

By Mr. REEDER: A bill (H. R. 14608) granting an increase of pension to Philo S. Darling—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Nebraska: A bill (H. R. 14609) granting a pension to Andrew Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 14610) granting an increase of pension to George Thomas Eberly—to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 14611) granting a pension to Edward D. Lockwood—to the Committee on Invalid Pensions.

By Mr. SHOWALTER: A bill (H. R. 14612) granting an increase of pension to Findley Brandon—to the Committee on Invalid Pensions.

By Mr. SMALL: A bill (H. R. 14613) granting an increase of pension to Alpheus W. Simpson—to the Committee on Invalid Pensions.

By Mr. WACHTER: A bill (H. R. 14614) to remove the charge of desertion from the record of Henry East—to the Committee on Military Affairs.

Also, a bill (H. R. 14615) granting a pension to Augustus A. Rhodrick—to the Committee on Invalid Pensions.

By Mr. WARNOCK: A bill (H. R. 14616) granting an increase of pension to Marion P. Downey—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 14617) granting an increase of pension to George W. Painter—to the Committee on Invalid Pensions.

By Mr. ZENOR: A bill (H. R. 14618) granting a pension to Philo Lynch—to the Committee on Invalid Pensions.

By Mr. DINSMORE: A bill (H. R. 14619) granting a pension to Lizzie C. Casey—to the Committee on Pensions.

By Mr. ROBERTS: A bill (H. R. 14620) granting an increase of pension to Samuel F. Oliver—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 14621) to remove the charge of desertion from the record of William Ridge—to the Committee on Military Affairs.

PETITIONS, ETC.

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

By Mr. ALLEN of Kentucky: Resolutions of United Mine Workers' Unions No. 1749, of Dawson Springs; No. 630, of Island, and No. 1173, of Adair, Ky., favoring the restriction of the immigration of cheap labor from the south and east of Europe—to the Committee on Immigration and Naturalization.

By Mr. CONRY: Resolutions of the Boston Marine Society, in favor of legislation against "outside towing" for barges, etc.—to the Committee on Rivers and Harbors.

Also, resolutions of the same society, in favor of legislation to pension the members of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. COOPER of Texas: Paper to accompany House bill 14597, granting a pension to Margaret Welch—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: Resolutions of Rock River Lodge, Janesville, Wis., Brotherhood of Railroad Trainmen, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. CREAMER: Resolutions of the New Century Study Circle of the City of New York, indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. DALZELL: Paper to accompany House bill 14602, to amend the military record of John Lawton—to the Committee on Military Affairs.

By Mr. DINSMORE: Petition of George A. Rawlins, for a pension—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Resolutions of the National Business League of Chicago, for the establishment of a department of commerce and labor—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Citizens' Union of the Twentieth assembly district of Kings County, N. Y., favoring the passage of House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. FOERDERER: Petitions of United Mine Workers' Unions, Nos. 1049, 1535, and 1725, of Shamokin; No. 1599, of Larberry, and No. 453, of Germantown, Philadelphia, Pa., favoring the prohibition of immigrants other than wives and children who can not read—to the Committee on Immigration and Naturalization.

By Mr. FOSS: Resolution of the city council of Evanston, Ill., urging the passage of House bill 163, to pension employees and dependents of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. HEMENWAY: Resolutions of United Mine Workers' Union No. 1634, of Petersburg, Ind., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. HEPBURN: Resolutions of Iowa Retail Grocers' Association asking for the repeal or amendment of the bankruptcy law—to the Committee on the Judiciary.

By Mr. McCALL: Petition of the Marine Society, of Boston, Mass., in favor of a law to prohibit barge towing—to the Committee on Rivers and Harbors.

Also, Resolutions of the common council of Boston, Mass., indorsing House bill 6279, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Massachusetts protesting against the taking of the lands of the Sioux Indians—to the Committee on Indian Affairs.

Also, petition of the Marine Society of Boston in favor of a law to pension men of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. MERCER: Papers to accompany House bill No. 14493 granting a pension to Marvin H. Thomas—to the Committee on Invalid Pensions.

By Mr. NEEDHAM: Papers to accompany House bill 14559, granting a pension to Jonathan Rea—to the Committee on Pensions.

By Mr. PERKINS: Petition of John W. Thompson and other citizens of Rochester, N. Y., favoring Senate bill 5002 and House bill 12940, designated as the inquiry commission bill—to the Committee on Labor.

By Mr. ROBINSON of Nebraska: Papers to accompany House bill granting a pension to George Thomas Eberly—to the Committee on Invalid Pensions.

By Mr. RUSSELL: Resolution of the Chamber of Commerce of New Haven, Conn., approving of House bill 8337 and Senate bill 3575, amending an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. WM. ALDEN SMITH: Resolutions of the Board of Trade of Grand Rapids, Mich., favoring a reorganization of the consular service—to the Committee on Foreign Affairs.

By Mr. WACHTER: Paper to accompany House bill granting a pension to Augustus A. Rhodrick—to the Committee on Invalid Pensions.

By Mr. WARNOCK: Papers to accompany House bill granting a pension to Marion P. Downey—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: Paper to accompany House bill granting a pension to George W. Painter—to the Committee on Invalid Pensions.

Also, paper to accompany House bill for the relief of William Ridge—to the Committee on Military Affairs.

By Mr. WOODS: Resolution of the Chamber of Commerce of San Francisco, Cal., urging the passage of House bill 163, to pension employees and dependents of Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, May 21, 1902.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

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

STATUE OF MARSHAL DE ROCHAMBEAU.

The PRESIDING OFFICER (Mr. PLATT of Connecticut). The Chair lays before the Senate a communication from the Secretary of State, addressed to the President pro tempore, which will be read.

The Secretary read the communication, as follows:

WASHINGTON, D. C., May 17, 1902.

HON. WILLIAM P. FRYE,

President pro tempore United States Senate.

SIR: The undersigned, to whom was committed, by the act of Congress approved February 14, 1902, the selection of a site and the supervision of the erection thereon of a statue of Marshal de Rochambeau, commander in chief of the French forces in America during the war of Independence, and of the unveiling of said statue, respectfully report that they have discharged the duty imposed upon them; that the site selected is the southwest corner of Lafayette square, where the pedestal has been erected, and that on the 24th day of May, instant, at 11 o'clock a. m., the statue of Marshal de Rochambeau will be unveiled with appropriate ceremonial, Senator HENRY C. LODGE delivering the address. Seats have been reserved for the Senators and Representatives in Congress.

We remain, sir, very respectfully, yours,

JOHN HAY, *Secretary of State.*
ELIHU ROOT, *Secretary of War.*
GEO. PEABODY WETMORE,
Chairman Committee on the Library, Senate.
J. T. McCLEARY,
Chairman Committee on the Library, House.

The PRESIDING OFFICER. This being a final report, the communication will lie on the table, and be printed.

Mr. CULLOM. Mr. President, in view of the statement made in the communication from the Secretary of State as to the ceremony which is to take place on next Saturday, I move that when the Senate adjourns on Friday it adjourn to meet the following Monday at 12 o'clock.

Mr. HOAR. The adjournment to be for the purpose of attending the ceremony.

Mr. CULLOM. I will add that the purpose of the motion to adjourn over is that the Senate may be enabled to attend the ceremony, as I supposed I had already stated.

The PRESIDING OFFICER. The Senator from Illinois moves that when the Senate adjourns on Friday it adjourn to meet on Monday following, at 12 o'clock meridian.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 173) for the relief of the owners of the British ship Foscolia and cargo;

A bill (S. 3129) for the authorization of the erection of buildings by the International Committee of Young Men's Christian Associations on military reservations of the United States;

A bill (S. 3666) to authorize the sale of a part of the Fort Niobrara Military Reservation in the State of Nebraska; and

A bill (S. 3848) granting a deed of quitclaim and release to Lorillard Spencer, his heirs and assigns, of all the right, title, and interest in and to certain lands in the city of Newport, R. I.

The message also announced that the House had passed with amendments a joint resolution (S. R. 46) to provide for the printing of 6,000 copies of the consolidated reports of the Gettysburg National Park Commission, 1893 to 1901, inclusive, in which it requested the concurrence of the Senate.

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

A bill (H. R. 367) for the relief of Angus A. McPhee;

A bill (H. R. 807) for the relief of F. R. Lanson;

A bill (H. R. 989) to authorize the Light-House Board to pay to Chamblin, Delaney & Scott the sum of \$1,704.46;

A bill (H. R. 1360) for the relief of W. J. Tapp & Co.;

A bill (H. R. 1733) for the relief of John A. Mason;

A bill (H. R. 2492) to reimburse the Mellert Foundry and Machine Company for money retained by the United States for failure to complete a contract within a specified time;

A bill (H. R. 4636) to authorize the Secretary of the Treasury to adjust the accounts of Morgan's Louisiana and Texas Railroad and Steamship Company for transporting the United States mails;

A bill (H. R. 5756) for the relief of the officers and crew of the United States steamer Charleston, lost in the Philippine Islands, November 2, 1899;

A bill (H. R. 6443) for the relief of Patrick Nolan;

A bill (H. R. 6703) for the relief of George A. Rogers;

A bill (H. R. 8129) to amend sections 4075, 4076, and 4078 of the Revised Statutes;

A bill (H. R. 9597) for the relief of Thierman & Frost;

A bill (H. R. 9867) for the relief of the estate of Henry C. Nields, deceased;

A bill (H. R. 10279) to pay the claim of Stephen B. Halsey;

A bill (H. R. 10775) for the relief of Charles E. Sapp;

A bill (H. R. 11273) to pay F. Y. Ramsay, heir at law and distributee of the late Joseph Ramsay, \$430.42 for balance due the said Joseph Ramsay as collector of customs and superintendent of lights in the district of Plymouth, N. C.;

A bill (H. R. 11591) for relief of Stanley & Patterson, and to authorize a pay director of the United States Navy to issue a duplicate check; and

A bill (H. R. 14589) making appropriations to supply additional urgent deficiencies in the appropriations for the fiscal year ending June 30, 1902.

The message also announced that the House had agreed to the amendments of the Senate to the following bill and joint resolution:

A bill (H. R. 10144) to donate to the State of Alabama the spars of the captured battle ships Don Juan d'Austria and Almirante Oquendo; and

A joint resolution (H. J. Res. 172) authorizing the Secretary of War to loan to the Morgan Memorial Association, of Winchester, Va., certain Revolutionary trophies at Allegheny Arsenal, Pittsburgh, Pa.

ENROLLED JOINT RESOLUTION SIGNED.

The message further announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 192) fixing the

time when a certain provision of the Indian appropriation act for the year ending June 30, 1903, shall take effect; and it was thereupon signed by the Presiding Officer.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented a memorial of sundry business firms of Nashua, N. H., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

Mr. BURROWS presented a petition of Lodge No. 533, Brotherhood of Locomotive Firemen, of Opechee, Mich., and a petition of the Trades Council of Battlecreek, Mich., praying that the appropriation for the United States Geological Survey be increased from \$100,000 to \$200,000, and also for the adoption of a proposed amendment to the irrigation bill; which were referred to the Committee on Appropriations.

He also presented petitions of the Local Lodge of West Bay City; of Lodge No. 240, Brotherhood of Locomotive Firemen, of Jackson, and of Lodge No. 508, Brotherhood of Locomotive Firemen, of Detroit, all in the State of Michigan, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

He also presented a petition of the Board of Trade of Grand Rapids, Mich., and a petition of the Merchants and Manufacturers' Exchange of Detroit, Mich., praying for the reorganization of the consular service; which were ordered to lie on the table.

He also presented a petition of Local Division No. 39, Order of Railroad Telegraphers, of East Saginaw, Mich., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented a petition of the city council of South Haven, Mich., praying for the enactment of legislation granting pensions to those employed in the Life-Saving Service of the United States who are disabled by disease or injury incurred in the performance of their duties; which was referred to the Committee on Pensions.

He also presented a petition of the Central Labor Union, American Federation of Labor, of Flint, Mich., praying for the enactment of legislation to increase the salaries of letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of sundry citizens of Michigan, remonstrating against the enactment of legislation to establish a Government Pacific cable; which was referred to the Committee on Naval Affairs.

Mr. BLACKBURN presented a petition of sundry citizens of Kentucky, praying for the adoption of certain amendments to the internal-revenue law relative to the tax on distilled spirits; which was referred to the Committee on Finance.

Mr. CULLOM presented petitions of Local Division No. 118, Order of Railway Conductors, of Streator; of sundry citizens of La Salle County and of Local Division No. 512, Brotherhood of Locomotive Engineers, of East St. Louis, all in the State of Illinois, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

Mr. HALE (for Mr. FRYE) presented petitions of the common council of Boston, Mass., and of the board of aldermen of Chelsea, Mass., praying for the enactment of legislation increasing the compensation of letter carriers; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. McMILLAN presented a memorial of the Catholic Mutual Benefit Association, of Port Huron, Mich., remonstrating against the purchase by the United States of the lands belonging to the friars in the Philippine Islands; which was referred to the Committee on the Philippines.

He also presented a petition of the Central Labor Union of Flint, Mich., praying for the enactment of legislation increasing the compensation of letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the common council of South Haven, Mich., praying for the enactment of legislation granting pensions to employees of the Life-Saving Service; which was referred to the Committee on Pensions.

He also presented a petition of the Board of Trade of Grand Rapids, Mich., praying for the enactment of legislation providing for the reorganization of the consular service; which was ordered to lie on the table.

He also presented a resolution adopted by the Detroit Branch of the Transvaal League, of Detroit, Mich., expressing sympathy

with the people of the South African Republic and the Orange Free State; which was referred to the Committee on Foreign Relations.

He also presented petitions of Local Division No. 33, Brotherhood of Locomotive Engineers, of Battle Creek; of Gilbert Lodge, No. 240, Brotherhood of Locomotive Firemen, of Jackson; of Wilkinson Lodge, No. 182, Brotherhood of Railroad Trainmen, of Escanaba; of Local Division No. 2, Brotherhood of Locomotive Engineers, of Jackson; of Grand River Lodge, No. 265, Brotherhood of Locomotive Firemen, of Grand Rapids; of Delta Division, No. 86, Order of Railway Conductors, of Escanaba; of Maine Lodge, No. 533, Brotherhood of Locomotive Firemen, of Opechee; of Detroit Division, No. 1, Brotherhood of Locomotive Engineers, of Detroit; of Wayne Lodge, No. 508, Brotherhood of Locomotive Firemen, of Detroit, and of Saginaw Valley Lodge, No. 188, Brotherhood of Railroad Trainmen, all in the State of Michigan, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which was ordered to lie on the table.

He also presented a petition of the Columbia Heights Citizens' Association, of Washington, D. C., praying for the adoption of the proposed plan of the Park Commission for the improvement of the park system of the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. QUAY. I present a memorial of the Cherokee Nation of Indians, favoring an appropriation for the payment of certain claims, together with the interest thereon. I move that the memorial be printed as a document and referred to the Committee on Indian Affairs.

The motion was agreed to.

Mr. PROCTOR presented the petition of J. F. McAllister and 42 other citizens of Fair Haven, Vt., praying for the repeal of the duties on beef, veal, mutton, and pork; which was referred to the Committee on Finance.

Mr. PLATT of Connecticut presented petitions of Semaphore Lodge, No. 551, Brotherhood of Railroad Trainmen, of East Hartford, and of Elm City Lodge, No. 284, Brotherhood of Locomotive Firemen, of New Haven, in the State of Connecticut, praying for the passage of the so-called Hoar anti-injunction bill, to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases, and remonstrating against the passage of any substitute therefor; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. McCUMBER, from the Committee on Claims, to whom was referred the bill (S. 5331) for the relief of James F. McIndoe, reported it without amendment, and submitted a report thereon.

Mr. GIBSON, from the Committee on Public Lands, to whom was referred the bill (S. 3953) granting additional lands adjacent to its site to the University of Montana, reported it with amendments, and submitted a report thereon.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (S. 2342) for the relief of the executrix of the estate of George W. Curtis, deceased, reported it with an amendment, and submitted a report thereon.

Mr. KITTREDGE, from the Committee on Claims, to whom were referred the following bills, reported them each without amendment, and submitted reports thereon:

A bill (S. 1468) for the relief of Henry Bash; and

A bill (S. 1668) for the relief of Custis Parke Upshur.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom was referred the bill (S. 1801) granting an increase of pension to James K. Van Matre, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1193) granting an increase of pension to Jane M. Meyer; and

A bill (S. 1205) granting a pension to Isabelle H. Irish.

Mr. PLATT of New York, from the Committee on Finance, to whom was referred the bill (S. 215) regulating the duties and fixing the compensation of the customs inspectors at the port of New York, reported it with an amendment.

Mr. CLAPP, from the Committee on Claims, to whom was referred the bill (S. 2924) for the relief of the legal representative of Maj. William Kendall, reported it with an amendment, and submitted a report thereon.

Mr. HARRIS, from the Committee on Indian Affairs, to whom was referred the bill (S. 2865) for the protection of fish and game in the Indian Territory, reported it with an amendment, and submitted a report thereon.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (H. R. 10819) for the relief of George T.

Winston, president of North Carolina College of Agriculture and Mechanic Arts, and W. S. Primrose, chairman board of trustees, reported it without amendment, and submitted a report thereon.

Mr. FAIRBANKS, from the Committee on Public Buildings and Grounds, to whom was referred the joint resolution (S. R. 93) to authorize the removal of certain greenhouses and plants from the grounds of the Executive Mansion, asked to be discharged from its further consideration, and that it be referred to the Committee on Appropriations; which was agreed to.

Mr. PLATT of Connecticut, from the Committee on Finance, to whom was referred the bill (S. 641) to establish an assay office at Portland, Oreg., reported it with amendments.

HEIRS OF JAMES W. FENNELL, DECEASED.

Mr. McLAURIN of Mississippi, from the Committee on Claims, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the claim represented by S. 104, for the relief of the heirs of James W. Fennell, deceased, now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said Court of Claims shall proceed with the same in accordance with the provisions of said act and report to the Senate in accordance therewith.

BILLS INTRODUCED.

Mr. CLARK of Montana introduced a bill (S. 5915) to provide for Federal inspection and taxation of mixed goods and the proper marking of the same; which was read twice by its title, and referred to the Committee on Finance.

Mr. CULLOM introduced a bill (S. 5916) granting an increase of pension to Alonzo Dill; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5917) granting a pension to William Norton; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BURROWS introduced a bill (S. 5918) to amend section 1225 of Revised Statutes so as to provide for detail of retired officers of the Army and Navy to assist in military instruction in schools; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McMILLAN introduced a bill (S. 5919) to regulate the operation of street railways in 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. 5920) prescribing license taxes in 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.

Mr. QUAY introduced a bill (S. 5921) reenacting section 2515 of the Revised Statutes of 1873, exempting from duty certain goods of Indians; which was read twice by its title, and referred to the Committee on Finance.

Mr. MARTIN introduced a bill (S. 5922) to authorize the Potomac Western Railroad Company to construct a railroad through the Arlington Reservation, and over, upon, and through certain streets and reservations in the District of Columbia, and over and upon the new highway bridge across the Potomac River; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 5923) for the purchase, for a national park, of a tract of land upon which the Natural Bridge in Virginia is situated; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GALLINGER introduced a bill (S. 5924) granting an increase of pension to Edwin Young; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FAIRBANKS introduced a bill (S. 5925) granting an increase of pension to James D. Kiper; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLLIVER introduced a bill (S. 5926) to finally adjust the swamp-land grants, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PLATT of Connecticut introduced a bill (S. 5927) to authorize the board of commissioners for the Connecticut River bridge and highway district to construct a drawless bridge across the Connecticut River at Hartford, in the State of Connecticut; which was read twice by its title, and referred to the Committee on Commerce.

Mr. FOSTER of Washington introduced a bill (S. 5928) to establish an assay office at Tacoma, Wash.; which was read twice by its title, and referred to the Committee on Finance.

AMENDMENTS TO BILLS.

Mr. McMILLAN submitted an amendment authorizing the Secretary of the Treasury to advance, on requisition of the Commissioners of the District of Columbia in the manner now provided

by law, such sums as may be necessary to meet the expenses of the District of Columbia, etc., intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

He also submitted an amendment relative to certain proposed changes in the electrical department of the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. STEWART submitted an amendment proposing to increase the salary of the sanitary and food inspector of the health department of the District of Columbia from \$1,600 to \$2,400, etc., intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. DIETRICH submitted an amendment intended to be proposed by him to the bill (S. 2295) temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes; which was ordered to lie on the table, and be printed.

NATIONAL SANITARIUM IN SOUTH DAKOTA.

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

Resolved by the Senate (the House of Representatives concurring). That the Committee on Enrolled Bills, in the enrollment of the bill (S. 593) for the establishment, control, operation, and maintenance of a national sanitarium of the National Home for Disabled Volunteer Soldiers at Hot Springs, in the State of South Dakota, are hereby authorized to strike out the words "Branch Home" from line 12, page 1, and insert in lieu thereof the word "sanitarium."

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 593) for the establishment, control, operation, and maintenance of the Northern Branch of the National Home for Disabled Volunteer Soldiers at Hot Springs, in the State of South Dakota.

The amendments were, on page 1, line 4, to strike out all after "of" down to and including "Home," in line 5, and to insert "a national sanitarium."

On page 1, line 9, to strike out "Branch Home" and insert "sanitarium."

On page 2, line 2, to strike out "Home" and insert "sanitarium."

On page 2, line 7, to strike out "Home" and insert "sanitarium."

On page 2, line 12, to strike out "Home" and insert "sanitarium."

On page 2, line 13, to strike out "Home" and insert "sanitarium."

On page 2, line 14, to strike out "Home" and insert "sanitarium."

On page 2, line 17, to strike out "Home" and insert "sanitarium."

On page 2, line 20, to strike out "other."

And to amend the title so as to read: "An act for the establishment, control, operation, and maintenance of a national sanitarium of the National Home for Disabled Volunteer Soldiers at Hot Springs, in the State of South Dakota."

Mr. GAMBLE. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

SPOKANE INDIAN RESERVATION LANDS.

Mr. QUARLES. I move to reconsider the votes by which the joint resolution (S. R. 101) fixing the time when a certain provision of the Indian appropriation act for the year ending June 30, 1903, shall take effect was passed, the reason being that the Senate has passed a joint resolution which came from the House in almost the identical language, so that the Senate joint resolution is no longer necessary.

The PRESIDING OFFICER. The Senator from Wisconsin moves to reconsider the votes by which the joint resolution indicated by him was reported to the Senate and passed.

Mr. COCKRELL. Let it be read.

The Secretary read the joint resolution.

The PRESIDING OFFICER. The question is on the motion to reconsider.

The motion to reconsider was agreed to.

The PRESIDING OFFICER. Shall the joint resolution be indefinitely postponed? The Chair hears no objection, and such will be the action of the Senate.

PUBLIC BUILDINGS.

Mr. FAIRBANKS. Mr. President, I gave notice yesterday that I would ask for the consideration this morning, after the close of the routine business, of House bill 14018, known as the omnibus public-buildings bill. I understand from the Senator in charge

of the Philippine government bill that he has arranged with some Senators to speak upon that measure during the morning hour. Therefore I shall not ask for the present consideration of the public-buildings bill this morning, but I shall take the first opportunity to bring it to the attention of the Senate; I hope possibly later to-day.

Mr. HOAR. I will inquire of the Senator whether there is likely to be any debate or discussion on the public-buildings bill.

Mr. FAIRBANKS. I should think not. It will take some time to read the bill, of course. That will consume the greater part of the time that will be occupied, I presume, in its consideration.

The PRESIDING OFFICER. The morning business is closed.

INAUGURATION OF REPUBLIC OF CUBA.

Mr. FAIRBANKS. Mr. President, I wish to say but a word. We have heard much criticism by the opposition of the course of the Administration with respect to the territory which came to the United States following the Spanish-American war. We have heard few words of commendation from the opposite side of the Chamber, though there has been and is much worthy of approval. We hear little else than charges of broken faith, though our faith is inviolate.

I do not rise to discuss the Philippine question, which is under debate, for I have spoken at length upon that subject and expressed to the Senate my views with respect to our course in the Philippine Islands. I rise now to direct attention to what transpired yesterday in the island of Cuba. In the history of this country and of civilized government there has never been an event of such splendid significance as that which was witnessed in that island yesterday. A solemn national pledge has been redeemed. A Republic has been erected under the authority of the United States, and the possession of the island has been surrendered to that Republic under happy auspices.

A great work has been accomplished in the cause of human liberty. Where there was monarchical power and tyranny four years ago a Republic has arisen and starts peacefully upon her career with the congratulations of the nations of the earth. The freedom of Cuba is accomplished—accomplished through the valor of American arms and the wisdom of American statesmanship. No suggestion of territorial aggrandizement swerved the nation from its self-imposed and arduous task.

I think it is proper that we should have printed in the RECORD the report of the important historic incident as it is found in the Associated Press dispatches of this morning. The report, which I hold in my hand, is a graphic but temperate one, and it will prove, I have no doubt, of interest to those who shall in the future study the history of the United States in its relation to the territory which came to its control at the conclusion of the Spanish-American war. I ask that the report may be printed in the RECORD.

Mr. HOAR. And as a document I hope it may be likewise printed. That is a very convenient form.

Mr. FAIRBANKS. Very well.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Indiana, that the report shall be printed in the RECORD, and also as a document? The Chair hears none.

Mr. HALE. Before the matter passes from the consideration of the Senate, I call attention to a resolution passed yesterday by the House of Representatives. It is found on page 5697 of the CONGRESSIONAL RECORD. It is on the same subject the Senator from Indiana has so happily alluded to, and I now offer for consideration the same resolution that passed the House of Representatives yesterday striking out the words "this day," and appending a resolution directing the Secretary of State to transmit the same to the Cuban Government.

The PRESIDING OFFICER. The resolutions submitted by the Senator from Maine will be read.

The Secretary read as follows:

Resolved, etc. That the Senate views with satisfaction and expresses congratulation at the appearance of the Cuban Republic among the nations of the world.

Resolved. That the Secretary of State be directed to transmit to the President of the Cuban Republic a copy of these resolutions.

Mr. HALE. I ask for the immediate consideration of the resolutions.

The resolutions were considered by unanimous consent, and agreed to.

Mr. HOAR. I suggest that the document just ordered printed, containing the matter laid before the Senate by the Senator from Indiana [Mr. FAIRBANKS], shall contain also the resolution passed yesterday by the House of Representatives and those just adopted by the Senate.

Mr. FAIRBANKS. I think that is a very proper suggestion, and I accept it.

The PRESIDING OFFICER. The resolutions will be appended to the paper.

The matter referred to is as follows:

THE REPUBLIC OF CUBA—ACCOUNT OF THE INAUGURATION OF ESTRADA PALMA AS PRESIDENT OF THE REPUBLIC OF CUBA—THE DEPARTURE OF THE AMERICAN TROOPS, THE END OF AMERICAN RULE, AND THE HOISTING OF THE CUBAN FLAG IN THE ISLAND, AND ALSO RESOLUTIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES IN RESPECT THEREOF.

[By the Associated Press, Howard N. Thompson.]

HABANA, May 20, 1902.

The United States has redeemed her promise to the world. Habana and Santiago de Cuba to-day were evacuated by American troops, the reins of power were handed over to President Palma, and now the Government of Cuba is free, and to-night the whole island is delirious with joy.

Dramatic as was the remarkable demonstration when the flag of the United States was lowered and the flag of the new Republic hoisted in its place at noon to-day on the palace from whence Spain had ruled the island for centuries, it was hardly more stirring than the magnificent friendly demonstration which attended the departure of the cruiser *Brooklyn* as she sailed out of Habana Harbor a few minutes before 4 o'clock this afternoon.

A flotilla of harbor craft loaded to the guards with people and dressed with bunting from stem to stern escorted her to sea. The water front was a solid mass of people, and the old fortifications at La Punta, which, with Morro Castle opposite, guards the entrance to the narrow neck of the harbor, was a human hillock. The *Brooklyn* had waited until the Ward Line steamer *Morro Castle* and the tug *Eagle* sailed before weighing anchor. As became a commander, Gen. Leonard Wood desired to be the last to leave. The *Brooklyn's* anchorage was near the wreck of the battleship *Maine*, whose black shrunken skeleton was decorated to-day with American and Cuban flags by order of the city council.

When the beautiful cruiser steamed slowly by this pitiful memory the American ensign at her taffrail was dipped and the sailors generally doffed their caps. As she passed the grim walls of Cabanas and Morro Castle the *Brooklyn* moved swiftly, the American flag at her fore and the Cuban flag at her main peak, sailors manning her sides and the flag at her stern dipping continually to the storm of vivas from ashore and afloat. The Cuban colors on both the fortresses were lowered three times in salute, although it is not military etiquette for a fort to salute except with guns. But an army four hours old is not expected to know this. General Wood stood on the bridge of the cruiser and acknowledged the ovation he received by bowing and touching his cap.

The flotilla of small craft kept on in the wake of the *Brooklyn* until she was hull down on the horizon, then the boats turned back and the people at the entrance of the harbor returned to their jubulations.

The enthusiasm in the city was boundless. Many persons were literally mad with joy over their new-born liberty. The streets were full of surging, cheering men and women. Motley processions paraded the plazas.

Firecrackers, of the giant variety, were exploded on the sidewalks and even in the cafes. It was like a combination of an old-fashioned American Fourth of July and a national convention.

One hundred thousand visitors were said to be in the city, and the police were utterly unable to cope with the joy-intoxicated people.

But President Palma and his cabinet did not give way to rejoicing. There was stern business ahead for them, and they went early to work. As soon as the new Government was installed Congress met and proclaimed the constitution and appendix. President Palma reviewed 14,000 school children before the palace, and at 4 o'clock he went to the cathedral where a Te Deum was sung for the new Republic. It was an imposing ceremony. President Palma then devoted an hour before dinner to attending to some urgent matters, among which was the postal relations with the United States.

By his direction Washington was informed that Cuba would like to continue the present arrangement temporarily.

This evening the city is illuminated as never before, and a great pyrotechnic display is being given on the walls of Morro Castle and Cabanas across the bay.

The natal day of the new Republic found Habana arrayed like a queen to await the coming of her lord. She seemed reinvested for the occasion with the dignity of the prosperous days of her power and wealth. The decorations were universal. In some cases men had worked all night, by the light of torches, to complete elaborate designs. There was not a residence, pretentious or humble, that did not bear upon its quaint facade some emblem in honor of the event. The many arches erected at the entrances of plazas by political societies, fraternal clubs, residences of various civil divisions of the city, and business organizations had an air of real grandeur.

The scaffolding was covered with canvas painted in imitation of marble, and from a distance the illusion was complete. Bunting, spread on Venetian masts, canopied the deep, narrow streets from the rays of the sun. Beneath these canopies the Cuban colors and palms graced the open doorways, through which glimpses could be caught of luxuriant gardens, in cool, inner courts. Many of the balconies jutting from the white-walled buildings were adorned with roses. Nature seemed in harmony with the spirit of the festivities. The parks were literally aflame with tropical flowers, and the vaulted sky above might have been chiseled out of turquoise. Above every red-tiled roof rose a Cuban flag. The whole city seemed suddenly buried beneath a forest of waving banners.

The decorations along the water front were exceedingly lavish, and all the shipping in the harbor was dressed in gala attire. The majority of the ships flew the American ensign at the main and the Cuban colors at the fore or mizzen. The United States armored cruiser *Brooklyn* which was to take General Wood away, and the steamer *Morro Castle*, of the Ward Line, on which the troops were to embark, as well as the foreign war ships which had been sent by their governments to be present at the birth of the new Republic, were dressed with streams of signal flags fore and aft, man-of-war fashion. The American colors, which were to be hauled down in a few hours, still floated above the grim walls of the fortresses which guard the entrance of the harbor. Not another bit of color showed upon them.

The early morning was cool and delightful, and the entire population, reinforced by thousands of visitors, was abroad soon after daylight. All was animation and expectancy. The streets were swarming with people and were filled with a ceaseless din. The babble of voices was drowned by the sharp cries of drivers and the clamor of warning bells. As the coachmen drove their carriages madly over the stony pavements pedestrians had a busy time keeping out of the way of the wheels. There are 4,000 public carriages in Habana, and this morning each one of them seemed racing somewhere on a life or death mission.

Much curiosity was aroused by a statue of freedom which had been raised during the night in Central Park upon the pedestal where for centuries a statue of Queen Isabella had stood. During the morning a bountiful breakfast was given to several thousand poor children by Mr. Payne, of Boston, who has passed the winter in Habana for many years.

As the day advanced the heat of the sun became intense and the weather grew hotter every minute. Hot air from the hot streets quivered in the hot sky until the whole landscape wavered.

The actual transfer of the control of the island was scheduled to occur exactly at noon, Habana time, which is 12.30 p. m. Washington time, but those

invited to witness the ceremony were requested to be at the palace at 11.30 a. m. They included, besides the American officers and the members of President-elect Palma's cabinet, the members of Congress, the supreme court judges, the governors of the provinces, the officers of the visiting war ships, the foreign consuls, William Jennings Bryan, the other visiting American statesmen, several of Señor Palma's Central Valley (N. Y.) neighbors, Horatio Rubens, counsel for the former Cuban junta; Col. William Astor Chanler, and a few other specially invited guests.

The palace is an imposing yellow stone structure, the upper stories of its front being built over a stone colonnade, giving it a fine architectural effect. For centuries it was the residence of the captains-general of Spain. Since the American occupation it has been the official headquarters of the military governor. It fronts an exquisite park, the Place de Armas, with its stately royal palms and species of banyan trees called "laurels of India." In the center is a fine marble statue of Ferdinand VII. Through the center of the building an archway leads, as in all Spanish palaces, to the patio, or court, where a statue of Columbus rises from a mass of palms and flowering plants.

On either side of the entrance marble stairways ascend to the audience room, which opens through balconied windows upon the plaza. In this chamber the actual transfer occurred. It is an imposing room, oblong, with a lofty ceiling and marble floor. It formed a fine setting for the historic occasion. The chamber to-day is exactly as it was when the Spaniards departed, except that the portraits of the captains-general which hung upon its walls are gone. They were taken back to Spain, but coats-of-arms of Spain, with their royal quarterings, still hang above the windows, which are screened by the same scarlet curtains that were hanging during the Spanish régime. The decorations, white and gold, with the superb mirrors, have also been preserved just as they were left by the Spaniards. The chair, with a gold crown above its back, which was reserved for the Spanish monarch himself, was visible in an adjoining apartment.

Owing to the limited space, the people were to have no sight of the ceremony to be enacted here, which was to constitute them a nation before the world, but outside they were to witness a spectacle which would stir their pulses, for they were to see the beloved five-barred and single-starred flag which Céspedes first threw to the breeze in 1895, at the opening of the ten years' war, raised by the act of the United States above the palace. This thing which was to happen had been the dream of their lives and their ancestors' for generations. Their parents, brothers, and friends had gone to their deaths to accomplish it. No strange wonder, then, that hours before the time set they began flocking here from all quarters of the city. Many were already before the palace with the rising sun, and some even slept in the park, to be certain not to miss the sight.

A portion of the plaza was kept clear by the police very early. The remainder was packed with people so thick that the ground seemed alive.

Soon all the side streets running into the plaza were choked into a solid mass of humanity and every door and window fronting the square was walled in with faces, white and black, old and young, male and female. Then crowds sought the roofs, overflowing every building that commanded a view of the flagstaff on the palace. As far as the eye could see the roof of the lines were fringed with human freight. It was a sight to live forever in memory.

The first demonstration occurred at about 11 o'clock, when eight dismounted troops of the Seventh Cavalry, under the command of Colonel Baldwin, marched into the plaza, preceded by the regimental band. The cavalrymen were arrayed in khaki uniforms and carried carbines. They formed in three sides of an oblong square, facing the palace, their center resting on the statue of King Ferdinand. The greeting the American soldiers received was cordial, but real enthusiasm was first manifested upon the appearance of two batteries of native artillery, who, coming up at double-quick time, wheeled into line and grounded arms in the street directly below the balconies of the palace. The maneuver was executed smartly and the crowd cheered with pride.

Shortly after the guests began to arrive, and a state occasion of a first-class European power could not have commanded more ceremony. Officers of the Army and the Navy of the United States, officers of Italian and English war ships in the harbor, as well as foreign consuls, were arrayed in all the splendor of their full uniforms. The British consul-general, Lionel Edward Gresley Carden, who has been appointed minister to Cuba, wore the embroidered diplomatic uniform of his new rank. The Chinese consuls came in flowing silks, the judges in their ermine, and the archbishop of Habana in the purple robes of his high ecclesiastical office. Gen. Maximo Gomez, the idol of the Cuban people, with his hawk-like head and shoulders erect in spite of his seventy-eight years, came attended by some of his old companions in arms. The President-elect, attired simply in a black suit with frock coat, with Jeffersonian simplicity walked over from the Senate chamber at the head of the members of Congress. There was an air of distinction in Señor Palma's carriage notwithstanding his slight figure.

General Wood entered the chamber after all were assembled. Greetings were exchanged informally, and the best of good feeling was displayed. For twenty minutes the gathering waited, during which time photographers made several flash-light pictures and the click of camera shutters sounded like the popping of small arms.

The transfer occurred exactly at noon. The ceremony was brief and simple. General Wood and Señor Palma faced each other. General Gomez stood immediately behind his future President in an open space around which clustered the other witnesses of the birth of the Republic. Mr. Bryan was in the front row of spectators. In a low but clear voice General Wood read his letter from the President and proclamations turning over the island to the Cuban Government, as follows:

WHITE HOUSE, Washington, D. C., May 10, 1902.

To the President and Congress of the Republic of Cuba.

SIR: On the 20th of this month the military governor of Cuba will, by my direction, transfer to you the control and government of the island of Cuba, to be thenceforth exercised under the provisions of the constitution adopted by your constitutional convention as on that day promulgated; and he will thereupon declare the occupation of Cuba by the United States to be at an end.

At the same time I desire to express to you the sincere friendship and good wishes of the United States, and our most earnest hopes for the stability and success of your Government, for the blessings of peace, justice, prosperity, and ordered freedom among your people, and for enduring friendship between the Republic of the United States and the Republic of Cuba.

THEODORE ROOSEVELT,

President of the United States.

Proclamation "B" was issued by General Wood as military governor. It recites in due form that the Cuban Congress convened in Habana May 5, examined the credentials, and certified to the election of the senators and representatives now in the Congress, and also found Thomas Estrada Palma and Cuba Luis Esteves Romero to have been elected, respectively, President and Vice-President of the Republic; that on May 20, at noon, the Cuban constitution will go into effect. Therefore the document reads:

"Thereupon and at that time the occupation of Cuba by the United States and the military government of the island will cease and determine, and the

government and control of the island will be transferred to the President and Congress so elected, to be held and exercised by them under the constitution so promulgated.

"Such transfer will be upon the understanding and condition that the new Government does thereby and by the acceptance thereof, pursuant to the provisions of the said appendix to the constitution, assume and undertake all and several the obligations assumed by the United States with respect to Cuba by the treaty between the United States of America and Her Majesty the Queen Regent of Spain signed at Paris on the 10th day of December, 1898."

Proclamation "C" simply declares the new constitution to be in full force after the date thereof, and recites its provisions.

Then comes the following:

"D."

HEADQUARTERS DEPARTMENT OF CUBA,
Habana, May 20, 1902.

To the President and Congress of the Republic of Cuba:

SIR: Under the direction of the President of the United States, I now transfer to you as the duly elected representatives of the people of Cuba the government and control of the island, to be held and exercised by you under the provisions of the constitution of the Republic of Cuba heretofore adopted by the constitutional convention and this day promulgated; and I hereby declare the occupation of Cuba by the United States and the military government of the island to be ended.

The transfer of government and control is upon the express condition, and the Government of the United States will understand that by the acceptance thereof you do now, pursuant to the provisions of the said constitution, assume and undertake, all and several, the obligations assumed by the United States with respect to Cuba by the treaty between the United States of America and Her Majesty the Queen Regent of Spain, signed at Paris on the 10th day of December, 1898.

All money obligations of the military government down to this date have been paid as far as practicable. The public civil funds derived from the revenues of Cuba transferred to you this day, amounting to \$689,191.02, are transferred subject to such claims and obligations properly payable out of the revenues of the island as may remain. The sum of \$100,000 has been reserved from the transfer funds to defray anticipated expenses of accounting, reporting, and winding up the affairs of the military government, after which any unexpended balance of said sum will be paid into the treasury of the island.

The plans already devised for the sanitation of the cities of the island and to prevent a recurrence of epidemic and infectious diseases, to which the Government of the United States understands that the provision of the constitution contained in the fifth article of the appendix applies, are as follows:

(1) A plan for the paving and sewerage of the city of Habana, for which a contract has been awarded by the municipal of that city to McGivney, Rokeby & Co.

(2) A plan for waterworks to supply the city of Santiago de Cuba, prepared by Capt. S. E. Rockenbach, in charge of the district of Santiago, and approved by the military governor, providing for taking water from the wells of San Juan canyon, and pumping the same to reservoirs located on the heights to the east of the city.

(3) A plan for the sewerage of the city of Santiago de Cuba, a contract for which was awarded to Michael J. Dady & Co., by the military governor of Cuba, and now under construction.

(4) The rules and regulations established by the President of the United States on the 17th of January, 1899, for the maintenance of quarantine against epidemic diseases at the ports of Habana, Matanzas, Cienfuegos, and Santiago de Cuba, and thereafter at the other ports of the island, as extended and amended and made applicable to future conditions, by the order of the military governor, dated —, published in the Official Gazette of Habana on the — day of April, 1902.

(5) The sanitary rules and regulations in force in the city of Habana (and in any other city having official rules, etc.).

It is understood by the United States that the present government of the Isle of Pines will continue as a de facto government, pending the settlement of the title to said island by treaty pursuant to the Cuban constitution and the act of Congress of the United States approved March 2, 1901.

I am further charged by the President of the United States to deliver to you the letter which I now hand you.

LEONARD WOOD,
Military Governor.

General Wood then handed Señor Palma President Roosevelt's letter. President Palma, who hardly reached to General Wood's shoulder, had listened patiently to the reading and he immediately replied in Spanish, reading, as General Wood had done, the formal acceptance of the conditions imposed.

The President's voice rose until it rang through the chamber as he declared his Government accepted the responsibilities of sovereignty. He spoke as follows:

"I receive in this act the Government of the island of Cuba, which you transfer to me in compliance with the orders communicated to you by the President of the United States, and I recognize that in this act the military occupation of the island ceases. In accepting this transfer I declare that the Government of the Republic of Cuba assumes, in conformity with what is determined in the constitution, each and all of the obligations that the Government of the United States took upon itself in regard to Cuba by virtue of the treaty signed on the 10th day of December, 1898, between the United States and Her Majesty the Queen Regent of Spain.

"I note that all financial responsibilities contracted by the military government up to this date have been paid; that \$100,000 has been set aside to attend, in so far as is necessary, to the liquidation and settlement of the obligations contracted by said government, and that there have been transferred to the Government of the Republic \$689,191.02, which constitutes the balance in cash to the credit of the nation.

"In all that Article V of the constitutional appendix be applicable the Government will take care to facilitate the execution of the work of sanitation planned by the military government. The Cuban Government will also endeavor, as far as possible and as far as depends on it, to comply with the necessity of sanitation and of the observance of the system established by the military government of Cuba.

"It is understood that the Isle of Pines continues de facto under the jurisdiction of the Government of the Republic pending what will be agreed upon between the United States and Cuba and in conformity with what is ordered in the Cuban constitution and by the law voted by the Congress of the United States passed March 2, 1901.

"I receive with great satisfaction the letter which President Roosevelt has addressed to the Congress of the Republic and to me on account of the sentiments of friendship therein expressed for the people of Cuba.

"I take advantage of this solemn occasion when there is fulfilled the honest promise of the Government and of the people of the United States in regard to the island of Cuba, and when the personality of our country is established

as a sovereign nation, to express to you as a worthy representative of that great nation the immense gratitude that the people of Cuba feel for the American nation, for its illustrious President, Theodore Roosevelt, and to you personally, for the efforts which you have made for the attainment of that cherished ideal."

The formal transfer was now over, but President Palma added a few words in English expressive of his deep sense of gratitude to the American Government and of his personal thanks to General Wood, to which the latter responded in a most cordial spirit. Then came the congratulations. Everybody crowded about the new President to shake his hand and wish him success. General Gomez embraced him according to the Spanish custom. There were tears in the eyes of many persons present, and many of the Cubans hugged each other for very joy.

In the meantime there transpired a scene outside the palace to stir the pulses and live forever in the memory of those who witnessed it. For one hour before noon a hundred thousand people had stood with eyes glued on the American flag floating over the palace.

As the time approached for the flag to be lowered, several premature demonstrations occurred. Bells rang, steam sirens in the harbor shrieked, and rockets and aerial bombs were exploded. But these were mere whispers compared with the volume of sound which burst forth when the American flag came down at 10 minutes past 12. Lieutenant McCoy, of General Wood's staff, was on the roof of the palace, and two troopers of the Seventh Cavalry were in charge of the halyards which hung down to the balcony in front of the palace, it having been General Wood's original intention personally to hoist the Cuban flag in the name of the United States. When the signal was given that the ceremony inside was over, the halyards were loosed and the American colors floated slowly down. The American cavalry below saluted, and the cavalry band played The Star Spangled Banner. A roar which rolled over the entire city went up from the populace, and like an echo came the distant boom of one of the great guns at the Cabanas fortress across the bay, the first of 45 such detonations, one for every State in the Union.

