substantially that its delivery at the then early period in the session was on account of the general desire of Senators and Members of the other House to have an expression of his views at the earliest practicable moment. I think it may be presumed also that a discussion of the subject from two such distinguished sources would conclude everything that could be said on that side of the question. Notwithstanding this, I must confess that for one I am still unregenerate and unconvinced. Neither the stately periods of the President's message nor the fervid oratory of the Senator's address can change the truth of history or metamorphose a proposed course of action, already partially completed, which involves a shocking breach of national faith into an act of policy defensible on grounds of justice, morality, and national duty. I call the President's policy a proposed course of action, because, while he is fully committed to it and has endeavored to carry it out so far as lay in his power, the path of honorable retreat is yet open to the American people. The President himself has consistently maintained that the ultimate disposition of these islands is for the determination of Congress. Everybody knows who knows anything that the ratification of the treaty of peace with Spain was not intended to cut off or abridge either the right or the opportunity for the fullest range of discussion and decision by the American Congress. Everyone knows, likewise, that that treaty would never have been ratified if there had been an intimation in this Chamber by any person that Congress would be embarrassed in considering the matter de novo and wholly without reference to any changed aspect in the legal status of the matter by reason of the ratification of the treaty.

Approaching the question, then, as if it were still open and un-concluded, as it in fact is, the first thing that strikes my mind, and which ought to strike every rightly constituted mind, it seems to me, is the breach of faith involved in the pretensions put forth by the President and in the resolutions of the Senator from Indiana of a right to absorb and govern the Philippine Islands wholly without reference to the consent of the people of those islands. That people alone of all the Asiatic peoples has shown a remarkable aspiration for liberty and independence, and a no less remarkable resolution and courage in the effort to attain those great blessings. For three hundred years they waged against Spain an intermittent warfare for independence, for the right to govern themselves in their own way, under their own laws, and by their own rulers. One of those struggles had only lately terminated when our own war with Spain began, and it had terminated on conditions that were honorable and advantageous to the insurrectionists. I shall not stop here to discuss the charge which has been made, that the leaders of the Filipino people in that struggle had sold them out for a moneyed consideration. If true, it argues nothing against what I shall say during the progress of my remarks. The people of the Philippine Islands—and I refer now more particularly to those who are engaged in war with our own country—are a brave, resolute, liberty-loving people, and the struggles which they have made to secure liberty and independence for themselves ought to win them the respect and admiration of every member of the American Senate. When our war with Spain began it found these people restless and discontented, it is true, but still generally at peace with their rulers. We induced them to break that peace. Our diplomatic agents hunted up their leaders, then dispersed throughout the world, and induced them to return to their homes and to their people and to foment another insurrection. Our warships conveyed those leaders to their native shores and landed them there. Our functionaries, both civil and military, furnished them with money, with arms, and with munitions of war. When these leaders had been landed among their people they told them that the great North American Republic was at war with Spain; that it had invited their assistance and cooperation; that the result would be the expulsion of Spain from the Philippines, the extinction

of her power in that quarter of the globe, and the realization of their own long-cherished hopes and aspirations for liberty and independence; and basing their action upon these statements, they appealed to the people of the Philippine Islands to again rise in revolt against the power of Spain. This appeal was responded to promptly and with remarkable unanimity, and thereafter the war was waged with such ardor and vigor that when our own land forces had reached the vicinity of Manila they found the interior of the island of Luzon entirely cleared of hostile Spanish forces. Such as were not then prisoners of war were beleaguered by the insurgents in the city of Manila, and their spirit and their courage were so broken by the assaults which they had been compelled to resist on the part of the Filipinos that after a sham battle they surrendered themselves and their city to the American forces. Undoubtedly if our forces had delayed their arrival at Manila only a few weeks, the insurgents themselves would have forced a surrender of the city at the point of the bayonet.

These facts are shown to be true beyond any question by documents in our possession. These documents also show that the Filipinos never had any idea from the beginning of their struggle that they were fighting for anything other or less than their own independence from all foreign domination. Yet the President of the United States in his annual message makes the unfounded assertion that the idea of independence on the part of the Filipino people was an afterthought, founded on the sinister ambitions of certain of their leaders. Here is what he says on that subject. After having spoken of the arrival of the commissioners appointed by him to visit the islands, he says:

But before their arrival at Manila the sinister ambition of a few leaders of the Filipinos had created a situation full of embarrassment for us and most grievous in its consequences to themselves. The clear and impartial preliminary report of the commissioners, which I transmit herewith, gives so lucid and comprehensive a history of the present insurrectionary movement that the story need not be here repeated. It is enough to say that the claim of the rebel leader that he was promised independence by any officer of the United States in return for his assistance has no foundation in fact and is categorically denied by the very witnesses who were called to prove it. The most the insurgent leader hoped for when he came back to Manila was the liberation of the islands from the Spanish control, which they had been laboring for years without success to throw off.

Against this unfounded declaration I appeal to the truth of history as exhibited in the documents submitted to us by the President himself and vouched for as authentic and worthy of credit. The first of these documents to which I wish to call the attention of the Senate is a proclamation issued by the Filipino junta in Hongkong before the departure of Admiral Dewey's fleet to engage the Spanish fleet in the bay of Manila. This proclamation is found in Senate Document No. 62, part 1, Fifty-fifth Congress, third session, which document embraces our treaty of peace with Spain, the proceedings of our peace commissioners at Paris, and the testimony submitted to them there, and is a part of the testimony which they had under consideration at that time. Now, what does this proclamation say?

Compatriots: Divine Providence is about to place independence within our reach, and in a way the most free and independent nation could hardly wish for.

The Americans, not from mercenary motives, but for the sake of humanity and the lamentations of so many persecuted people, have considered it opportune to extend their protecting mantle to our beloved country, now that they have been obliged to sever connections with Spain, owing to the tyranny this nation is exercising in Cuba, causing enormous injury to the Americans, who have such large commercial and other interests there.

At the present moment an American squadron is preparing to sail for the Philippines.

We, your brothers, are very much afraid that you may be induced to fire on the Americans. No, brothers, never make this mistake. Rather blow your own brains out than fire a shot or treat as enemies those who are your liberators.

Your natural enemies, your executioners, the authors of your misery and unhappiness, are the Spaniards who govern you. Against these you must raise your weapons and odium; understand well, against the Spaniards and never against the Americans.

Mr. TILLMAN. What is the date of that proclamation?

Mr. TURNER. The date is not given in this publication, but it is stated in the publication that the proclamation was in advance of the sailing of the American squadron for the harbor of Manila. The proclamation is preceded by the following statement:

The following is a translation from the Spanish of a proclamation of the rebel leaders in Hongkong, sent over to the Philippines in advance of the American squadron.

The next thing that happened was that General Aguinaldo, the leader of the insurgents, appeared in the city of Singapore about the 28th of April, 1898, and there he was sought by Mr. E. Spencer Pratt, consul of the United States in that city, and after an interview between them the following correspondence passed between Mr. Pratt and Admiral Dewey. Mr. Pratt telegraphed:

Aguinaldo, insurgent leader, here. Will come Hongkong arrange with commodore for general cooperation, insurgents Manila if desired. Telegraph. PRATT.

To which Commodore Dewey replied:

Tell Aguinaldo come soon as possible.

DEWEY.

What passed between Consul Pratt and Aguinaldo is stated in a publication in the Singapore Free Press of Wednesday, May 4, 1898, which Consul Pratt incloses in a dispatch to the Secretary of State, and he says in reference to this publication:

I regret to have to report that the circumstances attending the departure from here of Gen. Emilio Aguinaldo to join Commodore Dewey, which I had endeavored so hard to prevent being disclosed, were in substance made public in yesterday's edition of the Singapore Free Press, from the inclosed copy of which you will note, by reference to my reports Nos. 212 and 213 of the 28th and 30th ultimo, respectively, that though the facts are in the main correctly given, the dates are not quite accurate and a certain amount of conjecture has been indulged in as regards my action in the matter and that of the Commodore.

Here is what this newspaper says passed between Aguinaldo and Consul Pratt, and which Consul Pratt says is substantially correct:

During this conference, at which Mr. Bray acted as interpreter, General Aguinaldo explained to the American consul-general, Mr. Pratt, the incidents and objects of the late rebellion, and described the present disturbed state of the country. General Aguinaldo then proceeded to detail the nature of the cooperation he could give, in which he, in the event of the American forces from the squadron landing and taking possession of Manila, would guarantee to maintain order and discipline amongst the native troops and inhabitants in the same humane way in which he had hitherto conducted the war, and prevent them from committing outrages on defenseless Spaniards beyond the inevitable in fair and honorable warfare. He further declared his ability to establish a proper and responsible government on liberal principles, and would be willing to accept the same terms for the country as the United States intend giving to Cuba.

That is what Aguinaldo told Mr. Pratt he expected from the Government of the United States in return for the cooperation of himself and his countrymen. And this is what the same newspaper account reports Consul Pratt as saying and doing in response to Aguinaldo's declaration:

The consul-general of the United States, coinciding with the general views expressed during the discussion, placed himself at once in telegraphic communication with Admiral Dewey at Hongkong, between whom and Mr. Pratt a frequent interchange of telegrams consequently took place.

Mr. President, a few days after this interview between Aguinaldo and Consul Pratt, and after Aguinaldo had gone to join Commodore Dewey, the Filipinos then residing at Singapore, exiles from their country, desiring to recognize the interposition of Consul Pratt in favor of their country, gave him a complimentary serenade, which is also reported in the Singapore Free Press, and which he transmits with his dispatches to the Secretary of State of the United States. This report throws further light upon the relations between this consul and this leader of the insurgents, and shows what the Filipinos had a right to expect from the Government of the United States. At this serenade an address was made to Consul Pratt by Dr. Santos, one of the Filipino refugees, and in the course of that address he said:

Mr. SPOONER. From what page is the Senator about to read?

Mr. TURNER. From page 351 of this document. He said:

Our countrymen at home, and those of us residing here, refugees from Spanish misrule and tyranny in our beloved native land, hope that the United States, your nation, persevering in its humane policy, will efficaciously second the programme arranged between you, sir, and General Aguinaldo in this port of Singapore, and secure to us our independence under the protection of the United States. Our warmest thanks are especially due to you, sir, personally, for having been the first to cultivate relations with General Aguinaldo and arrange for the cooperation with Admiral Dewey, thus supporting our aspirations which time and subsequent actions have developed and caused to meet with the applause and approbation of your nation. Finally, we request you to convey to your illustrious President and the American people, and to Admiral Dewey, our sentiments of sincere gratitude and our most fervent wishes for their prosperity.

Mr. JONES of Arkansas. When was that?

Mr. TURNER. On June 8, and it is reported in the Straits Times, of Singapore, of June 9.

Consul Pratt, in his reply, does not deny that he had promoted this arrangement to secure the independence of the Filipino people under the protection of the United States. On the contrary, his reply tacitly admits it. He says:

I am thankful to have been the means, though merely the accidental means, of bringing about the arrangement between General Aguinaldo and Admiral Dewey, which has resulted so happily. I can only hope that the eventful outcome will be all that can be desired for the happiness and welfare of the Filipinos. My parting words to General Aguinaldo were, "General, when you have proved yourself great, prove yourself magnanimous," and from the treatment accorded to the recent Spanish prisoners it would appear that he had done so.