The American flag had been lowered at Cabanas and from Morro and the other forts around the city simultaneously with the one over the palace. Then all the bells in the city added to the din. Giant firecrackers were exploded until a pall of smoke arose over the city. All this was kept up for five minutes, until the Cuban flag was hoisted. As it blew free over the palace and rose on the forts to the view of the assembled thousands, the roar was redoubled again. The guns of Cabanas spoke this time with the national salute of 21 guns. The United States cruiser *Brooklyn* and the English and Italian warships in the harbor set the flag of the new Republic at the main and also saluted it with 21 guns. The Cuban bands stationed on the plaza at Malacan, Morro, and in other places in the city, blared forth in pride of their country, while the guns of the ships thundered the strength of war.

But it was the demonstration of the people that overshadowed all the rest. Their vivas were like the roar of the ocean. They rose and fell. Women waved handkerchiefs, fans, and parasols. Men jumped up and down for joy, and everybody embraced his neighbor. Tears flowed from many eyes, but the shouting did not cease. The crowds shouted vivas for the United States, for President Palma, for General Gomez, and for General Wood, and it was ten minutes before the storm of sound began to subside, and there was another wild roar as General Wood and the American officers left the palace for the pier.

In the meantime the troops of cavalry in the plaza had quietly marched to the wharf and embarked on the Ward Linesteamer *Morro Castle*. General Wood and his aids were escorted to the pier by President Palma, the entire cabinet, the Cuban Congress, and the consular corps. They also were accompanied by the best Cuban band in Habana. The demonstration they received all along the route was remarkable, and left no doubt of the gratitude and the good will of the Cubans toward the Americans. General Wood and the other officers then entered the steam launch and were taken across the shining waters of the bay to the *Brooklyn*.

As General Wood climbed up the side of the cruiser and set foot on her deck the marine guard on board was paraded and the former governor-general of the island was given a salute of 21 guns.

During the early morning many troops of school children marched into the plaza de Armas, ranged themselves before the palace, and sang an American anthem.

At 10 o'clock a delegation from the Central Veterans' Club presented General Wood with a handsome machete having a beautifully engraved hilt. It has the Cuban coat of arms and a single gold star on one side and the General's initials on the other in gold.

President Loubet, of France, has sent the following cablegram to President Palma:

"At the moment when your excellency takes official possession of your high duties I send my sincere congratulations, and I pray for your personal happiness and the prosperity of Cuba."

President Palma has received other congratulations from the presidents of Guatemala and Santo Domingo and from the Mexican House of Representatives. He also received several congratulatory messages from Spain and hundreds from the United States.

OFFICIAL ACTION IN WASHINGTON.

[By the Associated Press.]

WASHINGTON, May 20.

Secretary Hay, according to the plan arranged some time ago, took the final step to-day of acquainting the nations of the globe that the United States Government has redeemed its solemn pledge to make a free people in the island of Cuba. This was done by the dispatch by cable to every capital where there is resident either an ambassador or minister for the United States of the following identic note:

DEPARTMENT OF STATE, Washington, May 20, 1902.

SIR: I am directed by the President to inform you that the military occupation of the island of Cuba by the United States has this day ceased, and that an independent government, republican in form, has been inaugurated there, under the Presidency of His Excellency Señor Don Tomas Estrada Palma.

You are instructed to convey this information through the appropriate channel to the government to which you are accredited.

I am, sir, your obedient servant,

JOHN HAY.

In issuing this notice Secretary Hay also takes upon himself the burden of looking after Cuban affairs, so far as they are yet placed under the observation of the United States by the terms of the Platt amendment wrought into the Cuban constitution. Secretary Root lays down his work, having no further official interest in the island save in the maintenance of the small force of United States soldiers who are taking care of the defenses of Habana until the Cubans are themselves trained to this work. President Roosevelt this afternoon received the following cablegram from the President of the new Republic:

HABANA, May 20, 1902.

THEODORE ROOSEVELT, President, Washington:

The Government of the island having been just transferred, I, as Chief Magistrate of the Republic, faithfully interpreting the sentiments of the

whole people of Cuba, have the honor to send you and the American people testimony of our profound gratitude, and the assurance of an enduring friendship, with wishes and prayers to the Almighty for the welfare and prosperity of the United States.

T. ESTRADA PALMA.

President Roosevelt also has received the following cablegram from President Loubet, of France, dated at Kronstad to-day:

"At the time when the Cuban Republic is proclaimed under the mightyegis of the United States of America, I make it my duty to offer to Your Excellency my very sincere felicitations and to send you the wishes that I form for the prosperity of the young Republic.

"EMIL LOUBET."

The following dispatch was received at the White House to-night from General Wood at Habana:

To the President of the United States, Washington:

I have the honor to report to you that in compliance with instructions received I have this day at 12 o'clock, sharp, transferred to the President and Congress of the Republic of Cuba the government and control of the island, to be held and exercised by them under the provisions of the constitution of the Republic of Cuba. Documents sent to me were read, and Mr. Palma, in accepting the responsibilities on behalf of the island, expressed himself in kind and endearing words and thanks, and thanked the Republic of the United States and its officials for all that has been done for Cuba and for the fulfillment of promises made. The ceremony was most impressive, and I embark on the *Brooklyn*, with my staff, for the United States.

WOOD.

Secretary Root sent the following congratulatory telegram to President Estrada Palma:

"President of the Republic of Cuba:

"Believe in my heartfelt congratulations upon the inauguration of the Republic which the people of Cuba and the people of the United States have fought and labored together to establish. With confidence in your unselfish patriotism and courage and in the substantial civic virtues of your people, I bid you godspeed, and on this happy day wish for Cuba for all time liberty and order, peace and prosperity."

To continue the present postal relations between Cuba and this country President Palma, of Cuba, and President Roosevelt to-day issued proclamations, both of which were promulgated from this city in accordance with an understanding reached between them some weeks ago. President Roosevelt's formal order follows:

"Ordered, The postal administration of the United States having concurred therein, that pending the conclusion of a postal convention between the Republic of Cuba and the United States the status prescribed by Order No. 885 of the Postmaster-General of the United States, dated March 30, 1901, relative to the exchange of mails between Cuba and the United States, be maintained; that is to say, articles mailed in Cuba addressed for delivery in the United States, and articles mailed in the United States addressed for delivery in Cuba, shall continue to be subject to the postage rates, conditions, and classification applicable to articles circulating in the domestic mails of the United States.

"And it is further ordered that the arrangement now in force regarding the exchange of money orders between the United States and Cuba shall continue and be in effect until a formal convention shall be signed between the two countries covering further exchange of money orders between the two countries."

President Palma's order is identical with the above except that it reverses the order in which the two countries are named.

[From the Congressional Record, May 20, 1902, page 6086.]

INAUGURATION OF CUBAN REPUBLIC.

Mr. HITT, Mr. Speaker, I ask the unanimous consent of the House for the consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

"Resolved, etc., That this House views with satisfaction, and expresses congratulation at, the appearance this day of the Cuban Republic among the nations of the world."

[Loud applause.]

The SPEAKER. Is there objection to the consideration of this resolution?

[A pause.] The Chair hears none.

Mr. HITT, Mr. Speaker, it is evidently unnecessary that there should be any debate on this resolution. I will merely say that it was suggested by the gentleman from New York [Mr. SULZER] [applause]; and I know that all members on both sides of the House will welcome the opportunity to vote for it.

The question being taken, the resolution was adopted.

On motion of Mr. HITT, a motion to reconsider the vote by which the resolution was adopted was laid on the table.

RESOLUTIONS ADOPTED BY THE SENATE MAY 21, 1902.

Resolved by the Senate of the United States of America, That the Senate views with satisfaction, and expresses congratulation at, the appearance of the Cuban Republic among the nations of the world.

Resolved, That the Secretary of State be directed to transmit to the President of the Cuban Republic a copy of these resolutions.

AGRICULTURAL APPROPRIATION BILL.

Mr. PROCTOR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13895) "making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1903," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 13, 21, 40, 53, 63. That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 17, 18, 19, 20, 22, 24, 25, 26, 27, 28, 30, 32, 33, 34, 35, 36, 37, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 57, 61, 63, 64, 67, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$110,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$612,730;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$254,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows:

In lieu of the sum proposed insert "\$291,800;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: On page 40 of the bill, in line 16, after the word "report" insert the words "giving his reasons;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$10,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$8,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$18,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$796,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$796,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$65,000;" and the Senate agree to the same.

REDFIELD PROCTOR,
H. C. HANSBROUGH,
WM. B. BATE,

Managers on the part of the Senate.

J. W. WADSWORTH,
E. S. HENRY,
H. D. ALLEN,

Managers on the part of the House.

The PRESIDING OFFICER. The question is, Will the Senate agree to the report of the conference committee?

Mr. HALE. I wish to ask the Senator in charge of the bill, who has made the report, whether there has been put in by the conferees any new matter whatever not considered by either House?

Mr. PROCTOR. Not anything at all. There were three words inserted in an amendment which we proposed.

Mr. HALE. That is the amendment "giving his reasons?"

Mr. PROCTOR. "Giving his reasons." I believe those are the only additional words which have been put in.

Mr. HALE. They do not touch the merit of the appropriation.

Now, one thing further. So far as I could gather from listening to the reading of the report, the amendments are where the amounts have been fixed by the conferees. Is there any case here where the conferees have put in amounts larger than the amount fixed by one or the other House of Congress?

Mr. PROCTOR. There is not. In every case where they have agreed to one of our amendments with an amendment it has been to reduce in part the addition that we made.

Mr. HALE. Thus being a compromise between the amounts given in the bill as it came from the House and the amounts given in the Senate amendments?

Mr. PROCTOR. In every case.

Mr. HALE. And in no case has the conference exceeded the amounts of appropriation fixed either by one House or the other?

Mr. PROCTOR. In no case.

The PRESIDING OFFICER. The question is on agreeing to the report of the committee of conference.

The report was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Claims:

A bill (H. R. 367) for the relief of Angus A. McPhee;

A bill (H. R. 2492) to reimburse the Mollert Foundry and Machine Company for money retained by the United States for failure to complete a contract within a specified time;

A bill (H. R. 4636) to authorize the Secretary of the Treasury to adjust the accounts of Morgan's Louisiana and Texas Railroad and Steamship Company for transporting the United States mails;

A bill (H. R. 6443) for the relief of Patrick Nolan;

A bill (H. R. 6703) for the relief of George A. Rogers;

A bill (H. R. 9597) for the relief of Thierman & Frost;

A bill (H. R. 10279) to pay the claim of Stephen B. Halsey; and

A bill (H. R. 11273) to pay F. Y. Ramsay, heir at law and distributee of the late Joseph Ramsay, \$430.42 for balance due the said Joseph Ramsay as collector of customs and superintendent of lights in the district of Plymouth, N. C.

The following bills were severally read twice by their titles, and referred to the Committee on Finance:

A bill (H. R. 807) for the relief of F. R. Lanson;

A bill (H. R. 1360) for the relief of W. J. Tapp & Co.;

A bill (H. R. 1733) for the relief of John A. Mason; and

A bill (H. R. 10775) for the relief of Charles E. Sapp.

The following bills were severally read twice by their titles, and referred to the Committee on Naval Affairs:

A bill (H. R. 5756) for the relief of the officers and crew of the

United States steamer Charleston, lost in the Philippine Islands November 2, 1890:

A bill (H. R. 9867) for the relief of the estate of Henry C. Nields, deceased; and

A bill (H. R. 11591) for relief of Stanley & Patterson, and to authorize a pay director of the United States Navy to issue a duplicate check.

The bill (H. R. 989) to authorize the Light-House Board to pay to Chamblin, Delaney & Scott the sum of \$1,704.46 was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 8129) to amend sections 4075, 4076, and 4078 of the Revised Statutes was read twice by its title, and referred to the Committee on Foreign Relations.

The bill (H. R. 14589) making appropriations to supply additional urgent deficiencies in the appropriations for the fiscal year ending June 30, 1902, was read twice by its title, and referred to the Committee on Appropriations.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 16th instant approved and signed the joint resolution (S. R. 74) relating to publications of the Geological Survey.

The message also announced that the President of the United States had on the 19th instant approved and signed the joint resolution (S. R. 82) providing for the printing annually of franks required for sending out sec⁷.

CIVIL GOVERNMENT FOR THE PHILIPPINE ISLANDS.

Mr. ALLISON. In the temporary absence of the Senator from Massachusetts [Mr. LODGE], who has charge of the Philippine government bill, I move that the Senate proceed to its consideration.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2295) temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes.

Mr. WELLINGTON. Mr. President, I rise to speak upon the bill now under consideration without the hope of in any way affecting the foregone conclusion as to the action of this body upon the measure. I know that the fiat of the Administration has gone forth that the bill must pass, and the minority in the Senate can not by any effort honorably made prevent the consummation of an act which is but a part of one of the most extraordinary and indefensible policies ever pursued by any nation of whom history hath made record.

Three months ago, after prolonged debate, in which the minority party made a gallant struggle for the preservation of the principle upon which this nation is founded, the Senate passed a bill temporarily to provide revenue for the Philippine Islands. It was the beginning of attempted civil legislation for the Philippine Archipelago, and was in contravention of the organic law of our nation, the spirit of our institutions, and the generous, liberal, and statesmanlike policies which have obtained in our Republic for a century and a decade of years. By the passage of that act the Congress of the United States for the first time made a partial attempt to govern the islands by civil law, and, in my humble judgment, disregarded every principle of law which should have bound the American Congress.

It is but a natural and logical sequence that within a few weeks thereafter there should be introduced into the Senate another bill which should carry the policy, thus begun, further on its way and to add another exemplification of the historic fact that a nation which commits a wrong in its transaction with another people will endeavor to perpetuate, confirm, and firmly establish it by doing additional wrongs.

When the revenue bill was passed the Senator from Massachusetts [Mr. LODGE], whose task it was to present and defend the measure, contended that there should be no settled policy announced, and that as the exigencies of environment and the necessities of occasion required we should, month after month and year after year, content ourselves in temporizing with the situation.

These bills pretend that they are temporary measures, but, sir, they have committed this Government beyond a peradventure, and unless there is an awakening of the conscience of the nation there will be fastened and irrevocably placed upon us the policy of colonial expansion, of imperial armies, of unjust, horrible, and criminal wars, and above all a surrender of the most precious heritage that the American people have possessed—that of being a free people, standing first and almost alone for self-government, not only for themselves but for every nationality in every clime.

The Senator spoke truly when he said there would probably be transformations in the situation and many changes in our mode of dealing with the Filipinos who had come into our hands as it were through the providence of God. Three months have wrought a most remarkable change. Three months ago, when the policy

of conducting an unauthorized and therefore unconstitutional war for the subjugation of these people was debated, when charges were made and conclusive proof was offered that our Army had in the progress of this war, which was to be conducted to the bitter end and not to be given up until there be abject and complete submission or extermination of the people, been guilty of criminal warfare, the majority party flung back with scorn the accusation, contending that it was little short of treason for any Senator to have the temerity of accusing the Army of indulging in modes of war which Christian civilization should forever prohibit to a nation professing its tenets.

We were taught to believe that the American soldier and the officer commanding him were immaculate, that they could do no wrong, and that the attacks made upon the Army were not only unjust, but of such a character as should be reprobated by every fair-minded American. The trend of every speech delivered upon the floor of the Senate favoring the passage of the Philippine revenue bill was in this direction. The idea that the conduct of our Army was reprehensible was scouted, and the Senators who made it were violently attacked for encouraging insurrection and accused of infidelity to the American Government and of disloyalty to the State.

When it was charged by the minority that in the conduct of the war the American Army had been guilty—descending in its commission of crime step by step until it had reached a degradation almost beyond belief, the majority rose up and smote us by declaring that the men who would thus attack soldiers of the Union, fighting under the flag for their country in a far-off land, should be buried in obloquy and stand in the pillory of public scorn. Yet, sir, within this short time which has elapsed since the passage of that bill the majority has been forced to abandon this position and to acknowledge that the American Army has committed indefensible crimes against a people who have the same right to liberty that we ourselves have.

They have been forced to acknowledge that the American Army has step by step departed from the broad highway of honorable warfare—honorable modern warfare as recognized by civilized nations—and has adopted methods of barbarism and savagery such as the wild natives of the unconquered Philippine Islands themselves could not approach. For, sir, as the damnable evidence of these transactions forced themselves into publicity, against the desire and effort of the Administration, there arose before the American people a picture of warfare such as could not be outdone if his Satanic majesty were to lead the hordes of hell upon an orgy of blood and rapine.

John Milton many years ago, when he was blind, sitting in the darkness which covered him and surrounded him, wrote in his imagination the picture of Lucifer, the fallen angel, leading the hordes of hell against God. He there gave the description that strikes with horror the reader when he peruses the book. It would need another Milton to describe the fall of the American people from the original height of their Government and their descent into the hell of this war.

Now, sir, the majority can no longer deny these facts, and they have therefore been forced to change their programme, and under such circumstances it is indeed a most advantageous thing to commit yourself to any policy or profess any stated belief.

What is the present policy? It is one of admission of the crimes and cruelties and defense for the crime. When this debate began it was the obvious determination of the majority party to shorten debate by making no reply to the charges, the reproaches, and the recommendations of the minority. But, sir, they were forced to change front once more. Silence would not do. The Senator from Utah [Mr. RAWLINS], the Senator from Tennessee [Mr. CARMACK], the Senator from Colorado [Mr. TELLER], and others had drawn such an indictment as must be answered, if answer there could be made, because upon this indictment the Administration will be tried in the next Presidential election.

Gradually there was an awakening, and one by one Senators were prevailed upon to enter the debate. But, sir, in all the debate from this side of the Chamber there was not one Senator who addressed himself directly to the subject-matter under consideration, saving the Senator from Massachusetts [Mr. LODGE], who was in charge of the bill, and therefore it became his duty to make explanation of the measure. I might perhaps except the Senator from North Carolina [Mr. PRITCHARD], who argued upon the commercial advantages that would come through the permanent occupation of the Philippine Archipelago, but even he departed from the path which he should have trodden and introduced sectional politics and the race war in the South. It does not belong here. It is outside of this question. The people of the South and the people of this country can solve that problem in the future. We are now dealing with the Philippine question.

Mr. DUBOIS. Would it interrupt the Senator if I should say a word?

Mr. WELLINGTON. Not at all.

Mr. DUBOIS. I should like to remind the Senator that the Senator from North Carolina [Mr. PRITCHARD] also is the only one on the majority side of the Chamber who has stated plainly what the policy of the Republican party is to be. He said that, so far as he was concerned, they intended to hold those islands for all time to come.

Mr. WELLINGTON. I thank the Senator for the interjection. I desire to say that as my argument goes on I think I can demonstrate that it does not need any further evidence than this bill to prove that the Administration intends to hold perpetually the Philippine Archipelago.

The Senator from Massachusetts also gave in his accustomed scholarly and logical manner an explanation of the details of the bill; and yet even he, before he came to the end of his argument, devoted quite a part of it to justifying the action of the American Army in the conduct of the war by the plea that they were driven into these scenes which would have done credit to an Alva, a Tilly, a Piccolomini, an Illo, or a Tertzky, or a Wallenstein three centuries ago, as one after another they led imperial forces in the Netherlands and Germany, with the avowed purpose of shooting to death religious liberty. He said they were justified by reason of the fact that the Filipinos themselves had begun uncivilized warfare, and that it was by revenge for this that the American Army had gradually been drawn into it. It will be seen by this that the majority has been forced from its original high position to intrench itself behind the plea of necessity.

If there were needed at this time any proof that imperialism is advancing its banners and sapping the very foundations of our liberty, it can be found in the contentions upon this bill by the majority.

The great danger to a republican form of government is the increase of executive power, invested with the command of a regular army. I have made this assertion before, and I now repeat it, though doubtless it will be said that I am not only attacking the Army, but the administration of civil government in our own country as well. I believe the time has come when the American people should once more be awakened.

The time has been when they were resting under the baneful influence and torpor of national sleep, when it took the hammer stroke of approaching revolution to awaken the conscience of our people. It may be so now, and I believe it is so now. In this time, when there is entire forgetfulness of our struggle for liberty, when the Declaration of Independence is sneered at and the Constitution violated and set aside, it is time that there should be men who have the moral courage to speak the truth and give the needed warnings. That the legislative branches of the Government are slowly but surely parting with their preponderance in the Government is a fact which can not successfully be denied.

That the Executive power can, by persuasion and judicious application of the party lash, force the Congress of the United States to adopt measures which are in themselves apparently unjust, upon the declaration of the majorities in both branches, has been evidenced of late in several sessions of Congress. And, sir, in the passage of this bill under the whip there is another exemplification of the same fact, and there will be yet another before the close of this session—I look forward to it now—when Executive power will enter this Chamber and cause a departure by many Senators from what is now their deep-seated conviction that they should adhere to the principle of protection and not entirely surrender it to the policy of reciprocity.

Not only is it done, but many seem to be eager to rush forward and obey the mandate of the chief. In my humble judgment, we are fast advancing to the time when it will be possible in this country for a Chief Executive, vested with his almost boundless power, to call to his aid the Army and enact the selfsame scene which Cromwell did in England when he appeared with his soldiers and prorogued the Rump Parliament.

You may smile at this, but evidences of its coming are beyond question. Executive power and the Army; these are the two dangerous elements. Doubtless I shall be severely reproved for sounding the warning and proclaiming the truth.

In combination with this increase of Executive power it is sought to make the Army a sacred thing that should not be touched by the criticism of the civilian. Is not this the spirit of the majority in the Senate now?

I for one reserve to myself the right to criticize what I deem to be wrong anywhere in any branch of the Government. I believe it to be my duty, and for this reason I have made the charge that the Army is sought to be idolized, its officers encouraged to despise the civilian, and taught to deem themselves the only essential feature of the Government—aye, the sacred thing which must not be touched in any way whatever. Its guilt must be condoned, its crimes defended, and any man who feels and speaks otherwise is criticised as being in sympathy with the insurgents in the Philippines and disloyal to his own country. I am quite willing

to accept the decoration of disapproval of my course by this element of our political and national life.

That our Army has in this war been guilty of reprehensible conduct no Senator, I trust, upon this floor will attempt to deny. It is not my purpose to produce a mass of testimony. It is unnecessary. It has already been done. By evidence which dare not be disregarded it has been proven that we have departed from the civilization of to-day and in our method of war returned to the barbarism of Attila and Alaric. We have adopted the tactics of Arminius, the Cheruscan chief, when, to preserve his nationality, he lured the Roman legions into the Teutonic forests and there surrounded, defeated, and annihilated them.

Not a single Roman soldier of the Five Legions escaped. That was a barbarous war, and yet Arminius did not approach, in his savage warfare, to the orders, to the mandates, and to the action of the American Army in the Philippine Islands. There were no children there, but there were women, and he preserved their lives that they might take back to Rome the news of the annihilation of the Roman army. Rome had forced her yoke upon every nation in Europe until she reached those Teutonic forests and the Caledonian Mountains. There she met with reverse, a reverse which ended in her total discomfiture and downfall by the very forces which she had attacked.

It has been proven that our Army has resorted to the killing of the wounded and of defenseless prisoners. It has been proven that our Army was ordered to shoot and kill men, women, and children, whether armed or nonresisting. It has been proven that provinces have been destroyed and converted into wildernesses and the inhabitants who were not under arms driven together into camps of concentration. It has been proven that the methods of warfare disapproved of in Weyler have been adopted and executed by the American Army.

Sir, when I make these statements doubtless I will be accused of being in sympathy with the Filipino. Be it so. I am in sympathy with the Filipino. I am in sympathy with any people anywhere upon God's footstool who desire liberty and have the courage and manhood to stand up and fight for it and die for it.

I am not in sympathy with the American Army when it is to be used for base and infamous purposes. But, sir, is the Army responsible for the conditions of the struggle? To a certain extent, yes. And yet, no. I am not unfair enough to charge the Army with the entire responsibility. The soldier in the ranks must come and go as he is commanded. He must execute the orders of his superior. The noncommissioned officers are of a higher grade and degree, but they must obey the subaltern officers.

The colonel of the regiment commands that regiment, and yet in turn he has to obey the orders of the general of the brigade, of the division, or of the Army corps in which that regiment happens to be. These generals in turn are in obedience to and must carry out the commands of the commander in chief of the Philippines. So that, after all, upon him would seem to rest the responsibility for this conduct, but not entirely so. He would not dare to carry on a war which was in contravention of the policy of the home Government.

General Bell would not have issued his famous or rather his infamous order, and General Smith would not have dared to send forth a proclamation which is a disgrace forever to the American Army and to American civil government as well. Who is responsible for General Bell and General Smith? The commander in chief of the Philippine Islands. Who is responsible for him? Some men may act for themselves when they are in an inferior capacity, and I doubt not some of them have.

We have had references to General Bell, General Smith, and to General Funston in this debate as exemplars of the American Army officers in the Philippines. The Senator from Kansas [Mr. BURTON] felt himself called upon to defend General Funston against what he deemed unjustifiable criticism from some of the Senators of the minority. I desire to state that I can not indorse all that has been said upon either side concerning these matters. I can no more agree with the terrific outpourings of wrath which have come from the Senator from South Carolina [Mr. TILLMAN] than I can give assent to the many harsh and drastic sentences of the Senator from Kansas. I do not think that either expresses what should be the sentiment of our people concerning this question.

General Funston is a brave soldier of the Republic. It is most unfortunate that his courage and valor, his intrepid bravery, have been called into action in a war that is foreign to the higher and better aspirations of the American people. I admire him for his achievements in the Philippine war, while I must condemn the cause for which he fought. I can not but give praise and laudation to the splendid spirit which made him one of the great features of that war. He showed he had a dauntless bearing, and he gave evidence of almost reckless bravery upon yonder bridge in the far-off archipelago, in the river, and on the farther

shore, when he made the brilliant dash and attack upon the enemy. So much I think should be granted him by all.

I admire him, too, for the reason that he was not himself guilty of conceiving the plan in which forgery and its attendant criminal proceedings were used to entrap Aguinaldo and secure his capture. General MacArthur, I think, seems proud of the strategy thus employed and claims it as his own. I believe that Funston was too brave a man to indulge in the coward's trade of forging letters and documents. He did execute the orders of his superior officer, and if there is anything creditable in the whole of that shameful act of war upon the part of this great nation it is the manner of Funston's carrying it out.

But, sir, the soldier must not forget that he is only the servant of the Republic, and not the critic and mentor of its governing power. Whatever he has in honors he owes to the American people through the executive power and the confirmation of the Senate of the United States.

These honors were freely given him, yet when he returns to his native land crowned with laurels, if laurels they be, he so far forgets himself that he endeavors to enact the roll of hero and to call to task the men who have been chosen by their States to regulate one part of the legislative and another part of the executive power of this land.

To be a hero requires more than physical courage or military strategy. To be a hero there should be a sentiment of right, of justice, of mercy. To be a hero a man must have the ability not only to do battle courageously, but to honor the institutions of his country and bow in humble submission to the power which he serves. These qualities General Funston does not seem to possess. It ill became this officer to speak disparagingly of those who are opposed to the Philippine war, and he reached the very height of his insolence when, at a banquet in New York, he uttered the following words, and was applauded by many of those who sat with him. Doubtless, inspired by the fumes of wine, he forgot his position and dared attack those whose duty and task it is to examine into national affairs and to pass upon matters of great consequence in the Government of the country:

I read from the report of his remarks as quoted to us by the Senator from Kansas, his apologist. These are the words that General Funston used. They are at the conclusion of his address:

I do not want to say anything brutal, but, as I say, the Army feels bitterly about this business. I have no quarrel with the man who thinks that we should not at first have taken the Philippine Islands; I have no quarrel with the man who thinks a whole lot of things, but who does not say too much about it now; but all those men who have been writing and talking about this thing and keeping this warfare alive and in the field to-day—I say that I would rather see any one of these men hanged—hanged for treason, hanged for giving aid and comfort to the enemy—than see the humblest soldier in the United States Army lying dead on the field of battle.

These are the exact words as they are reported to us of this great hero, General Funston. I for one will not stand idly by without protest and without resentment and listen to the words which have been uttered by a man like General Funston when they read as they do in the RECORD. I take him as an example of what this war has produced in the Army.

At the beginning of the contest I said there were dangers that the Army, after they had robbed a weaker people of their liberties, would be so impregnated by the spirit needful to that occupation that the day would not be far distant when they would forget themselves and endeavor, under an imperialistic law, to crush the power that made them.

You can not use an army in a war which is to subjugate, subdue, and exterminate a liberty-loving people without throwing upon liberty itself the weight of this action, and it will recoil upon you, and the very armies that once fought for the Republic will lend themselves willingly to repeat the infamous attacks upon the very citadel of liberty at home which they were permitted to make in foreign lands. The danger is that, having learned this lesson, he ceases to be an American in the sense and in the way in which we understood it in the last century.

General Funston is an example of this condition in his native land. It is true that he has been cautioned, I may say even reprimanded, by his superior officers for the use of this discourteous and unwarranted language. His tone, as evidenced, is one that bespeaks the mind that has already learned to despise civil authority. No man will deny that in the day when the military power assumes greater dignity and takes upon itself the censorship of civil life there is danger to the Republic.

Funston! I care but little for his opinion concerning those who oppose this war. It is a matter of indifference to me. It bears no more importance than the yell of any one of the members of an infuriated street rabble, but he asserts a doctrine which, if accepted in this country, means that freedom of speech has already disappeared and Senators and Representatives must have a care, for he presents to us anew the Jesuit doctrine that we "may think as we please, but must not think aloud." Think of the spectacle of an officer whom we have created, upon whom we have showered honors, so far forgetting himself as to speak in this manner.

If he voices the spirit of the American Army, then it is well that cognizance should be taken of it at once. Aye, as a Senator of the United States I am at liberty, according to the Funstonian theory, to think as I please, but I must be silent in the Senate Chamber and allow the liberties of my country to be taken away without raising a voice in their defense. I may think that the war is wrong, but I must not openly given expression to that thought.

This man is not a hero. He has so small a conception of the country which he has served that the very courage which he has shown serves him but little, and while I admire that courage I must say that I detest and despise the spirit which he has shown at home. And, in my judgment, if in his sober senses and calm afterthought he can give expression to such sentiment it is full time for the military authorities to authorize a court-martial for conduct unbecoming an officer of the American Army. And, sir, in this matter I have not spoken for the Filipino nor adverted to the wrongs which he may have done toward him, but I have spoken for my own countrymen and for the time-honored institutions which every man should reverence.

A hero! Do not let us so belittle the word. There are few real heroes in the world. Let me, if you please, give you the portrait of a great national hero of this country, as it was drawn by Charles Phillips, the British orator, in his splendid speech at Dinas Island in the Lakes of Killarney in the early part of the last century:

Washington.—No people can claim, no country can appropriate him. The boon of Providence to the human race, his fame is eternity, and his residence creation. Though it was the defeat of our arms and the disgrace of our policy I almost bless the convulsion in which he had his origin. If the heavens thundered and the earth rocked, yet when the storm passed how pure was the climate that it cleared; how bright in the brow of the firmament was the planet which it revealed to us! In the production of Washington it does really appear as if nature was endeavoring to improve upon herself, and that all the virtues of the ancient world were but so many studies preparatory to the patriot of the new.

Individual instances no doubt there were, splendid exemplifications of some single qualifications. Caesar was merciful, Scipio was content, Hannibal was patient. But it was reserved for Washington to blend them all in one, and, like the lovely *chef d'œuvre* of the Grecian artist, to exhibit in one glow of associated beauty the pride of every model and the perfection of every master. As a general he marshaled the peasant into a veteran and supplied by discipline the absence of experience. As a statesman he enlarged the policy of the Cabinet into the most comprehensive system of general advantage; and such was the wisdom of his views and the philosophy of his counsel that to the soldier and the statesman he almost added the character of the sage. A conqueror, he was untainted with the crime of blood. A revolutionist, he was free from the stain of treason, for aggression commenced the contest and his country called him to the command. Liberty unsheathed his sword, necessity stained, victory returned it. If he had paused here, history might have doubted what station to assign him, whether at the head of her citizens or soldiers, her heroes, or her patriots.

But the last glorious act crowns his career and banishes all hesitation. Who, like Washington, after having emancipated a hemisphere, resigned its crown and preferred the retirement of domestic life to the adoration of a land he might be almost said to have created!

How shall we rank thee upon glory's page,
Thou more than soldier and just less than sage?
All thou hast been reflects less fame on thee,
Far less than all thou hast forborne to be.

Such, sir, is the testimony of one not to be accused of partiality in his estimate of America. Happy, proud America! The lightnings of heaven yield to your philosophy! The temptations of earth could not seduce your patriotism.

If Funston be a hero we must find a different class from this. Even to the young Briton, standing amidst the beauties of Killarney's Lakes, there had come an appreciation of the character of Washington and the true heroism which it exemplified. A true hero hath liberty to unsheath his sword, necessity to stain it, and victory to return it to its scabbard. He will never draw it in inglorious cause or press it against those who are weak and unprotected. He will not stain it by the blood of those who seek that which nature and nature's God entitles them to.

And, sir, I desire to call attention to the closing sentence of this eloquent tribute:

Happy, proud America! The lightnings of heaven yield to your philosophy! The temptations of earth could not seduce your patriotism.

Is that the tribute we deserve now? Have we not, for a shadow and a dream, imperiled the essence of our liberty, and have we not by the temptations of conquest and imperial aggrandizement been seduced from our patriotism?

What does Washington, the great hero, say? I wish to cite a hero concerning war. With prophetic vision he saw what might be coming to his country, and he reaches the case of Funston after a century has passed. "He being dead yet speaketh." Washington, in his Farewell Address, used these remarkable words, and they apply to the situation of to-day as though they had been written in this hour:

It is important likewise—

He says in this address—

that the habits of thinking in a free country should inspire caution in those intrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate

of that love of power and proneness to abuse it which predominates in the human heart is sufficient to satisfy us of the truth of this position.

The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments, ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

It would seem that this hero, a century ago almost, had some idea of what other heroes in a later age and of a different class might attempt to do with the American people.

But, sir, generals like Funston and Bell and Smith are not responsible in the end, nor are generals like Wheaton and Otis and MacArthur. They are responsible to the home Government. What is that? First in order would be the General of the Army. But he in this instance is free from all blame; and why? From the beginning of the Spanish war the military coterie subscribed to by the Administration prevented any attempt of his to command the Army. His counsel was not accepted. His mode of warfare was cast aside.

Sir, what is the one bright spot concerning the ending of the war begun against Spain? Take all the American military operations. It is the subduing of Porto Rico. The Administration did not wish General Miles to gather laurels in Cuba or in the Philippines, but the time came when they needed some one to command an army in Porto Rico. General Miles went there. What was the result? By his policy of peace, with an army back of him, he induced the Porto Ricans, without a single engagement and, I believe, without the loss of a single man, not only to submit to the American Government, but to ask that they be permitted to come into the body politic of this nation. His splendid proclamation, which does him honor and credit as a man, as a civilian, and as an officer, was that which inspired the Porto Ricans in this direction. True it is that afterwards the promises made by the General were broken. True it is that the Porto Rican was much disappointed in his hopes and aspirations for local self-government and for the privilege of statehood.

General Miles was prevented from active participation in the war in the Philippines. He saw the progress of the war. He saw, as every American must see, even though he be not in the Army and views the struggle from a distance, and was impressed with the fact that we were losing sight of all that is defensible in war. He saw the false representations that were made, and after months of consideration this superb soldier, knowing what war is, determined to make an effort on his own account, as General of the Army, to gain the ear of the Administration and bring about peace in the Philippines. He offered to go to the Philippine Islands and promised to bring order out of chaos and out of most horrible war peace.

But, sir, the Administration treated him with contempt, refused his counsel, and were almost persuaded when he spoke, as an American officer should, in defense of another brave American officer who was deprived of his just honors, to commit upon him the greater indignity of forcibly retiring him from the Army. No, General Miles, the brave soldier who knows when a battle is necessary, who knows how to fight as a Christian soldier should, was not to be given charge of the Philippine war. The Administration preferred such officers as Bell and Smith and their comrades in subordinate command, and Otis and MacArthur as commanders in chief.

Sir, who was the authority above and beyond General Miles? The Secretary of War. And he is responsible for this condition, because it was known at the war office, but the Department did not take prompt action. All the orders issued by these generals were known. All the action taken was known at the war office, and it did not take the action that was necessary to prevent the furtherance and the carrying out of this evil policy.

But even he is not responsible for all. There is above him another power, a higher power—that of the President of the United States, Commander in Chief of the armies. He became responsible when, without the action of Congress, he began this unconstitutional war. He was responsible for the actions which were committed for a while to a certain degree and extent, but his responsibility ceased after a while.

Above the President of the United States there is in this country another and a higher power. It is the people of the country. Every four years they are appealed to, and by the battle of the ballots they decide who is to be the Chief Executive and what kind and manner of policy shall be pursued in this country. The war was going on. Congress sat silent. Then the appeal was made to the country. What was the result?

The ballot was taken upon this issue. It was whether or not

the permanent acquisition of the Philippine Islands was a constitutional, just, and fair measure; whether or not it was well for the American people further to engage in it, or whether we should reverse our policy and return to the policy which we had followed for over a century. What was the result?

Notwithstanding the fact that this was the great issue at stake, that it was so pronounced in every section of the Union, the people were well content, though they had eyes not to see and were diverted from the great issue. They placed the dollar above the man, and in that election, obscuring the great issue which should have been voted upon, they were induced by the majority party to vote upon a principle and an issue that had been decided for many, many years to come in the campaign of 1896.

But the people were led away, and upon the shoulders of the majority of the people of the United States rests the responsibility for the war since that election. There it belongs after all. It does not rest with the soldier in the ranks; it does not rest upon the commissioned officer; it does not rest upon the colonel commanding his regiment, the subordinate general, or the commander in chief, or the War Office, or the President, but it rests upon our people and upon them altogether. Sir, the people, being led away from the issue, did not decide the issue in my opinion, but they did decide for the time being in favor of the policy which had been inaugurated, the policy of foreign conquest, the policy of colonial acquisition and expansion.

I for one am not chargeable with such a vote, and I for one decline to bear or help to bear the responsibility of the majority of the American people. I enter my solemn protest against it. I did enter it against it. I would not allow my party to dictate, and stood against it because I believed that if the American people reelected the then President of the United States it would be an endorsement of this policy; and it was an endorsement of the policy, and the evils that have resulted are thus chargeable.

I for one must not bear it with you, but declare here and now that since I entered into political life and came from the House to the Senate it has been my effort to avert at every step and every stage of the march which has been entered upon the catastrophe that awaits us at the end, and for that reason I speak to-day to finally enter my solemn protest against this responsibility. I do not know that I shall speak upon this subject again. I would not have done so now but for the fact that it appeared to me that in this last act, in the crowning of this inglorious and unfortunate departure from our principles, I should at the end proclaim, as I did at the first, my adherence to the Government of the Fathers, my adherence to that great maxim of the Nazarene philosopher when he said, "Do unto others as you would have them do unto you;" my adherence to the noble precepts of that immortal document which, whether you will adhere to it or not, will live among the nations of the earth forever as the noblest declaration of principles ever enunciated by any nationality in the history of the world; my adherence to the Constitution of the United States—a document that can have no force saving and alone that which is given it by the lawful obedience of the people whom it is to govern.

I heard the other day an avowal in the Senate Chamber that finds a responsive echo in my heart, when the Senator from Alabama [Mr. PERRUS], in the debate upon a question which has not yet been decided, said that "for himself he preferred to hold in his hands and place himself upon the shreds of the Constitution which has been left us."

Oh, it may be sneeringly said that the man who wants to prevent progress appeals to the Constitution. That may be so at times, but I would rather that progress should for a time be at a standstill than see it advance over the prostrate body of the supreme law of this land, especially when there is at issue the underlying principle, the corner stone of the foundation upon which the superstructure of our nationality has been erected.

I adhere to the Constitution, but more than that I stand in sorrow in the hour in which I see our people departing from the policy which has made us not only great in wealth but great in manhood, and respected the world over as the embodiment of liberty and of freedom. I stand in sadness to see the surrender of this high character in our people, and yet it is so.

There is with us now a materialism that has forgotten the past and its honors, is blind to the future and its possibilities, and seeks only the gross advantage of the present hour; that is ready to sacrifice the illustrious history of a century for the questionable success of the present moment. But, sir, this is a Government, on the other hand, of a majority, in which the minority must submit to the majority, and in the moment of that submission, made by reason of insufficiency of strength further to make honorable contention and contest, the majority becomes responsible. Upon their heads and shoulders may "lie the white man's burden," so far as this nation is concerned. I for one will not carry it longer, and you must assume it.

Sir, beyond the question of the conduct of the war, above the

methods employed by the Army, there is another question as to the war itself—whether or not there should have been war. I have always said, and say now, that there should have been no war whatever.

Before I began my address the Senator from Indiana [Mr. FAIRBANKS] proclaimed that he wished spread upon the RECORD and printed an account given by the press of the beginning of free government in Cuba. Sir, I said, and I say now, that without any war, without the loss of a single American life, without the expenditure of a single American dollar, without all the difficulties and dangers that have come, Cuba would have been free three years ago and she would have had a much larger measure of freedom than she has now. You have given her freedom, but you have hedged that freedom about and hemmed it in and limited it by your amendments so that in a short time possibly you may bring her back by force of arms to an embrace she does not desire. So much for that war.

But now for the war that came out of that, one of the evils of the Pandora's box which I said three years ago would be opened upon the nation. I have amply and at different times explained my reasons for that faith, and I have seen these reasons justified by the passage of time and the evidences it brought forth. If we view the strange and remarkable pictures which have been painted on the canvas of time since 1898, I see a justification more and more enlarged and intensified for the opinion I then held and the cause I then espoused. Sir, as the months and years and the intent and the purpose of the Administration are made clear by the silent language that these pictures speak, I am more than ever convinced that there was not a noble motive, but that of foreign conquest and colonial expansion.

I do not intend again to advert in detail to the beginning of the Cuban war, nor to relate the history of its progress and conclusion. That has been done heretofore. Nor shall I describe the strange fortunes which found an American fleet in the Orient and caused us to make war there. It would be useless to again recount the struggle of the Filipinos against the Spaniard; the magnificent victories obtained; the conquest of Luzon by native troops under Aguinaldo and his generals; the turning of friendship into hate, and the breaking of national promises. So far as we were concerned I shall not speak of the first clash of arms, so often misrepresented, and yet, perhaps, some few words should be said upon it.

After the battle of Manila Bay the great American Admiral lay before the city. He had no soldiers to land upon Philippine shores and take the city. He must wait until they came across the Pacific from the Golden Gates of our Western slope. But, sir, he had no fear of disaster in the meanwhile, for his allies were fighting bravely in the interior, defeating the Spaniards and driving before them, from all sections of Luzon, those whom they did not kill or capture. When the American army arrived there was nothing for them to do against the Spaniards save to receive the surrender of Manila.

The Filipinos occupied all the island of Luzon saving the city and a cordon extending across the narrow neck of land from water to water about 8 miles from the walls of Manila. They had alone, without the aid of the American army, reconquered their native island from their masters and oppressors. They had been taught to look forward to the coming of the Americans as the advent of their day of liberty and self-government. What other expectation could they have. The Admiral had prevailed upon them to recommence the struggle, aiding them by guns, ammunition, and money, giving them consideration as allies, encouraged them to fight for a larger measure of freedom than they had contemplated in the previous insurrection. They had heard that the Americans sought to aid all peoples in their desire for freedom.

The history of a century had given abundant proof of it. The Cuban war was but another example of their high purpose. What other expectation could they have than that the Americans would plant the standard of self-government for them, when they had valorously done their part? But they were mistaken; in a most rude and ungenerous manner they were awakened from their trust and dream. The American Administration and Army fell before the temptation of the position in which they were placed. Who tempted them? Two agencies are most prominent. The Spanish and the English. The Spaniard hated the Filipino; he had spent three centuries in attempting their conquest, and had now forever lost the islands. He hated the American who had caused this loss, as also that of Cuba. He could not obtain revenge by force, he must obtain it by poisoning the mind of the American against the Filipinos and causing the Filipinos to lose faith in American promises by their unfavorable action.

The Spaniard gave information of the fabulous wealth hidden and undeveloped, of the splendid opportunities for trade, of the open door to China, and many other suggestions of interest of like nature.

The Briton had begun his unrighteous plot against the South African Republics to rob them of their country and liberty. He knew he could not stand alone in this aggression, therefore English diplomacy urged the American Republic to engage in the same undertaking against the Filipino. They whispered we had become a world power and must act accordingly by adopting her colonial policy.

We succumbed to temptation. We turned upon our allies. But, sir, we could not attack them without some charge or complaint. We claimed the islands by cession and purchase from Spain. The Filipino claimed his own inheritance by right of reconquest from Spain.

He had not been permitted to enter his capital city that he had not conquered, but the generosity of his allies should have permitted him to do so. He resented this, but bore it patiently. Then came days of idleness, in which the two armies faced one another. The work intended for the Americans had been done by the Filipinos before they came. The island was no longer occupied by the Spaniard. The Americans occupied the line of the Spaniards and the Filipinos occupied the position they had held when Manila surrendered.

Then the attack. I do not know who was the attacking party. I can not tell who committed the offense of firing the first shot. The Senator from Kentucky [Mr. DEBOE] made a most labored effort to prove in detail that the Filipinos had fired upon the Americans. On the other hand, there is evidence as substantial, and perhaps more so, that an American soldier fired the first shot against the Filipinos.

Mr. PATTERSON. Will the Senator from Maryland permit me to interrupt him?

Mr. WELLINGTON. With great pleasure.

Mr. PATTERSON. I think that in the investigation before the Committee on the Philippines the testimony of General MacArthur has put that question at rest forever. His statement is in brief that on the night of February 4, at about 8.30 o'clock, a patrol guard of four Filipinos crossed the forbidden line, when they were shot at by the American outpost; that two of the Filipino soldiers were killed, and that the two living retreated to the blockhouse, and then a general firing commenced along the line.

Mr. WELLINGTON. I have heard of that evidence, and I believe that that is the real truth concerning the first attack.

Mr. PATTERSON. It is General MacArthur's own statement.

Mr. WELLINGTON. But, sir, be that as it may, as I said, shots were exchanged. But what harm would a few shots exchanged between wandering parties of either army have done? They might have disturbed an evening, but should they cause a war that the commanding general of the American army says would be continued until there was abject submission or extermination of the Filipino?

The American commander determined upon moving on the Filipino lines and the war began. A change had come over the spirit of our dreams, and instead of giving the Filipino the self-government he had expected and desired we determined to hold him subject to our policy and inflict upon him such a government as we chose to grant. After this exchange of shots it will be remembered that the Filipino commander endeavored to hold communication with the American general, but it was impossible to do so.

Now, sir, with this explanation before us, how can any fair-minded American justify the beginning of that war and its continuance year by year, each campaign furnishing more of the infamous story, every chapter of which is revolting? First, the wholesale slaughter of the Filipinos; second, the burning and pillaging of their cities, towns, and villages; third, the infliction of tortures, not for revenge, but to extract information; fourth, the order for concentration camps; fifth, the most infamous of all proclamations ever issued by an American general, or, I believe, a general of any other nation at any time, which commanded the shooting down of men, women, and children, whether they were armed and resisting or otherwise.

It has been attempted to justify the conduct of the war in the Philippines upon our part, not only by the assertion that its cruelties were the result of Filipino atrocities, but that Great Britain was employing the same tactics, in which we are engaged, in South Africa.

For the first part of this contention I can say that the Filipino must not be judged by our standards of civilization and morality. He is an Oriental and it is his nature, after centuries of oppression, which he believed had been ended by the coming of American power, to resent in his own way the breach of faith to which he has been subjected and the train of events which have arisen from it. There could be little astonishment if he had, in his resentment and disappointment, revenged himself upon the American soldiery. But, sir, the fact is that he did not do so.

Have a court of inquiry if you will and cite the generals of your army before it and they will tell you that the Filipinos did not

begin the atrocities, but that they were begun by the American army itself. It was not the Filipino. There may have been in some part of the island bandits who committed acts of wrong and crime, as there are bandits in every country of the world who transgress the law, but the Filipino army did not commit any outrages of this kind. They had considered us as their friends. They were loath to part with us. They were kindly in their reception of us, and I repeat they were not guilty of the charge which was made against them.

It was only after the American army had transgressed that, adding to his resentment and his disappointment the loss of his liberty, his country, the loss of his people, the Filipino, too, may have determined at some point to pay evil for evil. It was only after the wholesale shooting of his people that the spirit of revenge was loosened and the Filipino, too, tried to tread the path which had been marked out for him by the greatest nation in Christendom.

Sir, it had been the boast of this country that we warred only in defense of our liberties, and ever in a generous manner toward our foes, but the scutcheon of our national banner has been stained and we can no longer say—

Swordless foeman's blood or life
Ne'er dyed our gallant blade.

For the second part of this contention I maintain that Great Britain has been guilty of a national crime in her flagrant abuse of the war power in the Transvaal, in the Orange Free State, in Natal, and in Cape Colony, but whatever may have been her course she never pretended to the doctrine we have professed, and we can not hide behind her error. We stand on higher ground; we stand alone.

It seems to be most appropriate in this hour to recall the gaunt figure and melancholy countenance of Abraham Lincoln, when he stood upon the battlefield at Gettysburg in 1863, and said:

Fourscore and seven years ago our fathers brought forth upon this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battlefield of that war. We have come to dedicate a portion of that field as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this. But in a larger sense we can not dedicate, we can not consecrate, we can not hallow this ground.

The brave men, living and dead, who struggled here have consecrated it far above our power to aid or detract. The world will little note nor long remember what we say here, but it can never forget what they did here. It is for us, the living, rather to be dedicated here to the unfinished work which they who fought here have so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion; that we here highly resolve that these dead shall not have died in vain; that this nation, under God, shall have a new birth of freedom, and that government of the people, by the people, and for the people shall not perish from the earth.

Is the speech of the great emancipator and martyred President still remembered by our people? To my mind it is the embodiment of the highest patriotism and eloquence produced by any American statesman. It contains the epitome of what should be the aspiration and striving of our people. Are we following the path pointed out, or do we realize the true import of the closing sentences of this memorable address? Do we join the spirit of this immortal in the invocation addressed to the Divine Power which rules and guides the destiny of nations? If we do so remember; if we join in his patriotic exclamation; if we have faith in his prophecy and a desire for the consummation of his wish, can we so far wander from the path he has marked as to justify this war?

Charles Sumner, the great Massachusetts Senator, who was ever in the forefront of the battle for the highest ideals of national life, in his oration on The True Grandeur of Nations, which was an appeal for universal peace, speaking of war, uttered the following memorable words:

I need not dwell on the moral debasement of man that must ensue. All the passions of his nature are unleashed like so many bloodhounds and suffered to rage. All the crimes which fill our prisons stalk abroad, plaited with the soldiers' garb and unwhipped of justice. Murder, robbery, rape, arson, theft are the sports of this fiendish Saturnalia, when

"The gates of mercy shall be all shut up
And the fleshed soldier, rough and hard of heart,
In the liberty of bloody hand shall range
With conscience wide as hell."

Such is the foul disfigurement which war produces in man; man, of whom it has been said, "How noble in reason, how infinite in faculties. In form and moving, how express and admirable; in action, how like an angel; in apprehension, how like a god!"

Thus he spoke in the intensity of his feeling of war—war under any condition, even when justified. And in conclusion he spoke of the mission of this country among the nations of the earth:

It is a beautiful picture in Grecian story that there was at least one spot—the small island of Delos—dedicated to the gods and kept at all times sacred from war, where the citizens of hostile countries met and united in common worship. So let us dedicate our broad country. The temple of honor shall be surrounded by the temple of concord, so that the former can be entered only through the portals of the latter; the horn of abundance

shall overflow at its gates; the angel of religion shall be the guide over its steps of flashing adamant; while within justice, returned to the earth from her long exile in the skies, shall rear her serene and majestic front. And the future chiefs of the Republic, destined to uphold the glories of a new era, unspotted by human blood, shall be "the first in peace and the first in the hearts of their countrymen."

Such was the magnificent picture his imagination furnished of the future of his native land. As I read these words I look about me upon the cold fact that stares us in the face, upon the immutable truth which we have failed to hold safe as a nation, I feel sorrow and chagrin that Charles Sumner should have been so far mistaken in his countrymen, and if perchance from that far-off country, unknown to mortals, it be his fortune to look upon us now, how deep must be the sorrow of his spirit for the dereliction of those who should have upheld the aspirations he indicated and brought into fruition the hopes which made his latter days, surrounded by the beauty and the glory of the vision which cast off party bondage and dwelt in the higher atmosphere of noble citizenship, satisfied and happy.

Now, let me quote his closing words as an appeal for the ceasing of war whenever it be possible:

But while we seek these blissful glories for ourselves let us strive to extend them to other lands. Let the bugles sound the truce of God to the whole world forever. Let the selfish boast of the Spartan women become the grand chorus of mankind, that they have never seen the smoke of an enemy's camp. Let the iron belt of martial music which now encompasses the earth be exchanged for the golden cestus of peace, clothing all with celestial beauty. History dwells with fondness on the reverent homage that was bestowed by massacring soldiers on the spot occupied by the sepulchre of the Lord. Vain man! to restrain his regard to a few feet of sacred mold. The whole earth is the sepulchre of the Lord; nor can any righteous man profane any part thereof. Let us recognize this truth, and now, on this Sabbath of our country, lay a new stone in the grand temple of universal peace, whose dome shall be as lofty as the firmament of heaven, as broad and comprehensive as the earth itself.

Have we reached the high ideal of the noble Sumner? Or do we hunger and thirst for the woes of war as he has so graphically described them? It must indeed be the latter if we long continue in our present course.

Do we seek "these blissful glories for ourselves" and "strive to extend them to other lands?" If we do so strive we have indeed a most strange way of pursuing the national highway to this end. Are we not endeavoring the opposite in this accursed war, in which we have not been content with the usual terrors, but go beyond the ancients in the carnival of blood and make infamous the American name by enactment of every license of the unbridled passions?

Daniel Webster, the great expounder of the Constitution, whose name and fame will be as imperishable as the English language, in one of his great orations described the duties, tasks, and dangers of this nation. His great mind seemed to grasp the pathway of the generations that were yet to come, and he saw the development of our people through the years and decades unborn. In words which should bear to us a message of solemn import he described the struggle for liberty by the American people, its triumphant conclusion, the advancement and development of the country, and the debt of gratitude for our heritage of liberty which we must pay by sending to all the ends of the earth the message of self-government.

The great wheel of political revolution began to move in America. Here its rotation was guarded, regular, and safe. Transferred to the other continent from unfortunate but natural causes, it received an irregular and violent impulse; it whirled along with a fearful celerity, till at length, like the chariot wheels in the races of antiquity, it took fire from the rapidity of its own motion, and blazed onward, spreading conflagration and terror around.

We learn from the result of this experiment how fortunate was our own condition and how admirably the character of our people was calculated for making the great example of popular governments. The possession of power did not turn the heads of the American people, for they had long been in the habit of exercising a great portion of self-control.

Although the paramount authority of the parent state existed over them, yet a large field of legislation had always been open to our colonial assemblies. They were accustomed to representative bodies and the forms of free government; they understood the doctrine of the division of power among different branches and the necessity of checks on each. The character of our countrymen, moreover, was sober, moral, and religious, and there was little in the change to shock their feelings of justice and humanity, or even to disturb an honest prejudice. We have no domestic throne to overturn, no privileged orders to cast down, no violent changes of property to encounter. In the American Revolution no man sought or wished for more than to defend and enjoy his own. None hoped for plunder or for spoil. Rapacity was unknown to it; the ax was not among the instruments of its accomplishment, and we all know that it could not have lived a single day under any well-founded imputation of possessing a tendency adverse to the Christian religion.

It need not surprise us that under less suspicious political revolutions elsewhere, even well intended, have terminated differently. It is indeed a great achievement—it is the master work of the world—to establish governments entirely popular, on lasting foundations; nor is it easy, indeed, to introduce the popular principle at all into governments to which it has been altogether a stranger. It can not be doubted, however, that Europe has come out of the contest in which she has been so long engaged with greatly superior knowledge, and in many respects a highly improved condition. Whatever benefit has been acquired is likely to be retained, for it consists mainly in the acquisition of more enlightened ideas.

And although kingdoms and provinces may be wrested from the hands that hold them in the same manner they were obtained; although ordinary and vulgar power may in human affairs be lost as it has been won, yet it is the glorious prerogative of the empire of knowledge that what it gains it

never loses. On the contrary it increases by the multiple of its own power; all its ends become means; all its attainments help to new conquests. Its whole abundant harvest is but so much seed wheat, and nothing has been ascertained and nothing can ascertain the amount of ultimate product.

Under the influence of this rapidly increasing knowledge the people have begun, in all forms of government, to think and reason on affairs of state. Regarding government as an institution for the public good, they demand a knowledge of its operations and a participation in its exercise. A call for the representative system wherever it is not enjoyed and where there is already intelligence enough to estimate its value is perseveringly made. Where men may speak out they demand it; where the bayonet is at their throat they pray for it.

When Louis XIV said "I am the state" he expressed the essence of the doctrine of unlimited power. By the rules of that system the people are disconnected from the state; they are its subjects; it is their lord. These ideas, founded in the love of power and long supported by the excess and abuse of it, are yielding in our age to other opinions, and the civilized world seems at last to be proceeding to the conviction of that fundamental and manifest truth—that the powers of government are but a trust and that they can not be lawfully exercised but for the good of the community. As knowledge is more and more extended this conviction becomes more and more general. Knowledge, in truth, is the great sun in the firmament. Life and power are scattered with all its beams. The prayer of the Grecian combatant, when enveloped in unnatural clouds and darkness, is the appropriate political supplication for the people of every country not yet blessed with free institutions.

Dispel this cloud; the light of heaven restore;
Give me to see—and Ajax asks no more.

We may hope that the growing influence of enlightened sentiment will promote the permanent peace of the world. Wars, to maintain family alliances, to uphold or cast down dynasties, to regulate succession to thrones, which have occupied so much room in the history of modern times, if not less likely to happen at all, will be less likely to become general, and involve many nations, as the great principle shall be more and more established, that the interest of the world is peace, and the first great statute that every nation possesses the power of establishing a government for itself. But public opinion has attained also an influence over governments which do not admit the popular principle into their organization. A necessary respect for the judgment of the world operates, in some measure, as a control over the most unlimited forms of authority.

It is owing, perhaps, to this truth that the interesting struggle of the Greeks have been suffered to go on so long without a direct interference, either to wrest that country from its present masters and add it to other powers or to execute the system of pacification by force and, with united strength, lay the neck of Christian and civilized Greece at the foot of the barbarian Turk. Let us thank God that we live in an age when something has influence beside the bayonet and when the sternest authority does not venture to encounter the scorching power of public reproach. Any attempt of the kind I have mentioned should be met by one universal burst of indignation; the air of the civilized world ought to be made too warm to be comfortably breathed by anyone who would hazard it.

It is, indeed, a touching reflection that, while in the fullness of our country's happiness we rear this monument to her honor, we look for instruction in our undertaking to a country which is now in fearful contest, not for works of art or memorials of glory, but for her own existence.

I desire to impress these words upon the Senate. It was the great Webster, under the shadow of Bunker Hill monument, addressing his fellow-countrymen upon the mission of the American nation, who used these words:

We look for instruction in our undertaking to a country which is now in fearful contest, not for works of art or memorials of glory, but for her own existence.

That was in 1825, in speaking of the Greek people when they were attempting to cast off the yoke of their Turkish masters. What did he then say? He said:

Let her be assured that she is not forgotten in the world; that her efforts are applauded, and that constant prayers ascend for her success. And let us cherish a confident hope for her final triumph. If the true spark of religious and civil liberty be kindled, it will burn. Human agency can not extinguish it. Like the earth's central fire, it may be smothered for a time; the ocean may overwhelm it; the mountains may press it down; but its inherent and unconquerable force will heave both the ocean and the land, and at some time or other, in some place or another, the volcano will break out and flame up to heaven.

Ah, he spoke truly. When the spark of liberty is once kindled, no matter how many armies may attempt to smother it, no matter how long the war against it may last, in the end the people who aspire to liberty and deserve it will succeed in establishing and maintaining it.

Now, listen further to what Webster said. These words seem applicable to the present situation:

Among the great events of the half century we must reckon, certainly, the revolution of South America; and we are not likely to overrate the importance of that revolution, either to the people of the country itself or to the rest of the world.

He was speaking of the revolt in the Spanish colonies in South America.

The late Spanish colonies, now independent states, under circumstances less favorable, doubtless, than attended our own revolution, have yet successfully commenced their national existence. They have accomplished the great object of establishing their independence; they are known and acknowledged in the world, and although in regard to their systems of government, their sentiments of religious toleration, and their provision for public instruction they may have yet to learn, it must be admitted that they have risen to the condition of settled and established states more rapidly than could have been reasonably anticipated.

They already furnish an exhilarating example of the difference between free governments and despotic misrule. Their commerce at this moment creates a new activity in all the great marts of the world. They show themselves able, by an exchange of commodities, to bear a useful part in the intercourse of nations. A new spirit of enterprise and industry begins to prevail, all the great interests of society receive a salutary impulse, and the progress of information not only testifies to an improved condition, but constitutes itself the highest and most essential improvement.

These were the words of Webster, the great expounder of the

Constitution. They were delivered three-quarters of a century ago. The spirit of the Revolutionary patriots had not entirely disappeared. Their ideals were still bright and lustrous before our people, and the great statesman, as he described the progress of the American nation toward eventual liberty and self-government, tells us, in a measure, the wishes and ambitions of the Revolutionists themselves. But more important for the present are his reflections upon the events which were then transpiring in other countries.

Wherever men longed for liberty, there the spirit of Webster clasped hands with them and bid them godspeed. Whether it was in Greece, where a struggling people was seeking to be freed from its Turkish masters, or in South America, where the Spanish colonists were in revolt and created one state after another founded in imitation of our own, upon both hemispheres he saw and lauded these undertakings. His greeting to Greece was, "Let her be assured she is not forgotten in the world, that her efforts are applauded, and that constant prayers ascend for her success."

For the South American States he expressed unbounded sympathy, and described accurately and prophetically their progress toward free government and their gradual advance from the low estate in which they then stood. The South American colonies of Spain in the beginning of the last century stood no higher in the grade of human civilization than do the Filipinos of to-day. It is an exact comparison; it is a second picture of the same situation. They are a hundred years later by circumstances, but the Filipino in Luzon and in the greater islands is as much entitled to self-government as were the colonists in South America when they rebelled against Spain and founded those free States.

In 1825 the American people sympathized with their brethren in all the ends of the earth when they desired liberty, and with pens of exultation heralded their opinion of the right of those peoples to govern themselves; and it will be observed that Mr. Webster, as he continued, proclaimed to the world not only that we welcomed self-government everywhere, but that "we were not propagandists, and that wherever other systems are preferred as being thought better in themselves, or as better suited to existing conditions, we leave the preference to be enjoyed."

If we apply this principle to present affairs, how can we continue this war of subjugation further? Either it must cease and we must acknowledge the wrong we have done, or we must depart now and forever from the high estate which we once held as a people and a nation.

If we recognized the right of the Greek to aspire to freedom; if we recognized the right of the South American States to cast off Spanish allegiance and to oppose Spanish power, that they might have self-government of their own choosing, then how can we in this day deprive the Philippine people of the self-same consideration?

Mr. President, I have not quoted to you from the newspapers of to-day, and there can not be any quibbling as to their political opinions. I have sought to trace the spirit of our institutions and the desire of our people in the past. I have caused you to hear the voice of the dead who yet speak, of the men who fashioned our policy in the past, who caused the nation to live, who sent it forward upon its advancement, who preserved it in the day of the crucible test and left our heritage unimpaired to the present generation.

I have from the first declared that the war must cease. I emphasize that declaration now, and reiterate and reaffirm the faith which has been abiding with me from the first hour of the new policy. I, for one, demand the withdrawal of the American troops from the islands and the granting to those people the self-government to which they aspire.

It has been said that while the opposition oppose the war, while the minority exclaim against it, it offers no solution to the difficult problem. More than three years ago I proclaimed the same proposition and declared the same faith which I hold to-day. If it had been followed then, peace would long have reigned in the Philippines.

But, Mr. President, it is of no avail to speak of the mistakes of the past. Rather let us do at this moment what to defer would be another error. Do not hesitate; do not attempt to untie the knot, but cut it by announcing to the Filipino people that the original intention will be adhered to, that they themselves shall govern themselves; give them an opportunity to gather together in a convention or a congress such as our forefathers held in the City of Brotherly Love, which caused the Declaration of Independence, enacted the Articles of Confederation, and later still in a convention which gave us the Constitution.

Give them an opportunity to meet in the different provinces and governments, to select their representatives, to hold counsel together, and to formulate the plan of their own government. If they prefer a dictator let them have a dictator; they are responsible, and let us remember we are not propagandists. If they desire a different form of government from ours, let that be their

concern, for the government must be of their own choosing and by their own consent. Help them if you will, direct their faltering steps toward the goal they seek to attain, but do not longer continue this war under the pretense that it is done for the benefit of the Filipino people, either for their civil or religious liberty. They are capable of self-government. There will be many disappointments. There will be troublous times. There will be, as there was in South America and as there was in our own land, sedition, revolution, rebellion, but out of them all they will work their own salvation and at last rest in peace under beneficent laws well adapted to their own conditions which they themselves have enacted. There can be no loss to us and great gain is certain.

If you speak of trade, sir, the English and the Germans are reaping the benefits of trade while we are attempting conquest. Let us endeavor to retrieve the error of the past; let us endeavor to make these people our friends, and, whether there be financial advantage or not, we can afford to be just and generous.

Had this policy been adopted \$500,000,000 of treasure could have been saved, 10,000 young Americans would still be living and ready to do the work for which they were intended in their own native land, and God's sun would be shining in the fair islands of the east upon at least 100,000 more Filipino people who would be living and breathing and free. The burthen which we bear would be lighter, and the stains of blood upon our hands would not be there. But let us endeavor to wash them out by the high and noble purpose which demands greater courage than that of going into battle—the courage of frankly acknowledging that an injustice has been done, and that, God willing, as a nation we are willing to make amends, to pay the debt, and retrace our steps.

Withdraw your troops. It will not be necessary to keep them there many months; let them come back from the Orient ere it be too late, ere there be a sapping of the health, a brutalizing of the mind, and a lowering of the spirit and morals of these men. Let us endeavor to forget the horrible history which this war has written upon the islands and our share in the wretched condition. Let us return again to our own land, to our own institutions, to the principles which made us beloved, and all will be well.

But, sir, why these words of appeal? They are as fruitless as the idle song of an empty day. The wrongs will not be retrieved or undone. You of the majority are determined upon your course. You are impatient to pass this bill, which will be but another step on the road that leads to national dishonor, and perhaps eventually to the loss of our own liberties. You have already arranged for the passage of this bill. I am against every paragraph and sentence of it, because I believe no such legislation should be had. Yet I believe that in order to impress my views it is necessary to show that I have examined the measure article by article, paragraph by paragraph, and I find it to be in opposition to what I consider the fundamental principles of our Government. It is, I fear, too late to obliterate the legislation of the past. The first and desperate step was made in the passage of the Philippine revenue bill. This but fastens upon us further complications.

The import of the first clause of this bill is of an extraordinary nature. By it Congress approves the action of the President of the United States in creating the Philippine Commission, and authorizes said Commission to exercise the powers of government to the extent and in the manner and form and subject to the regulation and control set forth in the instructions of the President to the Philippine Commission. Further, that the islands shall continue to be governed by said Commission, and that all laws hereafter passed shall have an enacting clause, as follows: "By authority of the United States be it enacted by the Philippine Commission."

To my mind the President never had the right, under the Constitution, to create the Philippine Commission, and it seems to me rather late to ask the Congress to legalize the action of the President. The President of the United States had no right to attempt government in the Philippine Islands save and alone under his power as Commander in Chief of the Army and Navy of the United States. As such, holding the islands by the military power, he could appoint military governors and set up a military administration. Under the Constitution he could do nothing more. Yet, after the war had begun and the military power was supreme in the Philippines, he attempted to, and did, set up another government, which he called a civil government. We have here an astonishing problem of a military authority establishing civil government when the exact reverse should be the case in a republic, where the military power must always be subservient to the civil power, unless where martial law has been proclaimed.

I am quite willing that the Chief Executive should enjoy all the power vested in him by the organic law of the land. And while at times I believe this supreme military power of which he is possessed is an element of danger, yet there are many arguments that

may be made for its continuance in the Chief Executive. But he should not at any time, or under any circumstance, endeavor to usurp, for a civil government which he has builded outside the Constitution without the authority of the Congress, functions which are not for him to perform in his civil character. There was no constitutional provision for the creation of the Philippine Commission; it was an unconstitutional act, and I am not in favor of attempting to legalize in any way or manner the usurpation of the Executive nor to continue in power, for civil purposes, the Commission thus created, nor to recognize their right to make further enactments of law under the name and title indicated.

The Philippine Islands are, by the decision of the Supreme Court, a part of the United States. That being true, the inhabitants of the Philippine Islands who can fulfill the conditions of citizenship are entitled to be citizens and as such to provide for their local self-government, subject only to the authority of the law-making power of the United States. Until the time comes when they can erect territorial government there can be no exercise of power of the President of the United States except as Commander in Chief of the Army, and I again emphasize the contention that he must either act in one capacity or the other—either as Commander in Chief of the Army and Navy of the United States or as the Chief Executive of the civil power.

Let us go a step farther. If military power still exists upon the islands then the jurisdiction of civil courts must necessarily be restricted, and whatever courts there be must be of a Territorial character, appointed by the President of the United States and confirmed by the Senate.

Passing the third section, which approves the action of the President of the United States, heretofore taken by virtue of the authority vested in him as Commander in Chief of the Army and Navy concerning the tariff dues and taxes, I would say that such action was evidently within his province and does not need the approval of the Congress of the United States.

We now come to the fourth section, which is an important addition to the position that I have heretofore maintained. During the debate upon the passage of the Philippine revenue bill I contended that the act was unconstitutional, because it endeavored to tax a people who had become a part of the United States; who lived in a territory of the United States; taxed in a manner different from that which was made use of in the various other Territories and States of our Government. But it was contended in opposition that a person might be an inhabitant of territory of the United States and yet not a citizen of the United States. Pursuing the argument further, I held that under the Constitution we had no right to hold dependencies and make subjects of men who should be citizens, but the majority was inclined to intrench itself behind the doubt. The bill was passed and we taxed the inhabitants of the Philippine Islands in a way different from other portions of our territory.

In the present bill the declaration is made that all inhabitants of the Philippine Islands continuing to reside therein who were Spanish subjects on the 11th day of April, 1899, and then resided in the Philippine Islands, and their children born subsequent thereto, shall be admitted and held to be citizens of the Philippine Islands, except such as elect to preserve their allegiance to the Crown of Spain.

Mr. President, if there was any doubt as to the position occupied by the inhabitants of the Philippine Islands as to their qualifications for citizenship, of their being citizens of the United States, this bill will at once remove it, for it declares that certain persons are citizens of the Philippine Islands. The Philippine Islands have been decided to be territory of the United States, and, therefore, being citizens of the Philippine Islands, they are citizens of the United States of America, and your previous action of taxing them in the former bill is now unconstitutional, if it was not then, if this bill pass, and it will pass, of which there is no doubt in my mind.

Citizens of the United States are persons who become citizens of the several States and Territories under due form of law and have the requisite qualifications for such citizenship. To become a citizen of the United States, unless I reside in the District of Columbia, I must first become a citizen of a State or Territory. I am a citizen of the State of Maryland, and by virtue of that fact I become a citizen of the United States. The Filipino, if he have the qualifications of citizenship, is primarily a citizen of the Philippine Islands, and again, by virtue of that citizenship, he is a citizen of the United States of America; and if this is admitted the tariff act passed a few months ago is, what I then declared it to be, unconstitutional and unjust.

Beginning with section 5, we have a plan of the substitute government to be founded at such time as may please the President of the United States upon such conditions as he may require; in other words, a government such as we may choose to grant when, according to our judgment, the islands are fit and ready for the establishment of popular representative government.

The Filipino is entitled to self-government when he in his own opinion is fitted for it, and he is entitled to such a government as he may choose for himself. This is in direct opposition to the terms intended to be given by this bill, which grants him only the right of government at our pleasure and of such a character as we may choose for him.

I have endeavored to state this in simple, plain language, so that he who runs may read and understand. I oppose this portion of the bill because it is in direct antagonism to the principles which we permanently established in the Declaration of Independence. The proposition we make in this bill is such a proposition as the Czar of Russia might make to his subjects. The Great White Father tells his children that he will give them so much of self-government as in his opinion they are fit to have and capable of enjoying. This means just so much government as he is willing to give them for his own benefit, or any government whatever, even a military despotism, if that be to his advantage.

If we were a government such as Russia, which is an autocracy, instead of a republic; if we held the opinion that we have, as has the sovereign of all the Russias, the right to dominate and control the persons, property, life, and privileges of all of his subjects, then it would be absolutely just to pass such a bill as we are now engaged in debating; but, being, as we are, a democracy, based upon the proposition that all men are equal, and that self-government receives its powers by the consent of the governed, our position presents a marked contrast, and we must give a different solution to the problem. It is our duty to grant to the Filipino immediately, if he desires it, as quickly as it can be accomplished, self-government. Not at a time to be set by us, but when he demands it. Secondly, it must be a government of his own choosing, and not of our creation. He may not select a government that, in our judgment, is of an elevated character such as our own, and yet it may be, for his environments and conditions, a better government than ours.

We must not forget that the Filipino belongs to the East, and not to the West. The further fact of his being capable of maintaining an existence, of perpetuating his race in the Tropics, where it is impossible for a white man to do so, shows that he is physically different, and, as a logical consequence, he can not be mentally the same as we are. I have held from the beginning of the controversy that we should not claim authority, that we should not have the islands a moment longer than was necessary to establish law and order, prevent foreign interference, allowing the gathering of a representative convention, the formation of a constitution, and the establishment of a government such as was selected by the inhabitants of the archipelago; and when this time arrived it was our duty to depart, to leave a portion of the world in which we should never have sought power either by consent or conquest.

These conditions and requirements are substantially set forth in the substitute of the minority for this bill, intended to be offered by the Senator from Utah. I am not sure that even this substitute grants all that is desired for the Filipino, for I believe it is defective in that it places in the hands of the President of the United States the authority to issue a proclamation announcing that armed resistance has ceased. There is no time set when this shall be done, except by the condition that armed resistance shall have ceased.

I believe that if the substitute of the minority were passed that armed resistance would cease at once, but the question is, When will such reports be made as would cause the issuance of the proclamation of the President. This substitute, however, comes nearer my idea than anything that has been offered at this time. I shall therefore give it my vote and thereby register my protest against the bill presented by the majority.

But, sir, there is another complication by the Administration in self-government for the Filipino in the near future, as demonstrated by the additional sections of this bill, relating as they do to the lands of the Philippine Islands classified as timber lands, mineral lands, farming lands, and lands for other uses. I doubt not that most of the rules and regulations provided therein would be advantageous and effective, but once and for all I believe that the Filipino himself should deal with the lands that belong to him. If the Philippine government to be established chooses to enact a homestead law granting a hundred and sixty acres of land to individuals, let them attend to that for themselves.

I do not believe that they will grant 160 acres, because it has been demonstrated by those who know the fertility of the Philippine Islands that one-quarter of that much would be an abundant concession to any Filipino as a homestead. Nor do I believe that they would concede to any great company 5,000 acres of land, because this would, in a very short period, allow a few individuals forming different corporations and companies to hold the larger part of the best lands in Luzon and the other great islands; but if it be the will and pleasure of the Filipino, under

his own government, to do so, it is a matter that he himself should arrange and for which he himself must stand responsible if harm should come to the public good. But if this bill passes and we continue to hold the archipelago perpetually, as I believe it is the intention of this Administration to do, it will be one of the many misfortunes with which we shall burden that people.

I know that we have no power here to strike out these provisions or to amend them in such a way as to protect Philippine interests, and therefore there must be submission to the will of the majority in this, as well as in other matters at issue.

Again, a further provision concerning these lands is the authority to purchase the lands of religious orders and others and to issue bonds for the purchasing price. I can see no greater harm in a religious body holding a great body of land than in another corporation doing the selfsame thing.

I believe both are wrong, and for that reason I would prevent the large holdings of corporations under this act, and for that reason also I should be pleased to see arrangements perfected by which the religious orders, principally the friars, in the Philippine Islands could be divested of their immense holdings of valuable agricultural lands. But, sir, how is it to be accomplished? There is a legal way in which it can be done by the Philippine government, if it should exist, and that is by making payment for the lands to the friars, obtaining from them their title in it. But this bill intends to acquire the real estate of the religious orders by exercising the right of eminent domain. They will not buy from the friars the lands they hold at a price to be accommodated between the two parties who buy and sell, but propose to exercise the right of eminent domain—that is to say, of condemning it at their own price and setting it aside as public land.

Now, the great question arises, would any government which acknowledges any system of modern law have a right to condemn private property for public purposes and then, as is proposed to be done by this bill, sell it again to private individuals? I do not believe such a right could be exercised; but I presume there is but little use to discuss law or constitution, rules or regulations, methods or customs in this matter. The majority wills that the bill pass. And whenever the Constitution stands in its way it is quietly brushed aside, and whenever there be advantage in obliterating or for the time being covering up the law it must be done for the purpose of carrying out this scheme of government.

Following these provisions come the schemes relating to franchises which, in my judgment, are most dangerous and reprehensible in many parts. But I pass them over, for it is necessary that I should hasten to a conclusion.

I desire, however, to advert to two propositions contained in the bill, which relate to finances. It is proposed to establish in the Philippine Archipelago two standards of value, the one for the bondholder and the other for the people. In that section which provides for the acquirement of lands of religious orders there is power granted to the Philippine Government and the Commission to issue bonds for the payment of the purchase price of these lands. The bonds are payable, principal and interest, in gold coin of the United States. In a latter section of the bill there is the establishment of the silver standard of value, the unit being the Philippine silver dollar.

When the bill was first read I reserved the right, at the proper time, to oppose or to amend these sections relating to the establishment of the silver standard. I have been, and am now, in favor of the gold standard of value, and I was therefore inclined to insist that if our Government claimed sovereignty over, and perpetually held, the Philippines, that the standard of value there should be the same as upon the mainland of the United States. But, sir, I desire to confess that upon investigation I was forced to the conclusion that it was not possible, without great endamage to the Philippine people, to force upon them the gold standard. And, sir, if this be true, why inflict upon them a law which demands the issuance of bonds which will be payable in the gold standard of value?

There is only one reason. I have seen through the whole of this bill, though there is no positive declaration of it, and that is, that it is the intention of the present Administration and of the advocates of this bill to perpetually hold and dominate the Philippines. They know that these bonds will be taken in the United States, because they are to be sold at par and bear 4½ per cent interest, that will be practically guaranteed by the United States, and naturally the holders of the bonds desire a guaranty that it shall be paid in the gold standard of value. The Filipino is not considered in the matter. While they have left to him the silver standard, they insist that his debt must be paid in the gold standard or its equivalent.

I believe these two enactments taken together will cause more disturbance and do more harm to the Philippine financial system than there would have been in the single proposition of the silver standard and bonds payable in that standard of value.

But, sir, I dare not longer detain the Senate upon these interesting, though they be futile, arguments concerning the various propositions of this bill. In its consideration I have at least found the answer of the majority and the Administration as to their purpose regarding the archipelago. The policy of drifting has ceased. One principle at least is now abundantly proven by circumstantial evidence: Whatever may happen, the Administration does not intend to grant to the inhabitants of the archipelago that which is their God-given right and for which they are struggling.

I attempted to force a declaration upon this some three years ago, but without avail, and from that time until now there has been a hesitancy to avow the purpose of the Administration, and there has been nothing but equivocal declarations concerning the matter.

The provisions of this bill, however, so clearly indicate the purpose to establish an arbitrary government and hold the lands, liberties, persons, and privileges, as well as the lives, of the Filipinos in charge, considering them subjects of the empire and not citizens of the Republic, that I hoped that my countrymen would awaken from the dream of conquest, from the infatuation of territorial expansion, the increase of her commerce, at the expense of truth, justice, equity, but I was mistaken.

I frankly admit that my confidence was misplaced, and the ruling power of the country to-day, upheld by a majority of her citizenship, is willing to barter away the glorious heritage of a century of honorable achievement for the mess of pottage which consists of a group of islands far away in the Pacific, which have caused us to expend half a billion of treasure and thousands of American lives, and yet we have them not. But we are ready to proceed to any extremity to finish their conquest. Our descent has been most rapid.

If five years ago any man would have declared that we would send our fleets, men, and money to the Torrid Zone to conquer an unwilling people and put a yoke of unauthorized government upon them he would have been esteemed insane. And if he had, in addition to that, predicted that the nation would be willing to part with its honor, to stain its hands with innocent blood, he would have been declared a traitor. And yet, in the mutations of time, even though it be but five years, there has come this transformation. The nation seems to be mad, drunken with success. It turns itself from the ancient landmarks and goes down into the valley of dishonor to gather false glories and riches that will prove dross and not pure gold.

Be it so, Mr. President, the responsibility must rest with them who commit these acts in defiance of every principle of law, of rule, of honor, and conduct which we have known in the past. Though it be of no effect, I register my protest. Though I know the battle is lost and the victory is won by the Administration, I am willing, if need be, to stand alone and still enter one plea that you listen to the warning ere it be too late. God's ways are wondrous ways. Under His providence and divine benediction we have risen and wrought as no nation hath risen and wrought in all the annals of time. But you have disregarded the high principles which, under God's favor, produced these conditions, and who may tell but in a little while the wrongs of the Filipino will be avenged upon us at the hands of the very instruments which we have made use of for their defeat, their humiliation, and tortures.

I trust it may not be so, and I hope that in some way, ere the final seal shall have been placed upon this action which you now contemplate, some interposition may arise and call a halt upon the path which we are now treading. Has honor departed, and is generosity dead among us? If so, then indeed we have reached the level when we can march abreast with England in her attempt to despoil a free, a courageous, a brave people, and, after a century and a quarter, find ourselves clasping hands with the natural enemy of this country, congratulating each other upon the joint accomplishment of an infamy which they attempted upon us in 1776, and which we justify in 1902.

Mr. President, I oppose this bill for the reason that it is contrary to the aspiration which induced the patriarch of the Revolution to begin his struggle against England. I oppose this bill because it is in contravention to every principle of that great charter of civil liberty, which was the document of the Continental Congress and proclaimed the independence of the United States. I oppose this bill because it is at variance with the expressed commands of the Constitution and with the spirit of the laws which have been enacted under it.

I oppose this bill because it is in direct opposition to the opinions held and expressed by Washington, the Father of his Country; by Webster, the expounder of the Constitution; by Sumner, the champion of peace, whose voice in the antebellum days awakened the conscience of our nation; of Abraham Lincoln, the greatest of all Americans and Republicans, the savior of the Union and the emancipator of a race. I oppose this bill because it is an act

of usurpation upon the part of the American people as against a weaker nation whom they should cherish, love, and establish in self-government.

I oppose this bill because it attempts to do for the Filipinos those things which they can better do for themselves, relieving us of the responsibility and charge of self-interest. I oppose this bill because it will continue an unconstitutional, unnatural, and infamous war, the conduct of which has brought our nation to shame. I oppose this bill because it will fasten upon us a policy which is alike unjust to ourselves and the Filipinos. I oppose this bill, finally, because in my judgment it is antagonistic to the laws of nature and nature's God and to the equality of peoples which we have ever maintained.

I intended to speak somewhat longer, but time has sped and I have already taken more than I should. Therefore I gladly leave the matter with the Senate.

Mr. BACON. Mr. President, when I yielded the floor on yesterday I was engaged in the discussion, and had about concluded it as I then intended, which grew out of the reconcentrado order and the reconcentrado camps in the Philippine Islands. I do not know that I should return to the subject but for some things which were said by the Senator from Ohio [Mr. FORAKER] after I had yielded the floor. I may misunderstand him, but I do understand the Senator from Ohio in the view which he presents to practically maintain two propositions. One is that the order of General Bell is in harmony with the rules of civilized warfare, and the other is that as practiced the reconcentrado policy in the Philippine Islands is one of humanity and mercy and not one of cruelty.

In furtherance of this proposition the Senator from Ohio reads the order of General Bell of December 8, and draws from the words of that order a conclusion that the purpose of the order was not to inflict cruelty upon the people of Batangas Province and other provinces which were within the territory of his brigade, but that really the purpose of the order was to protect the people against bandits, guerrillas, and brigands. I am sorry the Senator is not in his seat, because if I misstate him I would be glad to be corrected. That I think is the plain import of the language used by the Senator, and the Senator reads the order of General Bell in substantiation of the construction which he put upon it. I will read again the part read by the distinguished Senator from Ohio:

BATANGAS, December 8, 1901.

To all station commanders:

In order to put an end to enforced contributions now levied by insurgents upon the inhabitants of sparsely settled and outlying barrios and districts by means of intimidation and assassination, commanding officers of all towns now existing in the provinces of Batangas and Laguna, including those at which no garrison is stationed at present, will immediately specify and establish plainly marked limits surrounding each town bounding a zone within which it may be practicable with an average-sized garrison to exercise efficient supervision over and furnish protection to inhabitants (who desire to be peaceful) against the depredations of armed insurgents.

After going on a few lines prescribing the extent of the limits, the order resumes:

Commanding officers will also see that orders are at once given and distributed to all the inhabitants within the jurisdiction of towns over which they exercise supervision, informing them of the danger of remaining outside of these limits, and that unless they move by December 25 from outlying barrios and districts, with all their movable food supplies, including rice, palay, chickens, live stock, etc., to within the limits of the zone established at their own or nearest town, their property (found outside of said zone at said date) will become liable to confiscation or destruction.

The words "confiscation or destruction" evidently imply that all movable property which may be useful or desirable will be forcibly seized and carried away, and that all other property, immovable or movable, after that date found in the proscribed zone of death will be destroyed.

I have not read the entire order. It is not necessary, because it has already been read since I have been upon the floor and is in full in the RECORD. Those particular parts of the order are the parts from which the Senator from Ohio draws the conclusion, as stated by him yesterday with very great emphasis and earnestness, that this was a humanitarian order, and that the purpose of it was to protect the peaceably disposed people of those provinces from the barbarities and cruelties of bandits and brigands.

It is true that the order uses this very strange language, when we come to construe it in connection with the remaining portion of the order:

Bounding a zone within which it may be practicable with an average-sized garrison to exercise efficient supervision over and furnish protection to inhabitants (who desire to be peaceful) against the depredations of armed insurgents.

The suggestion of the Senator from Ohio would indicate that the expedition of General Bell into the provinces named was in the nature of a merciful expedition, a sort of a Sunday-school expedition, if I might so term it, in which it was designed to protect good and peaceful people against the outrages of those who were nothing but outlaws. Why that should have been put in there it is difficult to imagine, unless it was the intent of the author of

the order to produce the impression which the Senator from Ohio says he has received from it.

But if that be the case, I wish to call attention to what is a most remarkable fact. If the purpose of this order was to protect the inhabitants of these provinces from outlaws, ladrones, and brigands, how is it that the commanding general states a date beyond which it would be unsafe for the people to remain outside of these limits? If he is issuing an order for the purpose of protecting against outlaws, will it be pretended for a moment that the general had an agreement with the outlaws that they would permit these people to remain in safety until the 25th of December, and that if they did not get within certain limits by that time the outlaws would withdraw the agreement?

Is the limit of time against outlaws and the danger from outlaws, or is the limit of time against what General Bell intended that his armed forces should inflict on the people who remained outside of the zone? What other construction can possibly be put upon it? It says people must come within a certain time. The purpose is to protect them against outlaws. "You can stay out in safety until the 25th, but if you do not come in by the 25th your property is liable to confiscation and destruction." From whom? From the outlaws? No; clearly from General Bell. Seventeen days were given, and then on Christmas day, among a people to whom that day was sacred, all his forces of death and devastation were to be turned loose for the desolation and destruction by fire and sword of every person and thing found outside of the reconcentrado limits.

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Indiana?

Mr. BACON. With pleasure.

Mr. BEVERIDGE. Does the Senator say that everybody who did come within the lines marked out by General Bell suffered thereby?

Mr. BACON. No; I do not.

Mr. BEVERIDGE. Only the people who stayed out suffered?

Mr. BACON. I did not say who suffered or who did not. I am talking about what the order said would occur.

Mr. BEVERIDGE. I should like to ask the Senator this further question, then. Does he understand these lines to exist now—does he understand this concentration camp to now exist?

Mr. BACON. I think I saw a statement to the effect that the order had been withdrawn, but that does not affect this question.

Mr. BEVERIDGE. I was simply calling—

Mr. BACON. I am talking about the order which was passed, not about the present existing condition.

Mr. BEVERIDGE. Without intending to interrupt the course of the Senator's very able argument, I wish to call his attention to the fact that the lines have been disestablished, that the insurgents have been captured, that the insurrection has been suppressed, and that no person who came within the lines drawn by the Government has suffered thereby.

Mr. BACON. What has that got to do with the point I am making?

Mr. BEVERIDGE. I should like to know what the Senator's point has to do with the question under discussion?

Mr. SPOONER. What is his point?

Mr. BEVERIDGE. The Senator from Wisconsin wants to know what is the Senator's point.

Mr. BACON. I will state it again for the benefit of both Senators. The Senator from Ohio on yesterday presented the proposition to the Senate that the purpose of this order was to protect peaceably disposed Filipinos from outlaws and brigands in that province.

Mr. SPOONER. That was one purpose.

Mr. BACON. The Senator from Ohio went on and made that the exclusive purpose. The Senator was antagonizing the proposition which I had suggested that this order, read between the lines and taken in connection with the order which was issued on the very next day, meant but one thing, and that was that people within certain prescribed limits could be safe, and that outside of those limits life and property were to be destroyed. That was my proposition, and the Senator from Ohio was antagonizing that proposition. The Senator from Ohio said that, on the contrary, it was not intended for the purpose of reaching those who were hostile and who were antagonistic to the United States Government outside of those lines, but it was for the purpose of protecting those who were peaceably disposed and who might be outside, and who would be protected when they came inside of the lines. That was the proposition of the Senator from Ohio. He did not say it was the only purpose.