The next document to which I wish to call attention, and all of these documents are appended to the Spanish treaty and were submitted to our commissioners at Paris, is the letter from Aguinaldo to the President, dated June 10, 1898. This letter is found on pages 360 and 361 of Senate Document No. 62:

CAVITE, June 10, 1898.

To the President of the Republic of the Great North American Nation.

DEAR AND HONORED SIR: I come to greet you with the most tender effusion of my soul and to express to you my deep and sincere gratitude, in the name of the unfortunate Philippine people, for the efficient and disinterested protection which you have decided to give it, to shake off the yoke of the cruel and corrupt Spanish domination, as you are doing to the equally unfortunate Cuba, which Spain wishes to see annihilated rather than free and independent, giving her to quiet her and to cicatrize the deep wounds made in her heart by the iniquities committed upon her children, a false autonomy, of which one bold blow of the Governor-General may deprive her immediately, as she has no colonial army to serve as a counterpoise to the almost sovereign powers of that supreme authority.

At the same time, as I am always frank and open, I must express to you the great sorrow which all of us Filipinos felt on reading in the Times, a newspaper of the greatest circulation and reputation in the whole world, in its issue of the 5th of last month, the astounding statement that you, sir, will retain these islands until the end of the war, and, if Spain fails to pay the indemnity, will sell them to a European power, preferably Great Britain.

After going on and arguing against such a course, he concludes in the last paragraph of this letter by stating:

I close by protesting once and a thousand times, in the name of this people, which knows how to fight for its honor by means of its improvised warriors and artillery men, against the statement published by the Times, mainly for the purpose of casting a blot in history upon its glorious name; a people which trusts blindly in you not to abandon it to the tyranny of Spain, but to leave it free and independent, even if you make peace with Spain, and I offer fervent prayers for the ever-increasing prosperity of your powerful nation, to which and to you I shall show unbounded gratitude, and shall repay with interest that great obligation.

The next document to which I call the attention of the Senate is a letter from Consul Wildman to Aguinaldo from Hongkong. The date is not given here, but it is contained in a dispatch to the State Department by Consul Wildman dated August 7. I see that in the body of the dispatch he says he wrote this letter to Aguinaldo on July 25, 1898.

If you stand shoulder to shoulder—

Mr. QUARLES. On what page is that found?

Mr. TURNER. It is page 339, at the bottom of the page. In this letter to Aguinaldo Consul Wildman says:

If you stand shoulder to shoulder with our forces, and do not allow any small differences of opinion and fancied slights to keep you from the one set purpose of freeing your island from the cruelties under which you claim it has been groaning for so many hundred years, your name in history will be a glorious one. There are greater prizes in the world than being the mere chief of a revolution.

Now, mark this language:

Do not forget that the United States undertook this war for the sole purpose of relieving the Cubans from the cruelties under which they were suffering, and not for the love of conquest or the hope of gain. Whatever the final disposition of the conquered territory may be, you can trust to the United States that justice and honor will control all their dealings with you. The first thing is to throw off the Spanish yoke. Do not let anything interfere with this.

Now, Mr. President, for the purpose of showing that these representations were brought to the attention of the Department, I refer the Senate to a memorandum made by Secretary J. B. Moore for the information of Secretary Day, dated June 22, 1898, and found in this publication on page 340. This memorandum says:

For the Secretary:

Here are two dispatches from Mr. Pratt, consul-general at Singapore, respectively numbered 214 and 217.

No. 214 incloses a copy of Mr. Pratt's confidential No. 212, to which you have already replied.

It also incloses a copy of his No. 213, narrating his parting interview with General Aguinaldo. Mr. Pratt states that in this interview he enjoined upon General Aguinaldo the necessity, under Commodore Dewey's direction, of assuming absolute control over his forces in the Philippines, since no excesses on their part would be tolerated by the United States, the President having declared that the present hostilities with Spain were to be carried on in strict conformity with the principles of civilized warfare. Mr. Pratt states that to this injunction General Aguinaldo gave his full assent, assuring him that he intended, and was able, when in the field, to hold his followers, the insurgents, in check and lead them on "as our commander should direct."

General Aguinaldo, as Mr. Pratt reports, "further stated that he hoped the United States would assume protection of the Philippines for at least long enough to allow the inhabitants to establish a government of their own, in the organization of which he would desire American advice and assistance." "These questions," says Mr. Pratt, "I told him I had no authority to discuss." This confirms Mr. Pratt's statement, in his recent telegram, that he confined his action to bringing General Aguinaldo and Commodore Dewey together.

The only intimation in this whole record from beginning to end that the Filipinos or anybody acting for them ever expressed a willingness to accept anything less than their independence is contained in a letter addressed by Consul Williams at Manila to Secretary Day, dated June 16, 1898, in which he states that in a conversation with Aguinaldo the latter had stated that certain of his leaders had expressed a willingness to accept annexation to the United States. Yet, Mr. President, Aguinaldo, in the letter to the President which I have already read, dated June 10, 1898, six days before this supposed conversation between himself and Consul Williams, had notified the President that when peace was finally concluded between the United States and Spain he expected that it would be done upon terms that would concede the independence of the Philippine Islands.

Moreover, Aguinaldo, in a letter to Consul Williams, dated August 1, 1898, only one month and fourteen days after this supposed conversation between himself and Consul Williams, argued strenuously and forcefully in favor of the independence of the Philippine Islands and gives no intimation whatever that in any conversation with Consul Williams he had indicated the willingness of anybody connected with the Philippine republic to accept annexation to the United States. This letter is so pathetic and affecting and breathes so high a spirit that it would move the heart of anybody not impervious to generous and magnanimous feelings. I desire to read a few of its passages to the Senate in

this connection. It is found in the Senate document before read from, on pages 398 and 399. He says:

Why do not the American generals operate in conjunction with the Filipino generals and, uniting the forces, render the end more decisive? Is it intended, indeed, to carry out annexation against the wish of these people, distorting the legal sense of that word? If the revolutionary government is the genuine representative, by right and deed, of the Filipino people, as we have proved when necessary, why is it wished to oppress instead of gaining their confidence and friendship?

It is useless for me to represent to my compatriots the favors received through Admiral Dewey, for they assert that up to the present the American forces have shown not an active, only a passive, cooperation, from which they suppose that the intention of these forces are not for the best. They assert, besides, that it is possible to suppose that I was brought from Hongkong to assure those forces by my presence that the Filipinos would not make common cause with the Spaniards, and that they have delivered to the Filipinos the arms abandoned by the former in the Cavite Arsenal, in order to save themselves much labor, fatigue, blood, and treasure that a war with Spain would cost.

But I do not believe these unworthy suspicions. I have full confidence in the generosity and philanthropy which shine in characters of gold in the history of the privileged people of the United States, and for that reason, invoking the friendship which you profess for me and the love which you have for my people, I pray you earnestly, as also the distinguished generals who represent your country in these islands, that you entreat the Government at Washington to recognize the revolutionary government of the Filipinos, and I, for my part, will labor with all my power with my people that the United States shall not repent their sentiments of humanity in coming to the aid of an oppressed people.

Say to the Government at Washington that the Filipino people abominate savagery, that in the midst of their past misfortunes they have learned to love liberty, order, justice, and civil life, and that they are not able to lay aside their own wishes when their future lot and history are under discussion. Say also that I and my leaders know what we owe to our unfortunate country, that we know how to admire and are ready to imitate the disinterestedness, the abnegation, and the patriotism of the grand men of America, among whom stands preeminent the immortal General Washington.

You and I both love the Filipinos; both see their progress, their prosperity, and their greatness. For this we should avoid any conflict which would be fatal to the interests of both peoples, who should always be brothers. In this you will acquire a name in the history of humanity and an ineradicable affection in the hearts of the Filipino people.

Mr. President, can anybody read these documents and say truthfully that the idea of independence was an afterthought with the Filipino people? On the contrary, from the very beginning, from a period anterior even to the outbreak of hostilities between our Government and Spain, they were advising us in any and every possible way that the stake for which they were fighting and for which they expected to fight was the independence of their beloved country. Nor is it strictly true, Mr. President, to say that they were never promised their independence. A fair reading of these letters of Consul Pratt and Consul Williams would induce us to say that they were promised independence by those officials, if not in express terms, at least by necessary implication. A reading of the letters from General Anderson, the commander of our forces at Cavite before the arrival of General Merritt in that country, would also carry the same intimation to that people. I want the Senate to listen to what General Anderson said to them at that time. On the 4th day of July, 1898, General Anderson indited a letter to General Aguinaldo, and said to him in that letter, among other things:

Mr. SPOONER. On what page is that found?

Mr. TURNER. That letter is found on page 390. General Anderson wrote to Aguinaldo as follows:

GENERAL: I have the honor to inform you that the United States of America, whose land forces I have the honor to command in this vicinity, being at war with the Kingdom of Spain, has entire sympathy and most friendly sentiments for the native people of the Philippine Islands.

For these reasons I desire to have the most amicable relations with you, and to have you and your people cooperate with us in military operations against the Spanish forces.

In another letter found in this document, at page 391, dated July 6, 1898, General Anderson says to Aguinaldo:

Very soon we expect a large addition to our forces, and it must be apparent to you as a military officer that we will require much more room to camp our soldiers, and also storeroom for our supplies. For this I would like to have your excellency's advice and cooperation, as you are best acquainted with the resources of this country.

It must be apparent to you that we do not intend to remain here inactive, but to move promptly against our common enemy; but for a short time we must organize and land supplies and also retain a place for storing them near our fleet and transports.

I am solicitous to avoid any conflict of authority which may result from having two sets of military officers exercising command in the same place.

I am also anxious to avoid sickness by taking sanitary precautions. Your own medical officers have been making voluntary inspections with mine and fear epidemic disease, if the vicinity is not made clean. Would it not be well to have prisoners work to this end under the advice of the surgeons?

I call the attention of the Senate to the fact that we had no prisoners at that time, but the only Spanish prisoners were those held by the forces of the Philippine republic.

Mr. McLAURIN. Whose letter is that?

Mr. TURNER. That is General Anderson's letter to General Aguinaldo. The last letter from General Anderson to which I shall call the attention of the Senate is dated July 23, 1898, and in it he says to Aguinaldo:

GENERAL: When I came here three weeks ago I requested your excellency to give what assistance you could to procure means of transportation for the American army, as it was to fight in the cause of your people. So far we have received no response.

As you represent your people, I now have the honor to make requisition on you for 500 horses and 50 oxen and ox carts.

If you can not secure these, I will have to pass you and make requisition directly on the people.

The cause of these letters and other letters, and acts of a similar character, with which I shall not further weary the Senate, was explained in the testimony of General Merritt, given before our peace commissioners at Paris. That testimony, or so much of it as I will read, will be found on page 367 of Senate Document No. 62. Among other things, General Merritt says to the commissioners:

Before that time, rather early after my arrival there at Manila, I had telegraphed to the War Department of the possible trouble that might arise with the insurgents, and asked for instructions as to whether I should consider them as enemies and treat them accordingly in such case. To that request I had no reply, and the consequence was I had to mix diplomacy with force in order to avoid a tilt with them. I knew if bloodshed was once had that would be the end of an amicable status there, and to that end I was careful only to enforce that which was proper and which I conceived must be executed in order to have my troops fully occupy the ground we had taken.

Mr. President, when Secretary Day heard of this interview between Aguinaldo and Consul Pratt at Singapore and of the letter addressed to Aguinaldo by Consul Wildman at Hongkong he took occasion to write a letter to each of those officials disavowing their course, but he never disavowed, nor did any other official of this Government ever disavow the course of those consuls to Aguinaldo or to anybody else, although we were then in daily communication with Aguinaldo in and about the vicinity of Manila. Why was not this done? The answer is obvious and is indicated in the testimony of General Merritt. We desired the friendly cooperation and assistance of the Filipinos in our war with Spain. We knew that if we disclosed to them our purpose to absorb their land and deny their independence, we would not only not have their friendly cooperation and assistance, but we would have their active opposition. We knew that we would be at war, not only with the Spaniards but with the Filipinos, from the very moment that we set foot upon the soil of those islands.

Mr. President, does not this whole miserable history bear out the statement with which I began, that we owe that to the Filipinos, by virtue of what has transpired, which, if we now go on with our pretensions against their liberty and their independence, will be looked on as a gross breach of faith upon the part of the American people? Whatever may be said as to actual promises of independence, it is indisputable, nobody can deny it, that we sought and accepted the assistance of the Filipinos, knowing that the stake which they fought for was independence, and when they had almost won their independence, when it required but one more effort on their part to clear their soil from the last vestige of Spanish dominion, we, their professed friend and ally, without any previous intimation of our purpose, stepped into the shoes of Spain and opposed our overwhelming power to the accomplishment of their long-cherished hopes and aspirations. Mr. President, our conduct then and there has no parallel in the history of the world from the beginning of time down to the present moment. If it be persisted in it will be worse than Punic faith. Beside it Punic faith will hereafter be considered as full observance of honorable obligations. It is indescribable. To the honest, unperverted American mind it is inconceivable. I venture the assertion that there is not one American voter in a hundred who would not have repudiated as perfidious and dishonorable the pretensions put forth by the President of the United States and by the resolutions of the Senator from Indiana [Mr. BEVERIDGE], if they had been called upon with full knowledge of all the facts, to sanction them in the beginning and before the present desolating war began. The truth of the matter is that those pretensions have from the beginning and do now constitute a stain on the honor of this nation, which we may atone for if we will, but which can never be entirely wiped out. The man or men who have put us in this position before the world deserve and will receive the condemnation of the American people. That people have a conscience which stings and an honor which reproaches when they see injustice perpetrated by their servants and in their name on a helpless and deserving people. Those in high places who have stifled their own consciences at the dictation of political expediency will learn that fact to their sorrow long before this deplorable chapter in our national history is closed forever.

Mr. President, the President in his annual message to Congress predicated our right in the Philippines on the ground that we had done nothing and promised nothing to the inhabitants of those islands which precluded us in honor from acquiring them, and on the further ground that we had legally purchased those islands from Spain, their former owner, and he declared, therefore, that they are ours by every title of law and equity. I do not believe that they are ours by either title. If they were private possessions, any court of equity adjudicating between ourselves and the Filipinos, even Judge Day himself, in his capacity as a judge of the circuit court of the United States, administering equity, would be compelled to declare on the record that, instead of being trus-

tees of those islands under God, as the Senator from Indiana [Mr. BEVERIDGE] thinks we are, we are in truth and in fact trustees de son tort, in fraud of the rights of the Filipinos. The suggestio falsi and the suppressio veri are both there for the purpose of constituting the equitable jurisdiction. Nor do I believe it lies in our mouth to say that we hold a legal title to those islands. Caveat emptor. How could we purchase from Spain something which Spain herself did not possess? How could the Filipinos be bound by the empty act of Spain in undertaking to sell a sovereignty which they had wrested from her by the God-given right of revolution? If it be said that while Spain had lost her sovereignty de facto it still existed de jure, I say that as to us she had lost her sovereignty both in law and in fact. We can not be permitted in any forum, either of law or conscience, to breathe both hot and cold to the Filipinos. Having assisted them to destroy the sovereignty of Spain, we can not be permitted now to turn around and say that while it is true that that sovereignty had departed as a fact, it still existed de jure, for the purpose of purchase by us. And I call the attention of the Senate to the fact that if we have any rights whatever in the Philippines, it is by purchase, pure and simple, and nothing else. At the time of the signing of the protocol, which ended the war with Spain, we were not in possession of a single foot of territory in the Philippines which had not before that been wrested from Spain by the victorious armies of the Philippine republic, and by them surrendered to us as an act of comity to a friend and an ally. Judge Day himself places this matter right in a publication from him which I saw in the public prints a few weeks ago, and in which he points out that such rights as we do possess in the Philippines we acquired by purchase, and not by conquest. I am sorry that I have not the very full and satisfactory expression of Judge Day upon this subject to present to the Senate now in connection with my remarks.

It may be assumed by some that any discussion of the status of this country in the Philippine Islands from a legal standpoint is abstract and profitless since our sovereignty has been declared by treaty and is therefore fixed in all our own forums. But is it so fixed, Mr. President? Neither that instrument nor any other to which the Filipinos were not parties can fix it in the forum of conscience. That forum finds its being in the Congress of the United States primarily, with right of appeal to the people of the United States in their collective capacity as the ultimate sovereign to whom all questions of conscience must in the end be submitted and decided. That people will determine hereafter, whatever Congress may now do, whether the Philippines "are ours by every title of law and equity." Our people are broad, generous, humane, and magnanimous, and their every instinct is for right and justice. I can not doubt that, when the matter is submitted to them understandingly, they will render a just and righteous verdict. In the meantime, what a cause and what a forum for an advocate filled with holy zeal for justice and with righteous indignation against wrong perpetrated in high places! Oh, for a Burke, or a Fox, or a Pitt to demand justice for an outraged people, and to scourge with scorpion whip the cant and hypocrisy that would oppress them under the guise of extending liberty and civilization.

Mr. President, the Senator from Indiana did not address himself to our position in the Philippines from the standpoint of right and justice. His address was a rhapsody directed to our interests and our senses; and while it was very beautiful, he must pardon me for saying that it lacked that majestic harmony which can be evoked only when the nobler chords are struck. We now know from his address, if we did not before know, that the islands are both rich and beautiful, that their climate is salubrious, their waters healing, their soil fertile, their productions diversified, their position commanding, and that the opportunities to exploit them for our enrichment are many and manifold; but we do not know by what right Spain, after being expelled from them by their 10,000,000 inhabitants, could sell them and their inhabitants to us without the consent of the latter, nor do we know by what right the United States, after having assisted to expel Spain from those islands, could buy them and their 10,000,000 inhabitants without the consent of the latter. Nor does the Senator from Indiana tell us, unless he intends us to infer the right from the claim which he makes, that the Filipinos are a barbarous race of people and that the principles of liberty declared by our great political charter were never intended to have application to such a people. But the Senator must pardon me again if I express doubt whether his opportunities have been such as to constitute him an authority on the subject of the capabilities of the Filipino people. We all know that his ability to travel through the island of Luzon and to mix with its people was much restricted during his recent visit to the Orient, and the same may be said of all the other islands, unless possibly we except that group governed by the Sultan of Sulu. Those islands, I believe, at the time of the visit of the Senator had been won over to friendly consideration by the extraordinary means which that great Oriental statesman,

Li Hung Chang, advised us to employ in the efforts to pacify all of the islands. But there are others, whose opportunities have been greater than those of the Senator from Indiana, who tell us a different story concerning the capabilities of the Filipinos; and I prefer, as I have no doubt the country will prefer, to believe them rather than to accept the version of the Senator from Indiana.

Admiral Dewey tells us, from observation and experience with the Filipinos, that they are far more capable of self-government than the natives of Cuba. He reiterated this in his views formulated for the information of our peace commissioners at Paris. In those views, which are published in Senate Document No. 62, on page 383, I find, among others, this statement from Admiral Dewey. It is very brief:

In a telegram sent to the Department on June 23 I expressed the opinion that "these people are far superior in their intelligence and more capable of self-government than the natives of Cuba, and I am familiar with both races." Further intercourse with them has confirmed me in this opinion.

Mr. TILLMAN. As the Senator is speaking of Admiral Dewey's testimony in connection with this matter, I should like to ask him if he has ever found in any official dispatch whether or not Admiral Dewey made a compact with Aguinaldo as to the conditions on which the war should be prosecuted?

Mr. TURNER. I have found nothing on that subject in the documents published.

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

Mr. TURNER. Certainly.

Mr. CHANDLER. I ask whether there is any evidence that there were any active insurgents in the Philippine Islands when Dewey destroyed the Spanish fleet? The Senator speaks of our assisting the insurgents to take possession of the Philippine Islands. When the news of Dewey's victory went around the world, and when, as the Senator says, we began to assist the insurgents to take possession of the islands, were there any active insurgents in all the islands?

Mr. TURNER. Yes.

Mr. CHANDLER. If so, I should be very glad to be informed of it, because I had supposed there were none.

Mr. TURNER. I shall not take the time to turn to the letter now, but the Senator will find in this publication a dispatch from Consul Williams, at Manila, to Secretary Day, before the outbreak of hostilities between the United States and Spain, in which Consul Williams told Judge Day that there were 5,000 armed insurgents then in and around the city of Manila.

Mr. CHANDLER. I have no doubt there were plenty of armed Filipino insurgents at Hongkong, but I have yet to see any reliable evidence that the insurrection at that particular time had one particle of vitality in the Philippine Islands.

Mr. TURNER. Then the Senator has not read this correspondence, which I commend to his consideration.

Mr. CHANDLER. If the Senator will allow me, there were undoubtedly insurgents, inhabitants of the Philippine Islands, with arms which they were ready to use if they were encouraged and assisted, as the Senator says, by the United States, but that the insurrection had any vitality whatever on the day of Dewey's victory I have never believed.

Mr. TILLMAN. With the permission of the Senator from Washington, I will read from page 319 of Senate Document No. 62, Fifty-fifth Congress, third session, a letter from Consul Williams, dated February 22, 1898, in which he says:

Peace was proclaimed, and since my coming festivities therefor were held; but there is no peace and has been none for about two years. Conditions here and in Cuba are practically alike. War exists, battles are of almost daily occurrence, ambulances bring in many wounded, and hospitals are full.

That was February 22, 1898, before we declared war.

Prisoners are brought here and shot without trial, and Manila is under martial law.

The Crown forces have not been able to dislodge a rebel army within 10 miles of Manila, and last Saturday, February 19, a battle was there fought and five dead left on the field. Much of such information is found in my longer dispatch, referred to, and which is at your command.

Mr. CHANDLER. If the Senator will allow me, the difficulty is for me to understand, if that be true—and I am not now prepared to say that it is not true, although I somewhat doubt it—why Aguinaldo and all the leaders of the rebellion had gone off to Hongkong to enjoy the money of the Spanish Government, which had been agreed to be paid to them as a reason for abandoning the insurrection.

Mr. TURNER. Mr. President—

Mr. HOAR. I should like to ask the Senator one question. I inquire if the Senator has formed his opinion on this subject in ignorance of that fact?

The PRESIDING OFFICER (Mr. TALIAFERRO in the chair). The Senator from Washington [Mr. TURNER] is entitled to the floor.

Mr. TILLMAN. With the consent of the Senator from Washington, I will read some additional testimony from Mr. Williams,

under date of March 19, 1898, page 320 of the same document. He writes to the Assistant Secretary of State as follows:

SIR: Matters are in a serious state here. I have daily communication by cable and letter with Commodore Dewey, but we pass letters by British and other shipmasters and by private parties, because cables and letters are tampered with.

Insurrection is rampant; many killed, wounded, and made prisoners on both sides.