The Senator asks what is the point. The point I am making is that while that language is used in the first paragraph, the plain, unmistakable purpose is to warn people that if by the 25th they did not come within this zone, death and destruction would follow in all the area outside that zone. From whom? From the bri-

gands or from the forces of General Bell? If from the brigands, by what right or what authority would General Bell assume to say that the brigands would allow them to be unmolested until the 25th, and that they must therefore stay beyond that date at their own peril? What other construction is there but the one that he intended that he who fixed the date should be the one who would inflict the penalty? There is none other. The Senator may laugh about it, but he will have to do something more than laugh to get rid of it.

Mr. SPOONER. To whom does the Senator refer?

Mr. BACON. To the Senator from Wisconsin.

Mr. SPOONER. I did not laugh about it.

Mr. BACON. Well, the Senator smiled pleasantly, then. [Laughter.]

Mr. SPOONER. That is quite different.

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Indiana?

Mr. BACON. With very great pleasure.

Mr. BEVERIDGE. Assuming the construction which the Senator from Georgia admits that he reads between the lines in General Bell's order, I should like to know whether the Senator from Georgia does not consider that order, in case the people within those lines have their liberty and are well cared for, a proper military order?

Mr. BACON. Mr. President, I stated yesterday and I repeat now that where the reconcentrado camp is properly provisioned and properly policed and parties are comfortable, the evil, the iniquity of a reconcentrado order is not so much what is within the zone of life, but is in the desolation in the wide area of death outside of it. It is the burning, the destruction of life, and the destruction of property outside of these prescribed limits which constitute the evil and make the principal horror.

Mr. SPOONER. Will my friend allow me to ask him a question?

Mr. BACON. I never have failed, during my service in the Senate, to do so, and I am very glad to do so now.

Mr. SPOONER. That is true. Why does my friend from Georgia persist in calling this a reconcentrado order?

Mr. BACON. I do not know—

Mr. SPOONER. Is it not an attempt to fasten upon the American Army the odium of Weyerism in Cuba?

Mr. BACON. Mr. President, I have stated as plainly as I could, and I think the Senator has not misunderstood me, that the purpose in my reference to this matter is not to fasten odium upon the Army, but in the hope that the people of the United States may see what are the inevitable consequences of this policy in order that they may abandon it.

I understand the Senator's question to be directed to a certain point on which I am going to answer him very frankly. The Senator's question would imply that my purpose is to use an odious term in order that the act may be more odious than it would be outside of the use of that term. I will say frankly to the Senator—

Mr. SPOONER. Pardon me; I do not say that.

Mr. BACON. I know the Senator does not say that, but I say the Senator's question implies it.

Mr. SPOONER. No, I do not say, and I will not say, that that is the Senator's purpose, but I say the use of that phrase, which is utterly inapplicable to this case, has the effect (I will not say the Senator intends it; I will not say that there are some who do not intend it) to fasten upon the army in the Philippines all the odium which attaches, and justly attaches, to the reconcentrado policy of Weyer in Cuba.

Mr. BACON. The Senator asked me originally why I did so and so, and if it was not to accomplish a certain purpose. That was his first inquiry of me, and it was for that reason that I put the construction upon his language which I then did.

Mr. BEVERIDGE. Mr. President—

Mr. BACON. I hope the Senator will pardon me until I answer the Senator from Wisconsin.

Mr. BEVERIDGE. I thought the Senator was through with that, and I wanted him to answer the question which I put.

Mr. BACON. I will with great pleasure when I get through with this point. I want to say to the Senator from Wisconsin that—not being a Spanish scholar—I have always understood the word "reconcentrado," as used in Cuba, to mean the concentration of people in camps, and if there was any difference in my understanding of the word "reconcentrado" and the word "concentration" I had no consciousness of the fact. I want to say to the Senator that never until yesterday had I ever heard any other term used, when the Senator himself suggested "concentration."

I have not been present at any of these examinations, and I did not know that the word "concentration" was being used as a softening of the word "reconcentrado." It does not make any difference to me whether it is reconcentrado or concentration, if

they mean the same thing, and if they mean differently I should be glad to be informed. If "reconcentrado" does not mean "concentration," and I can be shown how this is "concentration," and not "reconcentrado," I shall be very happy to use the word "concentration."

Mr. SPOONER. Mr. President—

Mr. BACON. If the Senator will pardon me just a second, I shall be very happy to use the word "concentration," if I can always think to do so. It is a matter of habit simply with me. If the word "reconcentrado" is unpleasant to the ears of my friend, I will with great pleasure try to use the word "concentration." Now I will hear the honorable Senator.

Mr. SPOONER. The word "reconcentrado" is unpleasant to the ears of the Senator's friends.

Mr. BACON. Very well; I will use "concentration," unless I inadvertently say "reconcentrado."

Mr. SPOONER. The term "reconcentrado" stands for a policy of infamy. It stands for a policy of extermination. It stands for a policy in Cuba which shock the entire American people. Does the Senator contend that that was the spirit or purpose of the order of General Bell in the Philippines?

Mr. BACON. Well—

Mr. SPOONER. Or the effect of it?

Mr. BACON. Mr. President, I do not think the Senator ought to ask me that question, and I will state to him the reason why.

Mr. SPOONER. If the Senator does not think I ought to ask it I excuse the Senator from answering it.

Mr. BACON. No; I will state my reason why before the Senator excuses me.

The Senator well knows that I could not answer some questions which would be asked me without appearing to assume to speak from personal knowledge, and I do not wish to be put in that position in this debate.

Mr. SPOONER. Oh, well, if the Senator has any personal knowledge, I hope he will not conceal it.

Mr. BACON. No; the Senator is not right about that. I do not claim to have personal knowledge to the extent that his remark would justly impute, but the Senator, I am sure, will realize the fact that whatever I might say, whether I knew it or not from personal knowledge, might be and would be attributed by some to an effort on my part to appear as a witness, and that I am studiously avoiding, so far as concerns any act committed by anyone in the Philippines.

Now, if the Senator will consider it not to be inconsistent, I hope, before I conclude, to give some impressions which I may have as to conditions in those islands.

Mr. SPOONER. If the Senator will pardon me, I hope if he personally knows of anything in the Philippines which the people of the United States ought to know he will in his place testify to it.

Mr. BACON. Well, the Senator will not be accommodated in that regard.

Mr. SPOONER. The Senator ought to be.

Mr. BACON. No; I ought not, and I will not.

Mr. BEVERIDGE. Now, Mr. President—

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Georgia yield to the Senator from Indiana?

Mr. BACON. With pleasure.

Mr. BEVERIDGE. The Senator did not intend to evade—

Mr. BACON. No.

Mr. BEVERIDGE. But, nevertheless, he did not answer the question which I put to him, and I should be pleased if he would answer it, since he is discussing the order of General Bell. I ask him if in case of the line drawn by General Bell the people brought within it were properly cared for, fed, and attended, does he regard that as a proper war measure?

Mr. BACON. Of course, bringing parties within the line, if they were properly attended to and taken care of, and if there is no destruction of property in consequence of it, where the circumstances required it, would not be an impropriety. I can conceive of circumstances which might require it within a small area, and in some such circumstances it might not be improper.

Mr. BEVERIDGE. It would not be an impropriety?

Mr. BACON. No; not under the circumstances I have in mind.

Mr. BEVERIDGE. Now, then, if the bringing of people within the lines and thus caring for them is a proper war measure, is not the reverse of that shield also true, that war may be carried on outside those lines, and therefore is not the whole order of General Bell, I ask the Senator, a proper war measure?

Mr. BACON. I think most distinctly and decidedly not.

Mr. BEVERIDGE. Why not?

Mr. BACON. Will the Senator permit me to state the case with some degree of continuity? I say it is not a proper measure because, as I read the order and as I understand the testimony taken before the committee, it was not simply an order which

gathered within certain limits certain people who were thereafter well taken care of, but, as I have said repeatedly, it was an order which depended for its efficiency and for the accomplishment of that very purpose upon the destruction of property and of life outside of those limits. The concentration policy was dependent upon that for its efficiency. I discussed that yesterday and showed that the destruction of life and property outside of the reconcentrado limits was absolutely necessary in order to force people into the reconcentrado limits, and that without that destruction of life and property, and without the fear of that destruction, the reconcentrado policy would be a farce.

Mr. BEVERIDGE. Mr. President—

Mr. BACON. I can not yield to the Senator while I am answering his question.

Mr. BEVERIDGE. But I did want to ask a question right on that point.

Mr. BACON. I am going to yield to the Senator in a moment.

Mr. BEVERIDGE. The Senator will see why it is proper right here that I should ask him the question, if I am going to ask it at all.

Mr. BACON. Very well; I yield to the Senator.

Mr. BEVERIDGE. If the people are all gathered in, which the Senator says is a proper measure, and those living outside of the line would be opponents of the Government, would be insurgents, would be hostile—that being the case, is it not a proper war measure to take against them?

Mr. BACON. But not to the extent of the burning of their houses and the killing of the people regardless of age, sex, or condition. Not to convert the country into a howling wilderness.

Mr. BEVERIDGE. Do you find any such thing as that in General Bell's order?

Mr. BACON. I think that is what it means.

Mr. BEVERIDGE. Oh!

Mr. BACON. I will read it, so as to show why I think so.

Mr. SPOONER. The Senator is reading between the lines.

Mr. BACON. No; I am not. I am reading the words and I will read the lines themselves, and I will show that they can mean nothing else but that, as I said on yesterday, the concentration order is one which can only be enforced by this rule which destroys everything outside of the lines; that it is impossible to go out and gather up all of the people and bring them in, as I said yesterday, as you would a drove of horses. You have got to apply to them some compulsion which will make them come in. When you prescribe limits, and say that these are the limits of the concentration camp, the method by which people are made to come in there is to say that outside of that they are not safe, and to say to them that "your houses will be burned and your property destroyed"—is that reading between the lines, or are those the words of General Bell? We do not have to read between the lines to find that.

Commanding officers will also see that orders are at once given and distributed to all the inhabitants within the jurisdiction of the towns over which they exercise supervision, informing them of the danger of remaining outside of these limits.

What danger?

Mr. BEVERIDGE. Does the Senator think—

Mr. BACON. Let me conclude the reading. I have not finished reading the paragraph.

Mr. BEVERIDGE. I wondered whether the Senator did not consider that that notice to the people was very humane.

Mr. BACON. Well, that may be, but not in my opinion. I will begin the reading over again.

Commanding officers will also see that orders are at once given and distributed to all the inhabitants within the jurisdiction of towns over which they exercise supervision, informing them of the danger of remaining outside of these limits, and that unless they move by December 25 from outlying barrios and districts with all their movable food supplies, including rice, palay, chickens, live stock, etc., to within the limits of the zone established at their own or nearest town, their property (found outside of said zone at said date) will become liable to confiscation or destruction.

From whom?

Mr. BEVERIDGE. From us.

Mr. BACON. Certainly; and by what influence is it sought to make these people come within this zone of life, as I have called it, in contradistinction to the zone of death? Is it not by saying that "within here is life and protection and out there is death and destruction; here is the hand that will inflict death and destruction?"

This order is not limited to men with arms in their hands; it is not directed only to men with arms in their hands; but it is directed to the entire population, and the order issued on the next day, on the 9th, which is practically a part of the same order, goes on to say to those to whom it is addressed, it may be a hard thing, but the innocent must suffer with the guilty; it may be a hard thing, but those who claim pleasant and friendly relations must not be considered; they must all fall within this order of destruction if they do not come in by the 25th day of December. Is not that so?

Does any Senator say that while it might be a legitimate matter to get within certain limits people who are thereafter to be kindly cared for, it is also legitimate that those who will not come within these limits shall be—regardless of whether they are combatants or noncombatants, men, women, or children—subjected to death because they will not come within those limits? Will it be said, because it may be right to bring within certain limits people who can be gotten there, that those who stay without shall not only have to do so at the risk of life but shall be told, in so many words, that their property is to be destroyed, and we know how destroyed—destroyed by fire?

Mr. President, has it come to this, that for the purpose of maintaining our sovereignty over that distant people, for the purpose of carrying out these ideas which have taken hold of us in the past four years, we are to go back to the age of barbarism, and, in order to defend our acts, to absolutely renounce the teachings of civilization and revert to the time when war was barbarity without any of the ameliorations of civilization? If so, Mr. President, that of itself would be curse enough to follow upon what we have done in this matter without looking for any other. If so, that of itself is sufficient to cause the American people to shrink back in horror from this path of blood.

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Indiana?

Mr. BACON. For a question, yes.

Mr. BEVERIDGE. Just a question. I understood the Senator to say that he regarded it as proper for the military authorities to bring people within the lines as a war measure.

Mr. BACON. Properly, and under proper circumstances, but I do not mean thereby that their houses should be burned and their lives taken as a penalty for refusal to obey the order.

Mr. BEVERIDGE. What I desire to ask the Senator is this: What would be the use of bringing people within the lines if the people without the lines are going to be treated precisely in the same way as those inside? What would be the use of doing this proper thing, which the Senator says is proper, if people outside of the lines are to be treated precisely in the same way as those inside?

Mr. BACON. I mean to say it is proper if it is done in a humane manner and under circumstances that require it; then it is all right, if there is no cruelty. I do not, however, mean to admit, but, on the contrary, I absolutely deny, the proposition that any inhumanity is justified to get them within the lines, for instance, by saying, "If you stay out you will be shot, regardless of sex or age, and your houses will be burned, therefore come in." Nobody admits any such proposition as that. It is, as I was about to say—

Mr. BEVERIDGE. I think the Senator again very unintentionally, of course, evades the question. I understand the Senator again to say that it is a proper war measure to bring people within the lines if they are treated properly within the lines. The main thing, I ask the Senator, is, What would be the use of doing that proper thing if we were going to treat people outside precisely the same as the people inside?

Mr. BACON. Mr. President, while it may be proper to get people within the lines in a proper way without inhumanity, I do not admit that that relieves a commanding officer in the field from all obligations to observe the rules of civilization and humanity as to those who do not come in.

Mr. HOAR. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Massachusetts?

Mr. BACON. Certainly.

Mr. HOAR. I desire to ask the Senator a question, because I think his answer slightly susceptible of a double construction, which perhaps he did not perceive in the question—I do not mean purposely, but an actual double meaning. Does the Senator mean to say that the assembling of a whole population of a country into a reconcentrado camp is a proper war measure as a means of warfare upon them?

Mr. BACON. No; I do not. I mean that it may be a proper war measure as a means of protecting them, they being friendly, against the common enemy.

Mr. HOAR. Very well. Then is not the whole point of this thing—I expect to use the word "reconcentrado" when I discuss this question, if I have an opportunity to do so—is not the whole point of this thing whether they have undertaken to carry on this war against this people, who are said to be lawfully subject to our authority, by assembling them, taking them in whole districts away from their homes and dwellings, and crowding them into camps remote from where they live, on the penalty of having their property destroyed, and perhaps themselves slain if they do not go?

Mr. BACON. Mr. President, I expressly said that, of course, such measures must be in a proper case and not be accompanied by any inhumanity.

Mr. HOAR. But my proposition was in regard to the purpose—

Mr. BACON. I understand that.

Mr. HOAR. Let me put one other question to the Senator in order to bring out this thing. Is there any writer or authority on the law of nations or the law of war which justifies the getting of a whole population of a country into compact and close camps of this kind, taking them from their dwellings, as a means of warfare against them?

Mr. BACON. I do not think there is, and in order that the Senator may not misunderstand me I will make an illustration of one of the matters in my mind. I realize that there might be circumstances under which, not the whole population but the population of a particular neighborhood, might for a single purpose—

Mr. HOAR. To get them out of the range of the guns if a battle were in progress.

Mr. BACON. If there were going to be a battle, if the country was going to be within range of the guns, and men, women, and children, noncombatants, were to be exposed to that danger, I could understand very readily how an Army officer might require them to get within certain limits where they would be safe; but I do not recognize, as is suggested by the question of the Senator from Massachusetts [Mr. HOAR], as I might have been understood to say, that it is a legitimate war measure to say to the people of a county or a province, "You have got to come within certain limits and do so by a certain day, and if you fail to do so, then all you who so fail will be subject to the destruction of your property and the loss of your lives." That I absolutely repudiate and condemn.

Mr. SPOONER rose.

Mr. BACON. If the Senator will pardon me a moment, as he sees I am speaking with great difficulty from serious throat trouble—

Mr. SPOONER. I shall not interrupt the Senator at present.

Mr. BACON. This question has come to a very important stage; and if this is the feeling and the opinion of Senators, it is well that the country should know it, in order that the issue may be joined, that it is considered legitimate warfare to say to a people "Come within certain limits;" and then, as implied by the inquiry of the Senator from Indiana [Mr. BEVERIDGE], it is equally legitimate warfare thereafter to treat everybody as hostile, and to destroy everybody and all the property outside of those limits. What else does concentration mean?

In what other way can the order of our general be construed when he says, "Come within certain limits by the 25th day of December, and those of you who do not obey this order take your lives in your hands and subject your property to destruction?"

Mr. President, I said that I understood the distinguished Senator from Ohio [Mr. FORAKER], who was not in his seat at the time I said it, to maintain the proposition that the order of General Bell was in accordance with the laws of civilized warfare. I said that, and if I misquoted him, I should be glad to be corrected in that regard.

Mr. FORAKER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Ohio?

Mr. BACON. Certainly.

Mr. FORAKER. The Senator has substantially restated what I said heretofore. I was referring to what had been the practice of this Government ever since its beginning with respect to our Indians, for instance, and the well-known practice of other governments in conducting military operations under such circumstances.

Mr. BACON. If I correctly stated the Senator, that is all I desire to know at this time. The Senator from Ohio differs from the Senator from Massachusetts in that regard.

Mr. SPOONER. In what?

Mr. BACON. As to General Bell's order.

Mr. SPOONER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. BACON. I do.

Mr. SPOONER. Of course no one would claim, I think, that it was justifiable to force a concentration of people within certain limits in order to make war upon them. I am not aware that there is any element of that kind in this case, but would it not be legitimate—

Mr. BACON. The Senator will observe that I was simply about to call attention to the fact that the Senator from Massachusetts did not agree with the Senator from Ohio, and now the Senator from Wisconsin returns to the question which I left.

Mr. SPOONER. Yes; but suppose there is an outlying—

Mr. PETTUS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield?

Mr. PETTUS. I make a question of order, Mr. President.
The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. SPOONER. What is the point of order which the Chair sustains?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. SPOONER. What is the point of order which the Chair sustains?

Mr. PETTUS. My point of order, Mr. President, is that the Senator from Wisconsin, without leave from the Chair, carries on a conversation with the Senator from Georgia, and it disturbs business, and it is very disagreeable at that.

Mr. SPOONER. Mr. President—

The PRESIDING OFFICER. The Chair understood the Senator from Georgia [Mr. BACON] yielded to the Senator from Wisconsin [Mr. SPOONER], and the Chair thought the Senator from Alabama [Mr. PETTUS] made the point of order that the Senator from Wisconsin did not address the Chair.

Mr. SPOONER. Mr. President, I am very sorry to "disturb business," but I am much more sorry to be "disagreeable" to the distinguished Senator from Alabama [Mr. PETTUS].

Mr. BACON. I yield to the Senator from Wisconsin.

Mr. SPOONER. In addition to that, I will apologize to my friend from Georgia.

Mr. BACON. But I hope the Senator will ask the question which he desires. I made no objection.

Mr. SPOONER. I supposed, as the Senator made no objection, that no one else would do so. I was about to ask the Senator whether it was not an entirely legitimate method of warfare, if there was an outlying inhabited district from which an enemy obtained food supplies and information, that an officer, after giving due notice, should order the concentration of the inhabitants within certain lines, and then destroy, after that date, all supplies and means of supplies from which the enemy had been from time to time supported?

Mr. BACON. I do not understand that it is legitimate warfare to destroy the private property of a country occupied by an army to the extent of making it useless to the people, nor do I admit that there is any rule of war by which can be done legitimately that which the Senator asks me if it can be done, and I ask the Senator, in his own time, to point to the precedent upon which he bases any such question. As the Senator states it, as every army draws supplies from its country the enemy is justified in destroying all the supplies in the whole country.

Mr. SPOONER. Mr. President—

The PRESIDING OFFICER (Mr. PLATT of Connecticut). Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. BACON. Oh, yes; I yield, of course.

Mr. SPOONER. Mr. President, am I recognized?

The PRESIDING OFFICER. The Chair recognizes the Senator.

Mr. SPOONER. I want to be quite certain that I am neither "disturbing business" nor making myself "disagreeable."

The Senator from Georgia has asked me if there is any instance of the kind to which he has just referred.

Mr. BACON. I did not ask the Senator to give it now, because I think I ought to be allowed to continue my speech; but if the Senator has a question to ask I will yield.

Mr. SPOONER. No; I thought the Senator had asked me a question.

Mr. BACON. I will with great pleasure yield to the Senator.

Mr. SPOONER. I thought the Senator asked me a question?

Mr. BACON. I knew the answer would take some time; and so I asked the Senator to give it in his own time.

Mr. President, did anybody suppose when this Congress met that there would be any proposition advanced in either House of Congress that would sustain a mode of warfare such as is disclosed by the testimony which is now being taken by the Philippine Committee of the Senate? Does not everybody know that it would have been regarded with horror that we should have assumed for one moment that such things were within the range of the possible approval of Senators and Representatives?

Is it not a fact that since this debate began Senators have changed their positions with reference to this matter? Is it not a fact that when this debate began they, without exception, condemned these acts? Is there any Senator who had the hardihood to get up and approve them? Is it not because matters have gone to that point where the facts can not be disputed that they have either themselves got to join in the condemnation or to take a new position and to say that the acts are not to be condemned?

Why, we remember that when the Philippine debate was on under the former bill Senators on the other side resented with the utmost heat as a slander upon the Army the suggestion that such things were occurring. Well, if they were legitimate, why should they resent them as they did then, charging Senators on

this side with slandering the Army and some of them almost with treason? Now, when the evidence has disclosed the fact as beyond dispute, they have advanced, where I never expected to see Americans advance, to a justification of such outrages and cruelties and barbarities as are shown by the testimony which is now being taken.

Senators go to the point of calling that civilized warfare which the perpetrators themselves of these acts condemn as not being civilized warfare. I say they condemn—that word is not proper—but they admit that that which they do is not civilized warfare, and they seek to justify their acts on the ground that they are fighting with those who are not themselves civilized.

I will read something to show that that is so. General Hughes was before the Committee on the Philippines, and he gave testimony on the subject which shows the way in which he regards it; and doubtless the way in which the Army, or those of them who have authorized and required this thing, regard it. They do not say what the Senator from Wisconsin [Mr. SPOONER] intimates by his inquiries, that these were legitimate acts within the range of recognized rules of civilized warfare. They do not say so.

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

Mr. BACON. With pleasure.

Mr. SPOONER. Is guerrilla warfare civilized warfare?

Mr. BACON. Yes; within certain limits.

Mr. FORAKER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Ohio?

Mr. BACON. Yes.

Mr. FORAKER. Are murder and assassination, as recited in these orders, civilized warfare?

Mr. SPOONER. "Within certain limits."

Mr. BACON. No; I do not say so. I am not to be diverted by such inquiries from the point I am on.

Mr. FORAKER. But do not these orders recite that murders and assassinations have been committed? Are they not mentioned in the orders?

Mr. BACON. Mr. President, I am not to be diverted by Senators. I will state again the proposition I was about to state. I say that the class of warfare which the Senators by their inquiries indicate as being civilized warfare in their opinion, is warfare that the officers in the Philippine Islands themselves say is not civilized warfare. We are talking about the fact that it is not civilized warfare, and when the fact is admitted that it is not civilized warfare the question is answered.

Mr. SPOONER. Did they not say that it was because they were not carrying on a war—

Mr. BACON. I have not yet read what I want to read.

Mr. SPOONER. Did they not say it was because the war against which they were contending is not civilized warfare?

Mr. BACON. They said it was not civilized warfare because the people were not civilized, or rather they abandoned civilized warfare because the people were not civilized, thereby implying that they were not entitled to have the rules of civilized warfare applied to them.

Mr. President, yesterday I read this language, but now, in order that it may be in connection with what I am going to read from General Hughes, to show how it was that these officers came to the conclusion that these people were not to be dealt with as civilized people, and the rules of civilized warfare were not to be observed, I will read it again. I read yesterday from the speech of the Senator from Massachusetts [Mr. LODGE] an exhibit, which is an extract from the report of General Bell, which is found in Part 3 of the Report of the Lieutenant-General Commanding the Army, 1901, pages 34 and 35, in which General Bell uses this language in his report:

I have been in Indian campaigns where it took over 100 soldiers to capture each Indian, but the problem here is more difficult on account of the inbred treachery of these people, their great number, and the impossibility of recognizing the actively bad from the only passively so. If it was deemed advisable to pursue the methods of European nations and armies in suppressing rebellions among the Asiatics, the insurrection could have been easily put down months ago. Even now, although the seeds of rebellion have permeated all classes, such methods would soon put an end to all active insurrection.

That implies what I will show directly from the testimony of General Hughes, that up to that time the rules of civilized warfare had been observed, and that it was suggested that if they could abandon the rules of civilized warfare and adopt the rules European nations had adopted in dealing with Asiatic peoples, the perpetration of these horrible barbarities, these wholesale slaughters and burnings of property—if they could adopt such methods, then the insurrection could be put down. If it did not mean that it meant nothing; if it did not mean that there should be an abandonment of the rules of civilized warfare and the adoption of the harsh and cruel measures which were condemned by civilized warfare, what did it mean?

Mr. President, what is General Hughes's testimony on that line?

It is found on page 558 of the hearings before the Philippine Committee. The Senator from Utah [Mr. RAWLINS] asked this question:

In this connection, in burning towns, what would you do? Would the entire town be destroyed by fire or would only offending portions of the town be burned?

General HUGHES. I do not know that we ever had a case of burning what you would call a town in this country, but probably a barrio or a sitio; probably a half a dozen houses, native shacks, where the insurgents would go in and be concealed, and if they caught a detachment passing they would kill some of them.

Senator RAWLINS. What did I understand you to say would be the consequences of that?

General HUGHES. They usually burned the village.

Senator RAWLINS. All of the houses in the village?

General HUGHES. Yes; every one of them.

Senator RAWLINS. What would become of the inhabitants?

General HUGHES. That was their lookout.

Then continuing the examination:

Senator RAWLINS. If these shacks were of no consequence, what was the utility of their destruction?

General HUGHES. The destruction was as a punishment.

Mr. SPOONER. Will the Senator give me the page?

Mr. BACON. Page 558. I had already announced it.

Mr. SPOONER. I did not hear it.

Mr. BACON. It continues:

General HUGHES. The destruction was as a punishment. They permitted these people to come in there and conceal themselves, and they gave no sign. It is always—

Senator RAWLINS. The punishment in that case would fall not upon the men, who could go elsewhere, but mainly upon the women and little children.

General HUGHES. The women and children are part of the family, and where you wish to inflict a punishment you can punish the man probably worse in that way than in any other.

Senator RAWLINS. But is that within the ordinary rules of civilized warfare? Of course, you could exterminate the family, which would be still worse punishment.

General HUGHES. These people are not civilized.

Senator RAWLINS. Then I understand you to say it is not civilized warfare?

General HUGHES. No; I think it is not.

Senator RAWLINS. You think it is not?

Senator DIETRICH. In order to carry on civilized warfare both sides have to engage in such warfare.

General HUGHES. Yes, sir; certainly. That is the point.

I think, if I am allowed to go on, I will come to a place where I shall have something to say that will bear directly on this subject.

CONDUCT OF THE WAR BECOMES STERNER.

Senator HALE. You made a very interesting statement some time ago that from year to year, or from summer to summer, the conduct of the war was sterner, stiffer, as you called it. You are describing what took place the second summer, not the first?

General HUGHES. Yes.

Mr. President, what words are strong enough to condemn the utterance by an American general that women and children are burned out of house and home as a punishment on the husbands and fathers, because by the suffering inflicted on the women and children the worst punishment is inflicted on the husbands and fathers. I call the attention of the Senator from Ohio to what I am about to read, in connection with the statement I made yesterday as to the change in the methods in the progress of the war.

Mr. FORAKER. Mr. President—

Mr. BACON. I hope the Senator from Ohio will let me read this.

The PRESIDING OFFICER. The Senator from Georgia declines to yield at present.

Mr. FORAKER. I think the Senator would not decline if he knew what I wished to say.

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Ohio?

Mr. BACON. I think I ought to be allowed to finish reading this.

Mr. FORAKER. I merely wish to call the attention of the Senator to the fact that I made that statement myself before he did. Last Monday I called attention to the fact that after the war had been prosecuted for two years in the most humane way, with the great success that had attended it in these four provinces where was this bitter resistance, it became necessary to resort to the measures which the Senator was criticising.

Mr. BACON. Very well; the Senator agrees to that. The Senator read the statement of Professor Schurman, and the statement was not qualified, and it would leave the impression that it applied to the entire course of the Army during the war, and in response I made the statement that it was doubtless true of the first year of the war, but that it had changed very materially thereafter.

Mr. FORAKER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Ohio?

Mr. FORAKER. Immediately following—

Mr. BACON. I want to read this. I do not think I am unreasonable in the matter of submitting to interruptions, but Senators should not make it utterly impossible for me to proceed with any continuous argument. It seems to me I am not unreasonable in requesting that unless there is a necessity to ask questions I be allowed to proceed with some degree of continuity.

The PRESIDING OFFICER. Does the Chair understand the Senator from Georgia to decline to yield?

Mr. BACON. No, I do not decline to yield, but I was right in the midst of the reading.

Mr. FORAKER. The Senator yields, I understand. The Senator will agree that I have not unnecessarily interrupted him. In fact, I have interrupted him very little. I only interrupted him when he appealed to me and commented upon some remarks I had made.

I interrupted him a moment ago simply to call his attention to the fact that I myself recognized that there had been a change, so far as the prosecution of the war in these particular provinces was concerned, and now the Senator calls attention to the fact that I read the report of Dr. Schurman, as though I left it there without any comment to indicate that there had been a change afterwards. The Senator will find, if he will consult my remarks as they appear in the RECORD, that I then called attention to the fact that following that was this change, the same about which he speaks in these particular provinces, and for the reasons set forth in the order which I then read, and I read the orders and called attention to the reasons therein assigned to show why there had been a change in Batangas, Laguna, Samar, and Leyte.

Mr. BACON. I will now resume the reading.

Mr. SPOONER. Will the Senator allow me?

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. BACON. Certainly.

Mr. SPOONER. I want to tell the Senator why I took the liberty of interrupting him.

Mr. BACON. The Senator need not make any explanation or apology.

Mr. SPOONER. It is apologetic, in a way. It was because I do not know any man who is less disconcerted by an interruption than the Senator, nor anyone better able always to take care of an interruption than the Senator from Georgia.

Mr. BACON. I am very much obliged to the Senator.

Mr. SPOONER. If I had thought for a moment that it was distasteful, I would not have done so.

Mr. BACON. It is not. But it is a fact that yesterday, while I was upon the floor a very long time, almost half of the time was occupied by other Senators, not the Senator from Wisconsin, because he did not interrupt me. It is true that I have been on the floor an hour to-day, and I have not been able to make five minutes consecutive talk in that time. There will be a long ways, when anybody comes to read the RECORD, between two lines of what I was reading. I will read over the question of the Senator from Maine [Mr. HALE], because the answer to it was interrupted right in the middle.

Senator HALE. You made a very interesting statement some time ago that from year to year, or from summer to summer, the conduct of the war was sterner—stiffer, as you called it. You are describing what took place the second summer, not the first?

General HUGHES. Yes.

In the first campaign the rules of civilized warfare were rigidly enforced. The fact is there was a building burned the first two or three days I was out, and I issued an order that any man caught setting fire to a building should be promptly arrested, and if he ran and could not be stopped in any other way, shoot him. I could not tell whether these fires were started by some of our own men or by Chinamen with our command, who were there for the purpose of transporting the wounded and the sick, etc., but anyway in nearly every encampment up to that time there was some little fire somewhere. That stopped it—

That is, the order to shoot the people who did the burning—

and from that time on I do not think there were any fires or anything of that kind, and there was none, so far as I can recall, in that year's operations. But the next year we found it necessary to adopt more stringent methods in order to reach these people.

What does that mean? It means that General Hughes says they observed the rules of legitimate warfare in the first year; that he does not think the burning of houses is within the rules of civilized warfare, and he departed from those rules thereafter, and that from that time on until the present they have been pursuing warfare which is not civilized warfare, in the burning of the cities and towns and the houses of people.

But the Senators by their questions would seem to indicate that they thought that that which is now being testified to as being done is within the rules of civilized warfare. There is no doubt about the fact of the particular acts being done, because the testimony shows it, and if they are not within the rules of civilized warfare and Senators approve and defend them, then the only thing to be said is that they approve this policy of pursuing warfare in a manner which is not civilized and which is in violation of the rules of civilized warfare.

If Senators are ready to take that position before the American people, we know where they stand. One of two things must necessarily be true. If, as General Hughes says, and as the testimony proves beyond possibility of successful contradiction, cities and towns and houses are burned in violation of the rules of civilized warfare, either those actions are to be condemned or to be approved. If Senators who take issue with us who condemn them approve them, then there is no issue between us as to anything

but the question of right and wrong in such burnings. There is no question of fact.

I wish to read a little more from what General Hughes says:

Senator RAWLINS. Is it not true that operations in the islands became progressively more severe within the past year and a half in dealing with districts which were disturbed?

General HUGHES. I think that is true. I would not say it is entirely so. The severities depend upon the man immediately in command of the force that he has with him. In the department I suppose I had at times as many as a hundred and twenty commands in the field. Each commander, under general restrictions, had authority to act for himself.

In other words, he had authority to burn or not to burn as he might see proper, in his own judgment, and, consequently, as some thought proper to burn a little more freely than others, the rule and practice, according to what he said, varied. He goes on to say:

These commanders were changed from time to time. The new commanders coming in would probably start in very much easier than the old ones.

In other words, they would not burn the cities and towns and houses quite as much as the old ones. They had not got to be so callous. They had not got to be so absolutely indifferent to all rules of civilized warfare, and consequently they were easier, as General Hughes says:

These commanders were changed from time to time. The new commanders coming in would probably start in very much easier than the old ones.

Senator HALE. Very much what?

General HUGHES. Easier. They would come from this country with their ideas of civilized warfare, and they were allowed to get their lesson.

Mr. HOAR. From whom does the Senator read?

Mr. BACON. From General Hughes. General Hughes says that these proceedings were not in accordance with civilized warfare. He says they abandoned the rules of civilized warfare after the first year. He says that with the vast number of commands under him he gave to each man a discretion to do as he pleased; that while they were started easy as time progressed they became more callous, and they burned more freely. Then when new men came there they brought with them ideas of civilized warfare, and they were permitted to progress and get their lesson, although as time progressed they, too, would abandon all civilized warfare and burn and destroy, without regard to the rules of civilized warfare.

Now, let me read what one of the witnesses said about that. There was before the committee a witness by the name of Grover Flint, whose testimony is found on page 1765, and on page 1784 there is this testimony:

Q. In that connection I will ask you to state if you saw any Filipino towns burned by American soldiers.

A. Yes; I have seen hamlets, small towns of 50 or 60 houses, burned.

Q. How many houses?

A. Fifty or sixty houses; what they call barrios.

Q. Were the people who lived in these houses engaged in peaceable pursuits?

A. Apparently; yes.

Q. And they were burned by the American troops?

A. They were.

Q. By whose orders?

A. I don't know; I never happened to be in command of the column that went out to burn.

Q. Did you know of the burning of your own knowledge?

A. Absolutely.

Q. You saw it?

A. I saw it.

Q. By American soldiers?

A. Yes; I saw it.

Senator PATTERSON. What became of the men, women, and children that were occupying those hamlets?

The WITNESS. I think the idea was at that time that the burning of these villages would drive the people to the woods or to the towns; a policy of concentration, I think.

This witness is from Massachusetts, a commissioned officer, a man of education, position, and character.

That is the Sunday-school performance, that is the act of humanity, that is the process of kindness and mercy that the Senator from Ohio spoke about yesterday, when it was not for the purpose of inflicting punishment or cruelty upon the people outside of the zone of life, but was for the purpose of kindly taking them in out from danger. It occurs to me that if it was a religious proceeding at all, it must have been for the purpose of having these people have some little realization of what would come to them hereafter if they were not good in this life—to see what fire was.

Mr. President, I said—and I was diverted by the inquiry which has led me off on this line—that the Senator from Ohio had stated substantially that he regarded the order of Bell as an order in harmony with the rules of civilized warfare, and I stated that the Senator from Massachusetts did not agree with him, and I was about to read the remark of the Senator from Massachusetts with regard to that matter. On the 29th of April the Senator from Texas [Mr. CULBERSON] asked the Senator from Massachusetts [Mr. LODGE] this question:

I should like to ask the Senator if he indorses that order of General Bell, issued on the 8th day of December, 1901? It is a question, Mr. President, to which I desire an answer from the Senator from Massachusetts if he is disposed to give one.

Mr. LODGE. Does the Senator ask if I indorse the order of General Bell?

Mr. CULBERSON. Yes.

Mr. LODGE. No, sir; I do not indorse cruel methods of waging warfare.

So the Senator from Massachusetts and the Senator from Ohio do not agree, and I repeat that two weeks ago there was no Senator to be found in this Chamber who would defend the acts which they now defend boldly before the American people. It has gotten to a point where they either have to defend them as proper acts or condemn those who perpetrated them.

Mr. President, I regret very much that I have consumed so much time on this particular part of the matter, because I intended simply to allude to it and to pass to some other things which I wish to say; but before passing to them I desire to repeat that the great purpose which I had is that there may be a lesson pointed to the American people, that they may see what is the necessary, unavoidable result to flow from the effort which is being made to dominate an inferior race and to control them against their will, and that the history of all nations shows that that effort is always attended by cruelties and barbarities such as would not be recognized in warfare between people of equal rank in the civilized world.

Mr. President, this matter was pointed out when this policy was first entered upon. When the question was up as to the acquisition of the Philippine Islands, predictions were made that there would be this lamentable consequence flow from the effort of the American people to dominate the Philippine Islands and to subject them to our sway. Speeches were made both in the House of Representatives and in the Senate in which that was predicted, and our people were warned that such would be the case. In a speech which I made in the Senate on the 18th day of January, 1899, before the ratification of the treaty of peace, I had something to say on that subject, which I will now read not for the purpose of showing that I said it, but because it is applicable now to the question whether the people of America will continue in this course or whether they will change. In that speech I read from a book which was written by Mr. John Russell Young, entitled "Around the World with General Grant," and in it I said this:

It is a brief account of the treatment of one regiment of Sepoys, not all of them; a regiment which had been disarmed; a regiment which had tried to make its escape; a regiment which, it is true, had murdered some of its officers. Now I am going to read the account of this as given by Mr. Young in the second volume of that work, on page 93:

"The Twenty-sixth Native Infantry"

Speaking of the Indian infantry—

"The Twenty-sixth Native Infantry had been disarmed in May and kept under guard. On July 30 some madman in the regiment killed the major. The author of this murder was a favorite named Prakash Pandey, who rushed out of his hut, called upon his comrades to rise, and, seeing the major, killed him. The sergeant-major was also slain. The Twenty-sixth had served with distinction in many campaigns, notably in the Afghan campaign of 1842. It was thought that the fugitives would run south to Delhi to join the king."

"But they took a northern direction, away from the war, anxious to reach Cashmere, to be out of India. They had no guns. There was a drenching rain, and the country was almost flooded. The troops came up with them, shooting 150 and driving them into the river, drowned inevitably, 'too weakened and famished, as they must have been after their 40 miles' flight, to battle with the flood.' The main body escaped, swimming and floating to an island, 'where they might be descried crouching like a brood of wild fowl.' Mr. Cooper started out to capture them."

After stating the fact of the capture, it goes on:

"The doomed men, with joined palms, the Hindoo attitude of entreaty, crowded into the boats and were brought on shore. 'In utter despair forty or fifty dashed into the stream and disappeared.' No order was given to fire, and the fugitives, says Mr. Cooper in a spirit of playfulness, became possessed of a 'sudden and insane idea that they were going to be tried by a court-martial after some luxurious refreshment.'"

So they were brought on shore, one by one, tightly bound, their decorations and necklaces ignominiously cut off. "Some begged that their women and children might be spared, and were informed that the British Government did not condescend to war with women and children." They were marched to the town, "the gracious moon," Mr. Cooper informing us, coming out through the clouds, and reflecting herself in myriad pools and streams to "light the prisoners to their fate."

They arrived at midnight. Next morning at daybreak Mr. Cooper took his seat. He had 282 prisoners, besides numbers of camp followers. He sent his Mohammedan troops, fearing they might hesitate to shoot Mohammedans, to a religious festival, and, alone with his "faithful Sikhs," proceeded to do justice. "Ten by ten," says Mr. Cooper, "the Sepoys were called forth. Their names having been taken down in succession, they were pinned, linked together, and marched to execution, a firing party being in readiness."

And so it goes on and describes how that entire regiment—and I will not stop to read it now, because the hour is getting late and it is too long—were shot without trial, some of them blown from the mouths of cannon. That is only one of a great many instances of the same kind which could be cited. In commenting on that I said this:

Mr. President, I do not read that for the purpose of casting any reflection upon the English people. On the contrary, I recognize them as the most Christian and the most humane nation of Europe. But only with the sword and gun can millions of the semicivilized be kept in subjection. The very best that can be said, and what is proper to be said, is that it was necessary that the English should perpetrate this cruelty, this butchery, if they would maintain their dominion in India, and that is the purpose for which I have read it.

And in commenting on this I added:

If we are to maintain dominion over this foreign, alien people, these Mohammedans, these people accustomed to revolution and to blood and to disorder, if you please, we will be compelled to do it with iron hand, regardless of the shedding of blood.

I went on to speak—

Mr. BEVERIDGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Indiana?

Mr. BACON. Certainly.

Mr. BEVERIDGE. Does not the Senator from Georgia think that, on the whole, the British occupation of India has been a benefit to that country?

Mr. BACON. I am not now going to discuss that question. I am not prepared to discuss it, and if I were I certainly would not take the time to discuss it now. There have been expressions in my hearing to the effect that it has not been, but I am not going to discuss it. It is certainly not in the line of the speech I am endeavoring to make.

Mr. CARMACK. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Tennessee?

Mr. BACON. Certainly.

Mr. CARMACK. I want to say very positively that that is my opinion, and I think it is an opinion that can be justified.

Mr. BEVERIDGE. Mr. President—

Mr. BACON. I hope the discussion will not run on. It certainly is not just to me that it should.

Mr. BEVERIDGE. I merely wish to say that while I am always delighted to have the opinion of the Senator from Tennessee, I asked for the opinion of the Senator from Georgia.

Mr. BACON. I am not going to give my opinion—

Mr. BEVERIDGE. All right.

Mr. BACON. Because it is not pertinent to the point I am discussing; but I do say that the Senator may conceive it to be as beneficial to the Hindoos in their material interests as he pleases, or that it is as beneficial as the Senator may conceive it to be to the English people, but that nothing will compensate in that regard for the cruelties and the inhumanities that have in the past been heaped upon the people of India in order that British rule might be maintained.

And so, sir, I say, with reference to the Philippine Islands, that our retention of sovereignty there, the keeping of those people in subjection against their will, has not only been attended by brutalities in the past, but it will be attended by brutalities in the future, ever recurring; and it is for the purpose of pointing that lesson, for the purpose, if possible, of attracting the attention of the American people to what is before us in that regard, that I dwell upon the question of these atrocities.

Mr. President, is there anybody in the United States with a heart within his bosom and any regard for the good name of the United States who rejoices at the present situation? While Senators may defend what has been done, is there a Senator who would not rejoice if it had not been done? When we think of all that has occurred; when we think of the soldiers from this country who have died there, and of those who have been killed there, and the homes in this country which have been desolated on that account; when we think of the tens of thousands of Filipinos who have been slaughtered; when we think of the hundreds of thousands of Filipinos who have died in consequence of the war; when we think of the numbers of soldiers who have or are to come back ruined in health; when we think of the strain that has been put upon our institutions—the wrench, if you please, of our Constitution—in order to adapt our situation to this new colonial policy, how many of the American people—viewing not only that, but looking forward to the dreary future which is before us in this connection, the blush that is to come hereafter, the hundreds of millions of dollars that have already been spent, and the vast treasure which must be spent—how many, what proportion of the American people, are glad we are in the Philippine Islands?

How many Senators are there who in their hearts would not be glad if there were a way in which we could, in their opinion, be honorably quit of them? Mr. President, when you present to them the great sacrifices that we have made, when you talk to them about the great injury to the free institutions of this country, when you talk to them about the horrible task that is before us, how many are there who say they can not dispute that, and add, "We are there, and what are we to do about it?" As if a great evil, a great misfortune, is to be recognized and admitted, and yet we are to sit supinely, as if we had not the wit or the wisdom to move hand or foot in the effort to rescue ourselves from the evil.