Rebellion never more threatening to Spain. Rebels getting arms, money, and friends, and they outnumber the Spaniards, resident and soldiery, probably a hundred to one.

If Mr. Williams was a liar, he ought not to have been there as the consul of the United States.

Mr. TURNER. Mr. President, to proceed with the tenor of my remarks and to return to the question of the capacity of the Filipinos for government, the next document to which I call the attention of the Senate is a dispatch from Consul Williams to the Secretary of State, found on pages 327 and 328, written a very short time after the battle of Manila Bay. It is dated May 13, 1898. He says to the Secretary:

These natives are eager to be organized and led by United States officers, and the members of their cabinet visited me and gave assurance that all would swear allegiance to and cheerfully follow our flag. They are brave, submissive, and cheaply provided for.

To show their friendliness for me as our nation's only representative in this part of the world, I last week went on shore at Cavite with British consul, in his launch, to show the destruction wrought by our fleet. As soon as natives found me out, they crowded around me, hats off, shouting "Viva los Americanos." thronged about me by hundreds to shake either hand, even several at a time, men, women, and children striving to get even a finger to shake. So I moved half a mile, shaking continuously with both hands. The British consul, a smiling spectator, said he never before saw such an evidence of friendship. Two thousand escorted me to the launch amid hurrahs of good feeling for our nation, hence I must conclude—

And it is these conclusions of Consul Williams, to which I wish the particular attention of the Senate:

First. Our squadron can force surrender in a day. Spaniards are all cooped up in Manila.

This was before our troops got there at all.

Second. Spanish officers of native regiments away, these 6,000, together with selections from the 37,000 insurgents, can give us ample land force, and can be well armed with rifles of Spanish soldiers and from barracks and arsenals.

Third. Few United States troops will be needed for conquest, and fewer still for occupancy. Expulsion of Spaniards—naval, civil, military, and clerics—will remove all discord and danger, and civil government, crude in the beginning but better than the present, will be easy and be well received, while native priests, of which there are many, can fully and with perfect acceptability meet all religious requirements so far as present established religion is concerned.

Consul Williams in this letter states to the Secretary of State that the government of these insurgents, while crude in the beginning, would be better than that which was then being administered by the Spaniards in that country. Can it be that a people who could administer better government than the Spaniards are capable of administering can be truthfully said to be barbarians?

The next evidence to which I shall call the attention of the Senate on this subject is a letter from General King, very much in line with that of Admiral Dewey. This letter is dated San Francisco, June 22, 1899. It is found published in Senate Document No. 66, and is as follows:

SAN FRANCISCO, June 22, 1899.

To the Editor of the Journal, Milwaukee, Wis.

DEAR SIR: Thinking over your telegram and request of June 7, I find myself seriously embarrassed. As an officer of the Army, there are many reasons why I should not give my "views of situation in the Philippines, how long fighting is likely to continue, and thoughts as to America's part in future of islands."

The capability of the Filipinos for self-government can not be doubted. Such men as Arellano, Aguinaldo, and many others whom I might name are highly educated; nine-tenths of the people read and write, all are skilled artisans in one way or another; they are industrious, frugal, temperate, and, given a fair start, could look out for themselves infinitely better than our people imagine. In my opinion, they rank far higher than the Cubans or the uneducated negroes to whom we have given the right of suffrage.

Very truly, yours,

CHARLES KING,
Brigadier-General.

After the surrender of Manila two of the officers of Admiral Dewey's fleet obtained leave of absence with a view of making a tour of the island of Luzon and of reporting officially to Admiral Dewey what they had observed during that tour. Those officers were Paymaster W. B. Wilcox, of the United States Navy, and Naval Cadet Leonard R. Sargent, also of the same service. They passed all of the months of October and November in the interior of the island of Luzon, traveling about from place to place. As officers of the United States, they were received in every community which they visited with the utmost friendliness and with the very highest honors which the people were capable of offering to them. After they returned they made a report to Admiral Dewey concerning what they had observed, and here is what they had to say concerning the education and intelligence of the natives:

53. The Philippine officers, both military and civil, that we have met in all the provinces we have visited have, with very few exceptions, been men of intelligent appearance and conversation. The same is true of all those men

who form the upper class in each town. The education of most of them is limited, but they appear to seize every opportunity to improve it. They have great respect and admiration for learning. Very many of them desire to send their children to schools in the United States or Europe. Many men of importance in different towns have told us that the first use to be made of the revenues of their government, after there is no more danger of war, will be to start good schools in every village. The poorer classes are extremely ignorant on most subjects, but a large percentage of them can read and write.

Further on in this report, concerning the popular sentiment on the subject of independence, it is stated:

57. Of the large number of officers, civil and military, and of leading towns, people we have met nearly every man has expressed in our presence his sentiment on this question. It is universally the same. They all declare they will accept nothing short of independence. They desire the protection of the United States at sea, but fear any interference on land. The question of the remuneration of our Government for the expense of establishing a protectorate is never touched upon. On the subject of independence there is, again, a marked difference between the four provinces first visited and those of Ilocos Sur and Union. In the former there is more enthusiasm—the sentiment is more of the people; in the latter it is more of the higher class and of the army. In these provinces we have seen signs of actual discontent with the existing state of things.

This report from which I have read was submitted by these officers to Admiral Dewey, and received from him this indorsement:

FLAGSHIP OLYMPIA,
Cavite, P. I., December 1, 1898.

Approved and respectfully forwarded for the information of the Navy Department.

Especial attention is invited to this interesting and carefully prepared report, which, in my opinion, contains the most complete and reliable information obtainable in regard to the present state of the northern part of Luzon Island.

GEORGE DEWEY,
Rear-Admiral, U. S. N., Commanding Asiatic Station.

One of these officers afterwards wrote an article for the Outlook, embracing in a more popular form the results of his observations and those of Paymaster Wilcox while engaged in making that tour. This article is also published in Senate Document No. 66, Fifty-sixth Congress, first session. I desire to have read the parts of it which are found on pages 1 and 2 of the document down to the bottom of page 2, and I send the document to the desk for that purpose.

The Secretary read as follows:

THE BACKWOODS FILIPINO.
[By Leonard R. Sargent.]

It has been my privilege to have been intimately associated with the Filipino people for a short time at a most interesting period of their history. With the permission of Admiral Dewey, I spent the greater part of the months of October and November of 1898, in company with Paymaster W. E. Wilcox, United States Navy, in the interior of the northern part of the island of Luzon. It will be remembered that at that date the United States had not yet announced its policy with regard to the Philippines. The terms of the treaty with Spain were being negotiated by our commissioners at Paris, and the fate of the islands hung in the balance. In the meantime the native population, taking matters into their own hands, had declared their independence from all foreign jurisdiction and had set up a provisional government, with Aguinaldo at its head.

Although this government has never been recognized, and in all probability will go out of existence without recognition, yet it can not be denied that, in a region occupied by many millions of inhabitants, for nearly six months it stood alone between anarchy and order. The military forces of the United States held control only in Manila, with its environs, and in Cavite, and had no authority to proceed further, while in the vast remaining districts the representatives of the only other recognized power on the field were prisoners in the hands of their despised subjects. It was the opinion at Manila during this anomalous period in our Philippine relations, and possibly in the United States as well, that such a state of affairs must breed something akin to anarchy.

I can state unreservedly, however, that Mr. Wilcox and I found the existing conditions to be much at variance with this opinion. During our absence from Manila we traveled more than 600 miles in a very comprehensive circuit through the northern part of the island of Luzon, traversing a characteristic and important district. In this way we visited seven provinces, of which some were under the immediate control of the central government at Malolos, while others were remotely situated, separated from each other and from the seat of government by natural divisions of land, and accessible only by lengthy and arduous travel. As a tribute to the efficiency of Aguinaldo's government and to the law-abiding character of his subjects, I offer the fact that Mr. Wilcox and I pursued our journey throughout in perfect security, and returned to Manila with only the most pleasing recollections of the quiet and orderly life which we found the natives to be leading under the new régime.

Some years ago, at an exposition held at Barcelona, Spain, a man and woman were exhibited as representative types of the inhabitants of Luzon. The man wore a loin cloth and the woman a scanty skirt. It was evident that they belonged to the lowest plane of savagery. I think no deeper wound was ever inflicted upon the pride of the real Filipino population than that caused by this exhibition, the knowledge of which seems to have spread throughout the island. The man and woman, while actually natives of Luzon, were captives from a tribe of wild Igorrotes of the hills, a tribe as hostile to the Filipinos as to the Spaniards themselves, and equally alien to both. It is doubtful to what extent such islanders are responsible for the low esteem in which the Filipino is held; his achievements certainly have never been well advertised, while his shortcomings have been heralded abroad.

The actual, everyday Filipino is not as picturesque a creature as the Igorrote. The average human imagination has a remarkable affinity for the picturesque; and the commonplace citizen of Luzon is too often overlooked in the presence of the engrossing savage. If the observer's attention can be drawn to the former, however, much that is of interest will be found in his comparatively homely life.

In our journey we traveled first across the province of Nueva Iclija, by far the poorest and least interesting of all the provinces we visited. And yet even here we were greatly surprised by the intelligence and refinement of the inhabitants. While our entertainment at first was meager—for want of the wherewithal to provide a more generous one—we could nevertheless detect

the same spirit of hospitality that found vent in elaborate manifestations in the richer towns which we visited later.

We were particularly struck by the dignified demeanor of our hosts and by the graceful manner in which they extended to us their welcome. We had unlimited opportunities for conversation with the citizens of the towns, and we found everywhere a class that gave evidence of considerable culture and a certain amount of education. Their education included those branches only which were taught at the schools conducted by the priesthood at the capital towns of the provinces, and was of rather an impracticable nature. The Spanish language, Spanish history (appropriately garbled), church history, and the dead languages evidently formed its leading features.

Mr. JONES of Arkansas. Will the Senator from Washington yield to me for a moment?

Mr. TURNER. Certainly.

Mr. JONES of Arkansas. I understand that the Senator from Washington would prefer to continue to-morrow, in view of the extended remarks he has made this afternoon; and with the Senator retaining the floor, if there is no objection, I move that the Senate proceed to the consideration of executive business.

Mr. HOAR. I should like very much to have passed a bill to which I am sure there will be no objection. It proposes to divide one of the New York judicial districts, which is very much crowded with business and about which bill both of the New York Senators have spoken to me. If the Senator will allow that to be submitted to the Senate before making his motion, I will be obliged to him.

Mr. JONES of Arkansas. I shall not make the motion until the Senator from Massachusetts has had an opportunity to present the bill, if the Senator from Washington does not object.

Mr. TURNER. I have no objection, if I may be permitted to go on to-morrow at the close of the morning hour and finish my remarks. I prefer to go on this afternoon and finish my remarks unless—

Mr. HOAR. I will ask unanimous consent to call up the bill. The PRESIDENT pro tempore. Does the Senator from Washington yield the floor?

Mr. SPOONER. I ask unanimous consent that to-morrow, after the morning business, the Senator from Washington may proceed with his remarks.

The PRESIDENT pro tempore. The Senator from Wisconsin asks unanimous consent that the Senator from Washington shall be entitled to the floor after the morning business is concluded to-morrow.

Mr. SPOONER. To finish his remarks.

Mr. ALDRICH. After the routine business.

Mr. TELLER. After the routine business.

Mr. SPOONER. After the routine business.

The PRESIDENT pro tempore. Is there objection to the request? The Chair hears none.