Mr. President, what is to be done about it? Whenever we ask the question what is to be done, or whenever we propose to do anything, we are met by two stereotyped answers. Senators will not discuss the question as to practical methods of procedure. They will not endeavor to agree with you upon any plan by which this unfortunate situation may be relieved. And there are but two replies. One is that it is an inglorious retreat which is proposed. Whenever you speak about any solution of this matter which shall have for its ultimate purpose the design to rid this country of the incubus, if I may so call it, to rid us of this great

burden, the reply is that we are there and that to leave there is to ingloriously retreat and leave the islands to anarchy.

Not only that, but Senators endeavor to use opprobrious terms, and the favorite one is "scuttle." They say to those who advocate such a disposition as will in any way relieve the United States of this connection that we propose the game of scuttle, and that it is an inglorious abandonment of an enterprise undertaken.

The other answer is that it is proposed to ingloriously withdraw the army before it has established the authority of the United States and put down armed opposition to it. Now, sir, I wish to say that there has been no proposition to do either of these things, and there is no such proposition now. Every proposition is based on the establishment of peace and order and of the authority of the United States as a prerequisite to our action.

I will ask Senators to state when they come to discuss this question whether or not it is an inglorious retreat or whether it is scuttle to do that which was proposed to be done in the beginning. I assert that the leading Senators on this floor in the beginning proposed to do exactly the thing that we have proposed to do ever since, which was not to retain the islands, but to take them temporarily and thereafter to establish free government for that people and to leave them alone. If that is true, then for us now to do that is no inglorious retreat, it is no abandonment.

There have been certain things said by Senators here, which have been read very frequently in the Senate, and I read them again, not for the purpose of calling attention to any inconsistency on the part of Senators between their utterances of that day and their positions now, but to establish the proposition which I make, that Senators in the beginning announced the purpose to do what we now ask them to do, and that what they denominate now as "scuttle," as opprobrious, is exactly what they said in the beginning they intended should be done.

When I read speeches of that kind I am generally called on to read some from the Senator from Wisconsin [Mr. SPOONER], because he has been about as emphatic on that subject as any man could be. I hope the Senate will bear in mind the purpose for which I read these extracts, and the application which I ask shall be made of them. The purpose which I have is to show that the very thing which we ask to be done is the thing which they said in the beginning should be done, and if there has been any change it has been in them and not in ourselves.

In the speech by the Senator from Wisconsin [Mr. SPOONER] on the 2d day of February, 1899, which was published by him in pamphlet form, on page 31, the Senator used the following language:

But, Mr. President, I shrink from the notion that the interests of this country will be subserved by making permanently a part of our land territory thousands of miles away, inhabited by peoples alien to us, not of our blood, not of our way of thinking, foreign to all our associations, living in a tropical climate, where the white man can not work, under labor conditions of necessity which we would not permit to exist in the United States.

Every argument which has been made in support of this doctrine of territorial expansion—and by "territorial expansion" I mean permanent territorial expansion—seems to me to be superficial, some of them sentimental, and some of them fantastic.

I have to skip along, because otherwise as it is all of it very much on the line, I would read the entire speech, but I have not time to do that and I only select certain parts. Speaking of the flag and the pulling down of the flag, the Senator said:

To-day it floats in Cuba; the Spanish flag has gone forever, but our flag is not there to stay. It floats there in sight of the poor, wrecked *Maine* at Habana, but there will come a day, Mr. President—and I hope it will not be long—when we will take down our flag, raised there in the cause of liberty, and leave behind it liberty and an independent government, won and established under its folds.

I only read that for the connection of the next sentence:

I hope that, too, about the Philippines, and that is not at all inconsistent in my view with the ratification of the pending treaty.

Again, in the same speech, the Senator said:

I can not say, in view of the history of the country, that time may not change my views, but I must say that, as I now feel, if the ratification of this treaty involved permanent dominion by the United States over the archipelago and its people as a Territory of the United States, irrevocably committed us to the policy of territorial expansion, I could not give it my vote.

I hope the Senator will, unless he recollects this very well, give me his attention, because I want to recall it to him.

Mr. SPOONER. I recollect it perfectly.

Mr. BACON. Then I am reading it for the benefit of others. I am delighted to know that the Senator recollects it, because if he does he must admit the application I am going to make of it.

Mr. SPOONER. I will wait until I hear your application.

Mr. BACON. The Senator from Wisconsin further said:

Again, Mr. President, the whole matter will be within our own hands. If we find we can not get on with the Filipinos; if, after studying the conditions over there, our people find we can not without strife and intolerable burdens do them any good, we can then cede the sovereignty to them and sail away. We will not then be running away from a responsibility at first sight. We will not subject ourselves to possibly the just charge of cowardice by other nations. We will have left them then, after having made every honest effort in our power, upon the solid foundation of Spain's sovereignty and title, to help them to benefits which they would not have. We will have attempted to shower upon them blessings which long-continued tyranny has deprived them of the power to appreciate.

Mr. President, I commend to all who may feel an interest in the subject the entire speech of the Senator, much of which is on that line.

Now, for the application which I make of it, and I am going to make the application not only as to the Senator from Wisconsin, but to a half a dozen others whose utterances to the same effect I am going to read. The charge is that to leave the Philippine Islands is an abandonment of the purpose for which we went there; that it is what is commonly and opprobriously denominated scuttle; in other words, backing out.

That speech was made before the ratification of the treaty of peace, and it was made in advocacy of the ratification. I say that before the ratification in that speech the Senator from Wisconsin committed himself to the proposition plainly that so far as he was concerned the purpose was not the permanent retention of the islands, and that so far as he was concerned if that were the purpose he would not vote for it, and he recognized that it would be a legitimate act after we had ratified it to establish a government there for the benefit of the people and leave them there. It does not lie in his mouth to say that it is "scuttle," that it is backing out, that it is an abandonment of the original purpose, when the minority now advocates the course which the majority then said would be pursued. That is the application which I make of it and which I think is an absolutely legitimate one.

But the Senator was not alone in that statement. As I said, the speech from which I have quoted abounds in repetition in one way or another of that same thought. It was only because of the fact that those statements were made by Senators that the ratification of that treaty was secured, and there are Senators now members of this body who have stated, and will continue to state, that in the absence of those assurances that it would be considered a proper thing to leave the Philippine Islands they would never have voted for the ratification of the treaty, and without their votes it could not have been ratified.

The Senator from Ohio [Mr. FORAKER] used language which I shall also read. I want to say that the Senator from Wisconsin, if I do not err, has in this Congress, certainly if not in this in the last, affirmed that he still approved of everything he then stated. If so, upon what possible grounds can the Senator assume that those who now propose to do what he then said he would favor and which he would approve are guilty of a base abandonment of a purpose to the contrary.

The Senator from Ohio used this language on that subject in the same debate:

I do not understand anybody to be proposing to take the Philippine Islands with the idea and view of permanently holding them and denying to the people there the right to have a government of their own, if they are capable of it and want to establish it. I do not understand that anybody wants to do that. I have not heard of anybody who wants to do that. The President of the United States does not, I know, and no Senator in this Chamber has made any such statement.

Now, Mr. President, there is a statement from the Senator from Ohio to the same effect.

Mr. FORAKER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Ohio?

Mr. BACON. With pleasure.

Mr. FORAKER. I submit that if the Senator gives a part of a statement of that character he ought to give all of it. What the Senator has quoted from a speech I made on the occasion referred to is only a part of what was said by me at that time. I was interrogated by the Senator from Massachusetts [Mr. HOAR] and others, and in connection with that, as a part of the same colloquy, occurs what, if the Senator will allow me, I should like to insert here. I think it is only fair that it should be so inserted.

Mr. BACON. If the Senator will insert it without reading, I have no objection.

Mr. FORAKER. It will take but a minute.

Mr. BACON. I think I ought to be allowed to proceed.

Mr. FORAKER. I do not think it is unreasonable, inasmuch as the Senator did not quote all of it, that I should insist upon its being inserted here.

Mr. BACON. Very well.

Mr. FORAKER. I then said:

I think when we come to consider the question of policy with respect to the Philippines, the conditions there existing, their feeling of friendship, or their feeling of consent or of objection will have much to do with determining Congress in that respect. I say I do not know of anybody, from the President of the United States down to his humblest follower in this matter, who is proposing by force and violence to take and hold those islands for all time to come. That is all I can say in answer to the Senator.

Mr. BACON. Mr. President, I do not think that changes the proposition. I will not reread it. It will be in juxtaposition, and people can judge for themselves.

The Senator from Massachusetts [Mr. LODGE] used the following language in that debate:

Suppose we ratify the treaty. The islands pass from the possession of Spain into our possession without committing us to any policy. I believe we shall have the wisdom not to attempt to incorporate those islands with our

body politic or make their inhabitants a part of our citizenship. I believe we shall have the wisdom, the self-restraint, and the ability to restore peace and order in those islands and give their people the opportunity for self-government and for freedom under the protecting shield of the United States until the time shall come when they shall stand alone.

Mr. President, that is all we are asking now. If Congress will simply announce that it is the purpose to let these people stand alone, and that it is the purpose to proceed in a safe and leisurely manner, if you please, to accomplish that end, but that the ultimate end is to cut off from us this excrescence of colonialism and to give freedom to that people, we will not quarrel with them as to the time within which it shall be done or the particular methods. What we object to is a policy which adheres to colonialism, which refuses to say that it is not the purpose to maintain it as the permanent policy of this Government, and which step by step, in the absence of a declared policy, has a tendency to fasten it upon the country with more and more indissoluble bonds.

But that is not the point I am now after. The point I am after is that these Senators at the time announced that they did not consider that the permanent retention of the islands was the policy, and that therefore the proposition now not to hold them is not entitled to the condemnation of being scuttle or any other improper abandonment.

The Senator from Massachusetts [Mr. LODGE] also said:

I want no subject races and no vassal States. That we had by the fortunes of war assumed a great responsibility in the Philippines; that we ought to give to those people an opportunity for freedom, for peace, and for self-government.

I want to get this country out of war and back to peace. I want to get the disposition and control of the Philippines out of the hands of the war power and place them where they belong—in the hands of Congress and the President. I want to enter into a policy that shall enable us to give peace and self-government to the natives of those islands.

Both by the Senator from Ohio and the Senator from Massachusetts, as well as by the Senator from Wisconsin, there is a distinct declaration that the ratification of that treaty and the acquisition of those islands were not, in their opinion, acts which committed us to the permanent retention of the islands. That being so, the proposition in a proper way to be rid of the islands is not an abandonment of the original purpose.

Now, Mr. President, there are similar extracts which I have here from the Senator from Colorado [Mr. TELLER], who has been consistent from the beginning and who is consistent now:

There are few people in the world incapable of self-government. I believe the people of Luzon are capable of self-government now. I believe the people of some of the islands are. I do not know but all are. Mr. President, I keep in view this truth which I have stated, which I believe to be a truth, that the people are entitled to a government of their own making, and that we have no right to say, "Your standard is so low you will create a government which we can not affirm; therefore you can not have a government of your own." They are entitled to only such a government as they themselves can maintain; it must be one producing order and protection to persons and property, for otherwise it is not a government at all.

He continued:

We shall make a mistake if we make up our minds that we are going to govern these people from here, that we are going to govern them with Anglo-Saxons whom we send out there from here to administer the affairs of that country. You will need 50,000 soldiers; in a little while you will need more, for they are a great people. They are a people who are willing to contend for their liberty, and I believe it also to be an axiom that a people who will fight for their liberty and who are willing to die for it are capable of maintaining it.

I also read one from the Senator from Vermont [Mr. PROCTOR], as follows:

I am not in favor of annexation, not because I would apprehend any particular trouble from it, but because it is not a wise policy to take in any people of foreign tongue and training and without strong guiding American elements.

Also one from Mr. Thurston, then a Senator from Nebraska, as follows:

I am unalterably opposed to any departure from the declared policy of the fathers, which would start this Republic, for the first time, upon a career of conquest and dominion utterly at variance with the avowed purpose and manifest destiny of our republican Government.

And one from the Senator from South Carolina [Mr. McLAURIN], as follows:

It is idle to speak of Americanizing a tropical country 8,000 miles away. Our people will never consent for the people of that far-off land to ever have a voice in the affairs of our country. Therefore, to govern them we must inaugurate a military or colonial system utterly at variance with the principles of our Republic. But even if by a strained construction of the Constitution the power is vested in the United States to inaugurate a colonial system, I am utterly opposed, as a matter of policy, to the acquisition of any territory that can not be Americanized and brought into harmony with our institutions. I believe the time is not far off, and I gladly welcome its approach, when our flag will float over every foot of North American soil, but it must come naturally and peacefully—by the consent of the governed, not by the rude hand of war.

But when it comes to thrusting our rule upon 10,000,000 people on another continent by force of arms, I hold that such a policy is unwise as well as at variance with the principles upon which our Government is founded. Taxation without representation is as much tyranny as when King George's tea was dumped into Boston Harbor. To govern the people of the Philippines without their consent is as much government without the consent of the governed as it was when we were under the rule of Great Britain.

In a commercial point of view, I believe the importance of the Philippines per se is greatly exaggerated. They are chiefly valuable as the key to the Orient, but we need not colonize to obtain that advantage. The exports of the Philippines, according to the statistical abstract, in 1896 amounted to

\$30,806,250. If this entire trade was monopolized by us it would be insignificant. We will have to teach them to wear shirts and breeches before we can trade with them much.

And one from Mr. Gray, of Delaware, as follows:

Now we have them, it does not follow that we are committed to a colonial policy or to a violation of those great principles of liberty and self-government which must always remain American ideals if our own free institutions are to endure. No country, and this country least of all, can afford to trample on its ideals. I have no fear that it will do so.

He went further:

I assure you, with some knowledge of whereof I speak, that the President is committed to no policy calculated to discourage, much less strike down, the aspirations of liberty-loving people all over the world.

Mr. President, in this connection the point to which I wish to call the attention of Senators is that there is no set of resolutions that has ever been introduced into the Senate by anyone who was opposed to the imperialistic policy which ever proposed that we should leave those islands without ceremony, without regard to the question whether there was a government there which could protect the people from any disorder. Every set of resolutions which has ever been presented, whether by a committee or by an individual Senator, has declared as the basis of the proposition that there should first be erected in those islands a stable government.

The purpose thus declared by Senators in the extracts from their speeches is the purpose which the opponents of the present bill now seek to accomplish. Not only so, but every effort which has been made by the minority in opposition to an enforced colonial policy has been consistent with the purpose thus declared by those Senators and by others. There has never been any effort or purpose to make a dishonorable or inglorious retreat from the islands. There has never been any purpose that our Government should leave those islands until order was restored and a stable government was established in them. There has never been a purpose that the flag of the United States should be taken down until it was taken down voluntarily and in honor, just as it has been taken down voluntarily and in honor in Cuba.

What is proposed by the minority is to aid the Filipinos in establishing a free government for themselves, just as we have done in Cuba, and one of the principal objections to the pending bill is that it takes no step in that direction.

We have sent two commissions to govern the islands. Both of these commissions have been composed of men of distinguished ability. Each of these commissions, after great labor in investigating conditions, has recommended that the Filipinos be authorized to participate through representative bodies in the control of their own central government.

Admiral Dewey, in a letter to the Secretary of the Navy, June 27, 1898, said the Filipinos were far superior to the Cubans. This letter is found in the report of the Secretary of the Navy for 1898, vol. 2, page 103. August 29 he wrote the Secretary of the Navy that further intercourse with them had confirmed him in that opinion. I have made a similar inquiry of numbers of officers who have served both in the Philippines and in Cuba, and their testimony is uniformly to the same effect.

We have adjudged the Cubans as capable of self-government. We have spent four years in preparing them for their task, and finally we have established them as an independent republic. Why should we deny this to the Filipinos? We have a right to the greatest pride and self-gratulation upon our disinterested and noble work in Cuba. Through all the ages it must redound to our honor and glory. And still greater will be the honor and the glory if we shall give a free government to the Philippines.

Mr. President, I want to say to the Senate that I had no expectation of consuming the time which I have this afternoon. I have not finished, but I want to say that I have not been permitted to pursue any connected and continuous line of argument, and the interruptions have been so constant that it has been impossible for me to continue the argument which I began on yesterday with any degree of satisfaction to myself or, I am sure, with any pleasure to those who attempted to listen to me. I am not saying this in the way of complaint against interruptions. I am simply stating the fact.

Mr. FAIRBANKS. If the Senator desires to suspend his remarks for the day, I think he should be permitted to do so. He has spoken long and vigorously. I would suggest, if it be agreeable to him, that he resume his remarks at a later date, and that the Senate now take up the public buildings bill, in which many are interested.

Mr. BACON. I should like to complete what I was just saying. I really feel that I owe an apology for the very lame and imperfect manner in which I have presented my views to the Senate. In the first place, as must be apparent to the Senate, I am laboring under considerable physical disability. I have spoken with very great effort, but still, if I had been permitted to pursue any continuous line of thought, I believe I might possibly have gotten through with some degree of satisfaction; but my remarks have been so broken up and so disjointed that that is to-day an utter impossibility.

I am anxious to present some matters to the Senate and will ask their indulgence to do so hereafter. I do not feel that I can this afternoon pursue the subject with any degree of satisfaction whatever.

PUBLIC BUILDINGS.

Mr. FAIRBANKS. I ask unanimous consent that the unfinished business may be temporarily laid aside and that the Senate proceed to the consideration of House bill 14018, known as the public-buildings bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14018) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes, which had been reported from the Committee on Public Buildings and Grounds with amendments.

Mr. FAIRBANKS. I ask unanimous consent that the formal reading of the bill be dispensed with and that the bill be read for amendment.

The PRESIDING OFFICER. The Senator from Indiana asks unanimous consent that the formal reading of the bill be dispensed with and that the bill be read for amendment, the amendments of the Committee on Public Buildings and Grounds to be first considered. Is there objection? The Chair hears none, and it is so ordered.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Public Buildings and Grounds was, in section 1, on page 2, line 11, before the word "thousand," to strike out "thirty" and insert "five;" so as to make the clause read:

United States post-office and court-house at Fort Smith, Ark., from \$130,007.96 to \$205,607.96.

The amendment was agreed to.

The next amendment was, on page 2, line 14, before the word "hundred," to strike out "seven" and insert "eight;" so as to make the clause read:

United States mint at Denver, Colo., from \$500,000 to \$800,000.

The amendment was agreed to.

The next amendment was, on page 2, line 17, before the word "thousand," to strike out "fifty" and insert "ninety;" so as to make the clause read:

United States post-office and court-house at Beaumont, Tex., from \$75,000 to \$190,000, and the Secretary of the Treasury is hereby authorized, in his discretion, to acquire additional ground adjoining the present site sufficient in size to accommodate the necessary enlargement of the present building, said additional ground to cost not exceeding \$15,000.

The amendment was agreed to.

The next amendment was, on page 4, line 12, before the word "thousand," to strike out "forty-six" and insert "sixty-six;" and in line 14, before the word "changes," to insert "extension and;" so as to make the clause read:

United States post-office at Burlington, Iowa, from \$126,213.79 to \$166,213.79, and the Secretary of the Treasury is hereby authorized to make the necessary extension and changes in said building within the limit of cost hereby fixed.

The amendment was agreed to.

The next amendment was, on page 5, line 3, before the word "thousand," to strike out "fifty-nine" and insert "thirty-four;" so as to make the clause read:

United States post-office, court-house, and custom-house at Augusta, Me., from \$209,176.06 to \$334,176.06.

The amendment was agreed to.

The next amendment was, on page 6, line 9, before the word "thousand," to strike out "thirty-five" and insert "fifty;" so as to make the clause read:

United States post-office and court-house at Joplin, Mo., from \$100,000 to \$150,000.

The amendment was agreed to.

The next amendment was, on page 6, line 12, before the word "thousand," to strike out "two hundred and seventy-five" and insert "three hundred and fifty;" so as to make the clause read:

United States post-office and court-house at Butte, Mont., from \$225,000 to \$350,000.

The amendment was agreed to.

The next amendment was, on page 6, line 21, before the word "thousand," to strike out "fifteen" and insert "ten;" so as to make the clause read:

United States post-office at New Brunswick, N. J., from \$100,000 to \$110,000.

The amendment was agreed to.

The next amendment was, on page 7, line 9, after the word "million," to insert "five hundred thousand;" so as to make the clause read:

United States custom-house at New York City, N. Y., from \$3,000,000 to \$4,500,000.

The amendment was agreed to.

The next amendment was, on page 8, line 11, before the word

"thousand," to strike out "twenty" and insert "twenty-five," and in line 12, after the word "Provided," to strike out:

That said building shall be erected upon the site in said city now owned by the Government of the United States.

And insert:

That the Secretary of the Treasury is authorized, in his discretion, to acquire by purchase, condemnation, or otherwise, a new site in said city, and to erect thereon the public building heretofore authorized, payment for said new site to be made from the appropriation heretofore made for said public building. That the Secretary of the Treasury is further authorized and directed, in the event of the acquisition of a new site, to sell at public or private sale, at such time and on such terms as he shall deem best, the land heretofore acquired in said city as a site for said public building, and to deposit the net proceeds of such sale in the Treasury of the United States, to be expended in the construction of said building.

So as to make the clause read:

United States post-office and court-house at Elizabeth City, N. C., from \$100,000 to \$125,000: *Provided*, That the Secretary of the Treasury is authorized, in his discretion, to acquire by purchase, condemnation, or otherwise, a new site in said city, and to erect thereon the public building heretofore authorized, payment for said new site to be made from the appropriation heretofore made for said public building. That the Secretary of the Treasury is further authorized and directed, in the event of the acquisition of a new site, to sell at public or private sale, at such time and on such terms as he shall deem best, the land heretofore acquired in said city as a site for said public building, and to deposit the net proceeds of such sale in the Treasury of the United States, to be expended in the construction of said building.

The amendment was agreed to.

The next amendment was, on page 11, line 6, before the word "hundred," to strike out "five" and insert "six;" and in line 8, after the word "cents," to insert:

For the purpose of enlarging said building so as to make the same suitable for the further accommodation of the post-office and United States courts which shall continue therein, and to provide for said courts an additional court room, jury room, judges' chambers, toilet accommodations, and other necessary conveniences.

So as to make the clause read:

United States post-office and court-house at Portland, Oreg., from \$404,305.74 to \$654,305.74, for the purpose of enlarging said building so as to make the same suitable for the further accommodation of the post-office and United States courts which shall continue therein, and to provide for said courts an additional court room, jury room, judges' chambers, toilet accommodations, and other necessary conveniences.

The amendment was agreed to.

The next amendment was, on page 11, line 23, before the word "hundred," to strike out "seven" and insert "eight;" so as to make the clause read:

United States post-office, court-house, and custom-house at Memphis, Tenn., from \$906,323.53 to \$956,323.53.

The amendment was agreed to.

The next amendment was, on page 12, line 3, before the word "thousand," to strike out "three hundred and ninety-six" and insert "four hundred and forty-six;" so as to make the clause read:

United States post-office and court-house at Dallas, Tex., from \$296,054.75 to \$446,054.75.

The amendment was agreed to.

The next amendment was, on page 12, line 17, before the word "sixty," to insert "not less than;" so as to make the clause read:

United States post-office, court-house, and custom-house at St. Joseph, Mo., from \$373,140.66 to \$399,140.66: *Provided*, That the Secretary of the Treasury acquires by purchase, condemnation, or otherwise a tract of ground immediately adjoining the present site with a frontage of not less than 60 feet on Eighth street and a depth of 140 feet, within a limit of cost of \$18,000, hereby fixed.

The amendment was agreed to.

The next amendment was, on page 13, line 6, before the word "thousand," to strike out "fifty-seven" and insert "fifty-nine;" and in line 9, before the word "thousand," to strike out "six" and insert "eight;" so as to make the clause read:

United States post-office and court-house at Rome, Ga., from \$51,104.48 to \$59,104.48, and the Secretary of the Treasury is hereby authorized in his discretion to expend a sum not in excess of \$3,000 for a tract of land immediately adjoining the post-office site in said city having a frontage of 88 feet on East First street and a depth of 132 feet.

The amendment was agreed to.

The next amendment was, on page 13, line 18, before the word "thousand," to strike out "four hundred and eighty-one" and insert "five hundred and thirty-one;" so as to make the clause read:

United States post-office and court-house at Springfield, Ill., from \$381,864.22 to \$531,864.22.

The amendment was agreed to.

The next amendment was, on page 13, line 24, before the word "thousand," to insert "and fifty;" so as to make the clause read:

United States post-office, court-house, and custom-house at Seattle, Wash., from \$750,000 to \$950,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 24, to insert:

United States post-office and custom-house at Jacksonville, Fla., from \$238,281.85 to \$438,281.85.

The amendment was agreed to.

The next amendment was, on page 14, after line 4, to insert:

United States post-office at Kalamazoo, Mich., from \$72,119.54 to \$132,119.54.

The amendment was agreed to.

The next amendment was, on page 15, after line 2, to insert:

United States court-house, custom-house, and post-office at Omaha, Nebr., from \$1,800,000 to \$1,845,000.

The amendment was agreed to.

The next amendment was, on page 15, after line 6, to insert:

United States court-house and post-office at Greensboro, N. C., from \$58,457.49 to \$133,457.49.

The amendment was agreed to.

The next amendment was, on page 15, line 14, after the word "dollars," to strike out " : *Provided* " and insert a period; so as to make the clause read:

United States post-office and court-house at Norfolk, Va., from \$259,000 to \$258,000.

The amendment was agreed to.

The next amendment was, on page 15, line 18, after the word "respectively," to strike out:

And the building in each of said cities, respectively, when completed, as herein provided, shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys.

And in line 22, after the word " *Provided* ," to strike out " *further* ; " so as to make the clause read:

That the present site in each of the cities heretofore mentioned shall not be enlarged by the acquisition of ground under the provisions of this act, unless the Secretary of the Treasury is given specific authority herein to enlarge said sites, respectively: *Provided*, That the limits of cost hereinbefore respectively fixed shall include all necessary changes in, alterations and repairs of, the above-named buildings, and of the heating, ventilating, and plumbing systems and elevators therein, which may become necessary by reason of, or incident to, the extension or enlargement of said buildings.

The amendment was agreed to.

The next amendment was, on page 16, after line 3, to insert:

That where any of the public buildings hereinbefore mentioned have been completed, the increase in the limit of cost as to such buildings provided by this section shall be taken and understood to be an authorization for repairs, alterations, and additions to the same within said limit of cost, in accordance with plans and specifications heretofore drawn or hereafter to be drawn by the Supervising Architect of the Treasury, and for the purchase of additional grounds for the sites of said buildings where authority is given by law for the purchase of such additional grounds.

The amendment was agreed to.

The next amendment was, in section 2, on page 16, line 23, before the word "dollars," to strike out "seven hundred thousand" and insert "one million;" and in the same line, after the word "dollars," to insert the following proviso:

Provided, That the United States custom-house at San Francisco, Cal., shall be erected upon the old post-office site on Battery street, between Washington and Jackson streets, and be provided with elevators.

So as to make the clause read:

United States custom-house at San Francisco, Cal., \$1,000,000: *Provided*, That the United States custom-house at San Francisco, Cal., shall be erected upon the old post-office site on Battery street, between Washington and Jackson streets, and be provided with elevators.

The amendment was agreed to.

The next amendment was, on page 17, line 8, before the word "thousand," to strike out "forty-one" and insert "fifty;" so as to make the clause read:

United States post-office at Emporia, Kans., \$50,000.

The amendment was agreed to.

The next amendment was, on page 17, after line 8, to insert:

United States post-office and other governmental offices at Oklahoma City, Okla., \$50,000.

The amendment was agreed to.

The next amendment was, on page 17, line 12, before the word "thousand," to strike out "one hundred" and insert "fifty;" and in the same line, after the word " *Provided* ," to strike out:

That the United States custom-house at San Francisco, Cal., shall be erected upon the old post-office site on Battery street, between Washington and Jackson streets, and be provided with elevators: *And provided further*.

So as to make the clause read:

United States post-office and court-house at Guthrie, Okla., \$50,000: *Provided*, That the United States post-office and court-house at Guthrie, Okla., shall be erected upon that portion of the northwest corner of block 56 of the official plat of the town site of Guthrie, Okla., known as the "Government acre," more particularly described as follows: Beginning at the northwest corner of said block, running thence east on the north line of the block 168.1 feet; thence south parallel with the east line of said block 168.1 feet; thence west parallel with the south line of said block 168.1 feet; thence north along the west side of said block 168.1 feet, to the place of beginning, and containing 23,375.28 square feet.

The amendment was agreed to.

The next amendment was, in section 3, on page 18, line 24, before the word "thousand," to strike out "one hundred and twenty-five" and insert "two hundred;" so as to make the clause read:

United States post-office and court-house at Ogden, Utah, \$200,000.

The amendment was agreed to.

The next amendment was, on page 19, after line 2, to strike out:

United States post-office at Oil City, Pa., \$60,000.

The amendment was agreed to.

The next amendment was, on page 19, line 13, before the word "thousand," to strike out "seventy" and insert "seventy-five;" so as to make the clause read:

United States post-office and custom-house at Muskegon, Mich., \$75,000.

The amendment was agreed to.
The next amendment was, on page 19, after line 15, to strike out:

United States post-office at Rock Hill, S. C., \$35,000.

The amendment was agreed to.

The next amendment was, on page 19, after line 17, to strike out:

United States post-office and revenue office at Martinsville, Va., \$35,000.

The amendment was agreed to.

The next amendment was, on page 19, line 21, before the word "thousand," to strike out "thirty" and insert "thirty-five;" so as to make the clause read:

United States post-office at Atlantic, Iowa, \$35,000.

The amendment was agreed to.

The next amendment was, on page 19, line 25, before the word "thousand," to strike out "one hundred" and insert "ninety;" so as to make the clause read:

United States post-office and court-house at Florence, S. C., \$90,000.

The amendment was agreed to.

The next amendment was, in section 4, on page 20, line 21, before the word "thousand," to strike out "seventy-five" and insert "seventy;" so as to make the clause read:

United States post-office and court-house at Harrison, Ark., \$70,000.

The amendment was agreed to.

The next amendment was, on page 20, line 23, before the word "thousand," to strike out "fifty" and insert "seventy;" so as to make the clause read:

United States post-office and court-house at Batesville, Ark., \$70,000.

The amendment was agreed to.

The next amendment was, on page 20, line 24, after the word "post-office," to strike out "and court-house;" so as to make the clause read:

United States post-office at Colorado Springs, Colo., \$135,000.

The amendment was agreed to.

The next amendment was, on page 21, line 4, before the word "thousand," to strike out "thirty-five" and insert "twenty-five;" so as to make the clause read:

United States post-office at Waterbury, Conn., \$125,000.

The amendment was agreed to.

The next amendment was, on page 21, line 6, before the word "thousand," to strike out "forty" and insert "fifty;" so as to make the clause read:

United States post-office at Torrington, Conn., \$50,000.

The amendment was agreed to.

The next amendment was, on page 21, line 8, before the word "thousand," to strike out "seventy-five" and insert "one hundred;" so as to make the clause read:

United States post-office and court-house at Athens, Ga., \$100,000.

The amendment was agreed to.

The next amendment was, on page 21, line 10, before the word "thousand," to strike out "sixty" and insert "sixty-five;" so as to make the clause read:

United States post-office at Jacksonville, Ill., \$65,000.

The amendment was agreed to.

The next amendment was, on page 21, line 12, before the word "thousand," to strike out "fifty" and insert "sixty;" so as to make the clause read:

United States post-office at Ottawa, Ill., \$60,000.

The amendment was agreed to.

The next amendment was, on page 21, after line 12, to insert:

United States post-office at Meriden, Conn., \$100,000.

The amendment was agreed to.

The next amendment was, on page 21, after line 14, to insert:

United States post-office at Oil City, Pa., \$60,000.

The amendment was agreed to.

The next amendment was, on page 21, after line 16, to insert:

United States post-office at Kirksville, Mo., \$40,000.

The amendment was agreed to.

The next amendment was, on page 21, after line 18, to insert:

United States post-office at Marblehead, Mass., \$40,000.

The amendment was agreed to.

The next amendment was, on page 21, after line 20, to insert:

United States post-office at Oak Park, Ill., \$35,000.

The amendment was agreed to.

The next amendment was, on page 21, line 24, before the word "thousand," to strike out "seventy" and insert "sixty;" so as to make the clause read:

United States post-office and revenue office at Pekin, Ill., \$60,000.

The amendment was agreed to.

The next amendment was, on page 22, after line 4, to insert:

United States post-office at Moberly, Mo., \$40,000.

The amendment was agreed to.

The next amendment was, on page 22, line 8, before the word "thousand," to strike out "fifty" and insert "sixty;" so as to make the clause read:

United States post-office at Stillwater, Minn., \$60,000.

The amendment was agreed to.

The next amendment was, on page 22, line 10, before the word "thousand," to insert "and ten;" so as to make the clause read:

United States post-office and court-house at Greenville, Tenn., \$110,000.

The amendment was agreed to.

The next amendment was, on page 22, line 12, before the word "thousand," to strike out "thirty" and insert "forty;" so as to make the clause read:

United States post-office at Maysville, Ky., \$40,000.

The amendment was agreed to.

The next amendment was, on page 22, line 14, before the word "thousand," to strike out "fifty" and insert "sixty;" so as to make the clause read:

United States post-office at Natchez, Miss., \$60,000.

The amendment was agreed to.

The next amendment was, on page 22, line 18, before the word "thousand," to strike out "seventy" and insert "sixty;" so as to make the clause read:

United States post-office at Kankakee, Ill., \$60,000.

The amendment was agreed to.

The next amendment was, on page 22, after line 18, to insert:

United States post-office at Columbia, Mo., \$40,000.

The amendment was agreed to.

The next amendment was, on page 22, line 22, before the word "thousand," to strike out "seventy-five" and insert "eighty-five;" so as to make the clause read:

United States post-office at Elkhart, Ind., \$85,000.

The amendment was agreed to.

The next amendment was, on page 23, line 2, before the word "thousand," to strike out "seventy-five" and insert "eighty;" so as to make the clause read:

United States post-office at Muncie, Ind., \$80,000.

The amendment was agreed to.

The next amendment was, on page 23, after line 2, to insert:

United States post-office at Dekalb, Ill., \$65,000.

The amendment was agreed to.

The next amendment was, on page 23, line 6, before the word "thousand," to strike out "seventy-five" and insert "eighty;" so as to make the clause read:

United States post-office at Richmond, Ind., \$80,000.

The amendment was agreed to.

The next amendment was, on page 23, after line 8, to insert:

United States post-office at Anderson, Ind., \$80,000.

The amendment was agreed to.

The next amendment was, on page 23, line 14, before the word "thousand," to strike out "twenty-five" and insert "forty;" so as to make the clause read:

United States post-office and court-house at Hammond, Ind., \$140,000.

The amendment was agreed to.

The next amendment was, on page 23, line 16, before the word "thousand," to strike out "eighty-five" and insert "eighty;" so as to make the clause read:

United States post-office at Marshalltown, Iowa, \$80,000.

The amendment was agreed to.

The next amendment was, on page 23, line 18, after the word "dollars," to insert the following proviso:

Provided, That the Secretary of the Treasury in selecting a site in the city of Waterloo, and State of Iowa, shall confine its location within the First or Second wards of said city as now constituted.

The amendment was agreed to.

The next amendment was, on page 23, line 24, before the word "thousand," to strike out "one hundred" and insert "eighty;" so as to make the clause read:

United States post-office at Boone, Iowa, \$80,000.

The amendment was agreed to.

The next amendment was, on page 24, line 6, before the word "thousand," to strike out "fifty" and insert "seventy;" so as to make the clause read:

United States post-office at Lawrence, Kans., \$70,000.

The amendment was agreed to.

The next amendment was, on page 24, line 14, before the word "thousand," to insert "and fifty;" so as to make the clause read:

United States post-office and court-house at Sherman, Tex., \$150,000.

The amendment was agreed to.

The next amendment was, on page 24, after line 16, to insert:

United States post-office at Rock Hill, S. C., \$35,000.

The amendment was agreed to.

The next amendment was, on page 24, after line 18, to insert:

United States post-office and revenue office at Martinsville, Va., \$35,000.

The amendment was agreed to.

The next amendment was, on page 24, line 22, before the word "thousand," to strike out "eighty" and insert "one hundred and ten;" so as to make the clause read:

United States post-office at Battlet Creek, Mich., \$110,000.

The amendment was agreed to.

The next amendment was, on page 24, line 24, after the word "thousand," to insert "and twenty-five;" so as to make the clause read:

United States post-office, court-house, and custom-house at Biloxi, Miss., \$125,000.

The amendment was agreed to.

The next amendment was, on page 25, line 2, before the word "thousand," to strike out "eighty" and insert "ninety;" so as to make the clause read:

United States post-office at Nassau, N. H., \$90,000.

The amendment was agreed to.

The next amendment was, on page 25, line 4, before the word "thousand," to strike out "fifteen" and insert "twenty-five;" so as to make the clause read:

United States post-office at Atlantic City, N. J., \$125,000.

The amendment was agreed to.

The next amendment was, on page 25, line 8, before the word "thousand," to strike out "seventy" and insert "fifty;" so as to make the clause read:

United States post-office and revenue office at Durham, N. C., \$50,000.

The amendment was agreed to.

The next amendment was, on page 25, line 12, before the word "thousand," to strike out "and ten;" so as to make the clause read:

United States post-office at Zanesville, Ohio, \$100,000.

The amendment was agreed to.

The next amendment was, on page 25, line 14, before the word "thousand," to strike out "twenty-five" and insert "eighty;" so as to make the clause read:

United States post-office and court-house at Grand Forks, N. Dak., \$180,000.

The amendment was agreed to.

The next amendment was, on page 25, after line 17, to strike out:

United States post-office at Geneva, N. Y., \$75,000.

The amendment was agreed to.

The next amendment was, on page 26, line 4, before the word "thousand," to strike out "fifty" and insert "sixty;" so as to make the clause read:

United States post-office at West Chester, Pa., \$60,000.

The amendment was agreed to.

The next amendment was, on page 26, line 10, before the word "thousand," to strike out "sixty" and insert "sixty-five;" so as to make the clause read:

United States post-office at Washington, Pa., \$65,000.

The amendment was agreed to.

The next amendment was, on page 26, line 12, before the word "thousand," to strike out "seventy-eight" and insert "eighty;" so as to make the clause read:

United States post-office at Norristown, Pa., \$80,000.

The amendment was agreed to.

The next amendment was, on page 26, line 16, before the word "thousand," to strike out "seventy" and insert "sixty-five;" so as to make the clause read:

United States post-office at Ithaca, N. Y., \$65,000.

The amendment was agreed to.

The next amendment was, on page 27, line 2, before the word "thousand," to strike out "forty" and insert "sixty;" so as to make the clause read:

United States post-office and custom-house at Georgetown, S. C., \$60,000.

The amendment was agreed to.

The next amendment was, on page 27, line 8, before the word "thousand," to strike out "sixty" and insert "seventy-five;" so as to make the clause read:

United States post-office at Flint, Mich., \$75,000.

The amendment was agreed to.

The next amendment was, on page 27, line 10, before the word "thousand," to strike out "seventy-five" and insert "one hundred;" so as to make the clause read:

United States post-office and court-house at Charlottesville, Va., \$100,000.

The amendment was agreed to.

The next amendment was, on page 27, line 13, before the word "thousand," to strike out "one hundred and seventy-five" and insert "two hundred and twenty-five;" so as to make the clause read:

United States post-office, court-house, and custom-house at Superior, Wis., \$225,000.

The amendment was agreed to.

The next amendment was, on page 27, line 15, before the word "thousand," to strike out "thirty-five" and insert "forty-five;" so as to make the clause read:

United States post-office at Baraboo, Wis., \$45,000.

The amendment was agreed to.

The next amendment was, on page 27, line 17, before the word "thousand," to strike out "fifty" and insert "sixty;" so as to make the clause read:

United States post-office at Wausau, Wis., \$60,000.

The amendment was agreed to.

The next amendment was, on page 27, line 21, before the word "thousand," to strike out the word "sixty" and insert "sixty-five;" so as to make the clause read:

United States post-office at Fond du Lac, Wis., \$65,000.

The amendment was agreed to.

The next amendment was, on page 27, line 23, before the word "thousand," to strike out "seventy-five" and insert "one hundred and fifty;" so as to make the clause read:

United States post-office and court-house at Huntington, W. Va., \$150,000.

The amendment was agreed to.

The next amendment was, on page 28, after line 4, to insert:

United States post-office and other governmental offices at Crookston, Minn., \$75,000.

The amendment was agreed to.

The next amendment was, on page 28, after line 6, to insert:

United States post-office at Gainesville, Tex., \$80,000.

The amendment was agreed to.

The next amendment was, on page 28, after line 8, to insert:

United States post-office at Laramie, Wyo., \$100,000.

The amendment was agreed to.

Mr. FAIRBANKS. After line 10, on page 28, on behalf of the committee, I move to insert:

United States post-office at Scranton, Pa., \$100,000.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Public Buildings and Grounds was, on page 28, line 12, to increase the appropriation for United States post-office, court-house, and custom-house at Laredo, Tex., from \$25,000 to \$60,000, and in line 13, after the word "dollars," to strike out the following proviso:

Provided, That the limit of cost of site in each city mentioned in this section shall not exceed 15 per cent of the total limit of cost for site and building herein fixed, respectively, and the Secretary of the Treasury shall not purchase a site in either of said cities until satisfied that the price therefor will permit the execution of all the provisions of this section in each of said cities within said limit of cost for site and building, respectively: *And provided further*, That the Secretary of the Treasury in selecting a site in the city of Waterloo, and State of Iowa, shall confine its location within the First or Second wards of said city as now constituted.

The amendment was agreed to.

The next amendment was, on page 29, after line 5, to insert:

United States post-office at Yankton, S. Dak., \$7,500.

The amendment was agreed to.

The next amendment was, on page 29, after line 7, to insert:

United States post-office at Muscatine, Iowa, \$15,000.

The amendment was agreed to.

The reading of the bill was continued to the end of line 17 on page 29.

Mr. FAIRBANKS. In line 17, page 29, I move to strike out "five thousand" and insert "seven thousand five hundred dollars."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 29, line 17, it is proposed to strike out "five thousand" and insert "seven thousand five hundred dollars;" so as to read:

United States post-office and court-house at Pierre, S. Dak., \$7,500.

The amendment was agreed to.

The next amendment was, on page 29, line 21, before the word "thousand," to strike out "sixty" and insert "one hundred;" and in the same line, after the word "dollars," to strike out the following proviso:

Provided, That the site selected shall consist of an entire block or square of ground in said city.

So as to read:

United States post-office, court-house, and custom-house at Spokane, Wash., \$100,000.

The amendment was agreed to.

The next amendment was, on page 29, line 25, before the word "thousand," to strike out "sixty" and insert "one hundred;" and after the word "dollars," in line 25, to strike out:

Provided, That the site selected shall consist of an entire block or square of ground in said city.

So as to read:

United States post-office, court-house, and custom-house at Tacoma, Wash., \$100,000.

The amendment was agreed to.

The next amendment was, on page 30, after line 4, to strike out:

United States post-office and custom-house at Sault Ste. Marie, Mich., \$6,000.

The amendment was agreed to.

The next amendment was, on page 30, after line 8, to strike out:

United States post-office and custom-house at Calais, Me., \$6,000.

The amendment was agreed to.

The next amendment was, on page 30, line 12, before the word "thousand," to strike out "twelve" and insert "twenty;" so as to make the clause read:

United States post-office at Hamilton, Ohio, \$20,000.

The amendment was agreed to.

The next amendment was, on page 30, after line 12, to strike out: United States post-office at Sterling, Ill., \$5,000.

Mr. CULLOM. I desire to call the attention of the chairman of the committee to this amendment. The committee propose to strike out lines 13 and 14, providing an appropriation of \$5,000 to buy a site at Sterling, Ill. I hope the Senator from Indiana will allow that provision to remain in the bill. It is a small sum, and Sterling is about as large as a good many of the towns wherein we are erecting buildings.

Mr. FAIRBANKS. The subject will be considered in conference. The committee acted upon the matter.

Mr. CULLOM. If it were a new matter, I should not insist upon it; but inasmuch as it is in the bill as it came to us from the House, I hope the Senator will agree to allow it to remain.

Mr. FAIRBANKS. I can not accept any modification.

Mr. CULLOM. I am inclined to insist that this item shall remain in the bill. I hope the Senator will not drive me to the necessity of having a vote upon it.

Mr. FAIRBANKS. I hope the Senator will not drive the committee to the necessity of opposing the provision further. They gave consideration to the subject, and they did not think, in view of the demands of other places, particularly in the State of Illinois, that they could authorize an appropriation at the present time for the purchase of a site at Sterling.

Mr. CULLOM. Unless the Senator is willing to allow the proposition to be favorably considered in conference, if the House insists upon it, I should like to have a vote upon it. If the Senator will agree, with whatever pressure there may be on the part of the House for the retention of the item, to consider it fairly, I will allow the matter to pass by.

Mr. FAIRBANKS. I will say to the Senator that the committee will be disposed to consider it fairly in conference.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Public Buildings and Grounds was, on page 30, after line 14, to insert:

United States post-office at Champaign, Ill., \$15,000.

The amendment was agreed to.