Mr. ALDRICH. I suggest that the Senator from Vermont [Mr. Ross] has already given notice of his intention to speak to-morrow.

Mr. CHANDLER. The Senator from Vermont will speak after the Senator from Washington has finished.

NORTHERN JUDICIAL DISTRICT OF NEW YORK.

Mr. HOAR. I ask unanimous consent for the present consideration of the bill (S. 268) to amend the Revised Statutes of the United States relating to the northern district of New York, to divide the same into two districts, and provide for the terms of court to be held therein and the officers thereof and the disposition of pending causes.

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 the Judiciary with amendments.

The first amendment was, in section 9, at the end of line 2, page 5, to insert:

And shall perform the duties and receive the salary and compensation now incident to their respective offices.

So as to read:

All other officers who have been heretofore appointed for the northern district of New York who shall be in office at the time of the taking effect of this act shall continue in office as officers of the district of their residence until the expiration of their respective terms, and shall perform the duties and receive the salary and compensation now incident to their respective offices.

The amendment was agreed to.

The next amendment was, after the word "act," in line 10, section 9, page 5, to insert:

Or returnable thereto.

So as to make the proviso read:

Provided, That nothing herein contained shall be construed to impair or affect the jurisdiction of the district court of the northern district of New York in any case, civil or criminal, pending therein at the time of the passage of this act, or returnable thereto, but the same shall be proceeded in to final disposition as if this act had not been passed.

The amendment was agreed to.

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

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

STATUE OF LAFAYETTE AT PARIS EXPOSITION.

Mr. DEPEW. I am directed by the Committee on Industrial Expositions, to whom was referred the joint resolution (S. R. 55) authorizing the President to appoint one woman commissioner to represent the United States and the National Society of the Daughters of the American Revolution at the unveiling of the statue of Lafayette at the exposition in Paris, France, in 1900, to report it with an amendment, and I ask for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was reported from the Committee on Industrial Expositions, with an amendment, in line 3, after the word "President," to strike out "by and with the advice and consent of the Senate, shall" and insert "may;" and at the end of line 8 to insert "and at the exposition then to be held;" so as to make the joint resolution read:

Resolved, etc. That the President may appoint one woman commissioner to represent the United States and the National Society of the Daughters of the American Revolution at the unveiling of the statue of Lafayette and the presentation of a tablet for said statue at Paris, France, in 1900, and at the exposition then to be held.

That said commissioner shall not be entitled to receive compensation for any services rendered in connection with this mission.

The amendment was agreed to.

Mr. COCKRELL. I thought it was distinctly understood by the French Government that there should be no female representation at the exposition. If I am not very much mistaken, and the senior Senator from Iowa [Mr. ALLISON] will remember that question, it was understood that it was the desire of the French Government that there should be no women representatives sent there on the part of the United States, and now, in direct violation of that provision, this woman is to go there. She will go there as a representative of the Government at that exposition, the way the amendment reads. I make the suggestion whether or not it is proper, in view of the fact that the French Government does not want them.

Mr. JONES of Arkansas. In view of the fact that this question has arisen, I renew my motion.

Mr. GALLINGER. I ask the Senator to kindly yield to me to have a bill passed. It will take but a moment.

Mr. DEPEW. I did not, nor do I know, of any such restriction on the part of the French Government. The joint resolution was prepared by the Daughters of the American Revolution, of which the president-general is Mrs. Daniel Manning, widow of the late Secretary of the Treasury in Mr. Cleveland's Cabinet, and it was presented to the Senate by the Senator from Maine [Mr. FRYE]. It came before our committee, and we thought that under the circumstances surrounding the testimonial presented it was a very admirable appointment to be made. Therefore we favorably reported the joint resolution.

Mr. HAWLEY. I suggest that it lie over for a day.

Mr. COCKRELL. It will lie over for a day, but I should like to have the Senator from Iowa speak in regard to the matter. It came up before him; he was present. I do not remember that there was any official representation, but the Senator recollects the circumstances very distinctly.

Mr. ALLISON. That question arose as respects commissioners to the Paris Exposition.

Mr. COCKRELL. Certainly.

Mr. ALLISON. There was a report upon that question made by our commissioner, the commissioner who preceded the present commissioner-general, and I think it was understood that as respects the exposition itself there would be no opportunity for a representation of work of women distinctively, but that all the exhibits were to be placed in groups, and that woman's work as such could not have a distinctive place; and our arrangement was for an appropriation in accordance with that understanding. I understand this to be a different matter. This relates to the unveiling of the Lafayette statue.

Mr. DEPEW. If the Senator will excuse me, there is no appropriation asked for in the joint resolution.

Mr. ALLISON. I understand that. I observe that there is no appropriation, but this is a proposition to have a woman representative present at the ceremony of the unveiling of the statue of General Lafayette, the principal amount of the cost of the statue having been contributed by the children of the United States. The Government, however, did contribute a portion of the amount—\$25,000. The Senator from Connecticut [Mr. HAWLEY] reminds me of the fact that the Daughters of the Revolution were active in promoting the matter of the statue. I think if the Senator from New York will allow the joint resolution to lie over until to-morrow the matter can be adjusted.

Mr. COCKRELL. I have no objection to a lady representative at that unveiling. I think that is very appropriate, so far as I am concerned, but the few little words put in at the end, "and at the exposition then to be held," I shall move to strike out.

Mr. ALLISON. I did not observe the last clause, which I think is rather an important one.

Mr. COCKRELL. I did observe it, and that is the reason why I called attention to it.

EXECUTIVE SESSION.

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

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 4 o'clock and 43 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 23, 1900, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate January 22, 1900.

RECEIVER OF PUBLIC MONIES.

Thomas B. Hildebrand, of Albia, Iowa, to be receiver of public moneys at Rampart City, Alaska, vice John C. W. Rhode, resigned.

SUPERVISOR OF CENSUS.

Daniel H. Wheeler, of Omaha, Douglas County, to be a supervisor of the Twelfth Census for the Second supervisor's district of Nebraska.

POSTMASTER.

Frank W. Rollins, to be postmaster at Ellsworth, in the county of Hancock and State of Maine, in the place of H. H. Harden, whose commission expires February 11, 1900. The nomination of Franklin W. Rollins to the above-named office is hereby withdrawn.

APPOINTMENT IN THE ARMY.

PAY DEPARTMENT.

Capt. Alfred S. Frost, Twenty-second United States Infantry, to be paymaster with the rank of major, January 20, 1900, vice Hamner, retired from active service.

APPOINTMENTS IN THE VOLUNTEER ARMY.

GENERAL OFFICERS.

To be brigadier-generals.

Col. George M. Randall, Eighth Infantry, United States Army, January 20, 1900.

Col. James M. Bell, Twenty-seventh Infantry, United States Volunteers (lieutenant-colonel Eighth Cavalry, United States Army), January 20, 1900.

FORTY-FIFTH INFANTRY.

Sergt. Charles McG. Sweitzer, Company B, Forty-fifth Infantry, United States Volunteers, to be second lieutenant, January 19, 1900, vice Jones, honorably discharged.

WITHDRAWAL.

Executive nomination withdrawn January 22, 1900.

Second Lieut. Charles B. Drake, Fifth Cavalry, which was submitted to the Senate January 15, 1900, for promotion in the cavalry arm, United States Army, with a view to his nomination with an earlier date of rank.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 22, 1900.

SUPERVISORS OF TWELFTH CENSUS.

Daniel H. Wheeler, of Omaha, to be a supervisor of the Twelfth Census for the Second supervisor's district of Nebraska.

Andrew J. S. Thomas, of Greenville, Greenville County, to be a supervisor of the Twelfth Census for the Fourth supervisor's district of South Carolina.

George M. French, of Hot Springs, Garland County, to be a supervisor of the Twelfth Census for the Fifth supervisor's district of Arkansas.

POSTMASTERS.

Julius R. Langner, to be postmaster at Birdsboro, in the county of Berks and State of Pennsylvania.

Francis Ball, to be postmaster at Pocatello, in the county of Bannock and State of Idaho.

HOUSE OF REPRESENTATIVES.

Monday, January 22, 1900.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

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

LEAVE TO WITHDRAW PAPERS.

Leave was granted Mr. McCALL to withdraw papers from the files of the House, without leaving copies, in the case of Martha W. Pollard, Fifty-fifth Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. FITZPATRICK, indefinitely, because of serious illness in his family.

CHANGE OF REFERENCE.

Mr. HULL. Mr. Speaker, I want to call up the motion to reconsider the question of reference of certain portions of House Document No. 291, and, as I understand there is a chance for a good deal of time to be taken in discussion, I ask unanimous consent that all action heretofore taken on the subject in dispute be rescinded and the whole matter left to the Speaker to refer, as in his judgment, after investigation, he shall determine to be right.

The SPEAKER. The gentleman from Iowa asks that all action heretofore taken in this matter be set aside and the question of reference be left to the Speaker. Is there objection?

Mr. UNDERWOOD. I did not understand the gentleman's request.

The SPEAKER. The gentleman from Iowa asks unanimous consent that all proceedings that have been had in regard to the change of reference in this matter be set aside and the question of reference be left to the Speaker.

Mr. RICHARDSON. I presume that simply means that the Speaker will take it and refer it as an original proposition?

Mr. HULL. That is right.

Mr. RICHARDSON. I submit that there ought to be some understanding as to whether there may be an appeal, as in the usual cases, I mean; whether an exception may be taken from the action of the Speaker of the House, as exists in all cases of reference.

The SPEAKER. The Chair would state in this connection that under clause 3 of Rule XXII, as the Chair understands it, there are three methods of referring a bill. One by unanimous consent of the House, which is usually submitted by the Chair; one on the motion of the chairman of the committee to which the bill has been referred, and one on the motion of the chairman of the committee that desires the reference. If this request be granted, the Chair would still feel compelled, under the rules, to follow the first method, namely, to submit the change of reference to the unanimous consent of the House. The Chair calls the attention of the gentleman from Iowa to what he considers the course he would have to pursue.

Mr. HULL. Mr. Speaker, I understand that, but of course the point raised by the gentleman from Tennessee, under the present decision of the Chair, would not deprive the House of any of its rights. The two items that are in dispute are the Rock Island Armory, at Rock Island, and the Springfield Armory, at Springfield, for the manufacture of small arms. My only idea in making that request, Mr. Speaker, was that it could be adjudicated by the Speaker after deliberation, and then if either party were aggrieved they would have their right of appeal to the House.

The SPEAKER. The gentleman from Iowa [Mr. HULL] must bear in mind that there are three methods of reaching the change of an erroneous reference of a public bill. It is a matter that rests with the House. The Chair has indicated the three methods of reaching it. The Chair feels it his duty to call the attention of the gentleman from Iowa to that.

Mr. HULL. I understand that, Mr. Speaker. My only idea was that it would save time, and the chances are very good that after the Speaker has investigated the matter his action will stand without any challenge from either of these committees.

The action of the Speaker heretofore was this: In the ordinary course of business he referred it to the Committee on Military Affairs, and then on the challenge of the Committee on Appropriations—

Mr. RICHARDSON. Mr. Speaker, it is impossible to hear what the gentleman is saying.

The SPEAKER. The House will be in order.

Mr. HULL. I was just saying, Mr. Speaker, that my understanding of the situation was that this document was sent to the Speaker, and in the ordinary course of affairs was referred to the Committee on Military Affairs. On the challenge of the Committee on Appropriations as to whether the reference was correct, the Speaker submitted to the House a proposition to take it from the Committee on Military Affairs and refer it to the Committee on Appropriations; and while I at the time tried to get in an objection, I did not succeed, and the motion to reconsider has been entered for the purpose of bringing it before the House. Now, it will undoubtedly take considerable time to discuss the question, as a good many members are desirous of speaking upon it. In order to avoid that and in order to avoid the delay, I have asked unanimous consent that the whole action be rescinded and that the question be referred to the Speaker as an original proposition, for him to make the reference. Of course either committee feeling aggrieved can bring it before the House if they desire to, but I do not believe that after the Speaker has given it the consideration that he will give before deciding either one of us will feel like challenging his action before the House.

Mr. CANNON. In view of the statement of the gentleman, I am quite content to vacate the orders that have been made, and by unanimous consent to consider this document as on the Speaker's table, and then let the Speaker take such action as, under the

rules, is his duty in his judgment, with one further amendment, because we want to have this question settled by the Speaker, after investigation. Then, if either committee or any of the members of the House are dissatisfied, we can proceed further in the ordinary way. On page 135 of the Book of Estimates there is this item:

Infantry, cavalry, and artillery equipments, including horse equipments for cavalry and artillery.

And the following words are added:

Including machinery, tools, and fixtures for their manufacture at the arsenals.

Under the head of "The manufacture of arms" are found the same words:

Including machinery, tools, and fixtures for their manufacture.

Now, these two items in principle are on all fours with the document to which the gentleman from Iowa refers, and I am willing to assent to his proposition for unanimous consent, with the addition of these two items.

Mr. HULL. Mr. Speaker, they are in the Book of Estimates, and have been referred to the committee, and are in the bill. I am perfectly willing, if the gentleman desires to have it done, to leave that to the Speaker also.

Mr. CANNON. That is right.

Mr. HULL. And of course either party, if aggrieved, can bring the matter before the House if desired.

Mr. CANNON. In other words, they are all the same in principle, and I apprehend that after the Speaker investigates probably neither committee nor any member of the House will object to his decision. I think it will save much time to have the unanimous consent given, modified as I have suggested.

The SPEAKER. Will one of the gentlemen now state the request that is to be submitted to the House?

Mr. RICHARDSON. Let it be stated, so that we can hear it.

The SPEAKER. And the Chair asks that the House may be in order, so that all members may hear it.

Mr. HULL. It is Executive Document No. 291. I do not understand that in this proposed action the Signal Service of the Army is also involved, is it?

Mr. CANNON. No; I think not. It is conceded that the Signal Service of the Army properly belongs, without question, with the Committee on Military Affairs.

Mr. HULL. I am glad you do not question it.

Mr. CANNON. Oh, well—

Mr. HULL. The Rock Island Armory, at Rock Island, Ill., and the Springfield Armory, at Springfield, Mass., together with the two items to which the gentleman has called attention, including tools and fixtures—I do not understand the gentleman to challenge the appropriation for the manufacture?

Mr. CANNON. Oh, no; not at all. It is the two items, "including machinery, tools, and fixtures for their manufacture," under the heading "Manufacture of arms," page 136 of the regular Book of Estimates, and the same words on page 135 of the Book of Estimates, and the same words under the title "For purchase and manufacture of ordnance stores to fill requisition of troops."

Now, I understand that all orders touching the four items are to be vacated, and that the four items, two in the Book of Estimates and two in the document the gentleman read from, are by unanimous consent to be placed upon the Speaker's table, for such action under the rules as he sees proper to take, and that all orders heretofore made with reference to these items be vacated.

Mr. HULL. I understand, Mr. Chairman, that on page 135 the words "including machinery, tools, and fixtures for their manufacture"—

The SPEAKER. In justice to the House and to the Chair, if this matter is to be left to the Chair, it will be better to have the proposition reduced to writing.

Mr. CANNON. Then I suggest that the matter be temporarily laid aside, and the gentleman from Iowa and I can explain the proposition in five minutes.

The SPEAKER. It seems to the Chair that an argument is really being submitted, instead of a proposition.

Mr. McRAE. Will the Chair be kind enough to state, so that members on this side can understand the question, what the previous action has been on this subject, and what action is proposed to be taken now?

The SPEAKER. The Chair will state that in the usual course of business Document No. 291 was referred to the Committee on Military Affairs. Subsequently two of the three items in the document, namely, those referring to the Rock Island Armory and the Springfield Armory, were, by a request submitted by the Chair to the House, transferred to the Committee on Appropriations. These items have reference to the manufacture of small arms. As soon as this was done, and really before the matter had been completed, it seems that the gentleman from Iowa [Mr. HULL], chairman of the Committee on Military Affairs, addressed the Chair.

The Chair, not hearing him, passed to other business arising on the right, and subsequently, on the suggestion of the Chair, in order to protect the gentleman from Iowa [Mr. HULL] in his rights, a motion to reconsider the reference then made by unanimous consent was on that morning entered by the gentleman from Iowa. Subsequently the matter was called up, on Thursday or Friday last, and unanimous consent was given to the gentleman from Iowa to discuss the proposition. At this stage of the proceedings the gentleman from Illinois [Mr. CANNON], chairman of the Committee on Appropriations, asked that the matter go over until Monday—that is, until this morning. Now unanimous consent is asked that all proceedings heretofore had been vacated, and that the reference be left to the Speaker, coupled with two new items, referred to in the Book of Estimates, which items the Chair has not been able clearly to understand. The Chair has now asked that this request be reduced to writing for the intelligent consideration of the House and the Chair.

Mr. McRAE. If that consent is granted it leaves it with the Chair to refer the matter to either committee?

The SPEAKER. A request for unanimous consent to vacate the order is submitted. The Chair desires the request to be submitted in writing, as up to this time this morning it seems rather to be an argument than a distinct proposition that has been submitted. The Chair suggests to the gentleman from Wisconsin that unless too much time is consumed about it this matter had better be disposed of, as the House does not seem to be crowded with work this morning.

Mr. BABCOCK. I desire to consume some time. I can yield at any time the gentlemen desire.

The SPEAKER. Very well. With that understanding the Chair will recognize the gentleman from Wisconsin, chairman of the Committee on the District of Columbia.

RIGHT OF RAILROAD CORPORATIONS TO USE AND OCCUPY GOVERNMENT GROUND.

Mr. BABCOCK. Mr. Speaker, I call up for consideration House resolution 69.

The Clerk read as follows:

Resolved, That the Commissioners of the District of Columbia, if not incompatible with the public interests, be requested to furnish to the House of Representatives—

First. Full, specific, and definite information as to the right and title by which the Pennsylvania and other railroad corporations occupy and use the Government grounds, or what is commonly reputed to be Government property, within the District of Columbia, through what is known as the "Mall," to and including the ground upon which the Pennsylvania depot now stands.

Second. What, if any, rental is being paid for the use of said property.

Third. What, if any, rental should be paid therefor if none is being paid.

The amendments by the committee were as follows:

In line 5 strike out the words "the Pennsylvania and other" and insert the word "any."

In line 6, after the word "use," strike out the word "the."

In line 8, after the word "Columbia," strike out the following words: "through what is known as the 'Mall,' to and including the ground upon which the Pennsylvania depot now stands."

In lines 13 and 14 strike out the following words:

"Third. What, if any, rental should be paid therefor if none is being paid."

Mr. BABCOCK. Mr. Speaker, I ask for a vote on the amendments.

The amendments recommended by the committee were agreed to. Mr. MOODY of Massachusetts. Mr. Speaker, before the motion is put upon the passage, I would like to ask the gentleman from Wisconsin why, when dealing with the Commissioners of the District of Columbia, the House should "request" them instead of "directing" them, and why the qualification is put in that is used in addressing communications to the Executive of the Government of the United States, "if not incompatible with the public interests." It is a mere matter of form, but seems to be a matter of vital form. I would like to know if the gentleman from Wisconsin or his committee had considered the form "request" or "direct."

Mr. BABCOCK. I would suggest to the gentleman from Massachusetts that the resolution was no doubt drawn as resolutions of this class are drawn when addressed to any one of the Departments. That matter was not called to the attention of the committee. I think it is not material.

Mr. MOODY of Massachusetts. I think it is a bad precedent, but I shall not make a motion to change it.

Mr. DALZELL. Why not have it modified as suggested by the gentleman from Massachusetts?

Mr. BABCOCK. I would suggest, Mr. Speaker, that the resolution be modified in accordance with the suggestion of the gentleman from Massachusetts. Strike out the words "if not incompatible with the public interests."

Mr. MOODY of Massachusetts. And substitute the word "directed" for "requested."

Mr. BURKE of Texas. Mr. Speaker, that is identically what I proposed to ask the gentleman from Wisconsin about.

The SPEAKER. Without objection, these changes will be made. [After a pause.] The Chair hears none.

The resolution as amended was then agreed to. On motion of Mr. BABCOCK, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

LEAVE TO SIT DURING SESSIONS OF THE HOUSE.

Mr. KNOX. Mr. Speaker—

The SPEAKER. Will the gentleman from Wisconsin yield for a moment, in order that the gentleman from Massachusetts, chairman of the Committee on Territories, may submit a request?

Mr. BABCOCK. Certainly.

The SPEAKER. The gentleman from Massachusetts submits the following request.

Mr. KNOX. Mr. Speaker, I offer the following resolution, and ask its immediate consideration by the House.

The Clerk read as follows:

Resolved, That the Committee on Territories be authorized to sit during the sessions of the House.

The resolution was agreed to.

OPENING OF SIXTEENTH STREET.

Mr. BABCOCK. Mr. Speaker, I ask for the consideration of the bill H. R. 6777.

The Clerk read as follows:

A bill (H. R. 6777) relative to the widening and extension of Sixteenth street, in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioners of the District of Columbia be, and they are hereby, authorized and directed, within thirty days after the dedication to said District of 75 per cent of the lands lying within the lines of Sixteenth street NW, as extended according to the highway plans, between the Piney Branch and the Blagden Mill road, and also between the Military road and the District of Columbia boundary line, to institute proceedings to condemn the land necessary for the extension of Sixteenth street from Morris street to the District of Columbia boundary line with a uniform width of 160 feet, under the terms and provisions of an act entitled "An act to extend S street in the District of Columbia, and for other purposes." *Provided*, That of the amount found due and awarded as damages for and in respect of the land condemned for the extension of Sixteenth street, as in this section provided, not less than one-half thereof shall be assessed by said jury in said proceedings against those pieces or parcels of ground situated and lying on each side of said Sixteenth street NW, between Morris street and the Blagden subdivision, and between the Blagden Mill road and the Rock Creek or Milkhouse Ford road, and between lots 7, 4, and 11 of A. R. Shepherd's subdivision, to the depth of 250 feet, or to such greater depths as the benefits may be found by said jury to extend, measured on each side thereof from the building lines of said Sixteenth street as extended.

Sec. 2. That the supreme court of the District of Columbia, sitting as an equity court, shall have authority to empower, order, and decree the committee or guardian of any person of unsound mind, and the guardian or trustee of any infant, owning or having an interest or estate in any land within the limits above described, to dedicate to the District of Columbia for and as a part of said Sixteenth street any land or part thereof owned by such person of unsound mind or by such infant, or in which they may have an interest or estate, if, upon the application of such committee, guardian, or trustee, and after the testimony of witnesses shall be taken and such other proceedings had as the court may deem proper, the court shall determine that such dedication will be to the interest and advantage of such person of unsound mind or such infant.

Sec. 3. That all acts or parts of acts inconsistent herewith are hereby repealed.