The next amendment was, on page 30, after line 16, to insert: United States land office at Natchitoches, La., \$5,000.

The amendment was agreed to.

The next amendment was, on page 31, line 9, after the word "Treasury," to insert "and the Commissioners of the District of Columbia, jointly," and in line 10, after the word "and," to strike out "he is" and insert "they are;" in line 11, after the word "acquire," to strike out "by purchase, condemnation, or otherwise" and insert "for a sum not exceeding \$550,000;" in line 24, after the word "company," to insert:

And jurisdiction is hereby conferred upon the supreme court of the District of Columbia upon petition of said company to inquire into, hear, and determine the amount of all actual damage sustained by said company by reason of the provisions herein contained, and to enter judgment against the District of Columbia in such sum as may be so ascertained as aforesaid.

So as to read:

SEC. 6. That the Secretary of the Treasury and the Commissioners of the District of Columbia, jointly, be, and they are hereby, authorized and directed to acquire, for a sum not exceeding \$550,000, for the joint use of the United States and the District of Columbia, for the erection thereon of a municipal building for said District, square 255 in the city of Washington, District of Columbia, and that portion of E street lying between said square and Pennsylvania avenue is hereby appropriated and made a part of said square for the purpose of erecting thereon the municipal building, and the Commissioners of the District of Columbia are hereby authorized to change the route of the Washington, Alexandria, and Mount Vernon Electric Railway in such a manner as to cause said portion of E street to be vacated by the tracks of said company, and jurisdiction is hereby conferred upon the supreme court of the District of Columbia upon petition of said company to inquire into, hear, and determine the amount of all actual damage sustained by said company by reason of the provisions herein contained, and to enter judgment against the District of Columbia in such sum as may be so ascertained as aforesaid, etc.

Mr. FAIRBANKS. I wish to offer an amendment to the amendment. Beginning in line 16 I move to strike out all after the words "District of Columbia," down to and including the word "aforesaid" in line 5, page 32.

The SECRETARY. On page 31, it is proposed to strike out all after the word "Columbia" in line 16, down to and including the word "aforesaid" in line 5, page 32, as follows:

And that portion of E street lying between said square and Pennsylvania avenue is hereby appropriated and made a part of said square for the purpose of erecting thereon the municipal building, and the Commissioners of the District of Columbia are hereby authorized to change the route of the Washington, Alexandria, and Mount Vernon Electric Railway in such a manner as to cause said portion of E street to be vacated by the tracks of said company, and jurisdiction is hereby conferred upon the supreme court

of the District of Columbia upon petition of said company to inquire into, hear, and determine the amount of all actual damage sustained by said company, by reason of the provisions herein contained, and to enter judgment against the District of Columbia in such sum as may be so ascertained as aforesaid.

The amendment to the amendment was agreed to.

Mr. FAIRBANKS. Then in line 8, page 32, after the word "said," I move to strike out the words "square 255" and insert in lieu thereof the word "site."

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Indiana to the same words found in line 16, on page 32.

Mr. FAIRBANKS. The same amendment to the amendment should be made.

The SECRETARY. It is proposed in line 16, page 32, to strike out the words "square 255" and to insert in lieu thereof the word "site."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 33, line 16, after the word "city," to strike out:

Provided, That the Secretary of the Treasury shall not accept any bid or sum of money for said old custom-house building and site which does not furnish a sufficient sum of money to enlarge the United States post-office, court-house, and custom-house in said city so as to furnish suitable accommodations for all governmental offices in said city entitled to space in said building.

In line 22, after the word "Provided," to strike out "further," and in line 24, before the word "thousand," to strike out "three hundred" and insert "two hundred and sixty;" so as to make the section read:

SEC. 7. That the Secretary of the Treasury be, and he is hereby, authorized to sell the old custom-house building and the site thereof at the corner of Ninth and Walnut streets, in the city of Kansas City, Mo., at public or private sale, after proper advertisement, at such time and on such terms as he may deem to be to the best interests of the United States, and to execute a quitclaim deed to the purchaser thereof, and to apply the proceeds of the sale of said property, or so much thereof as may be necessary, to the completion of the post-office and court-house building in said city: *Provided*, That said building and site shall not be sold for a sum less than \$200,000.

The amendment was agreed to.

The next amendment was, on page 34, line 9, before the word "thousand," to strike out "and fifty;" in line 10, before the word "thousand," to insert "and seventy-five;" in line 11, after the word "selected," to strike out "shall be an entire block or square of ground, with a street on each side thereof, consisting in" and insert "shall consist of an," and in line 14, before the word "thousand," to strike out "one hundred" and insert "seventy-five;" so as to make the section read:

SEC. 8. That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site and to contract for the erection and completion thereon of a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, complete, for the use and accommodation of the United States post-office in the city of St. Louis and State of Missouri, the cost of said site and building not to exceed \$500,000, and the limit of cost of site is hereby fixed at \$275,000: *Provided*, That the site selected shall consist of an area of not less than 75,000 square feet, and shall be located as near as possible to the Union Railway Station in said city.

The amendment was agreed to.

The next amendment was, in the provision for a public building at Wheeling, W. Va., on page 36, line 21, after the word "fixed," to strike out the following proviso:

Provided, That the site selected shall consist of an entire block or square of ground bounded on each side by a street, and shall cost not to exceed the sum of \$40,000, which sum is hereby fixed as the limit of cost of said site.

The amendment was agreed to.

The next amendment was, in the same provision, on page 37, line 13, before the word "thousand," to strike out "sixty" and insert "twenty-five;" so as to make the clause read:

Provided, That said building and site shall not be sold for any sum less than \$125,000.

The amendment was agreed to.

The next amendment was, on page 37, line 25, after the word "third," to strike out "street" and insert "and Mulberry streets;" on page 38, line 4, before the word "thousand," to strike out "seventy-two" and insert "one hundred and fifty-six;" in line 5, after the word "Provided" to strike out:

That the additional ground to be acquired on Third street shall have a frontage thereon of about 70 feet and a depth of about 118 feet and the limit of cost of said additional land shall not exceed the sum of \$6,000.

And insert:

That the limit of cost of said additional land and site shall not exceed \$31,000;

So as to make the section read:

SEC. 12. That "An act to provide for enlarging and improving the United States Government building at Macon, Ga., and to appropriate \$58,000 therefor, approved March 2, 1899," is hereby amended so as to read as follows:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause the post-office and court-house building at Macon, Ga., to be extended and enlarged so as to provide necessary accommodations for the post-office, courts, and other branches of the Government service, and

to purchase additional ground on Third and Mulberry streets, in his discretion, for this purpose, and that the total cost of all said improvements, changes, and repairs, including the purchase price of an additional site, shall not exceed the sum of \$156,000: *Provided*, That the limit of cost of said additional land and site shall not exceed \$31,000."

The amendment was agreed to.

The next amendment was on page 39, line 21, before the word "thousand," to strike out "seventy" and insert "eighty-two;" so as to make the section read:

SEC. 14. That the Secretary of the Treasury be, and he is hereby, authorized to acquire, by purchase, condemnation, or otherwise, a suitable site in the city of Toledo and State of Ohio upon which to erect a building for the use and accommodation of the United States post-office and other governmental offices in said city: *Provided*, That the site selected shall consist of an entire block or square of ground, bounded on each side by a street, and shall consist in area of not less than 70,000 square feet, within a limit of cost of \$125,000, hereby fixed: *And provided further*, That if the Secretary of the Treasury shall be unable to obtain a site as above described, then and in that case he is hereby authorized, in his discretion, to acquire, by purchase, condemnation, or otherwise, a tract of land fronting on St. Clair street, immediately adjoining the present post-office site, having an area of 14,400 square feet, said tract of land being 120 feet square, within a limit of cost of \$82,000, hereby fixed.

The amendment was agreed to.

The next amendment was, on page 40, line 13, before the word "thousand," to strike out "twenty-five" and insert "sixty-five;" and in line 17, before the word "thousand," to strike out "eighty" and insert "seventy;" so as to make the section read:

SEC. 15. That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a suitable site in the city of Des Moines and State of Iowa upon which to erect a building for the use and accommodation of the United States post-office, court-house, custom-house, and other governmental offices in said city, and the limit of cost of site is hereby fixed at \$165,000: *Provided*, That the site selected shall consist of an entire block or square of ground, bounded on each side by a street, and shall have an area of not less than 70,000 square feet. When the Secretary of the Treasury has acquired a site in said city, as herein provided, he shall make a report to Congress, stating the location, dimensions, and cost of the same, and recommend to Congress the character and size of building that should be erected upon said site, and submit an estimate of the cost of said building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches.

The amendment was agreed to.

The next amendment was, on page 41, line 15, before the word "of," to insert "all that portion;" in line 16, after the word "block," to insert "lying west of the alley;" in line 18, before the word "thousand," to strike out "and fifty;" and in the same line, after the word "dollars," to strike out:

Or, in his discretion, to acquire a site elsewhere, by purchase, condemnation, or otherwise, and for this purpose may exchange the present site, should he deem such action advantageous, in full or part consideration for such new site.

On page 41, line 23, after the word "enlarged," to strike out "or upon the new site elsewhere acquired;" on page 42, line 4, after the word "cost," to strike out "including any amount expended for the enlargement of the present site or the purchase of a new site;" in line 7, after the word "thousand," to strike out "five hundred" and insert "seven hundred and fifty;" and in the same line, after the word "dollars," to strike out:

Such building, when completed, to be so located as to be unexposed to danger from fire in adjacent buildings by an open space of not less than 40 feet on all sides, including streets and alleys.

So as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and empowered to enlarge the public building site belonging to the United States in the city of Los Angeles, Cal., by the acquisition, by purchase, condemnation, or otherwise, all that portion of the remainder of the block lying west of the alley in which said public-building site is located, provided the same can be acquired at not to exceed \$100,000.

That upon the present site, when so enlarged, the Secretary is authorized and directed to cause to be erected a suitable and commodious fireproof building for the use and accommodation of the United States courts, post-office, and other Government offices in said city, at a total cost of not to exceed \$750,000.

The amendment was agreed to.

The next amendment was, on page 42, after line 10, to strike out the following words:

That in the event of the purchase of a new site, if the present site is not exchanged in full or part consideration therefor, the Secretary of the Treasury is authorized and directed to sell the present site at such time and upon such terms as in his judgment shall be to the best interests of the United States, and to deposit the proceeds of said sale in the Treasury as a miscellaneous receipt.

The amendment was agreed to.

The next amendment was, on page 43, line 5, after the word "hereby," to strike out:

reappropriated and made immediately available for the purposes of this act, but said appropriation shall remain available for the payment of outstanding liabilities, including the liquidation of damages caused by the abrogation of any existing contracts, entered into under said appropriations and authority.

And insert "covered into the Treasury as miscellaneous items. Authority;" in line 12, before the word "any," to strike out "pay" and insert "settle and adjust;" in line 13, before the word "contracts," to strike out "such" and insert "certain," and in the same line, after the word "contracts," to insert "under former appropriations for a public building at Los Angeles;" in line 16, after the word "and," to strike out "the" and insert "a sum of money sufficient to cover such adjustments and settlements is hereby appropriated. The;" so as to make the clause read:

That the unexpended balance of the appropriation of \$100,000, contained in section 3 of the act of Congress approved March 3, 1899, entitled "An act to increase the limit of cost for the erection of a public building at Stockton, Cal., and making provision for the acquisition of additional land, or a new site therefor, and to provide for an addition to the public building at Los Angeles, Cal., and appropriating money therefor," together with the unexpended balance of the appropriation for "court-house and post-office at Los Angeles, Cal.;" for completion of addition to present building under present limit, \$150,000," are hereby covered into the Treasury as miscellaneous items. Authority is hereby given to the Secretary of the Treasury to settle and adjust any claims for damages due to the abrogation of certain contracts under former appropriations for a public building at Los Angeles, provided the amounts thereof can be liquidated for such sums as in his opinion are just and reasonable, and a sum of money sufficient to cover such adjustments and settlements is hereby appropriated. The Secretary of the Treasury is hereby further authorized and empowered to enter into contracts for the erection of the building herein authorized, within the limit of cost hereby fixed.

The amendment was agreed to.

The next amendment was, on page 44, after line 24, to insert a new section, as follows:

SEC. 19. That the sum of \$100,000 is hereby appropriated to be used and expended by the Secretary of the Treasury of the United States for the following purposes and no other: One hundred and thirty-five thousand dollars of this appropriation for the purchase from the county of Forsyth, State of North Carolina, of a lot of land 200 feet long by 200 feet wide, lying and being in Winston, N. C., and bounded as follows: On the north by Fourth street, on the east by Main street, on the south by Third street, and on the west by Liberty street, together with the public building now standing on said lot, and occupied as a county court-house. Twenty-five thousand dollars of this appropriation to be used and expended under the direction of the Secretary of the Treasury in making all necessary alterations and modifications of the above-described building, and furnishing the same, so as to make the said building suitable and available for a post-office of the United States for Winston-Salem, N. C., and for such other Government offices and purposes as may be required and deemed necessary.

That the Secretary of the Treasury, for and in consideration of the sum of \$3,500, to be paid by the county of Forsyth, State of North Carolina, is hereby authorized and directed to sell and properly convey by a deed in fee simple to the county of Forsyth all the right, title, and interest of the United States in and to a certain lot of land lying in the city of Winston, N. C., and bounded as follows: Beginning at an iron stake at the intersection of Fifth and Liberty streets, thence north with Liberty street 125 feet to an iron stake, thence west 125 feet to an iron stake, thence south 125 feet to an iron stake on Fifth street, thence east with Fifth street 125 feet to the beginning, being the lot purchased by the United States from Joseph Jacobs, and recorded in Book 62, page 422, in the office of the register of deeds of Forsyth County. The proceeds of this sale to be deposited in the Treasury as a miscellaneous receipt.

That so much of the act of March 2, 1899, appropriating \$50,000 for the erection of a public building for a post-office in Winston-Salem, N. C., and requiring the Secretary of the Treasury to erect a Federal building on the lot purchased, is hereby repealed, and the amount appropriated, and the purpose for which it is to be used and expended, shall be as provided for and set forth in this act.

The amendment was agreed to.

The next amendment was, in section 23, page 49, line 1, after the word "Treasury," to strike out "the Postmaster-General, and the Attorney-General;" in line 5, after the word "Michigan," to strike out "Jacksonville, Fla.;" in the same line, after the word "Texas," to strike out "Kalamazoo, Mich.;" in line 7, after the word "Tennessee," to strike out "Greensboro, N. C.;" in line 9, after the word "make," to strike out "reports" and insert "report;" in line 13, after the word "The," to strike out "reports" and insert "report;" and in line 22, after the word "building," to insert:

and the Secretary of the Treasury is hereby authorized to have prepared plans and specifications for the enlargement of the United States post-office and court-house, or for the construction of a new post-office and court-house, at Columbus, Ohio, as he may deem advisable, at a cost not to exceed \$5,000.

So as to make the section read:

SEC. 23. That the Secretary of the Treasury of the United States shall cause to be examined the Government buildings in the following cities, to wit: Watertown, N. Y.; Grand Rapids, Mich.; Houston, Tex.; South Bend, Ind.; Duluth, Minn.; Lima, Ohio; Jersey City, N. J.; Knoxville, Tenn.; Syracuse, N. Y., and make report to Congress at its next session showing in detail the condition of the building in each city named, whether of insufficient capacity to transact public business, and if so the most economical and best method of affording relief. The report should show the value of each building and site, the cost of purchasing additional ground and size thereof, the cost of constructing an addition, if one is necessary, or the cost of a new site and building, showing cost of each separately in case that is the only remedy; and the Secretary of the Treasury is hereby directed to investigate the postal situation at Yonkers, N. Y., and report to Congress at its next session the probable cost of a suitable site in said city upon which to erect a post-office building; and the Secretary of the Treasury is hereby authorized to have prepared plans and specifications for the enlargement of the United States post-office and court-house, or for the construction of a new post-office and court-house, at Columbus, Ohio, as he may deem advisable, at a cost not to exceed \$5,000.

Mr. FAIRBANKS. I move to amend the amendment by inserting, in line 6, before the words "South Bend," the words "Hilo and Honolulu, Territory of Hawaii; Albuquerque, N. Mex."

Mr. FORAKER. Let Honolulu come first. It is the capital.

Mr. FAIRBANKS. I accept the suggestion of the Senator from Ohio. Let it read "Honolulu and Hilo."

Mr. SPOONER. Are both to be court-houses?

Mr. FAIRBANKS. These are simply instructions to the Department to make an investigation as to Government buildings.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. In line 6, before the words "South Bend," insert:

Honolulu and Hilo, Territory of Hawaii; Albuquerque, N. Mex.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Public Buildings and Grounds was, on page 50, after line 17, to insert the following as a new section:

SEC. 25. That all buildings authorized to be constructed under the provisions of this act shall be unexposed to danger from fire by an open space of at least 40 feet on each side, including streets and alleys: *Provided*, That in exceptional cases and for good cause shown the Secretary of the Treasury may, in his discretion, reduce the open space to less than 40 feet and to any dimensions which he shall deem sufficient to afford fire protection.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. FAIRBANKS. I ask the Senate to reconsider the vote by which the amendment of the committee was adopted, on page 21, that I may move to substitute for the word "fifty" the word "sixty" before "thousand."

The PRESIDING OFFICER. In the absence of objection, the amendment will be reconsidered. The amendment now proposed by the Senator from Indiana will be stated.

The SECRETARY. In line 6, on page 21, strike out "fifty" and insert "sixty," so as to read:

United States post-office at Torrington, Conn., \$90,000.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. FAIRBANKS. On page 29, line 17, I ask the Senate to disagree to the amendment of the committee.

Mr. WARREN. It was offered in error.

Mr. FAIRBANKS. It was offered in error.

The PRESIDING OFFICER. The Senator from Indiana asks the Senate to agree to disagree to the amendment of the committee in line 17, page 29, whereby after "South Dakota" the words "five thousand" were stricken out and "seven thousand five hundred" were inserted. In the absence of objection the amendment is agreed to.

The PRESIDING OFFICER. It now stands, "United States post-office and court-house at Pierre, S. Dak., \$5,000."

Mr. FAIRBANKS. It stands at "\$5,000."

After line 19, on page 29, I move to insert:

United States post-office at Albuquerque, N. Mex., \$15,000.

The amendment was agreed to.

Mr. FAIRBANKS. On page 37 I move to strike out all of section 12, as it has been agreed to, and to insert in lieu thereof what I send to the desk.

The PRESIDING OFFICER. If there be no objection, section 12 as heretofore amended will be stricken out, and the Senator from Indiana proposes to insert in lieu thereof what will be read by the Secretary.

The Secretary read as follows:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to erect in the city of Macon, Ga., under the rules and regulations as now prescribed by law, and on such plans as he may determine, a public building to be used as a United States court-house and post-office building and for occupancy by such United States officials as may be located in said city of Macon, to be located upon the property and site in the city of Macon, Ga., whereon is situated the present United States court-house and post-office building, and to expend therefor, out of any money in the Treasury not otherwise appropriated, the sum of \$90,000.

That the Secretary of the Treasury is hereby authorized and directed to acquire, by purchase, condemnation, or otherwise in his discretion, such additional land adjoining said United States court-house and post-office building on Third and Mulberry streets as may be necessary; and in the erection of such new building he shall use such material from the present building as may be suitable.

That the appropriation heretofore made on March 3, 1899, for the enlargement, making additions to, and improvement of the present public building in the city of Macon, Ga., shall be available and used for the purposes of this act; and that the Secretary of the Treasury shall also be authorized to use the net balance arising from the sale of the present site and building owned by the United States and occupied and used as a post-office building and United States court-house in the erection of said new building. That the limit of cost of said additional land and site shall not exceed \$31,000.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Indiana.

The amendment was agreed to.

Mr. PETTUS. Mr. President, I have proposed an amendment to the bill which I should like to have acted upon. Two years ago the Senate and House of Representatives passed a bill for the erection of a building in the city of Anniston, Ala. The Senate put the appropriation at \$75,000, but the House cut it down to \$50,000. I ask the Secretary to read the amendment which I have proposed.

The SECRETARY. On page 2, after line 7, insert the following:

For the public building in Anniston, Ala., in addition to the sum heretofore appropriated, \$25,000.

Mr. FAIRBANKS. I will ask the Senator if he has an estimate from the Treasury Department upon that item.

Mr. PETTUS. Yes, sir; and I propose to state the case to the Senate in only a few words.

The Senate thought the building ought to be erected for \$75,000. The House cut down the appropriation to \$50,000. The Treasury Department, in their efforts to erect a building there, found that a suitable building could not be constructed for \$50,000, and the

Secretary of the Treasury has written a communication to the committee of the Senate on the subject. It is as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, May 16, 1902.
CHAIRMAN COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS,
United States Senate.

SIR: This Department is in receipt, under date of the 15th instant, of a communication from your committee, requesting a report in connection with an amendment intended to be proposed to H. R. 14018, said amendment being "for the public building in Anniston, Ala., in addition to the sum heretofore appropriated, \$25,000."

In reply I have the honor to advise you that under the present condition of the market with relation to building material and labor a suitable building of the size necessary to meet the needs of the service at Anniston can not be constructed with the balance available, and it is estimated that an increase of limit from \$50,000 to \$75,000 will be necessary.

In this connection it is deemed proper to advise you that Anniston is somewhat remote from centers of production of building materials.

Respectfully,

H. A. TAYLOR, Assistant Secretary.

Anniston is on the Southern Railroad.

Mr. FORAKER. By whom is the letter signed?

Mr. PETTUS. By the Assistant Secretary of the Treasury.

I think that this is not only a modest request, but that it is a reasonable one. The Secretary of the Treasury has not made any start to erect a building because he said he did not have money enough, and I ask that the amendment be agreed to.

Mr. FAIRBANKS. I accept the amendment.

Mr. ALLISON. I do not wish to interfere with the Senator from Alabama, but I suggest to him that I am afraid the amendment will not quite cover what he desires. What the Senator desires, as I understand it, is that the limit of cost shall be increased from \$50,000 to \$75,000.

Mr. PETTUS. Yes, sir.

Mr. ALLISON. The preamble is all right, but it should not go into the amendment.

Mr. PETTUS. I am very much obliged to the Senator for his suggestion, and I will ask the Secretary to change the amendment so as to conform to the wording of the increases in other cases.

Mr. WARREN. Is the Senator certain as to what the present limit of cost is?

Mr. ALLISON. It is \$50,000.

Mr. WARREN. If the Senator knows the limit of cost to be \$50,000, he ought to say, "the amount is hereby increased from \$50,000 to \$75,000."

Mr. ALLISON. I have made that suggestion to the Senator from Alabama.

The PRESIDING OFFICER. The amendment of the Senator from Alabama [Mr. PETTUS] will be stated as it has been modified.

The SECRETARY. On page 2, after line 7, it is proposed to insert:

The limit of cost of the public building in Anniston, Ala., is hereby increased from \$50,000 to \$75,000.

Mr. WARREN. That is correct.

Mr. PETTUS. I am very much obliged to the Senator.

The amendment was agreed to.

Mr. FAIRBANKS. On page 10, after line 24, I move to strike out the period after the word "fixed" and insert a comma, and then to insert in addition what I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 10, line 24, after the word "fixed," it is proposed to strike out the period and insert a comma and the words "unless a higher value be fixed in the condemnation proceedings hereinbefore authorized."

The amendment was agreed to.

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

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

EXECUTIVE SESSION.

Mr. CULLOM. 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 seven minutes spent in executive session the doors were reopened, and (at 6 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Thursday, May 22, 1902, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate May 21, 1902.

SECRETARY OF LEGATION AND CONSUL-GENERAL.

Edward L. Adams, of New York, to be secretary of legation and consul-general of the United States at Stockholm, Sweden, to take effect June 2, 1902, vice Joseph Muir, resigned.

SECOND SECRETARY OF LEGATION.

Henry P. Fletcher, of Pennsylvania, to be second secretary of the legation of the United States at Habana, Cuba, to fill an original vacancy.

DISTRICT JUDGE.

Alfred S. Moore, of Pennsylvania, to be judge of the district court of the district of Alaska, to be assigned to division number two, vice Arthur H. Noyes, removed.

MARSHALS.

George I. Cunningham, of South Carolina, to be United States marshal for the district of South Carolina, vice Lawson D. Melton, whose term expired March 13, 1902.

Edwin R. Durham, of Missouri, to be United States marshal for the western district of Missouri. A reappointment, his term expiring June 30, 1902.

POSTMASTERS.

W. S. Waite, to be postmaster at Eastman, in the county of Dodge and State of Georgia, in place of Chauncey G. Brown. Incumbent's commission expired June 15, 1901.

L. L. Whitestone, to be postmaster at Culpeper, in the county of Culpeper and State of Virginia, in place of Robert Lee Rosson. Incumbent's commission expired March 17, 1902.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 21, 1902.

SECRETARY OF LEGATION.

Jacob Sleeper, of Massachusetts, to be secretary of the legation of the United States at Habana, Cuba.

UNITED STATES ATTORNEY.

George Randolph, of Tennessee, to be United States attorney for the western district of Tennessee.

INDIAN INSPECTOR.

John E. Edwards, of Junction, Mont., to be an Indian inspector.

RECEIVERS OF PUBLIC MONEYS.

Austin B. Dorsey, of Waterville, Wash., to be receiver of public moneys at Waterville, Wash.

Louis W. Eldridge, of Montana, to be receiver of public moneys at Lewistown, Mont.

C. H. Benton, of Montana, to be receiver of public moneys at Great Falls, Mont.

Edward A. Winstanley, of Montana, to be receiver of public moneys at Missoula, Mont.

REGISTERS OF THE LAND OFFICE.

Frank D. Miracle, of Montana, to be register of the land office at Helena, Mont.

Edward Brassey, of Montana, to be register of the land office at Lewistown, Mont.

James M. Burlingame, of Montana, to be register of the land office at Great Falls, Mont.

POSTMASTERS.

Albert Britton, to be postmaster at Decatur, in the county of Adams and State of Indiana.

Daniel E. Keen, to be postmaster at Mount Carmel, in the county of Wabash and State of Illinois.

Isaac L. Trowbridge, to be postmaster at Naugatuck, in the county of New Haven and State of Connecticut.

John W. Fitzgerald, to be postmaster at Grand Ledge, in the county of Eaton and State of Michigan.

Newton H. Fogg, to be postmaster at Sanford, in the county of York and State of Maine.

William Stackpole, to be postmaster at Saco, in the county of York and State of Maine.

Winthrop C. Fogg, to be postmaster at Freeport, in the county of Cumberland and State of Maine.

Delbert W. Wilmarth, to be postmaster at De Smet, in the county of Kingsbury and State of South Dakota.

William J. Richards, to be postmaster at Union City, in the county of Branch and State of Michigan.

John Culbertson, to be postmaster at Sumner, in the county of Lawrence and State of Illinois.

George J. Castle, to be postmaster at Carlinville, in the county of Macoupin and State of Illinois.

Charles W. Farrow, to be postmaster at Snow Hill, in the county of Worcester and State of Maryland.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, May 21, 1902.

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

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

MARSHAL DE ROCHAMBEAU CEREMONIAL.

The SPEAKER. By the order of the House the Chair lays before it the report of the committee on the Marshal de Rochambeau statue and the programme for Saturday next, to be printed in the RECORD for the information of the House. The Clerk will read.

The Clerk read as follows:

Hon. D. B. HENDERSON,

Speaker of the House of Representatives.

SIR: The undersigned, to whom was committed, by the act of Congress approved February 14, 1902, the selection of a site and the supervision of the erection thereon of a statue of Marshal de Rochambeau, commander in chief of the French forces in America during the war of independence, and of the unveiling of said statue, respectfully report that they have discharged the duty imposed upon them: that the site selected is the southwest corner of Lafayette Square, where the pedestal has been erected, and that on the 24th day of May, instant, at 11 o'clock a. m., the statue of Marshal de Rochambeau will be unveiled with appropriate ceremonial, Senator HENRY C. LODGE delivering the address. Seats have been reserved for the Senators and Representatives in Congress.

We remain, sir, very respectfully, yours,

WASHINGTON, D. C., May 17, 1902.

JOHN HAY, *Secretary of State.*

ELIHU ROOT, *Secretary of War.*

GEO. PEABODY WETMORE,

Chairman Committee on the Library, Senate.

JAMES T. McCLEARY,

Chairman Committee on the Library, House.

The SPEAKER. It will be unnecessary to read the programme, but it will be printed with the paper just read in the RECORD.

The programme is as follows:

The unveiling of the statue will take place at 11 a. m. There will be a battalion of French seamen, with their band, a battalion of United States engineers, and a battalion of United States marines and sailors, with the Marine Band, present at the statue. After the ceremonies these troops, together with a battalion of cavalry, a battery of field artillery, and a brigade of District of Columbia militia, will pass in review before the President.

Maj. Gen. S. B. M. Young, United States Army, will be in command of the troops.

The programme for the ceremonies of unveiling is as follows:

1. Invocation by Cardinal Gibbons.
2. Welcome by the President of the United States.
3. Unveiling of the statue by the Countess Rochambeau. Music, "The Marseillaise," by the Marine Band.
4. Presentation of the sculptor, M. Hamar.
5. Remarks by the French ambassador (in French).
6. Selection by the French band.
7. Remarks by Gen. Horace Porter, United States Ambassador to France.
8. Selection by the Marine Band.
9. Address by Senator Lodge.
10. "Star-Spangled Banner," by the French band.
11. Remarks by General Brugere.
12. Benediction by Bishop Satterlee.

Mr. McCLEARY. Mr. Speaker, for the information of the members of the House I will say that one entire stand has been reserved for the membership of this House. Ours is the west stand, the one on Jackson Place, on the farther side of the park. It will seat 700 persons. No one will be admitted without a ticket. Two tickets for each Representative, one being for himself, will be sent to him by mail, probably to-morrow. The exercises begin at 11 o'clock. There will be three entrances to the statue grounds. The entrance to the stand for the members of this House is on Jackson Place. As the crowd will be large, it is very important that members seek admission at the proper entrance.

ADJOURNMENT OVER.

Mr. PAYNE. Mr. Speaker, I move that when the House adjourn on Friday next it adjourn to meet on the following Monday. The motion was agreed to.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows: To Mr. KYLE, indefinitely, on account of sickness in family. To Mr. FORDNEY, for ten days, on account of important business.

APPLICATION OF THE STATUTE OF LIMITATIONS IN CERTAIN CASES.

Mr. BOWERSOCK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 4264) providing that the statutes of limitations of the several States shall apply as a defense to actions brought in any courts for the recovery of lands patented under the treaty of May 10, 1854, between the United States of America and the Shawnee tribe of Indians.

The Clerk read the bill, as follows:

Be it enacted, etc., That in all actions brought in any State court or United States court by any patentee, his heirs, grantees, or any person claiming under such patentee, for the possession or rents or profits of lands patented in severalty to the members of said tribe under the treaty of May 10, 1854, between the United States of America and the Shawnee tribe of Indians, where a deed has been approved by the Secretary of the Interior to the land sought to be recovered, the statutes of limitations of the States in which said land is situate shall be held to apply, and it shall be a complete defense to such action that the same has not been brought within the time prescribed by the statutes of said State the same as if such action had been brought for the recovery of land patented to others than members of the Shawnee tribe of Indians.

Sec. 2. That this act shall not apply to any suits brought within one year from and after its passage.

The following amendments, recommended by the Committee on the Judiciary, were read:

Line 3, page 1, strike out "State court or."

Page 1, strike out lines 7 and 8 and "Shawnee tribe of Indians" in line 9 and insert in lieu thereof the following: "any tribe of Indians under any treaty between it and the United States of America."

Page 2, lines 4 and 5, strike out "the Shawnee" and insert in lieu thereof the word "any."

Amend the title so as to read: "An act providing that the statute of limitations of the several States shall apply as a defense to actions brought in the United States courts for the recovery of lands patented in severalty to members of any tribe of Indians under any treaty between it and the United States of America."

Mr. RICHARDSON of Tennessee. Mr. Speaker, I would like some explanation of the bill.

Mr. BOWERSOCK. Mr. Speaker, this bill is for the relief of bona fide settlers or purchasers of Indian lands in two or three counties in my State. These lands were sold by parties who had a right to sell them, and the titles were confirmed by the Secretary of the Interior. The purchasers have been in undisputed possession for a quarter of a century or more, but now there are parties who for some claimed defect bring suit, or threaten to bring suit, against these bona fide settlers, and then after disturbing their titles or casting a cloud upon them offer to settle for some nominal sum. The object of the bill is simply to have the statute of limitations apply in these cases and protect from speculators actual purchasers.

Mr. FLYNN. I would like to ask the gentleman, does this only apply to lands which have been confirmed by or received the approval of the Secretary of the Interior?

The SPEAKER. This conversation is for the benefit of the House, and gentlemen must speak louder if they wish to be heard.

Mr. BOWERSOCK. It is the intention that this shall only apply to those titles that have been approved by the Secretary of the Interior. There is a letter printed in the report from the Secretary of the Interior.

Mr. CLAYTON. Mr. Speaker, I have been requested on this side of the Chamber to make a statement in connection with the statement made by the gentleman from Kansas. I was on the subcommittee of the Judiciary Committee that investigated this matter, and it met the unanimous approval of the subcommittee and also of the full committee. The object of the bill is to prevent that sort of a system of levying blackmail against these bona fide settlers, the owners of the land, and that is the whole object of the bill.

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

Mr. STEPHENS of Texas. Mr. Speaker, I should like to know something about the bill. I have not understood the situation at all.

The SPEAKER. The gentleman from Texas wants some information about the bill. He has not heard a word that was said. [Laughter.]

Mr. BOWERSOCK. As I have already stated, Mr. Speaker, the bill is to allow the statute of limitations to apply to quiet some Indian titles in two or three counties in the State of Kansas where deeds were approved by the Secretary of the Interior long years ago.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. BOWERSOCK. Mr. Speaker, there was misapprehension in reporting the first amendment recommended by the committee, and I desire that that be disagreed to.

The SPEAKER. A vote will be taken on all the committee amendments except the first.

The question was taken, and the amendments recommended by the committee, with the exception of the first, were agreed to.

The SPEAKER. The Clerk will report the first amendment. The Clerk read as follows:

In line 3, page 1, strike out "State court or."

The amendment was considered, and disagreed to.

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

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

IMPROVEMENTS ON NOXUBEE RIVER, MISSISSIPPI.

Mr. FOX. I ask unanimous consent for the immediate consideration of the bill which I send to the desk.

The Clerk read as follows:

A bill (H. R. 14100) to authorize the Macon Ice, Light, and Power Company to construct certain improvements on the Noxubee River in the State of Mississippi.

Be it enacted, etc., That the Macon Ice, Light, and Power Company, a corporation chartered under the laws of the State of Mississippi, be, and they are hereby, authorized, at a point on the Noxubee River just below and within 200 feet of the iron bridge on said river at and near the city of Macon, in the county of Noxubee and in said State, to construct a dam across and on said river, and to erect at or near said dam such buildings and machinery as may be necessary and suitable for the generation of electric light, the manufacture of ice, and such other products as the said corporation may be authorized by law to manufacture, and to place in said river at said dam such power wheels and other appliances as may be necessary to propel said machinery: *Provided,* That said buildings, dams, and machinery shall be constructed and erected according to such plans and specifications as may be authorized by law: *And provided further,* That the construction of said dam, buildings, etc., shall be commenced within one year from the passage of this act.

The following amendments, reported by the Committee on Interstate and Foreign Commerce, were read:

In line 3, page 1, after the word "That," insert "the consent of Congress is hereby given to."

In lines 4 and 5, page 1, strike out the words "be, and they are hereby, authorized" and insert "to construct."

In line 8, page 1, strike out the words "to construct."

Strike out the word "That," in line 2, and all of lines 3, 4, 5, 6, and 7, page 2, and add the following:

"That the structures herein authorized shall be built in accordance with such plans as may be approved by the Chief of Engineers and the Secretary of War, and until the said plans are so approved the structure shall not be commenced: *Provided further,* That any change or modification of said structures which the Secretary of War at any time in the future shall deem necessary in the interest of navigation shall be promptly made by the said company at its own expense, and the Secretary of War shall have authority to require the complete removal of the structures, if in his judgment the interests of navigation demand it, and such removal shall be made by the company at its own expense."

"Sec. 2. That the said company shall provide, in connection with said dam, such suitable fishways as may be required by the United States Fish Commission."

"Sec. 3. That this act shall be null and void unless the construction of said dam and the works incident thereto shall be commenced within one year and completed within two years from the date hereof."

"Sec. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved."

There being no objection, the House proceeded to the consideration of the bill.

The amendments were agreed to.

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

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

ABANDONED MILITARY RESERVATIONS IN WYOMING.

Mr. MONDELL. I ask unanimous consent for the immediate consideration of the bill which I ask the Clerk to read.

The Clerk read as follows:

An act (S. 3908) granting homesteaders on the abandoned Fort Bridger, Fort Sanders, and Fort Laramie military reservations, in Wyoming, the right to purchase one quarter section of public land on said reservations as pasture or grazing land.

Be it enacted, etc., That each person who has exercised the right of homestead entry on the abandoned Fort Bridger Reservation, or on the Fort Sanders or the Fort Laramie abandoned military reservations, in the State of Wyoming, and is now residing on said reservations under the provisions and requirements of the homestead law, or who is the owner in fee of 160 acres thereon by purchase, shall, upon proper proof of settlement, homestead, or other legal title upon said reservations, be entitled to the right to purchase, under such rules and regulations as the Secretary of the Interior may prescribe, at \$1.25 per acre, not exceeding one quarter section of the public lands on said reservations as pasture or grazing land not otherwise disposed of: *Provided,* That land so purchased be unfitted for cultivation and homestead entry by reason of lack of water for irrigating purposes or otherwise: *And provided further,* That said purchase of pasture or grazing land shall not, with the land heretofore entered by the applicant, exceed in the aggregate 320 acres.

The amendments reported by the Committee on the Public Lands were read, as follows:

In line 3, page 1, strike out the word "exercised" and insert in lieu thereof the words "or may hereafter exercise."

In line 6, page 1, after the word "reservations," insert "or the abandoned Fort Laramie Wood Reservation, to which the homestead laws are hereby extended."

In line 6, page 1, strike out the word "now."

In line 8, page 1, after the word "is," insert the words "a resident and."

Amend the title by adding after the word "reservations," in line 2 of the title, the words "and Fort Laramie Wood Reservation;" and by adding to the title the words "and for other purposes."

Mr. RICHARDSON of Tennessee. Reserving the right to object, I ask the gentleman in charge of this bill how much land is involved in it? What is the area of these several reservations?

Mr. MONDELL. Mr. Speaker, this bill applies to four abandoned military reservations in Wyoming. The area of vacant land on the Fort Sanders Reservation is 5,000 acres; on Fort Bridger Reservation, 4,800 acres; on Fort Laramie Reservation, 25,000 acres, and on Fort Laramie Wood Reservation, about 30,000 acres. These reservations were opened to entry under the homestead law from eight to twelve years ago. Settlers went upon them and took as homesteads practically all the land which was fit for cultivation. There is no way in which settlers can acquire any additional land on the reservations adjacent to their homesteads. They now desire to purchase at \$1.25 an acre, not exceeding 160 acres for each settler, vacant land unfit for cultivation or homestead entry, provided that the aggregate of land which any settler shall own shall not exceed 320 acres, including the purchase he may make from the Government.

This is an opportunity for the Government to sell some land which is practically worthless—fit only for grazing purposes, not fit for settlement—for \$1.25 an acre.

The bill also provides for opening to homestead settlement a small abandoned reservation which has recently been surveyed, but not opened to settlement; and the law relative to the purchase of grazing lands, not exceeding 160 acres to each settler, is to apply to this reservation also.

Mr. SHAFROTH rose.

Mr. MONDELL. I yield to the gentleman from Colorado.

Mr. CLAYTON. Before the gentleman from Colorado proceeds, let me ask a question. Does this bill meet the approval of the Interior Department?

Mr. MONDELL. The Interior Department does not object to it. That Department was not disposed to pass on the question at all. In the last Congress we passed a similar bill applying to an

abandoned military reservation in Wyoming, and that act has worked very well indeed.

Mr. CLAYTON. This bill comes here as the unanimous report of the Committee on the Public Lands?

Mr. MONDELL. It does.

Mr. SHAFROTH. This bill provides, as I understand, Mr. Speaker, that the land to be taken up under it shall be grazing lands. Such land in the arid region is not worth a great deal of money unless it is contiguous to some man's farm, in which case it may be worth \$1.25 or \$1.50 an acre. But grazing land off by itself is worth very little money indeed.

Now, here is an opportunity, it seems to me, for the Government to get the full value of its land and at the same time accommodate some settlers. The very fact that the land has not been located upon for homesteads demonstrates conclusively that it is not valuable land. This being grazing land, of course a person can not erect a house there and make a living on it. It seems to me the bill ought to pass.

Mr. STEPHENS of Texas. Mr. Speaker, I would like to ask the gentleman a question. At what price was this land originally sold to the settlers?

Mr. SHAFROTH. Under the homestead act they got it free—the 160 acres—and now they want some more land, probably for the purpose of accommodating the stock that is on their land, on their own 160 acres. This land is lying there and will likely lie there for years without the Government getting a nickel for it.

Mr. STEPHENS of Texas. How long since they took up the original tracts of land?

Mr. SHAFROTH. The first of these military reservations was opened about twelve years ago, and they have had all that time to locate homestead entries upon it and they have not done it, and the very fact that no one wants it demonstrates it is not very valuable land.

Mr. STEPHENS of Texas. Has the land been subject to entry all this time?

Mr. SHAFROTH. Yes; as I understand.

Mr. STEPHENS of Texas. As free homesteads?

Mr. SHAFROTH. As free homesteads.

Mr. STEPHENS of Texas. And no one has taken it?

Mr. SHAFROTH. No one.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question now is on the third reading of the Senate bill.

The bill was ordered to a third reading, and was read a third time, and passed.

By unanimous consent, the title was amended so as to read as follows:

An act granting homesteaders on the abandoned Fort Bridger, Fort Sanders, and Fort Laramie Military reservations and Fort Laramie wood reservation, in Wyoming, the right to purchase one quarter section of public land on said reservations as pasture or grazing land, and for other purposes.

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

BRIDGE ACROSS THE COLUMBIA RIVER.

Mr. DAVIS of Florida. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2782) to authorize the construction of a bridge across the Columbia River by the Washington and Oregon Railway Company.

The SPEAKER. The gentleman from Florida asks unanimous consent for the present consideration of the bill (S. 2782), which the Clerk will report.

The Clerk read as follows:

Senate bill 2782, to authorize the construction of a bridge across the Columbia River by the Washington and Oregon Railway Company.

The bill was read at length.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question now is on the third reading of the Senate bill.

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

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

YOUNG MEN'S CHRISTIAN ASSOCIATION.

Mr. ESCH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3129) for the authorization of the erection of buildings by the International Committee of Young Men's Christian Associations on the military reservations of the United States, which I will send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That authority is hereby given to the Secretary of War, in his discretion, to grant permission by revocable license to the Interna-

tional Committee of Young Men's Christian Associations of North America to erect and maintain, on the military reservations within the United States or its island possessions, such buildings as their work for the promotion of the social, physical, intellectual, and moral welfare of the garrisons may require, under such regulations as the Secretary of War may impose.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent for the present consideration of the bill (S. 3129) which the Clerk has read. Is there objection? [After a pause.] The Chair hears none. The question now is on the third reading of the bill.

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

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

Mr. ESCH. Mr. Chairman, I ask unanimous consent that the bill H. R. 9969, similar in its provisions to the one just passed, lie on the table.

The SPEAKER. Without objection, that order will be made. There was no objection.

FORT NIOBRARA MILITARY RESERVATION.

Mr. NEVILLE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3666) to authorize the sale of a part of the Fort Niobrara Military Reservation, in the State of Nebraska, which I will ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to sell to the village of Valentine, Nebr., the northwest quarter of section 29, and the northeast quarter of section 30, and the east one-half of the southeast quarter of section 30, and the east half of section 31, all in township 34 north of range 27 west of the sixth principal meridian, Cherry County, State of Nebraska, now a part of the Fort Niobrara Military Reservation, for the sum of \$1,440.

SEC. 2. That upon payment of said sum by the said village of Valentine the patent of the United States shall issue conveying the said lands to the said village in its corporate name, or to its duly constituted official board, as may be desired, and thereupon and thereafter title to the said land described shall be in said village of Valentine.

The SPEAKER. The gentleman from Nebraska asks unanimous consent for the present consideration of the bill which the Clerk has read. Is there objection?

Mr. PAYNE. Mr. Speaker, reserving the right to object, I would like to ask the gentleman if this bill has been recommended by the Secretary of War.

Mr. NEVILLE. Yes. There are 720 acres involved. It was abandoned for the purpose of being sold under the act of 1885, with reference to abandoned and useless military reservations. The sale has been recommended by the Secretary of the Interior. The sale was postponed for the purpose of having this act go through Congress, in order that the village of Valentine might obtain it for a park.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the third reading of the bill.

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

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

DAM ACROSS ST. LAWRENCE RIVER.

Mr. PERKINS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 11657) allowing the construction of a dam across the St. Lawrence River, which I will ask to have read.

The Clerk read as follows:

Whereas it is represented that the government of the Dominion of Canada, with a view of improving the navigation of the channel excavated through the rapids at the head of Les Galops Island, in the St. Lawrence River, proposes to construct a dam from Adams Island, in Canadian territory, to Les Galops Island, in United States territory; and

Whereas the consent of the United States to the construction of that part of the work which will be upon United States territory is desired: Therefore,

Be it enacted, etc., That consent is hereby given for the construction of the portion of the aforesaid dam which crosses or abuts upon the territory of the United States: *Provided*, That the type of the proposed dam and the plans of construction and operation thereof shall be such as will not, in the judgment of the Secretary of War, materially affect the water level of Lake Ontario or the St. Lawrence River or cause any other injury to the interests of the United States or any citizen thereof: *And provided further*, That the work of construction on United States territory shall not be commenced until plans and details of the work shall have been submitted to and approved by the Secretary of War.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the bill which the Clerk has just read. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

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

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

COMMUTATION OF SENTENCES OF UNITED STATES PRISONERS.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 14411) to regulate commutation for good conduct for United States prisoners.

The bill was read, as follows:

Be it enacted, etc., That each prisoner who has been or shall hereafter be convicted of any offense against the laws of the United States, and is confined, in execution of the judgment or sentence upon any such conviction, in any United States penitentiary, or in any penitentiary, prison, or jail of any State or Territory, for a definite term, other than for life, whose record of conduct shows that he has faithfully observed all the rules and has not been subjected to punishment, shall be entitled to a deduction from the term of his sentence to be estimated as follows, commencing on the first day of his arrival at the penitentiary, prison, or jail: Upon a sentence of not less than six months nor more than one year, five days for each month; upon a sentence of more than one year and less than three years, six days for each month; upon a sentence of not less than three years and less than five years, seven days for each month; upon a sentence of not less than five years and less than ten years, eight days for each month; upon a sentence of ten years or more, ten days for each month. When a prisoner has two or more sentences, the aggregate of his several sentences shall be the basis upon which his deduction shall be estimated.

SEC. 2. That in the case of convicts in any United States penitentiary, the Attorney-General shall have the power to restore to any such convict who has heretofore or may hereafter forfeit any good time by violating any existing law or prison regulation such portion of lost good time as may be proper, in his judgment, upon recommendations and evidence submitted to him by the warden in charge. Restoration, in the case of the United States convicts confined in State and Territorial institutions, shall be regulated in accordance with the rules governing such institutions, respectively.

SEC. 3. That this act shall take effect and be in force from and after thirty days from the date of its approval, and shall apply only to sentences imposed by courts subsequent to the time that this act takes effect, as hereinbefore provided. Prisoners serving under any sentence imposed prior to such time shall be entitled and receive the commutation heretofore allowed under existing laws. Such existing laws are hereby repealed as to all sentences imposed subsequent to the time when this act takes effect.

The following amendment recommended by the Committee on the Judiciary was read:

On page 1, in line 6, after the word "penitentiary," insert the words "or jail."

The SPEAKER. Is there objection?

There was no objection.

The amendment recommended by the committee was agreed to. The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

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

SANTA FE PACIFIC RAILROAD COMPANY.

Mr. WM. ALDEN SMITH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10299) authorizing the Santa Fe Pacific Railroad Company to sell or lease its property and franchises, and for other purposes.

The bill was read, as follows:

Be it enacted, etc., That the Santa Fe Pacific Railroad Company, a corporation incorporated under the act of Congress approved March 3, 1897, entitled "An act to define the rights of purchasers under mortgages authorized by an act of Congress approved April 20, 1871, concerning the Atlantic and Pacific Railroad Company," be, and it hereby is, authorized and empowered to sell or lease its railroad and other property, including all rights, powers, privileges, grants, and franchises, to the Atchison, Topeka and Santa Fe Railway Company, a corporation of the State of Kansas, its successors and assigns; but such purchaser or lessee shall take, hold, and use the railroad and property sold or leased subject to all duties, obligations, conditions, and restrictions relating thereto which at the time of such sale or lease shall be binding upon said Santa Fe Pacific Railroad Company as fully as though such sale or lease had not been made; and thereupon such purchaser or lessee shall have and enjoy all rights, powers, privileges, grants, and franchises relating to said railroad and property, or any part thereof, that were conferred by Congress upon said Santa Fe Pacific Railroad Company: *Provided, however,* That said railroad shall remain as heretofore a post route and military road, subject to the use of the United States for postal, military, naval, and all other Government service, and also subject to such regulations as Congress may impose restricting the charges for such Government transportation, and subject also to all other rights of the United States.

The following amendments, recommended by the Committee on Pacific Railroads, were read:

Page 1, line 11, strike out the word "immunities," and insert in lieu thereof the word "grants."

On page 2, line 8, strike out the word "immunities," and insert in lieu thereof the following words: "powers, privileges, grants."

Also the adding of the following new sections:

"SEC. 2. That from and after the passage of this act the said Santa Fe Pacific Railroad Company, its successors or assigns, shall pay an annual tax at the rate of \$175 per mile to the Territories of New Mexico and Arizona for each mile of track in said Territories, the same to be apportioned among the counties of said Territories in which said railroad is located according to the mileage in each county, respectively, and said taxes shall be in lieu of all other taxes on said property hereby authorized to be leased or sold, except the land-grant lands, and the shops as hereinafter otherwise provided, and the payment of said tax shall be made on or before the 1st day of December of every year after 1902, until the said Territories, or either of them, have been admitted into the United States of America as States; and that upon the admission of the said Territories of New Mexico and Arizona, or either of them, as States, the property hereby authorized to be transferred, situated therein, shall be subject to all the laws and regulations of either of the said States of New Mexico or Arizona, in the same manner and to the same extent as any other railroad property situated therein. The payment of the said \$175 a mile shall not extend to or apply to any of the land-grant lands owned by the said Santa Fe Pacific Railroad Company which are in no wise connected with the right of way and station grounds of said company, said land-grant lands to remain as now chargeable with taxes as assessed and collected under and by virtue of the laws of the said Territories of New Mexico and Arizona, and the shops situated at Albuquerque, N. Mex., including the machinery therein, and the lands upon which the same are situated, shall be assessed separately and the taxes thereon paid annually according to the laws of New Mexico.

"SEC. 3. That the sale or lease herein authorized shall be made on or before January 1, 1904; otherwise this act shall become inoperative for all purposes.

"SEC. 4. Congress shall at all times have power to alter, amend, or repeal this act."

The SPEAKER. Is there objection?

Mr. STEPHENS of Texas. We should like to have some explanation.

Mr. MADDOX. Mr. Speaker, reserving the right to object, I should like to hear this bill explained by somebody.

The SPEAKER. An explanation is desired.

Mr. WM. ALDEN SMITH. Mr. Speaker, this bill comes unanimously from the Committee on Pacific Railroads, having been very carefully considered and several hearings given. The members were present. The bill gives no new power or authority to the Atchison, Topeka and Santa Fe Railroad. It enables that company to take formally what it really owns.

The only question that has ever arisen regarding the propriety of this bill has come from the Territories of Arizona and New Mexico, which were directly affected by it. An agreement has been arrived at between the company and the Delegates from Arizona and New Mexico, which agreement is amicable and satisfactory.

I will say, if the gentleman from Georgia [Mr. MADDOX] desires, that, in 1866, the Atlantic and Pacific Railroad Company was chartered by Federal law to build a railroad to the Pacific Ocean. That company never completed the road. In fact, the company failed, and but a small portion of the line was built. The Government has no claim whatever upon it.

No one is interested in it save the present owners of the property, the Atchison, Topeka and Santa Fe Railroad Company. The Atlantic and Pacific Railroad Company failed, was sold out, and bid in by the Santa Fe Pacific Company, with no power under the law to assign or sell it again. The stock has been acquired by the Atchison, Topeka and Santa Fe, and they now hold and own it. This is simply to enable them to take it over formally, in order that their securities may extend over the entire property and in order that it may be more economically administered. It affects 550 miles of road, 153 miles in New Mexico and 397 miles in Arizona, and it concerns no other part of the line. Now, as I have said, the only people directly affected were the Territories of Arizona and New Mexico.

Mr. MADDOX. The Government has no interest in it?

Mr. WM. ALDEN SMITH. None whatever. I will say to the gentleman from Georgia [Mr. MADDOX] further, for I think it is my duty, that under the original act the Atlantic and Pacific Company were exempt from taxation. When the Santa Fe Pacific acquired the Atlantic and Pacific, they contended that they also were exempt from taxation and that the Territories of Arizona and New Mexico had no power to tax them; but, in order that the Territories might be assisted, and with a willingness to pay whatever was reasonable and fair, the owners of the Santa Fe Pacific have paid for several years to the Territories of Arizona and New Mexico taxes upon which both parties have agreed. This bill fixes the rate of taxation in this enabling act—for it is purely an enabling act—and gives them no additional power. Indeed, it compromises somewhat their original rights, because it agrees with the Territories as to the measure of taxation in the future.

Now, my friend from Arizona [Mr. SMITH] will no doubt be able to explain to the gentleman from Georgia and his colleagues his position in reference to the matter.

Mr. MANN. May I ask the gentleman a question?

Mr. WM. ALDEN SMITH. In just a minute. The unanimous report of the committee on this bill is as follows:

The Committee on Pacific Railroads, to whom was referred the bill (H. R. 10299) authorizing the Santa Fe Pacific Railroad Company to sell or lease its railroad property and franchises, and for other purposes, beg leave to submit the following report and recommend that said bill do pass with amendments:

The Santa Fe Pacific Railroad Company was incorporated under act of Congress approved March 3, 1897, entitled "An act to define the rights of purchasers under mortgages authorized by an act of Congress approved April 20, 1871, concerning the Atlantic and Pacific Railroad Company."

The road of the company extends from a connection with the rails of the Atchison, Topeka and Santa Fe Railway Company at Isleta, N. Mex., to the Colorado River, on the western boundary of Arizona, and thus forms part of the transcontinental Atchison, Topeka and Santa Fe Railway system.

The object of the bill is to permit the Santa Fe Pacific Company to sell or lease its railroad and other property to the Atchison, Topeka and Santa Fe Railway Company. The latter company is now the owner of all the capital stock and all of the outstanding bonds of the Santa Fe Pacific Company. The transfer thus authorized is intended simply to provide for a more economical administration of the property. It will enable the real owner—the Atchison, Topeka and Santa Fe Railway Company—to make a large saving in the keeping of accounts and avoid the duplication of offices, etc., and will be to the manifest advantage of the public in dealing with one single corporation, operating in its own name the entire system.

The original act of Congress creating the Santa Fe Pacific Company, above cited, does not authorize such sale or lease, and hence this additional authority is desired. As the proposed legislation will in no manner enlarge any rights held by the Santa Fe Pacific Company under existing law, nor confer any additional rights and privileges whatsoever upon the Atchison, Topeka and Santa Fe Railway Company not now possessed by the Santa Fe Pacific Company under its present charter, and as the transfer is in the line of essential economy and public convenience, the committee strongly favors its passage. The bill is recommended for the further reason that, with the amendments suggested below, the question of taxation of this railroad property in the Territories of New Mexico and Arizona, which has caused much trouble and dispute in said Territories, is removed.

While the Santa Fe Pacific Company is claimed to be exempt from taxation under the provisions of the original Atlantic and Pacific charter, it has been voluntarily paying \$125 per mile per annum tax in said Territories under

agreements with the Territorial authorities. The amendment noted below provides that the Santa Fe Pacific Company and its proposed successor in the record ownership of this property—the Atchison, Topeka and Santa Fe Company—shall hereafter pay taxes at the rate of \$175 per mile until each of said Territories is admitted as a State. The legislation as proposed is entirely satisfactory to the Delegates from the Territories. The authorities of the counties through which the railroad now runs in each of the Territories are urging the passage of this measure (as shown by dispatches and letters on file with your committee), so as to give them more revenue from these increased taxes and settle all questions of possible dispute.

Your committee recommend the passage of the bill as amended.

I now yield to the gentleman from Arizona [Mr. SMITH].

Mr. SMITH of Arizona. Mr. Speaker, the Atlantic and Pacific Railroad Company claims exemption from taxation under the transfer to it by the Santa Fe Pacific. I have contended that the exemption held by the Santa Fe Pacific did not pass to the Atlantic and Pacific. The Atchison, Topeka and Santa Fe, in extending its system, bought the Atlantic and Pacific, the road now in question here, which passes through a part of New Mexico and all of Arizona. In the transfer of the road in the first instance, as above stated, the question arose as to whether or not this road was exempt from taxation under the purchase. The Atchison, Topeka and Santa Fe have purchased the Atlantic and Pacific stock and desire to have title passed under this bill. That has been the question between me and the railroad here, I contending that that transfer did not exempt the road from taxation, and the road contending that it did. But in this compromise it is agreed, and the bill provides, that the company shall pay to the counties through which it passes a tax of \$175 a mile on the road, beside a tax on the railroad land grants. So that this law is better for the Territories than the present conditions.

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

Mr. SMITH of Arizona. I yield to the gentleman.

Mr. FINLEY. The rate of taxation heretofore has been \$125 a mile?

Mr. SMITH of Arizona. Yes, sir; the road has paid a compromise tax of that amount.

Mr. FINLEY. And this bill increases it to \$175 a mile?

Mr. SMITH of Arizona. Yes, sir; it increases it to \$175 a mile on the railroad, and settles all further dispute in the courts over the question of exemption. If the court should finally decide that the road had no exemption, we would then get very little more than the \$175 per mile, as this is nearly the rate paid by roads having no exemption.

I can not say that I am entirely satisfied with the bill, but considering the necessities of the counties through which the road passes, and having received resolutions from the boards of supervisors of several of the counties favoring a bill providing for the payment of \$150 per mile, and having obtained a settlement at \$175 per mile, I was constrained to give my assent to this measure. This bill provides that when these Territories become States the railroad shall make no claim to any exemption whatever, but submits itself without controversy to the taxing power of the State as other railroads are subject.

The SPEAKER. Is there objection?

Mr. WM. ALDEN SMITH. I yield to the gentleman from New Mexico.

Mr. RODEY. Mr. Speaker, in behalf of New Mexico in reference to this bill I would like to state that New Mexico agrees to it also, and further I would say that in the act of 1866 creating the Atlantic and Pacific Railroad Congress exempted in the two Territories the right of way of this railroad from taxation. It was contended by the Territories that the right of way did not include anything but the mere land, and did not include the superstructure, the ties and the rails, the station grounds, etc. Litigation arose over the question and a case went to the Supreme Court of the United States, and it was held that the superstructure was included in the term "right of way," and therefore wholly exempted this railroad as to that property from all taxation.

After this transfer—after the foreclosure of the suit of the bondholders against the railroad, as just mentioned by the chairman of the committee—an act of Congress was passed permitting the Santa Fe Pacific Company to purchase the road, but the word "immunities" was omitted from it, so we contended thereafter that the right of way in the hands of the new company was subject to taxation. The railroad resisted this contention, but still compromised its taxes annually. In the present act, as first introduced, the missing word was supplied, but the Delegates from both Territories were not satisfied with it. That is the reason the amendment is suggested by the committee, as just read, leaving out the word "immunities," so that they will be in just the same position as before, and as we contend will not be exempt; and further, this agreement to pay \$175 tax per mile will be a reasonable tax in the future. This matter has been fully considered and agreed to by the county commissioners of the counties through which the road runs in each of the Territories, as well as by the prominent officials of New Mexico, and is recommended by the counsel who prosecuted the tax suits against the company.

The people most interested and who know best about it in New

Mexico have agreed to it as a reasonable measure, and have advised me not to resist its passage, but have urged me to help its passage. The chairman has fully explained the reasons why such an act is necessary at all. Congress, by the closing section of the act, retains control of the matter should it be found to work any injury.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the amendments recommended by the committee were agreed to.

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

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

LORILLARD SPENCER.

Mr. DINSMORE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 3848.

The bill was read, as follows:

A bill (S. 3848) granting a deed of quitclaim and release to Lorillard Spencer, his heirs and assigns, of all the right, title, and interest in and to certain land in the city of Newport, R. I.

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to execute, acknowledge, and deliver, in the name of the United States of America, a deed of quitclaim and release to Lorillard Spencer, of Newport, R. I., his heirs and assigns, of all the right, title, and interest which was granted to the United States of America by a deed from Elisha Brown to the United States of America, dated the 15th day of November, A. D. 1808, and recorded in volume 11 of the Land Evidence of the city of Newport, in the county of Newport, in the State of Rhode Island, at pages 11 and 12, in and to the land described in said deed, upon the payment by him of the sum of \$25.

Mr. PAYNE. Reserving the right to object, I ask for an explanation of this bill.

Mr. RAY of New York. Mr. Speaker, I will explain to my colleague, if the gentleman from Arkansas permits. The bill was introduced by Mr. BULL of Rhode Island. During the war of 1812 the Government of the United States obtained from the then owner of a little piece of land where the city of Newport now stands, on Halidon Hill, the right to erect a battery on about a quarter or half an acre of land, and the right to take the sod from the adjacent land, comprising about an acre or two. The United States never availed itself of the right. It never erected a battery there, and never has used it up to this time. The ground has all been built over, and passed into other hands.

The present owner of the property, in trying to negotiate a sale or borrow money, I have forgotten which, found this cloud upon the title, and we have inserted in the bill a provision that they shall pay the United States, I think, \$25 or \$50. The bill removes that cloud from the title. It is recommended by the War Department and the engineers in charge of all the fortifications in that section. They say it will never be used, can not be used, and is of no earthly value. But it creates a cloud on the title of the owner. That is all there is of it.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

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

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

COMPENSATION OF DISTRICT SUPERINTENDENTS IN THE LIFE-SAVING SERVICE.

Mr. LOVERING. Mr. Speaker, I ask unanimous consent for the present consideration of Senate bill 1026.

The bill was read, as follows:

A bill (S. 1026) to fix the compensation of district superintendents in the Life-Saving Service.

Be it enacted, etc., That from and after the passage of this act the compensation of district superintendents in the Life-Saving Service shall be \$2,000 per annum each: *Provided, however,* That in case the Secretary of the Treasury deems it necessary for any superintendent to employ a clerk, he may allow a sum not exceeding \$500 per annum for the compensation of such clerk in addition to the salary paid the superintendent.

SEC. 2. That all acts or parts of acts inconsistent herewith are hereby repealed.

The SPEAKER. Is there objection?

Mr. CLAYTON. Reserving the right to object, I would like to ask the gentleman this question. How much does this increase the salary of the superintendents of the Life-Saving Service?

Mr. LOVERING. The superintendents now receive from \$1,600 to \$1,800 a year.

Mr. CLAYTON. What reason is there for this increase?

Mr. LOVERING. To promote the efficiency of the Life-Saving Service.

Mr. CLAYTON. It is found necessary to give more to these men—

Mr. LOVERING. Yes; it is found necessary to increase their compensation.

Mr. CLAYTON. In order to better the efficiency of the service?

Mr. LOVERING. Absolutely.

Mr. CLAYTON. One more question. Does this come from your committee with a unanimous report?

Mr. LOVERING. It comes with a unanimous report.

Mr. CANNON. Mr. Speaker, I object.

The SPEAKER. Objection is made.

HOUSE DIGEST AND MANUAL OF RULES AND PRACTICE.

Mr. HEATWOLE. Mr. Speaker, by direction of the Committee on Printing, I call up House resolution 264.

The Clerk read the resolution, as follows:

Resolved, That there be printed 2,600 copies of the Digest and Manual of the Rules and Practice of the House of Representatives for the second session of the Fifty-seventh Congress, the same to be bound and distributed under the direction of the Speaker and Clerk of the House.

The resolution was considered, and agreed to.

USE OF NEW PUBLIC-PRINTING BUILDING BY THE GRAND ARMY.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to call up the bill (H. R. 14189) to permit the occupancy of the public-printing building by the Grand Army of the Republic.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Public Printer of the United States and the engineer officer in charge of the construction of the public-printing building are hereby directed and authorized to permit the soldiers of the Grand Army of the Republic to occupy the new public-printing building for sleeping purposes from the 5th day of October, 1902, to the 13th day of October, 1902, both days inclusive.

The Grand Army of the Republic to furnish the same for sleeping purposes at their own expense and to leave the building in as perfect state of cleanliness and repair as when they took it. The occupancy of the same to be under the control of the Public Printer and the engineer officer in charge.

The following committee amendments were read:

In line 4, before the word "public-printing," insert the word "new."
Also, in the same line, after the word "public-printing," insert the word "office."

Strike out the word "the" in line 5 and the word "soldiers" in line 6, and insert in lieu thereof the words "duly accredited members."

In line 7, after the word "public-printing," insert the word "office."

Also, in the same line, after the word "purposes," insert the word "only."
In line 11, before the word "Grand," insert the words "officers of the;"
and in the same line strike out the word "to" and insert in lieu thereof the words "or members thereof shall."

In line 12, after the word "purposes," insert the word "only;" in the same line, after the word "expense," insert the words "and properly police and protect the same," and in the same line strike out the word "to."

In line 14 strike out the word "to" and insert in lieu thereof the word "shall."

In line 15, after the word "control," insert the words "and supervision;" so that the bill will read as follows:

Be it enacted, etc., That the Public Printer of the United States and the engineer officer in charge of the construction of the new public-printing office building are hereby directed and authorized to permit duly accredited members of the Grand Army of the Republic to occupy the new public-printing office building for sleeping purposes only from the 5th day of October, 1902, to the 13th day of October, 1902, both days inclusive.

"The officers of the Grand Army of the Republic or members thereof shall furnish the same for sleeping purposes only at their own expense, and properly police and protect the same and leave the building in as perfect state of cleanliness and repair as when they took it. The occupancy of the same shall be under the control and supervision of the Public Printer and the engineer officer in charge."

The SPEAKER. This requires unanimous consent. Is there objection? [After a pause.] The Chair hears none.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I want to ask the gentleman from Minnesota if this bill contemplates that the Public Printing Office building will be used by the Grand Army prior to the occupation by the Government Printing Office itself?

Mr. HEATWOLE. Yes.

Mr. RICHARDSON of Tennessee. It is not supposed that by the date mentioned here it will be in such a state of completion as that the Printing Office itself can be moved into it?

Mr. HEATWOLE. No; the Public Printer and the engineer officer in charge have been consulted, and they have agreed to it.

Mr. RICHARDSON of Tennessee. It will be occupied by the Grand Army in its unfinished condition and before its occupation by the Printing Office?

Mr. HEATWOLE. Yes.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendments were agreed to.

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

CONSOLIDATED REPORTS OF GETTYSBURG NATIONAL PARK COMMISSION.

Mr. HEATWOLE. Mr. Speaker, I am further directed by the Committee on Printing to call up the Senate joint resolution No. 46. The Clerk read the joint resolution, as follows:

Joint resolution to provide for the printing of 6,000 copies of the consolidated reports of the Gettysburg National Park Commission, 1893 to 1901, inclusive.

Resolved, etc., That there be printed 6,000 copies of the consolidated reports of the Gettysburg National Park Commission, 1893 to 1901, inclusive, of which 2,000 shall be for the Senate, 2,000 for the House of Representatives, 1,000 for the office of the Secretary of War, and 1,000 for the Gettysburg National Park Commission.

The Clerk read the following amendments recommended by the committee:

In line 3 strike out the word "six" and insert in lieu thereof the word "five."

In line 6, between the words "which" and "thousand," strike out the word "two" and insert in lieu thereof the word "one."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendments were agreed to.

The joint resolution was ordered to be read a third time, was read the third time, and passed.

COPIES OF CONGRESSIONAL RECORD.

Mr. TATE. Mr. Speaker, I am directed by the Committee on Printing to report back and ask for immediate consideration the bill (S. 2296) to amend an act approved March 2, 1895, relating to public printing.

The Clerk read the bill, as follows:

Be it enacted, etc., That the tenth paragraph of the printing act of March 2, 1895, following the paragraph which reads, "The Public Printer shall furnish the CONGRESSIONAL RECORD as follows, and shall furnish gratuitously no others in addition thereto," be amended so that such tenth paragraph shall read as follows: "To the library of each of the eight Executive Departments, and to the Naval Observatory, Smithsonian Institution, United States National Museum, the Department of Labor, and Civil Service Commission, one bound copy."

Mr. TATE. I would like to have the report read.

The Clerk read the report, as follows:

Your Committee on Printing, having had under consideration Senate bill No. 2296, being an act to amend an act relating to public printing, beg to submit the following in lieu thereof, with the recommendation that it do pass:

Be it enacted, etc., That the first and tenth paragraphs of the printing act of January 12, 1895, following the paragraph which reads "The Public Printer shall furnish the CONGRESSIONAL RECORD as follows and shall furnish gratuitously no others in addition thereto," be amended by striking out of said first paragraph the word "forty-four" between the word "Senator" and "copies" in the first line and insert in lieu thereof the word "eighty-eight;" and by striking out the word "thirty" between the words "Delegated" and "copies" in the fourth line of said paragraph and insert in lieu thereof the word "sixty;" and by inserting in the ninth line of said first paragraph, after the word "copies" and before the word "to," the following: "and to the Clerk for the use of members of the House of Representatives 50 copies." And amend said tenth paragraph by inserting in the third line thereof, between the words "Museum" and "one," the words, "the Department of Labor and Civil Service Commission," and further amend said tenth paragraph by striking out in the second line the word "and" between the words "Institution" and "the."

The SPEAKER. This requires unanimous consent. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the amendments.

The amendments were considered, and agreed to.

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

On motion of Mr. HEATWOLE, a motion to reconsider the several votes by which the bills and resolutions from the Committee on Printing were passed, was, upon his motion, laid on the table.

DONATION TO ALABAMA OF SPARS OF CERTAIN SHIPS.

The SPEAKER laid before the House the bill (H. R. 10144) to donate to the State of Alabama the spars of the captured battle ships *Don Juan d'Austria* and *Almirante Oquendo*, with Senate amendments.

The Senate amendments were read.

Mr. CLAYTON. Mr. Speaker, I move that the House concur in the Senate amendments.

The motion was agreed to.

LOAN OF REVOLUTIONARY TROPHIES.

The SPEAKER also laid before the House the amendment of the Senate to the joint resolution (H. J. Res. 172) authorizing the Secretary of War to loan to the Morgan Memorial Association of Winchester, Va., certain Revolutionary trophies at Allegheny Arsenal, Pittsburg, Pa.

The amendment was read, as follows:

After the word "Morgan," in line 9, insert "in such manner that their safety from unlawful removal will be assured, and their return if called for by Congress."

Mr. HAY. I move that the amendment of the Senate be concurred in.

The motion was agreed to.

PAY OF SUPERVISORS IN THE LIFE-SAVING SERVICE.

Mr. CANNON. Mr. Chairman, I objected a few moments ago to a bill which the gentleman from Massachusetts [Mr. LOVERING] asked to have passed—the bill (S. 1026) to fix the compensation of district supervisors in the Life-Saving Service. I objected under a misapprehension. I now withdraw my objection.

The SPEAKER. Is there further objection?

Mr. LOUD. Mr. Speaker, the districts of these supervisors differ very materially in extent—some not exceeding 50 or 75 miles in length; others extending over a coast line of 1,500 miles. The law as originally passed gave these supervisors graded rates of salary. This bill proposes to put them all upon the same grade. I think that a bill of this kind should not pass. The duties of these supervisors are by no means identical in extent.

A MEMBER. Oh, do not object.

Mr. LOUD. Yes; I will object to a bill of this character. I would not object to a bill increasing the salaries of these men upon a graded basis. I believe they should have an increase of salary, but I do not believe they should all receive the same salary.

Mr. LOVERING. May I be permitted to make a statement?

Mr. LOUD. I am willing to reserve the right to object.

Mr. LOVERING. It is well known that the duties of these district superintendents have increased within the last twenty years, being three or four times greater than they formerly were. In this bill as first drawn it was proposed to give these officers \$500 extra; that is, to make their salaries \$2,500 instead of \$2,000. The Senate cut down the amount to \$2,000, with a provision for an extra allowance of \$500 for clerk hire in certain cases. It is agreed on all hands—by the Department and by everybody else familiar with the circumstances—that these men are not overpaid at \$2,000; and it would be only proper that they should all be brought up to that grade, with a provision for extra clerk hire where the circumstances justify it.

Mr. LOUD. If the gentleman's bill proposed an increase of \$200 for each of these supervisors, I would not object. I believe they should have additional compensation, but I do not believe they ought all to be put upon the same plane.

The SPEAKER. Objection is made.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. LONG, for ten days, on account of important business. To Mr. MILLER, for ten days, on account of important business.

BOMBARDMENT OF TAKU FORTS IN CHINA.

Mr. HITT. I desire to present a privileged report from the Committee on Foreign Affairs. I report back with an amendment the resolution of inquiry which I send to the desk.

The Clerk read as follows:

Resolved, That the Secretary of the Navy be, and he is hereby, directed to furnish this House copies of the complete correspondence, including cable messages, between the Navy Department and Rear-Admiral Kempff, then in command of the American naval forces, in relation to the bombardment of the Taku forts in China.

The amendment reported by the Committee on Foreign Affairs was read, as follows:

After the word "hereby," in line 2, insert "if not incompatible with the public interests."

The amendment was agreed to.

The resolution as amended was adopted.

On motion of Mr. HITT, a motion to reconsider the vote by which the resolution was adopted was laid on the table.

NORTH CAROLINA ELECTION CONTEST—FOWLER V. THOMAS.

Mr. OLMSTED. By direction of the Committee on Elections No. 2, I call up for present consideration the privileged resolutions accompanying the report of that committee upon the contested-election case of Fowler v. Thomas, from the Third Congressional district of North Carolina.

The report, with the accompanying resolutions, is as follows:

The Committee on Elections No. 2, to which was referred the contested-election case of John E. Fowler v. Charles E. Thomas, respectfully present the following report:

The Third Congressional district of North Carolina is composed of the nine counties of Bladen, Craven, Cumberland, Duplin, Harnett, Jones, Moore, Onslow, and Sampson.

The returns of the Congressional election of November 6, 1900, as certified, show that Charles E. Thomas, the contestee, received 13,541 votes, and John E. Fowler, the contestant, received 11,632 votes; scattering, 16. Mr. Thomas received an apparent plurality of 1,909 over Mr. Fowler, and a majority of 1,898 over all.

At an earlier election held in North Carolina in August, 1900, State officers were elected and a new constitution was, or is said to have been, adopted, containing provisions intended to greatly restrict the right of suffrage in said State. It did not, however, and was not intended to, take effect upon the Congressional election of that year, which was held under the preexisting constitution and laws of the State, and therefore no question arising under the new constitution is involved in this controversy.

Mr. Fowler, the contestant, was the nominee of the Populist party. Mr. Thomas, the contestee, was the nominee of the Democratic party. The Republican party had no candidate and did not, as an organization, indorse the nominee of either the Populist or Democratic party.

The contestant submits that the true result, according to the evidence and the law, should be declared as follows:

Reject the returned vote of Craven County, which gave contestee a majority of	911
Reject the returned vote of Duplin County, which gave contestee a majority of	810
Simpson County:	
Give Fowler a net gain in North Clinton of 60 votes	60
Add to contestant's vote in Honeycutts precinct 2 votes	2
Add to contestant's vote in South Clinton 4 votes	4
Add to contestant's vote in Newton Grove	6
Reject the returns from Franklin Township, a majority for contestee of 39	39
Cumberland County:	
Reject Cross Creek No. 1, which returned for contestee a majority of 89	89
Reject Cross Creek No. 2, which returned a majority for contestee of 166	166
Reject Cross Creek No. 3, which returned a majority for contestee of 170	170
Reject Cross Creek No. 4, which returned a majority for contestee of 192	192
Reject Eureka, which returned a majority for contestee of 30	30
Total	2,480

Showing a majority for contestant of 574 votes.

The above statement of contestant's contention, as quoted from his brief,

shows that in order to support his claim it is necessary to reject the entire vote of Craven County and also of Duplin County.

The first reason given for excluding the entire vote of Craven County is "that the county board of elections of Craven County, in appointing judges of election for the various voting precincts under the law of the State of North Carolina, which provides that each party shall have representation among the said judges, ignored those who had been recommended by the Republican executive committee in all the precincts in said county except Maple, Cypress, Truitts, Dover, Fort Barnwell, Core Creek, Lees Farm, First Ward, and Third Ward."

The vote in these excepted districts, as to which contestant concedes that the judges were properly appointed, was as follows:

	Thomas.	Fowler.
Maple Cypress	61	67
Truitts	154	35
Dover	90	76
Fort Barnwell	117	29
Core Creek	91	19
Lees Farm	59	106
First Ward	133	3
Third Ward	201	22
Total	915	357

Thomas over Fowler, 558.

There is evidence that in some or all of the other precincts the election officers were all Democrats, or that if Republicans they were not those recommended by the Republican executive committee. We are not satisfied that the consolidation of some of the other precincts, so as to crowd more Republican and Populist voters into one precinct than could readily vote and be counted in a single day if attempts were made to delay the voting, was done for an honest purpose. But if we were to throw out all of those districts Mr. Thomas would still have a majority in the unattacked districts as above stated, and we have been shown no reason why the vote of the unattacked districts should be rejected. Therefore, notwithstanding the evidence of considerable irregularity in some parts of this county, we are unable to reject the entire vote as requested by contestant.

We are asked to reject the entire vote of Duplin County principally upon the ground that in various precincts there were in the summer of 1900 bodies of men banded together, and known as "Red Shirts," the purpose of whose organization was, by public demonstration with guns and pistols, to terrorize and intimidate Republicans and Populists and prevent them from voting. There is some evidence of such organizations and such conduct at or prior to the August election, at which the proposed new constitution was voted upon and State officers elected, but the evidence is meager as to the extent of such terrorization, and we can hardly find that it extended throughout the entire county, even in August. There is little or no evidence that the terrorization and intimidation in August had any material effect upon the Congressional vote in November.

No evidence has been submitted from which we can compare the vote in Duplin County at the August election with the vote at the November election, but in Craven County, for which we have been given the figures, the total vote for governor in August was 1,843, while the total Congressional vote in November was 3,453. In Duplin County the total vote for Congressman in 1900 was 2,773, which is undoubtedly considerably larger than the total vote at the State election in August, the exact figures for which have not been supplied.

Contestant also complains that in Duplin County the election boards were either composed entirely of Democrats, or where Republicans or Populists were appointed they were not those recommended by the recognized authorities of said respective parties. It does not appear from the evidence that the Republican party submitted any list of those whom it desired placed upon the respective election boards. The Populists did, and asked for the appointment of a Populist on each election board. The county board, however, in some instances appointed Republicans and in others appointed Populists, but not always the persons named by the party authority.

There is evidence tending to show that in some of the districts the so-called Republicans or Populists who were appointed were of doubtful allegiance to the parties they were supposed to represent and sometimes voted mixed tickets, but we have not been pointed to any evidence that they worked or voted against the contestant.

As to some districts no cause has been shown for complaint as to the complexion of the election boards, and upon the whole we are not satisfied that the vote of the entire county can properly be rejected.

There is some evidence of a conspiracy in Craven County to so arrange certain election precincts, and in both Craven and Duplin counties to so constitute election boards as to help the Democratic party and operate to the disadvantage of Populists and Republicans.

In some parts of the district there is evidence of carelessness and irregularity and probable fraud in the conduct of the election and counting and return of the votes. The Republican party, as already stated, had no candidate. There is evidence that some Republicans voted for the contestee, and there is some evidence of Republican dissatisfaction with contestant.

The testimony in this case is voluminous. In its examinations we have not been assisted by the oral argument of counsel, the opportunity afforded by your committee having been declined. The printed brief submitted by contestant's counsel does not, in our judgment, sustain his contention.

Upon the whole case we find that the frauds and irregularities shown are not sufficient to overturn contestee's majority, and we therefore recommend the adoption of the following resolutions, viz:

Resolved, That John E. Fowler was not elected to the Fifty-seventh Congress from the Third Congressional district of the State of North Carolina, and is not entitled to a seat therein.

Resolved, That Charles E. Thomas was elected to the Fifty-seventh Congress from the Third Congressional district of the State of North Carolina, and is entitled to a seat therein.

M. E. OLMSTED, Chairman.
J. M. MILLER.
GEO. SUTHERLAND.
HENRY D. GREEN.
J. M. ROBINSON.
SAM'L L. POWERS.
F. D. CURRIER.
JOHN J. FEELY.

Mr. OLMSTED. Mr. Speaker, the Third district of North Carolina is composed of 9 counties. At the Congressional election in 1900 the sitting member, Mr. Thomas, received a plurality of 1,909. His seat was contested by Mr. Fowler, a Populist, who

alleged numerous frauds, irregularities, etc., all of which charges the committee has carefully considered.

We find that it would be impossible to unseat the contestee without throwing out the votes of two entire counties. Craven County we are asked to throw out because the members of the election boards were all of one political party. But we find that 8 districts of that county are unattacked. No objection lies to the composition of the election boards in those 8 districts. If we were to throw out the balance of the county, the contestee would still have a majority of 574 in that county in those 8 districts. We see no reasonable ground for throwing out the districts unattacked.

Again, in Duplin County, which we are asked to throw out, there is some evidence of what is called "redshirtism," intimidation, etc., by organized bands of "Red Shirts." The evidence upon that point is very meager, but so far as it goes it shows that the disorder occurred at the August election, at which State officers were elected and a State constitution is said to have been adopted. There is evidence of such an organization in August and of acts done which probably did affect the result of the August election, but the evidence is very meager as to the extent of territory embraced in this Congressional district in which intimidation prevailed even in August, and there is no evidence of such organizations operating at the November election—the Congressional election. As the vote at the November election was nearly double what it was in August, we are unable to find that anything of that sort occurring in August affected materially the November election. The Congressional election held in November, 1900, was not held under the State constitution said to have been adopted in August, and therefore no questions arising under that constitution or concerning the August election are involved in this contest.

There are evidences of some frauds and some irregularities, but granting to the contestant all that he claims in other particulars, we could still not give him a seat without throwing out the entire two counties of Craven and Duplin. He has not shown us sufficient ground for throwing out the whole vote of those two counties and disfranchising voters in those districts against which there is no charge of wrong. We therefore find by unanimous vote of the committee, the report being signed by every member save one, the gentleman from Maine [Mr. LITTLEFIELD], who did not sit, that the contestee, Mr. Thomas, is entitled to his seat. I will yield to the gentleman from Indiana [Mr. ROBINSON], but unless he desires to say something, I call for a vote upon the resolution.

THE SPEAKER. The question is on agreeing to the resolutions. The question was taken, and the resolutions agreed to.

OHIO ELECTION CONTEST—LENTZ V. TOMPKINS.

MR. OLMSTED. Mr. Speaker, I call up for present consideration privileged resolution No. 206, in the contested election case of Lentz v. Tompkins, which I will ask to have read.

The Clerk read as follows:

Resolved, That John J. Lentz was not elected a member of the Fifty-seventh Congress from the Twelfth Congressional district of the State of Ohio, and is not entitled to a seat therein.

Resolved, That Emmett Tompkins was elected a member of the Fifty-seventh Congress from the Twelfth Congressional district of the State of Ohio, and is entitled to a seat therein.

MR. OLMSTED. Mr. Speaker, the Twelfth Congressional district of Ohio is composed of the two counties of Fairfield and Franklin, embracing the city of Columbus. The election in that district resulted in giving, as appeared from the returns, a plurality of 18 to the sitting member, the contestee, Mr. Tompkins. At the election the Australian form of ballot was used. The law of Ohio provides that where there is any dispute about a ballot as to how it should be counted the ballot shall be put in an envelope with evidence showing whether or not it was counted, and if counted, for whom. Twenty-five only of such ballots were disputed at this election, at which over 51,000 votes were cast.

The committee has carefully considered those ballots and the laws of Ohio relating thereto, and had no difficulty in arriving at the unanimous conclusion that, counted as they should have been counted, they gave the contestee an addition of 1 vote, making his plurality 19. There are in the notice of contest sweeping charges of bribery. Because particularly of the closeness of the vote in this district we have given to the testimony and to arguments of counsel the most careful and thorough consideration possible. We find that one witness testified that he received \$200 for reporting any Republican disaffection. He testified, however, that he did not use that money to secure any Republican vote or any vote against the contestant, but that he himself voted for Mr. Lentz and used part of the money in securing another Democratic vote. Another witness testified that he received \$30 to work for Mr. Tompkins and Mr. Wickham, he being a candidate for a local office, but he testified he voted for Mr. Lentz.

Another witness testified that he received \$5 for similar purposes, but it does not appear whether he voted for anybody. In addition to those things there is evidence of a club, rejoicing in

the classic title of "The Pig's Ankle," composed of ten colored gentlemen, who testified that ordinarily they vote the Republican ticket and were inclined to do so in this election, but that, in the language of one of them, they were "out for the dough." These men testified that one Walter Thomas, commonly called "Plut," who himself testified that he was working in the interest of the contestant, offered them \$2 apiece to vote for Lentz. There is, however, no evidence that Mr. Lentz knew of that offer or that any of them voted for Mr. Lentz.

On the other hand, we do not believe that they did. There is some evidence showing that some of them received sums varying from 50 cents to \$3, presumably to vote for Mr. Tompkins, but the evidence is of such character that we are almost compelled to throw it out entirely. This same "Plut" Thomas, working for the contestant, procured affidavits from these witnesses, taking them before one of the counsel for the contestant, who was introduced to them under an assumed name and claimed to be Republican, telling them that there were considerable sums of money to be paid that they ought to have received, and if they would make these affidavits and give testimony accordingly they would see that they received compensation.

They made affidavits. It is apparent from their testimony afterwards that they did not know what was in the affidavits. One says that he did not know any more about what was in them "than a hog knows about olives." Upon the witness stand they contradicted their own affidavits and their own testimony. We are of opinion that their testimony, procured by improper means, and in itself contradictory, and in some particulars manifestly untrue, is not worthy of serious consideration. But if we believed it all, it would not change the result. As to at least half of them there is no evidence that they voted at all for anybody. As to others, two or three of them, there is evidence that they voted for Mr. Tompkins, but we are not told in what precincts they voted nor even in what counties, except as we might take judicial knowledge of the fact that the city of Columbus is in a certain county. We could not throw out the precincts in which they voted, as we have not been shown in what precincts they did vote, nor have we been shown the total vote in any precinct. If we were to accept all the evidence as true, in the light most favorable to contestant, we could not do more than throw out the 10 votes, which would still leave the contestee entitled to his seat.

There is no allegation against the integrity of any election officer or any election return. There is no allegation, and much less is there any evidence, of any improper conduct whatever on the part of the contestee. The report of the committee is unanimous. Unless the gentleman from Indiana [Mr. ROBINSON], to whom I will yield, desires to make a statement, I will call for a vote upon the resolutions.

MR. ROBINSON of Indiana. I do not desire to take up the time of the House, but the report of the committee, as unanimously indorsed by all the members of the committee, gives a fair résumé of the evidence. It is brief, and the conclusions of the committee are set forth. So I ask unanimous consent that it may be printed in the RECORD.

THE SPEAKER. The gentleman from Indiana asks unanimous consent that the report in this case may be printed in the RECORD. Is there objection?

There was no objection.

The report is as follows:

The Committee on Elections No. 2, to which was referred the contested election case of John J. Lentz v. Emmett Tompkins, from the Twelfth Congressional district of the State of Ohio, submit the following report:

The Twelfth Congressional district of Ohio consists of the counties of Fairfield and Franklin. As shown by the official returns, the vote in said district at the Congressional election November 6, 1900, was as follows, viz:

County.	Republican— Emmett Tompkins.	Democrat— John J. Lentz.	Union Reform— George F. Ebner.	Prohibition— John S. Wilkins.	Social Labor— Charles C. Pome- roy.
Fairfield	3,725	5,463	42	79	
Franklin	21,980	20,224	114	270	6
Total	25,705	25,687	156	349	6
Plurality	18				

Mr. Tompkins, having an apparent plurality of 18, received the official certificate, and in pursuance thereof was sworn as a member of the Fifty-seventh Congress, and holds his seat subject to the result of the pending contest.

The ballot in use in Ohio is of the form known as Australian, and under the laws of that State each ballot about which there is any dispute or question is required to be placed by the election officers in a sealed envelope with evidence showing whether it was counted or not, and, if counted, for whom. It is remarkable that in an election at which 51,903 votes were polled there were only 25 such ballots. Some of them were counted for contestant, some for contestee, some were not counted at all, and as to others there is no evidence showing whether they were counted or not, or if counted, for whom.

Having carefully examined these ballots and the law relating thereto, your committee finds that a proper counting of them shows an increase of one vote in favor of contestee, increasing his plurality to 19.

Contestant, in his notice of contest, makes sweeping charges of bribery, and we have given careful consideration to the testimony upon this branch of the case. The most important and apparently the most reliable witness called testified that he received in all \$200 from a person upon whom he called upon the advice of contestant. As a consideration he was to give to the person who paid him the money any information that he could gather "concerning Republicans who were out of the traces," etc. He did not "use a cent of the money * * * in any manner to influence either a Democrat or a Republican or Populist or anybody else to vote against Mr. Lentz." But, on the contrary, voted for Mr. Lentz himself and used part of the money in registering a Democratic vote.

Another witness testified that he received \$30 "for work for Tompkins and Wickham" (the latter being a candidate for recorder), but voted for Mr. Lentz. Another received \$5 for the same purpose. The evidence shows that he voted, but does not show for whom, nor in what precinct.