Mr. UNDERWOOD. Mr. Speaker, I would like to ask the chairman of the committee as to whether this provision in reference to the condemnation of lands of persons of unsound mind or infants changes the law of the District in that respect?

Mr. BABCOCK. I yield to the gentleman from Maryland [Mr. PEARRE] who reported the bill, and who will make an explanation of its provisions.

Mr. PEARRE. Mr. Speaker, this bill is nearly identical with Senate joint resolution No. 61, which was introduced by Senator McMILLAN.

Mr. UNDERWOOD. Mr. Speaker, I ask for order. I would like to hear what the gentleman has to say.

The SPEAKER. The point of the gentleman from Alabama is well taken. The House is not in order. It is simple justice to the House that order be restored.

Mr. PEARRE. Mr. Speaker, this bill is identical with Senate joint resolution No. 61, which was introduced by Senator McMILLAN, of the Committee on the District of Columbia of the Senate. It now appears in the House as a bill from the Committee on the District of Columbia of the House. This bill is designed to correct and obviate some difficulties which arose in the enforcement of the act approved March 3, 1899, providing for the extension of S street.

That act provided for the extension of Sixteenth street upon the dedication of the necessary land by the owners along the route. It has since transpired that part of the owners either refuse or fail to dedicate the necessary land, and it has also been disclosed that the land, or a part of it, required for the extension of this street was in the ownership, part of it, of a lunatic, and another part of it in the ownership of infants, and that, therefore, some special power was needed to condemn that portion of the route.

For the purpose of removing these difficulties this bill is introduced. The first section of it only alters the act of 1899, approved March 3, by providing that upon dedication by 75 per cent of the

owners of the land the proceeding may take place; and the second section only provides for a remedy in the cases of ownership of the land by a lunatic or an infant. These are the only changes made, and these changes were made because it was necessary that they should be made to make the act of March 3, 1899, effective and operative.

Mr. UNDERWOOD. I would like to ask the gentleman from Maryland whether there is not a general provision in relation to the condemnation of land of persons of unsound mind and of infants? Is there no general law in the District of Columbia today for such a purpose?

Mr. PEARRE. I fancy there is a general act covering the subject, but not with sufficient particularity as to cover this particular phase of it.

Mr. UNDERWOOD. Why is it necessary to make a particular provision with reference to the condemnation of this land if there is a general statute of the District of Columbia applying to it?

Mr. PEARRE. I do not know exactly why such provision would be necessary, but, whether it be provided for in the general act or not, there can be no possible objection to giving this power, because it gives nothing more than is necessary in such a case.

Mr. COWHERD. Will the gentleman yield to me?

Mr. PEARRE. Certainly.

Mr. COWHERD. I think it will be found on examination that the act in the District of Columbia for the condemnation of public lands for highways is only the old act that applied to the condemnation of roads; that there is no general act for the condemnation of private lands for public highways for cities, such as is usually found in every city in the country. For that reason we have passed special acts for the opening of streets. I think you will find that there is no general act for the condemnation of land owned by minors or people of unsound mind.

Mr. UNDERWOOD. Has the gentleman from Missouri examined this bill?

Mr. COWHERD. Yes.

Mr. UNDERWOOD. And the rights of people of unsound mind and of infants are fully protected by it?

Mr. COWHERD. Yes; I think so.

Mr. SHAFROTH. I would like to inquire if there has been any estimate made as to the cost of opening this street; and if so, how much it is?

Mr. BABCOCK. I will say to the gentleman from Colorado that this is simply amendatory of an act passed last March. This is the most extensive street-opening case in the District, and involves a large amount of money.

Mr. SHAFROTH. How much?

Mr. BABCOCK. Eight hundred thousand or a million dollars. It is Sixteenth street from the White House to the line of the District. They have met with three pieces of ground; two have refused to dedicate, and the third they can not dedicate under the law, because it is owned by infant heirs and an insane person. All this bill applies to is this third piece of land.

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

On motion of Mr. BABCOCK, a motion to reconsider the vote whereby the bill was passed was laid on the table.

CHANGE OF REFERENCE.

Mr. BABCOCK. I now yield to the gentleman from Iowa [Mr. HULL].

The SPEAKER. Has the Committee on the District of Columbia any other bill?

Mr. BABCOCK. No, Mr. Speaker; not to-day.

Mr. HULL. Mr. Speaker, I send to the desk of the Clerk to have read my request for unanimous consent in relation to the change of reference of certain portions of House Document No. 291.

The SPEAKER. The gentleman from Iowa submits a request for unanimous consent, to be reported by the Clerk.

The Clerk read as follows:

The gentleman from Iowa [Mr. HULL] asks unanimous consent of the House that all orders touching so much of House Document No. 291, first session Fifty-sixth Congress, as refers to the Rock Island Armory, Rock Island, Ill., and to Springfield Armory, Springfield, Mass., and touching so much of the estimate of \$750,000 for infantry, cavalry, and artillery equipment, submitted on page 135 of the Book of Estimates for the fiscal year 1901, as includes machinery, tools, and fixtures for their manufacture at the arsenals, and touching so much of the estimate of \$1,100,000 for the manufacture of arms, submitted on page 136 of the Book of Estimates for the fiscal year 1901, as includes machinery, tools, and fixtures for their manufacture, be vacated, and that the same shall be placed on the Speaker's table for reference under the rules, as though no orders had heretofore been taken by the House or the Speaker touching the reference of these items.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered; and the proceedings heretofore had are vacated.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 12 o'clock and 37 minutes p. m.) the House adjourned until 12 o'clock to-morrow.

EXECUTIVE COMMUNICATIONS, ETC.

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 Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Big Sandy River—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of project for improving the Southwest Pass of the Mississippi River—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting estimates of appropriations for defraying the expenses of collecting the revenue from customs for the fiscal year ending June 30, 1901—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of Agriculture, transmitting the report of the Bureau of Animal Industry for the year ended June 30, 1899—to the Committee on Agriculture, and ordered to be printed.

A letter from the Secretary of War, transmitting copies of letters and reports relating to the petition of the Allegheny Valley Railway Company for right of way through the Allegheny Arsenal, Pa.—to the Committee on Military Affairs, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of James O. Earnest against the United States—to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. CORLISS, from the Committee on Election of President, Vice-President, and Representatives in Congress, to which was referred the joint resolution of the House (H. J. Res. 28) proposing an amendment to the Constitution providing for the election of Senators of the United States, reported the same without amendment, accompanied by a report (No. 88); which said joint resolution and report were referred to the House Calendar.

Mr. JOY, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 5) to appoint a commission for the investigation of the pollution of water supplies where such pollution affects or threatens to affect the sanitary condition of the people of more than one State, reported the same with amendment, accompanied by a report (No. 89); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CUMMINGS, from the Committee on the Library, to which was referred the joint resolution of the House (H. J. Res. 54) directing a suitable shaft to be placed at the grave of John Tyler, reported the same without amendment, accompanied by a report (No. 90); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the joint resolution of the House (H. J. Res. 59) to carry into effect two resolutions of the Continental Congress, directing monuments to be erected to the memory of Gens. Francis Nash and William Lee Davidson, of North Carolina, reported the same without amendment, accompanied by a report (No. 91); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

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

By Mr. WATSON: A bill (H. R. 7016) to provide for the purchase of a site and the erection of a public building thereon at Richmond, in the State of Indiana—to the Committee on Public Buildings and Grounds.

By Mr. McCLELLAN (by request): A bill (H. R. 7017) amending the statutes relating to patents, relieving medical and dental practitioners from unjust burdens imposed by patentees holding patents covering methods and devices for treating human diseases, ailments, and disabilities—to the Committee on Patents.

By Mr. BABCOCK: A bill (H. R. 7018) authorizing the Commissioners of the District of Columbia to enter into a contract for the collection and disposal of garbage and dead animals in said District—to the Committee on the District of Columbia.

By Mr. BAILEY of Kansas: A bill (H. R. 7019) to locate and build a civil Federal reformatory at Fort Leavenworth, Kans., and for other purposes—to the Committee on the Judiciary.

By Mr. HENRY of Texas: A bill (H. R. 7020) to provide a government for the Territory of Puerto Rico—to the Committee on Insular Affairs.

By Mr. WILSON of New York: A bill (H. R. 7021) to authorize the Secretary of the Navy to cede a portion of cob-dock, navy-yard, Brooklyn, N. Y., to the State of New York—to the Committee on Naval Affairs.

By Mr. CUMMINGS: A resolution (H. Res. 110) relative to the appointment of William A. Watson—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 7022) to pension Rhoda A. Patman—to the Committee on Pensions.

By Mr. ALLEN of Maine: A bill (H. R. 7023) to correct the military record of Joshua L. Sawyer—to the Committee on Military Affairs.

By Mr. BURLEIGH: A bill (H. R. 7024) granting a pension to Sarah Herriman—to the Committee on Pensions.

By Mr. BROWNLOW: A bill (H. R. 7025) for the relief of Richard Burton—to the Committee on Military Affairs.

Also, a bill (H. R. 7026) for the relief of J. G. Odell—to the Committee on Military Affairs.

Also, a bill (H. R. 7027) for the relief of Henry Hall—to the Committee on Military Affairs.

Also, a bill (H. R. 7028) for the relief of Robert P. Moore—to the Committee on Military Affairs.

Also, a bill (H. R. 7029) for the relief of D. M. Simerly—to the Committee on Invalid Pensions.

By Mr. BOUTELL of Illinois: A bill (H. R. 7030) for the relief of Mary J. Greene—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7031) for the relief of John Ware Page—to the Committee on Claims.

By Mr. COWHERD: A bill (H. R. 7032) to increase the pension of William A. Warner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7033) for the relief of J. C. Irwin & Co.—to the Committee on Claims.

By Mr. CRUMPACKER: A bill (H. R. 7034) for the relief of the legal representatives of Reuben Opp, deceased, late of Lafayette, Ind.—to the Committee on War Claims.

Also, a bill (H. R. 7035) to correct the military record of George Yeager—to the Committee on Military Affairs.

Also, a bill (H. R. 7036) granting an increase of pension to Louis Kimmel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7037) to remove the charge of desertion from the military record of Joseph Rogers—to the Committee on Military Affairs.

Also, a bill (H. R. 7038) for the relief of William P. Marshall—to the Committee on War Claims.

Also, a bill (H. R. 7039) to remove the charge of desertion from the military record of Patterson Mehaffie—to the Committee on Military Affairs.

Also, a bill (H. R. 7040) granting a pension to Laura Newman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7041) granting a pension to Minnie L. Gravis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7042) increasing the pension of John H. Jack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7043) increasing the pension of Richard C. Strumphford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7044) increasing the pension of Winfield Pierce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7045) increasing the pension of Mary J. Hartman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7046) increasing the pension of John N. Jones—to the Committee on Invalid Pensions.

By Mr. DALZELL: A bill (H. R. 7047) to correct the military record of David W. Smythe—to the Committee on Military Affairs.

By Mr. GROUT: A bill (H. R. 7048) for the relief of Charles Carr, of Jamaica, Vt.—to the Committee on Naval Affairs.

By Mr. GARDNER of Michigan: A bill (H. R. 7049) for the relief of John Barnes—to the Committee on War Claims.

By Mr. GAMBLE: A bill (H. R. 7050) granting an increase of pension to William J. Remington—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 7051) for the relief of Mrs. Harriet A. Fergusson—to the Committee on the District of Columbia.

By Mr. HOWELL: A bill (H. R. 7052) for the relief of Henry H. Curtis—to the Committee on Military Affairs.

Also, a bill (H. R. 7053) for the relief of Mrs. Addie L. Potter—to the Committee on Invalid Pensions.

By Mr. JACK: A bill (H. R. 7054) to correct the military record of Thomas S. Byers—to the Committee on Military Affairs.

Also, a bill (H. R. 7055) granting a pension to John G. Barr—to the Committee on Invalid Pensions.

By Mr. KERR: A bill (H. R. 7056) granting an increase of pension to A. G. Beer—to the Committee on Invalid Pensions.

By Mr. MOON: A bill (H. R. 7057) for the relief of the estate of Isaac Easterly, deceased, late of Grundy County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 7058) for the relief of the legal representatives of P. M. Craigmiles, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7059) for the relief of Samuel Edington, of Monroe County, Tenn.—to the Committee on War Claims.

By Mr. OTEY: A bill (H. R. 7060) for relief of Dr. R. Gordon Simmons—to the Committee on War Claims.

By Mr. RIXEY: A bill (H. R. 7061) for the relief of loyal citizens, therein named, of Loudoun County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 7062) for the relief of Joshua Sherwood and Elizabeth Gray, heirs of Lewis A. and Ellen Sherwood—to the Committee on War Claims.

By Mr. SPARKMAN: A bill (H. R. 7063) for the relief of Salvador Costa—to the Committee on War Claims.

Also, a bill (H. R. 7064) for the relief of John Barfield—to the Committee on War Claims.

Also, a bill (H. R. 7065) for the relief of Chester P. Knapp, of Escambia County, Fla.—to the Committee on War Claims.

By Mr. STEPHENS of Texas: A bill (H. R. 7066) granting a pension to Hiram C. Childress, a soldier of the United States Army in the war with Mexico—to the Committee on Pensions.

By Mr. SULLOWAY: A bill (H. R. 7067) granting a pension to Nicholas Tolmay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7068) granting an increase of pension to Abraham T. Schenck—to the Committee on Invalid Pensions.

By Mr. THROPP: A bill (H. R. 7069) to correct military record of Joseph P. Swope and remove the charge of desertion therefrom—to the Committee on Military Affairs.

Also, a bill (H. R. 7070) to increase the pension of Joseph Shroyer—to the Committee on Invalid Pensions.

By Mr. WEYMOUTH: A bill (H. R. 7071) for the relief of Francis S. Davidson, late first lieutenant, Ninth United States Cavalry—to the Committee on Military Affairs.

By Mr. BABCOCK: A bill (H. R. 7072) granting a pension to Mary Barron—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 the SPEAKER: Petition of H. C. Chapin and other business men of Union, Iowa, asking for the repeal of the bankruptcy law—to the Committee on the Judiciary.

Also, petition of B. D. Herron and others, of Boone, Iowa, urging the passage of House bill No. 5029, to put wood pulp and printing paper on the free list—to the Committee on Ways and Means.

By Mr. ALLEN of Maine: Papers to accompany House bill to correct the military record of Joshua L. Sawyer—to the Committee on Military Affairs.

By Mr. BABCOCK: Papers to accompany House bill No. 4335, granting a pension to Sarah Robinson—to the Committee on Invalid Pensions.

By Mr. BURKETT: Petition of post-office clerks at Lincoln, Nebr., favoring the passage of House bill No. 4351, for the reclassification of postal clerks—to the Committee on the Post-Office and Post-Roads.

By Mr. BURTON: Resolution of the Chamber of Commerce of Cleveland, Ohio, praying that a franchise be granted to a competing cable company for laying a cable to connect the United States with Cuba—to the Committee on Insular Affairs.

By Mr. CARMACK: Papers relating to the claim of John P. McGraw—to the Committee on War Claims.

By Mr. DAVIS: Petitions of E. W. Gray, H. H. Palmer, H. B. Potter, a committee, and 66 others, of the State of Florida, favoring a bill providing for the reclassification of the Railway Mail Service—to the Committee on the Post-Office and Post-Roads.

By Mr. ELLIOTT: Resolutions of Branch No. 454, National Association of Letter Carriers, of Charleston, S. C., favoring the passage of the bill to equalize the salary of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. GRAHAM: Report of the committee on city affairs to the New York Board of Trade and Transportation relating to the lack of mail facilities at New York—to the Committee on the Post-Office and Post-Roads.

By Mr. GREENE of Massachusetts: Petition of selectmen and other town officials and citizens of Wellfleet, Mass., asking for survey of harbor with view to its further protection and improvement—to the Committee on Rivers and Harbors.

Also, petition of the Boston and Cape Cod railway postal clerks, for the reclassification of the Railway Mail Service—to the Committee on the Post-Office and Post-Roads.

By Mr. GROUT: Petition of B. H. Adams, of Chelsea, Vt., protesting against the passage of House bill No. 3988—to the Committee on Agriculture.

Also, papers to accompany House bill No. 2682, in the matter of granting a pension to Mary J. Lawrence—to the Committee on Invalid Pensions.

By Mr. HAUGEN: Petitions of W. S. Morey and others, R. E. Reiniger and others, W. A. Gibbens and others, F. W. Roberts and others, H. Campbell and others, all in the State of Iowa, against the seating of B. H. Roberts, of Utah—to the Special Committee on the B. H. Roberts Case.

By Mr. JENKINS: Remonstrance of P. M. Parker and 24 other citizens of Rice Lake, Wis., against a parcel-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. McALEER: Petition of John D. Burg and others, of Philadelphia, Pa., asking for the repeal of the stamp tax upon proprietary medicines, etc.—to the Committee on Ways and Means.

Also, report of the committee on city affairs to the New York Board of Trade and Transportation, relating to the lack of mail facilities in New York—to the Committee on the Post-Office and Post-Roads.

By Mr. MERCER: Petition of employees in the Bureau of Animal Industry at South Omaha, Nebr., asking for the modification of the rules governing leaves of absence and sick leaves—to the Committee on Agriculture.

By Mr. MOODY of Massachusetts: Petition of employees of the Haverhill, Mass., post-office, favoring the passage of House bill No. 4351—to the Committee on the Post-Office and Post-Roads.

By Mr. MOON: Petitions of Voigt & Co. and T. R. Breston, of Chattanooga, Tenn., for the repeal of the stamp tax on proprietary medicines—to the Committee on Ways and Means.

By Mr. OTJEN: Resolution of the Citizens' Business League of Milwaukee, Wis., in favor of a naval training station at Milwaukee—to the Committee on Naval Affairs.

By Mr. PEARCE of Missouri: Petition of Benjamin White, of Montgomery County, Md., to refer claim to the Court of Claims—to the Committee on War Claims.

Also, petition of J. P. Sellman, administrator of the estate of W. O. Sellman, deceased, of Comus, Md., to refer claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Lewis W. Riddlemoser and Marion F. Riddlemoser, sole heirs of Ephraim Riddlemoser, deceased, late of Frederick County, Md., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. RIXEY: Petition of Joshua Sherwood and Elizabeth Gray, heirs of Lewis A. and Ellen Sherwood, deceased, praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. RUSSELL: Papers to accompany House bill No. 6926, granting a pension to Orin A. Carpenter—to the Committee on Invalid Pensions.

By Mr. WM. ALDEN SMITH: Petitions of the Christian Endeavor societies of Grand Rapids; General Conference of Pastors of Grand Rapids; Woman's Foreign and Home Missionary societies and Ladies' Aid Society of the Methodist Episcopal Church of Lowell; Ministers' Association of Ionia County; Thomas Young and others, of Orange; N. E. Gibbs and others, of Orleans; E. A. Rood and others, of Berlin Center; Free Baptist Church of Grand Rapids; L. H. Davis and others; Methodist Episcopal Church of South Boston, and of the Mission Guild of Grand Rapids, all in the State of Michigan, against the seating of Brigham H. Roberts, of Utah—to the Special Committee on the B. H. Roberts Case.

Also, petition of post-office clerks at Ionia, Mich., in favor of the passage of House bill No. 4351—to the Committee on the Post-Office and Post-Roads.

By Mr. STEELE: Petition of Lewis S. Buzzard and 3 others, of Huntington, Ind., in favor of the passage of House bill No. 4351—to the Committee on the Post-Office and Post-Roads.

By Mr. THROPP: Papers to accompany House bill to increase the pension of Joseph Shroyer—to the Committee on Invalid Pensions.

By Mr. WRIGHT: Petition of Samuel Birdsall, M. D., and 2 other physicians of Susquehanna, Pa., asking favorable action on clause in the Agricultural appropriation bill for investigating native drug plants—to the Committee on Ways and Means.

SENATE.

TUESDAY, January 23, 1900.

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. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

RENT OF OLD CUSTOM-HOUSE IN NEW YORK CITY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting certain information relative to an appropriation of \$109,847.12 to be included in the urgent deficiency appropriation bill, to enable the Secretary of the Treasury to pay rent for the use of property known as the old custom-house in New York City, formerly belonging to the United States, from August 28, 1899, to June 30, 1900; which was referred to the Committee on Appropriations, 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 a bill (H. R. 6777) relative to the widening and extension of Sixteenth street in the District of Columbia; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. WELLINGTON presented a petition of the clerk of the council of Annapolis, Md., together with copies of resolutions and a petition from the mayor, council, and aldermen of that city, praying that an appropriation of \$142,000 be made to improve the harbor at Annapolis and the Severn River in that State, in accordance with the estimate of the Chief of Engineers of the War Department, as authorized in the river and harbor act approved June 3, 1896; which were referred to the Committee on Commerce.

He also presented a memorial of sundry citizens of Puerto Rico, relative to educational affairs in that island; which was referred to the Committee on Pacific Islands and Puerto Rico.

Mr. McMILLAN presented a petition of sundry fourth-class postmasters of Berrien County, Mich., praying for the enactment of legislation providing for an increase in the compensation of fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. DAVIS presented the petition of Gen. C. C. Andrews, chief fire warden of the State of Minnesota, praying for the establishment of a national forest reserve in that State; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of 32 railway mail clerks of St. Paul, Minn., and a petition of 4 railway mail clerks of Faribault, Minn., praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. PENROSE presented a petition of the Board of Trade of Philadelphia, Pa., praying for the enactment of legislation to increase American shipping; which was referred to the Committee on Commerce.

He also presented a petition of the Board of Trade of Philadelphia, Pa., praying for the enactment of legislation authorizing the appointment of a commission of business men to study and report upon the industrial and commercial conditions in China; which was referred to the Committee on Commerce.

He also presented a petition of sundry druggists of Philadelphia and Lebanon, in the State of Pennsylvania, praying for the repeal of the stamp tax on proprietary medicines, perfumeries, and cosmetics; which was referred to the Committee on Finance.

He also presented a petition of sundry railway mail clerks of Altoona, Pa., praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Maritime Exchange of Philadelphia, Pa., praying for the enactment of legislation relative to the boarding of vessels; which was referred to the Committee on Commerce.

Mr. McENERY presented a petition of Branch No. 28, National Association of Post-Office Clerks of the United States, of New Orleans, La., praying for the enactment of legislation providing for the classification of clerks in first and second class post-offices; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. DEPEW presented sundry petitions of railway mail clerks of Auburn, Jamaica, Mount Vernon, New York City, Westchester, Onondaga, and Oswego, all in the State of New York, praying for the enactment of legislation providing for the classification of