We are unable to see that the facts elicited from these witnesses can be given such effect as to reduce contestee's plurality.

The testimony of other witnesses upon the subject of bribery related mainly to an organization of colored men known by the classic title of "The Pig's Ankle." These men, about 10 in number, ordinarily vote the Republican ticket, and were inclined to do so in the Congressional election of 1900, but, in the picturesque vernacular of one of the members, they were "out for the dough." One of them testified that a colored man named Walter (commonly called "Plut") Thomas, whose own testimony shows that he was working for contestant, offered the members of this club \$2 each to vote for Mr. Lentz, which offer was refused.

There is no evidence to show that any of them did vote for Mr. Lentz, and no evidence to show that more than half of them voted for Mr. Tompkins. Several of them have given some testimony to the effect that they received sums ranging variously from 50 cents to \$3, presumably to vote for Mr. Tompkins. Several of them made affidavits alleging that they and other persons belonging to the organization had been paid or promised certain sums in consideration of voting for him. In some instances the affidavits were prepared in advance and they were induced to sign them. In other instances they were signed when the affiants were drunk. One of them testified that he knew no more about what was in the affidavit he signed "than a hog does about olives." Upon the witness stand they contradicted, either in whole or in part, the affidavits they had previously made, and in some instances, upon cross-examination, contradicted the statements they had made in direct examination. There is abundant evidence to show that these affidavits and the testimony of these witnesses was procured by the above-mentioned "Plut" Thomas upon promise of compensation for their testimony.

The affidavits were apparently secured in advance in the hope that they would assist in holding the witnesses upon the stand to the corroboration of the statements therein contained. Thomas took the witnesses before one of the attorneys of contestant, who was introduced to them under assumed name. He wrote the affidavits and the several persons signed them with the expectation, as they testified and as Thomas himself admits, that they were to derive pecuniary advantage from so doing. These ex parte affidavits have been submitted to your committee, but are not admissible as evidence. (*Foster v. Covode*, 2 Bart., 524; *Jones v. Mann*, 2 Bart., 474; *Knox v. Blair*, 1 Bart., 528; *Wigington v. Pacheco*, 1 Ells., 14; *Holmes v. Wilson*, 1 Ells., 323; *Hill v. Catchings*, Rowell, 806.)

The most of the testimony of these witnesses, even upon the witness stand, was hearsay, and as such inadmissible under the common-law rules of evidence, which ought to be, and have been, applied by the House in election cases. (*Watley v. Cobb*, 53d Cong., Report 267; *Arnold v. Lea*, C. & H., 602; *Ingersoll v. Naylor*, 1 Bart., 34; *Whyte v. Harris*, 1 Bart., 257-267.)

"The vicious tendency of hearsay evidence in election cases needs no demonstration." (*Wallace v. McKinley*, Mobley, 189; *Hurd v. Romeis*, Mobley, 425.)

The testimony of these witnesses is so contradictory in character, and they have so manifestly sworn falsely, either in their affidavits or in their testimony upon the stand, or both, that but little credence can be given to any of their statements.

But, in the opinion of your committee, a still stronger and a controlling reason why their testimony must be disregarded is that not only the affidavits, which some of them made, but their testimony upon the witness stand, was procured as a result of bribes, or the offer of bribes, by said Plut Thomas.

But if the ex parte affidavits and the hearsay testimony were all admitted and all the testimony accepted as true according to the construction most favorable to contestant, it could not be found that more than 10 persons had received or been promised, either directly or indirectly, compensation to vote for Mr. Tompkins.

The integrity of the election returns is in no way attacked. No election officer has been proved, or even charged, with any irregularity whatever. No such general bribery in any precinct has been shown as ought to require the entire return to be rejected. But if there had we could not tell what precincts to throw out, as the evidence as to some of the said 10 persons does not show in what precinct or precincts they voted, and as to others does not show that they voted at all. Furthermore, as to some of the 10 who are shown to have voted, it does not appear whether they voted for Tompkins or Lentz.

If we were convinced that any precinct ought to be thrown out entirely we could not say whether to throw it out would benefit the contestant or contestee, as we have not been furnished evidence showing the vote by precincts. We have the vote by counties only. Surely we could not throw out a whole county, even if it were clearly shown that the 10 persons had been bribed and had voted.

The injustice of disfranchising more than 50,000 honest voters will at once appear. There is authority in the minority report in *Delano v. Morgan*, 2 Bart., 204, written by a former Speaker of the House, that as the law of Ohio provides only for the punishment of persons offering or receiving bribes, but does not declare their votes illegal, therefore they must be counted. But we can not consent to this doctrine, holding, as we do, that to receive and count a vote clearly shown to have been cast as the result of a bribe would be in violation of the spirit, if not the letter, of all laws tending to secure the freedom and purity of the ballot.

If satisfied from the evidence that these ten persons had been paid to vote for contestee and had so voted, your committee would not reject the entire vote of the respective precincts in which they deposited their ballots, even if we knew which precincts they were, or had returns by precincts so that we might act upon them. We would not throw out the entire precinct, but exclude the illegal votes, following *Robinson v. Harrison*, Fifty-fourth Congress, Report No. 1121; *Bowen v. Buchanan*, Rowell, 196. But the throwing out of such votes would not change the result of the election.

There is evidence of one John Tinchin that he and another person went to the office of the chairman of the State Republican committee, and, giving assumed names and representing themselves to be voters of Westerville, secured orders for railroad tickets to that place and return. They then attempted to secure money, but, failing to do so, did not obtain the railroad tickets and did not go to Westerville. They both voted for Lentz. Their testimony simply discloses an unsuccessful scheme to obtain money fraudulently from the Republican committee.

There is also the testimony of two colored persons, residing near Washington, D. C., that they went to Columbus before election. They could not, upon cross-examination, give the name of any hotel or boarding house at which they had stopped in Columbus nor the name of any person whom they had there met. They aver that they received \$25 each for going there and \$25 each after they got there. One of them testifies that he was asked to intimidate colored voters from voting against Tompkins by threatening them with social ostracism. The other testifies that he felt that he was also expected to bribe them. They both testify that they promptly and virtuously returned to their homes and performed no service whatever in Columbus.

We are unable to see that the testimony of these witnesses, even if believed, ought to influence the case. But not only is it upon its face of doubtful verity, but there is the fact that one of them, some time before going upon the witness stand, wrote to the contestee a letter from Washington, in which he said:

"I have in my possession information that will send some of Mr. Lentz's friends to prison for intimidation and false swearing. Them people who are in this conspiracy are now in your city trying to do this mean, dirty trick. I know who these people are, and I will put myself at your disposal to show these people up to their face. Please let me hear from you at once. I am in a short ride to Washington, and would be glad to see you and have a talk with you. I await an early reply."

He also wrote a letter of like import to one of the Ohio Senators, who, he assumed, might be interested in the case. Failing to hear from the contestee, they endeavored to help the cause of the contestant.

We find that 1 vote was cast for contestee by a person having no legal residence in the precinct in which he voted.

The statute governing contested Congressional elections provides that the contestant shall, within a specified time, give notice to the member whose seat he designs to contest, "and in such notice shall specify specifically the grounds upon which he relies in the contest." The member whose seat is contested must, "within thirty days after the service thereof, answer such notice admitting or denying the facts alleged therein and state specifically any other grounds upon which he urges the validity of his election." (R. S., secs. 105, 106.)

This notice and answer constitute the pleadings of the case and are intended to present clearly the issue to be determined.

The notice filed by the contestant in this case contains 29 specifications, 18 of which were declared by his counsel to have been abandoned, no testimony whatever having been offered in support of any of them. They embraced charges against persons and matters in no wise connected with the Congressional election. They were evidently not intended to have any bearing upon the contest, but simply to place upon record slurs, insinuations, and direct charges against persons not parties to the proceedings and having no opportunity to defend themselves. The reply of the contestee also contains much that is objectionable and wholly unjustifiable, except as it may be stated to be a reply in kind to the notice of contest. Contestant then filed an additional paper, not authorized by law, containing matter still more scurrilous and abusive. All three of these papers would, if contained in pleadings in any court, be suppressed as scandalous and impertinent.

Your committee has no authority to suppress or alter them, but desires as earnestly as possible to condemn the manifestly improper use of papers which are intended by the act of Congress to be the means of enlightening the committee and the House as to the precise points at issue in the contest by making them vehicles of abuse and vilification of each other by the parties to the contest and particularly of third parties in no way connected therewith.

We have carefully considered all the evidence in the case, as well as the printed arguments and typewritten briefs of counsel, and have listened to oral argument without limitation as to time. Owing to the closeness of the vote in this district, we have given unusual attention to every detail. There is no allegation in the notice of the contestant and not even an insinuation to be found in the testimony that Mr. Tompkins, the contestee, was in any way concerned in any illegal, improper, or even irregular act. As the result of the most careful consideration possible to be given to this case, we conclude that the contestee received a plurality of the legal votes cast, and therefore recommend the adoption of the following resolutions:

"Resolved, That John J. Lentz was not elected a member of the Fifty-seventh Congress from the Twelfth Congressional district of the State of Ohio, and is not entitled to a seat therein.

"Resolved, That Emmett Tompkins was elected a member of the Fifty-seventh Congress from the Twelfth Congressional district of the State of Ohio, and is entitled to a seat therein."

M. E. OLMSTED, Chairman.
J. M. MILLER.
GEO. SUTHERLAND.
FRANK D. CURRIER.
J. M. ROBINSON.
HENRY D. GREEN.
JOHN J. FEELY.
SAML. L. POWERS.

I did not have an opportunity to hear this case, but I do not dissent from the findings of the committee.

C. E. LITTLEFIELD.

THE SPEAKER. The question is on agreeing to the resolutions.

The resolutions were agreed to.

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

Mr. OLMSTED. Mr. Speaker, I ask unanimous consent that the report in the case of Fowler and Thomas be printed.

THE SPEAKER. The gentleman from Pennsylvania asks unanimous consent that the report of the committee in the North Carolina case may be printed in the RECORD. Is there objection? There was no objection.

[The report is printed elsewhere in these proceedings.]

CONTESTED-ELECTION CASE—WALKER V. RHEA, NINTH DISTRICT, VIRGINIA.

Mr. WEEKS. Mr. Speaker, I am directed by Committee on Elections No. 3 to ask consideration of the privileged report of that committee in the case of James A. Walker v. William F. Rhea, the case coming from the Ninth district of Virginia.

THE SPEAKER. The gentleman from Michigan calls up the following resolutions, which the Clerk will report.

The Clerk read as follows:

Resolved, That James A. Walker was not elected a Representative in the Fifty-seventh Congress from the Ninth district of the State of Virginia.

Resolved, That William F. Rhea was duly elected a Representative in the

Fifty-seventh Congress from the Ninth district of the State of Virginia, and is entitled to a seat therein.

Mr. WEEKS. Mr. Speaker, the committee in this case had before it a volume of evidence, and many questions were raised; but we deem it entirely unnecessary to go over them, as the report gives a full statement of all the facts in the case. The report is signed by all the members of the committee except one, who was absent, but who assents to the report. I think all that is necessary for me to do at this time is to move the adoption of the report.

The SPEAKER. The question is on agreeing to the resolutions. The resolutions were agreed to.

ORDER OF BUSINESS.

Mr. DALZELL. Mr. Speaker, I submit a privileged report.

The SPEAKER. The gentleman from Pennsylvania submits a privileged report, which will be read by the Clerk.

The Clerk read as follows:

Resolved, That immediately on the adoption of this rule and immediately after the reading of the Journal on each day thereafter until the bill herein-after mentioned shall have been disposed of, the House shall resolve itself into Committee of the Whole House on the state of the Union for consideration of the bill (H. R. 12199) to regulate the immigration of aliens into the United States, and after due consideration in the Committee of the Whole the same shall be reported to the House with amendments, if any, and become a continuing order until disposed of.

With the following amendment:

In lines 9 and 10 strike out the words "and become a continuing order until disposed of" and insert "this order not to interfere, however, with the consideration of revenue bills, appropriation bills, or conference reports."

Mr. DALZELL. Mr. Speaker, this resolution simply provides for the consideration of the immigration bill without any limitation as to time of debate or any interference with privileged matters.

Mr. MIERS of Indiana. Mr. Speaker, will that interfere with the special order for pension bills on Friday?

Mr. DALZELL. It will not.

Mr. BARTHOLOMT. I understand that it puts no limitation on the offering of amendments?

Mr. DALZELL. No limitation on debate or amendment.

The amendment recommended by the committee was agreed to.

The resolution as amended was agreed to.

IMMIGRATION.

Mr. SHATTUC. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole on the state of the Union for the consideration of the bill H. R. 12199, the immigration bill, and pending that motion I should like to ask my friends of the committee if we can come to an agreement as to time.

Mr. RUCKER. A number of gentlemen on this side have indicated their desire to speak on this bill, and I should prefer not to make any agreement at this time. Let the debate proceed two or three hours, and then I think we can agree.

Mr. SHATTUC. I accept the proposition of the gentleman.

The SPEAKER. The Chair did not hear one word that was said. The House will please be in order.

Mr. SHATTUC. The gentleman from Missouri suggests that we go on with the debate for three or four hours, and then, perhaps, we may come to an agreement.

The SPEAKER. The question is on the motion of the gentleman from Ohio, that the House resolve itself into Committee of the Whole House on the state of the Union.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. BOUTELL in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the consideration of a bill on the Union Calendar, H. R. 12199, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 12199) to regulate the immigration of aliens into the United States.

Mr. SHATTUC. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the first reading of the bill may be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. SHATTUC. Mr. Chairman, the bare statement that the number of immigrants received into the United States during the past eighty years equals more than one-quarter of the present population, and that more than one-half (nearly two-thirds) has been received in the last thirty years, presents in a concrete form the magnitude of the immigration problem.

In the years gone by this constant stream of immigrants has been welcomed to our shores, partly as a valuable contribution to the brawn and brain that peopled the prairies of the West and transformed them into the rich and powerful States that delight our pride and strengthen our nation to-day, and partly because a large number of them came to escape wrong, oppression, and human suffering akin to that from which the Pilgrim Fathers fled

when they crossed the ocean to found in a new and unknown land a government wherein they could have homes and worship God according to the dictates of their own consciences.

In later years, it has developed, new elements have been purposely injected into the stream which, unless checked, threaten not only to seriously pollute it, but also to thrust upon our nation and the States burdens they should not be called upon to bear.

By reason of this change the feeling of welcome which had hailed the incoming immigrant from 1821 to 1875 changed to one of alarm lest "the unguarded gate" might allow entrance too freely to elements discordant and not easily assimilated, as well as burdensome and harmful to the best interests of the country.

Hence there has arisen the demand, growing more and more insistent, that restrictive measures should be enacted to regulate the influx and sift the quality of the incoming aliens. This demand has been partly pacified by legislation of a restrictive nature during the past twenty years having the purpose, first, to prevent assisted immigration brought here under contract to perform the labor done by and take the places of workmen already here and employed in mine and field and factory; and, second, to prohibit and prevent the practice of foreign countries making the United States the dumping ground for the pauper, vicious, insane, and criminal classes of other nations.

To meet and check the importation of labor under contract the alien contract-labor law of February 26, 1885, was passed, mainly at the demand of the Knights of Labor, then the most powerful of the national organizations representing the labor of the country.

To correct the other evils realized and complained of various statutes have been enacted during the past thirty years from which results more or less beneficial have been attained.

The report and evidence submitted by a commission appointed by the Secretary of the Treasury June 17, 1891, to investigate into "the causes which operate in the several countries of Europe to incite immigration to this country" named the following as the chief causes promoting said immigration:

1. The efforts of emigration aid societies, supplemented by associations, public and private, for aiding criminals and paupers to emigrate.
2. The increased facilities, speed, and profits of alien steamship and transportation companies, who, through their numerous agents, advertise the marvelous beauty of this country, the high rate of wages that range here for labor, and the alleged quantities of land that can be had gratis from the Government, and thus make an impression on persons who do not own and can not in reason expect to secure the homes in which they live.
3. The contract-labor importers, who induce emigration for the sake of cheap labor.

This report showed that large numbers of homeless children of both sexes below the age of 16 were being shipped to the United States.

It also fully described the methods by which criminal and pauper emigrants were shipped to this country, and gave a list of 69 societies actively engaged in such work.

The findings of the investigation were summarized in the following words:

From the foregoing report it will be seen that there are many persons engaged in the business of transferring from the moribund systems of European misgovernment vast numbers of their dangerous, pauperized, diseased, decrepit, and criminal population, not only as a safety valve to their overstrained machinery, but to serve as an element of weakness in this Republic, the greatness of which they view with growing alarm. Some of these persons are the occupants or the heirs apparent to thrones, officers of charitable societies and boards, and agents of carriers by land and sea, many of the latter subsidized by foreign Governments to monopolize the ocean carrying trade. Others are within the bounds of the United States who distribute the human detritus as contract laborers, imported by them to increase dividends at the expense of wages and the dignity of labor. Still others organize these malcontents into groups to wage war on our system of government, and endeavor to bury popular sovereignty beneath a mass of up-American jargon and bomb-throwing anarchy.

The facts thus reported are amply sustained and corroborated by information gleaned by investigations of Congressional committees, special commissions, etc.

The testimony is overwhelming as to the volume of undesirable immigration even now being admitted. The demand for effective restriction is universal and imperative, and the legislation herewith submitted will be a step in the direction of meeting and correcting the evil.

Brief consideration may be properly given to the course of immigration from 1821 to 1901, as shown by official statistics and records of the Government. Examination will show a fluctuation between wide extremes at different periods.

The tide of immigration may be said to have begun in 1820, when 8,385 immigrants arrived, while by 1830 the number had increased to 23,322, with a total between 1820 and 1830, inclusive, of about 150,000.

From 1831 to 1840 almost exactly 600,000 were received.

From 1841 to 1850 there came 1,713,251.

From 1851 to 1860 the number reached 2,598,214.

In the next decade, in spite of the civil war, 2,314,824 came.

From 1871 to 1880 we received 2,812,191.

From 1881 to 1890 the high-water mark was reached, the total being 5,246,613, the number in one year, 1882, being 788,992.

In the last decade of the century, 1891 to 1900, the number was

3,687,564, while the grand total from 1820 to 1900 was 19,123,596. Add to this the immigration for the fiscal year 1901, which was 487,918, and we have a total of 19,611,514.

It must also be borne in mind that in this computation no account is taken of the cabin-passenger immigrants, of whom there came last year alone about 80,000. It would be a conservative estimate to say that for the eighty years covered by the statistics fully 2,500,000 immigrants were of this class.

Nor are there adequate records of the immigration through and from Canada, which, since 1885, would doubtless add many hundreds of thousands, thus giving a grand total not far from 22,590,000.

It is safe to assume that at least 5,000,000 alien immigrants have entered the United States since 1890. We calculate that there has been at least 80,000 cabin passengers annually who were alien immigrants and 70,000 annually from Canada. Neither the cabin passengers nor the Canadian passengers have been taken into our accounts.

The tide ebbed and flowed as the conditions for employment varied in the United States, or as famine or pestilence in foreign lands incited an exodus.

This is clearly shown by the table annexed, wherein is given the influx each year for the entire time named as far as recorded.

Number of alien passengers arrived in the United States, 1820 to 1855, and number of immigrants arrived, 1856 to 1901.

1820.....	8,385	1861.....	89,724
1821.....	9,127	1862.....	89,007
1822.....	6,911	1863.....	174,524
1823.....	6,354	1864.....	103,195
1824.....	7,912	1865.....	247,453
1825.....	10,199	1866.....	314,917
1826.....	10,897	1867.....	310,935
1827.....	18,875	1868.....	198,840
1828.....	27,382	1869.....	352,768
1829.....	22,520	1870.....	387,203
1830.....	23,292	1871.....	321,550
1831.....	40,432	1872.....	404,806
1832 (15 months).....	58,640	1873.....	459,803
1833.....	65,365	1874.....	313,539
1834.....	45,374	1875.....	227,498
1835.....	76,242	1876.....	109,986
1836.....	79,340	1877.....	141,857
1837.....	38,514	1878.....	138,409
1838.....	68,080	1879.....	177,826
1839.....	84,006	1880.....	457,257
1840.....	80,299	1881.....	689,431
1841.....	104,565	1882.....	788,962
1842.....	52,498	1883.....	608,522
1843 (9 months).....	78,615	1884.....	518,592
1844.....	114,371	1885.....	385,546
1845.....	154,416	1886.....	394,263
1846.....	234,908	1887.....	490,109
1847.....	226,527	1888.....	546,689
1848.....	297,024	1889.....	444,427
1849.....	369,980	1890.....	455,302
1850 (15 months).....	379,466	1891.....	500,319
1851.....	571,003	1892.....	579,063
1852.....	368,645	1893.....	439,730
1853.....	427,833	1894.....	285,631
1854.....	100,827	1895.....	258,536
1855.....	195,597	1896.....	343,267
1856.....	246,945	1897.....	220,832
1857.....	119,501	1898.....	229,239
1858.....	118,616	1899.....	311,715
1859.....	150,237	1900.....	448,572
1860.....		1901.....	487,918

An interesting fact is shown by comparing the immigration with the population.

By this test the maximum was in 1854, when the ratio was 16.2 immigrants to each 1,000 of population, while the average from 1847 to 1854, inclusive, was 13.65 per 1,000.

The ratio ran down rapidly until 1862, when it was 2.7 per 1,000, the lowest ratio from 1839 to 1901.

In the year 1882, when the largest number in the history of the country was received, the number per 1,000 of population was exactly 15, and in 1898, when the lowest number since 1879 came, the ratio was exactly 3 per 1,000.

For the year 1901 the ratio was 6.1 per 1,000.

There has been a marked change in the character of the immigration.

Prior to 1880 western Europe, including England, Scotland, Ireland, Wales, Germany, and the Scandinavian countries, furnished more than three-fourths of the immigration from all countries, while eastern Europe, including Italy, Austria-Hungary, Russia, and Poland, furnished less than 1 per cent thereof.

These comparisons are made with no intent to reflect upon the nationalities named, but merely to show the marked change in the source of immigration during recent years.

One other important fact remains to be mentioned. Prior to 1880 the larger portion of the immigration went inland to the farms and assisted in building up the great States of the West and Northwest.

The immigration since 1880, and especially for the past decade, has remained almost wholly in the Atlantic States and in the cities thereof; and thus, while perhaps not of such vital impor-

tance in comparison with the total population of the country, it has brought a heavy pressure of competition upon special localities, thereby giving a spur to the demand for restriction which comes to Congress with such insistence.

The significance of this phase of the question is apparent when it is noted that the census of 1900 shows nearly 40 per cent of the population of the United States living in cities of 4,000 or more population.

According to Dr. True, of the Department of Agriculture—

Between 1870 and 1890, speaking relatively and in round numbers, 2,000,000 men gave up farming and went to join the great army of toilers in our cities. Taking their families into account, 6,000,000 people from the farm were added to the population of the town.

In the single year 1895, as shown by the report of the Commissioner of Labor, of 343,267 immigrants, 224,650 went to New York, Pennsylvania, and Massachusetts, or nearly 70 per cent of the total. That same year 36 per cent of immigrants, including women and children, had no occupation and 42 per cent were farm laborers, laborers, or servants. The percentage of the same classes, respectively, for 1901 were 30.5 per cent and 53.1 per cent.

This tendency of concentration in certain States and in the cities is strikingly shown by the tables given, as follows:

TABLE I.—Relative proportions of foreign to native born, by States and Territories, arranged geographically: 1890 and 1900.

States and Territories.	Number of foreign born to each 100,000 native born.	
	1900.	1890.
The United States.....	15,886	17,314
North Atlantic Division.....	29,248	28,761
Maine.....	15,528	13,564
New Hampshire.....	27,237	23,781
Vermont.....	14,971	15,291
Massachusetts.....	43,201	41,543
Rhode Island.....	45,749	44,442
Connecticut.....	35,543	32,631
New York.....	35,400	35,447
New Jersey.....	29,748	29,479
Pennsylvania.....	18,531	19,167
South Atlantic Division.....	2,112	2,411
Delaware.....	8,080	8,473
Maryland.....	8,585	9,946
District of Columbia.....	7,780	8,870
Virginia.....	1,061	1,122
West Virginia.....	2,398	2,538
North Carolina.....	238	229
South Carolina.....	414	548
Georgia.....	563	605
Florida.....	4,722	6,223
North Central Division.....	18,753	22,126
Ohio.....	12,402	14,295
Indiana.....	5,986	7,145
Illinois.....	25,079	28,229
Michigan.....	28,822	35,089
Wisconsin.....	33,223	44,220
Minnesota.....	40,553	55,444
Iowa.....	15,884	20,044
Missouri.....	7,486	9,609
North Dakota.....	54,884	74,379
South Dakota.....	28,272	35,355
Nebraska.....	19,950	23,548
Kansas.....	9,427	11,547
South Central Division.....	2,606	2,967
Kentucky.....	2,396	3,299
Tennessee.....	886	1,146
Alabama.....	804	966
Mississippi.....	517	620
Louisiana.....	3,981	4,654
Texas.....	6,251	7,345
Indian Territory.....	1,255	
Oklahoma.....	4,098	3,618
Arkansas.....	1,101	1,280
Western Division.....	26,081	33,067
Montana.....	38,050	43,170
Wyoming.....	23,184	31,302
Colorado.....	20,322	25,509
New Mexico.....	7,499	7,555
Arizona.....	24,553	27,063
Utah.....	24,118	33,645
Nevada.....	31,304	45,043
Idaho.....	17,937	24,554
Washington.....	27,380	33,681
Oregon.....	18,905	22,012
California.....	32,853	43,243
Alaska.....	24,859	108,387
Hawaii.....	143,592	87,023

* Includes persons in the military and naval service of the United States (including civilian employees, etc.) stationed abroad, not credited to any State or Territory.

TABLE II.—Increase, by geographical divisions, in foreign-born population, comparing 1880, 1890, and 1900, and showing the percentage of increase for the last two decades; also showing the rapid increase in the North Atlantic Division.

Geographical divisions.	1900.	1890.	1880.	Increase from 1890 to 1900.		Increase from 1880 to 1890.	
				Number.	Per cent.	Number.	Per cent.
The United States.....	10,241,276	9,249,547	6,679,943	1,091,729	11.8	2,569,604	38.5
North Atlantic Division.....	4,702,796	3,888,177	2,814,520	874,619	22.5	1,073,657	38.1
South Atlantic Division.....	216,030	208,525	174,253	7,505	3.6	34,267	19.7
North Central Division.....	4,158,474	4,060,114	2,916,829	98,360	2.4	1,143,285	39.2
South Central Division.....	357,655	321,821	274,274	35,834	11.1	47,547	17.3
Western Division.....	846,321	770,910	500,062	75,411	9.8	270,848	54.2

TABLE III.—Percentage of native and foreign born of total population, by States and Territories, arranged geographically, 1890 and 1900, Census of 1900.

States and Territories.	1900.		1890.	
	Native.	Foreign.	Native.	Foreign.
The United States.....	86.3	13.7	85.2	14.8
North Atlantic Division.....	77.4	22.6	77.7	22.3
Maine.....	86.6	13.4	88.1	11.9
New Hampshire.....	78.6	21.4	80.8	19.2
Vermont.....	87	13	86.7	13.3
Massachusetts.....	69.8	30.2	70.6	29.4
Rhode Island.....	68.6	31.4	69.2	30.8
Connecticut.....	73.8	26.2	75.4	24.6
New York.....	73.9	26.1	73.8	26.2
New Jersey.....	77.1	22.9	77.2	22.8
Pennsylvania.....	84.4	15.6	83.9	16.1
South Atlantic Division.....	97.9	2.1	97.6	2.4
Delaware.....	92.5	7.5	92.2	7.8
Maryland.....	92.1	7.9	91	9
District of Columbia.....	92.8	7.2	91.9	8.1
Virginia.....	99	1	98.9	1.1
West Virginia.....	97.7	2.3	97.5	2.5
North Carolina.....	99.8	0.2	99.8	0.2
South Carolina.....	99.6	0.4	99.5	0.5
Georgia.....	99.4	0.6	99.3	0.7
Florida.....	95.5	4.5	94.1	5.9
North Central Division.....	84.2	15.8	81.9	18.1
Ohio.....	89	11	87.5	12.5
Indiana.....	94.4	5.6	93.3	6.7
Illinois.....	79.9	20.1	78	22
Michigan.....	77.6	22.4	74	26
Wisconsin.....	75.1	24.9	69.3	30.7
Minnesota.....	71.1	28.9	64.3	35.7
Iowa.....	86.3	13.7	83.1	16.9
Missouri.....	93	7	91.2	8.8
North Dakota.....	64.6	35.4	57.3	42.7
South Dakota.....	78	22	73.9	26.1
Nebraska.....	83.4	16.6	80.9	19.1
Kansas.....	91.4	8.6	89.6	10.4
South Central Division.....	97.5	2.5	97.1	2.9
Kentucky.....	97.7	2.3	96.8	3.2
Tennessee.....	99.1	0.9	98.9	1.1
Alabama.....	99.2	0.8	99	1
Mississippi.....	99.5	0.5	99.4	.6
Louisiana.....	96.2	3.8	95.6	4.4
Texas.....	94.1	5.9	93.2	6.8
Indian Territory.....	98.8	1.2	100	
Oklahoma.....	96.1	3.9	96.5	3.5
Arkansas.....	98.9	1.1	98.7	1.3
Western Division.....	79.3	20.7	75.2	24.8
Montana.....	72.4	27.6	69.8	30.2
Wyoming.....	81.2	18.8	76.2	23.8
Colorado.....	83.1	16.9	79.7	20.3
New Mexico.....	93	7	93	7
Arizona.....	80.3	19.7	78.7	21.3
Utah.....	80.6	19.4	74.8	25.2
Nevada.....	76.2	23.8	68.9	31.1
Idaho.....	84.8	15.2	80.3	19.7
Washington.....	78.5	21.5	74.8	25.2
Oregon.....	84.1	15.9	82	18
California.....	75.3	24.7	69.8	30.2
Alaska.....	80.1	19.9	48	52
Hawaii.....	41.1	58.9	53.5	46.5

*Includes persons in the military and naval service of the United States (including civilian employees, etc.) stationed abroad, not credited to any State or Territory.

TABLE IV.—Native and foreign born population, by geographical divisions, of the 161 cities of the United States having over 25,000 population each, and of the States or Territories in which they are situated, 1900.

Cities.	Total popula- tion.	Native born.	Foreign born.	Per cent of total popula- tion.	
				Native born.	For- eign born.
<i>North Atlantic Division.</i>					
Maine.....	694,466	601,136	93,330	86.6	13.4
Portland.....	50,145	39,710	10,435	79.2	20.8
New Hampshire.....	411,588	323,481	88,107	78.6	21.4
Manchester.....	56,987	32,730	24,257	57.4	42.6
Vermont.....	343,641	.....	44,747	.....	13.0
Massachusetts.....	2,805,346	1,959,022	846,324	69.8	30.2
Boston.....	560,892	363,763	197,129	64.9	35.1
Brockton.....	40,063	30,579	9,484	76.3	23.7
Cambridge.....	91,886	61,420	30,466	66.8	33.2
Chelsea.....	34,072	22,869	11,203	67.1	32.9
Fall River.....	104,863	54,821	50,042	52.3	47.7
Fitchburg.....	31,531	20,614	10,917	65.4	34.6
Gloucester.....	26,121	17,353	8,768	66.4	33.6
Haverhill.....	37,175	28,645	8,530	77.1	22.9
Holyoke.....	45,712	26,791	18,921	58.6	41.4
Lawrence.....	62,559	33,982	28,577	54.3	45.7
Lowell.....	94,969	53,965	40,974	56.9	43.1
Lynn.....	68,513	50,771	17,742	74.1	25.9
Malden.....	33,064	24,151	9,513	71.7	28.3
New Bedford.....	62,442	36,913	25,529	59.1	40.9
Newton.....	33,567	23,519	10,068	70	30
Salem.....	35,956	25,054	10,902	69.7	30.3
Somerville.....	61,643	44,411	17,232	72	28
Springfield.....	62,059	47,678	14,381	76.8	23.2
Taunton.....	31,036	21,896	9,140	70.6	29.4
Worcester.....	118,421	80,769	37,652	68.2	31.8
Rhode Island.....	428,556	294,037	134,519	68.6	31.4
Pawtucket.....	39,231	26,144	13,087	66.6	33.4
Providence.....	175,597	119,742	55,855	68.2	31.8
Woonsocket.....	28,204	15,686	12,518	55.6	44.4
Connecticut.....	908,420	670,210	238,210	73.8	27.2
Bridgeport.....	70,966	48,715	22,251	68.6	31.4
Hartford.....	79,850	56,092	23,758	70.2	29.8
New Britain.....	25,968	16,705	9,263	64.3	35.7
New Haven.....	108,027	77,225	30,802	71.5	28.5
Waterbury.....	45,859	30,491	15,368	66.5	33.5
New York.....	7,268,894	5,368,469	1,900,425	73.9	26.1
Albany.....	94,151	76,433	17,718	81.2	18.8
Auburn.....	30,345	24,909	5,436	82.1	17.9
Binghamton.....	39,647	35,375	4,272	89.2	10.8
Buffalo.....	352,387	248,135	104,252	70.4	29.6
Elmira.....	35,672	30,161	5,511	84.6	15.4
New York.....	3,437,202	2,167,122	1,270,080	63	37
Rochester.....	162,608	121,860	40,748	74.9	25.1
Schenectady.....	31,682	24,513	7,169	77.4	22.6
Syracuse.....	108,374	84,617	23,757	78.1	21.9
Troy.....	60,651	46,267	14,384	76.3	23.7
Utica.....	56,383	42,913	13,470	76.1	23.9
Yonkers.....	47,931	33,297	14,634	69.5	30.5
New Jersey.....	1,883,669	1,451,785	431,884	77.1	22.9
Atlantic City.....	27,838	24,649	3,189	88.5	11.5
Bayonne.....	32,722	21,936	10,786	67	33
Camden.....	75,935	65,838	10,097	86.7	13.3
Elizabeth.....	52,130	37,360	14,770	71.7	28.3
Hoboken.....	59,364	37,984	21,380	64	36
Jersey City.....	206,433	148,009	58,424	71.7	28.3
Newark.....	246,070	174,707	71,363	71	29
Passaic.....	27,777	14,877	12,900	53.6	46.4
Paterson.....	105,171	66,380	38,791	63.1	36.9
Trenton.....	73,307	56,514	16,793	77.1	22.9
Pennsylvania.....	6,302,115	5,316,865	985,250	84.4	15.6
Allegheny.....	129,896	99,680	30,216	76.7	23.3
Allentown.....	35,416	32,422	2,994	91.5	8.5

TABLE IV.—Native and foreign born population, by geographical divisions, of the 161 cities of the United States, etc.—Continued.

Cities.	Total population.	Native born.	Foreign born.	Per cent of total population.	
				Native born.	Foreign born.
North Atlantic Division—Cont'd.					
Pennsylvania—Continued.					
Altoona	38,973	35,672	3,301	91.5	8.5
Chester	33,988	28,914	5,074	85.1	14.9
Easton	25,238	23,103	2,135	91.5	8.5
Erie	52,733	40,776	11,957	77.3	22.7
Harrisburg	50,167	47,674	2,493	95	5
Johnstown	35,936	28,618	7,318	79.6	20.4
Lancaster	41,459	37,967	3,492	91.6	8
McKeesport	34,227	24,878	9,349	72.7	27.3
Newcastle	28,339	23,015	5,324	81.2	18.8
Philadelphia	1,293,697	998,357	295,340	77.2	22.8
Pittsburgh	321,616	236,738	84,878	73.6	26.4
Reading	78,961	73,021	5,940	92.5	7.5
Scranton	102,026	73,053	28,973	71.6	28.4
Wilkesbarre	51,721	39,533	12,188	76.4	23.6
Williamsport	28,757	26,529	2,228	92.3	7.7
York	33,708	32,404	1,304	96.1	3.9
South Atlantic Division.					
Delaware	184,735	170,925	13,810	92.5	7.5
Wilmington	76,508	66,030	10,478	86.3	13.7
Maryland	1,188,044	1,094,110	93,934	92.1	7.9
Baltimore	508,957	440,357	68,600	86.5	13.5
District of Columbia	278,718	258,599	20,119	92.8	7.2
Washington	278,718	258,599	20,119	92.8	7.2
Virginia	1,854,184	1,834,723	19,461	99	1
Norfolk	46,624	44,919	1,705	96.3	3.7
Richmond	85,050	82,185	2,865	96.6	3.4
West Virginia	958,800	936,349	22,451	97.7	2.3
Wheeling	38,878	33,417	5,461	86	14
North Carolina	1,893,810	1,834,788	5,922	96.9	3.1
South Carolina	1,340,316	1,334,788	5,528	99.6	0.4
Charleston	56,807	53,215	3,592	93.4	6.6
Georgia	2,216,331	2,203,928	12,403	99.4	0.6
Atlanta	89,872	87,341	2,531	97.2	2.8
Augusta	39,441	38,446	995	97.5	2.5
Savannah	54,244	50,810	3,434	93.7	6.3
Florida	528,542	504,710	23,832	95.5	4.5
Jacksonville	28,429	27,263	1,166	95.9	4.1
North Central Division.					
Ohio	4,157,545	3,698,811	458,734	89	11
Akron	42,728	35,601	7,127	83.3	16.7
Canton	30,667	26,649	4,018	86.9	13.1
Cincinnati	325,902	267,941	57,961	82.2	17.8
Cleveland	381,768	257,137	124,631	67.4	32.6
Columbus	125,590	113,232	12,358	90.2	9.8
Dayton	85,333	75,280	10,053	88.2	11.8
Springfield	38,253	34,942	3,311	91.3	8.7
Toledo	131,822	104,000	27,822	78.9	21.1
Youngstown	44,885	32,678	12,207	72.8	27.2
Indiana	2,516,462	2,374,341	142,121	94.4	5.6
Evansville	59,007	53,381	5,626	90.5	9.5
Fort Wayne	45,115	38,324	6,791	84.9	15.1
Indianapolis	169,164	152,042	17,122	89.9	10.1
South Bend	35,999	27,398	8,601	76.1	23.9
Terre Haute	36,673	33,721	2,952	92	8
Illinois	4,821,550	3,854,803	966,747	79.9	20.1
Chicago	1,698,575	1,111,463	587,112	65.4	34.6
East St. Louis	29,655	25,735	3,920	86.8	13.2
Joliet	29,353	20,817	8,536	70.9	29.1
Peoria	56,100	47,155	8,945	84.1	15.9
Quincy	36,252	31,291	4,961	86.3	13.7
Rockford	31,051	21,714	9,337	69.9	30.1
Springfield	34,159	29,505	4,654	86.4	13.6
Michigan	2,420,982	1,879,329	541,653	77.6	22.4
Bay City	27,628	19,143	8,485	69.3	30.7
Detroit	285,704	189,201	96,503	66.2	33.8
Grand Rapids	87,565	63,669	23,896	72.7	27.3
Jackson	25,180	21,337	3,843	84.7	15.3
Saginaw	42,345	30,910	11,435	73	27
Wisconsin	2,009,042	1,553,071	515,971	75.1	24.9
La Crosse	28,895	21,673	7,222	75	25
Milwaukee	285,315	196,324	88,991	68.8	31.2
Oshkosh	28,284	20,928	7,356	74	26
Racine	29,102	19,890	9,212	68.2	31.8
Superior	31,091	19,672	11,419	63.2	36.8
Minnesota	1,751,394	1,246,076	505,318	71.1	28.9
Duluth	52,969	31,986	20,983	60.4	39.6
Minneapolis	202,718	141,697	61,021	69.9	30.1
St. Paul	163,065	116,246	46,819	71.3	28.7

TABLE IV.—Native and foreign born population, by geographical divisions, of the 161 cities of the United States, etc.—Continued.

Cities.	Total population.	Native born.	Foreign born.	Per cent of total population.	
				Native born.	For- eign born.
North Central Division—Cont'd.					
Iowa	2,231,853	1,925,933	305,920	86.3	13.7
Cedar Rapids	25,656	21,178	4,478	82.5	17.5
Council Bluffs	25,802	22,079	3,723	85.6	14.4
Davenport	35,254	26,775	8,479	75.9	24.1
Des Moines	62,139	54,193	7,946	87.2	12.8
Dubuque	36,297	29,342	6,955	80.8	19.2
Sioux City	33,111	26,519	6,592	80.1	19.9
Missouri	3,106,665	2,890,286	216,379	93	7
Joplin	26,023	25,130	893	96.6	3.4
Kansas City	163,752	145,342	18,410	88.8	11.2
St. Joseph	102,979	94,555	8,424	91.8	8.2
St. Louis	575,238	463,882	111,356	80.6	19.4
North Dakota	319,146	-----	113,091	-----	35.4
South Dakota	401,570	-----	88,508	-----	22
Nebraska	1,066,900	888,953	177,947	83.4	16.6
Lincoln	40,169	34,872	5,297	86.8	13.2
Omaha	102,555	79,003	23,552	77	23
South Omaha	26,001	20,394	5,607	78.4	21.6
Kansas	1,470,495	1,343,810	126,685	91.4	8.6
Kansas City	51,418	45,041	6,377	87.6	12.4
Topeka	33,608	30,407	3,201	90.5	9.5
South Central Division.					
Kentucky	2,147,174	2,096,925	50,249	97.7	2.3
Covington	42,938	37,615	5,323	87.6	12.4
Lexington	26,339	25,445	894	96.5	3.5
Louisville	204,731	183,304	21,427	89.5	10.5
Newport	28,801	24,220	4,581	84.1	15.9
Tennessee	2,020,616	2,002,870	17,746	99.1	.9
Chattanooga	30,154	29,160	994	96.7	3.3
Knoxville	32,637	31,742	895	97.3	2.7
Memphis	102,320	97,210	5,110	95	5
Nashville	80,665	77,828	2,837	96.2	3.8
Alabama	1,828,697	1,814,105	14,592	99.2	.8
Birmingham	38,415	36,639	1,776	95.4	4.6
Mobile	38,469	36,358	2,111	94.5	5.5
Montgomery	30,346	29,680	666	97.8	2.2
Mississippi	1,551,270	-----	7,981	-----	0.5
Louisiana	1,381,625	1,328,722	52,903	95.2	4.8
New Orleans	287,104	256,779	30,325	89.4	10.6
Texas	3,048,710	2,869,353	179,357	94.1	5.9
Dallas	42,638	39,257	3,381	92.1	7.9
Fort Worth	26,688	24,895	1,793	93.3	6.7
Galveston	37,789	31,450	6,339	83.2	16.8
Houston	44,633	40,228	4,405	90.1	9.9
San Antonio	53,321	43,973	9,348	82.5	17.5
Indian Territory	362,060	-----	4,858	-----	1.2
Oklahoma	398,331	-----	15,680	-----	3.9
Arkansas	1,311,564	1,297,275	14,289	98.9	1.1
Little Rock	38,307	36,208	2,099	94.5	5.5
Western Division.					
Montana	243,329	176,262	67,067	72.4	27.6
Butte	30,470	20,260	10,210	66.5	33.5
Wyoming	92,531	-----	17,415	-----	18.8
Colorado	539,700	448,545	91,155	83.1	16.9
Denver	133,859	108,558	25,301	81.1	18.9
Pueblo	28,157	23,452	4,705	83.3	16.7
New Mexico	195,810	-----	13,625	-----	7
Albuquerque	122,931	-----	24,233	-----	19.7
Utah	276,749	222,972	53,777	80.6	19.4
Salt Lake City	53,531	40,790	12,741	76.2	23.8
Nevada	42,335	-----	10,093	-----	23.8
Idaho	161,772	-----	24,604	-----	15.2
Washington	518,103	406,739	111,364	78.5	21.5
Seattle	80,671	58,668	22,003	72.7	27.3
Spokane	36,848	29,015	7,833	78.7	21.3
Tacoma	37,714	26,682	11,032	70.7	29.3
Oregon	413,536	347,788	65,748	84.1	15.9
Portland	90,426	64,550	25,876	71.4	28.6
California	1,455,053	1,117,813	337,240	75.3	24.7
Los Angeles	102,479	82,515	19,964	80.5	19.5
Oakland	66,960	49,704	17,256	74.2	25.8
Sacramento	29,282	22,559	6,723	77	23
San Francisco	342,782	225,897	116,885	65.9	34.1
Alaska	63,592	-----	12,661	-----	19.9
Hawaii	154,001	63,221	90,780	41.1	58.9
Honolulu	39,306	21,871	17,435	55.6	44.4

TABLE V.—Source of immigration, by countries of origin, since 1821, showing the marked change in the last two decades.

Countries.	Number of immigrants.						
	Total.	1891-1900.	1881-1890.	1871-1880.	1861-1870.	1851-1860.	1821-1850.
Aggregate	19,115,221	3,687,564	5,246,613	2,812,191	2,314,824	2,598,214	2,455,815
Canada and Newfoundland	1,049,939	3,064	392,802	383,209	153,871	59,309	57,024
Germany	5,009,280	505,152	1,452,970	718,182	787,468	951,667	593,841
Great Britain	3,026,207	*272,004	807,357	548,043	606,896	423,974	367,933
Ireland	3,869,268	*888,194	655,482	436,871	435,778	914,119	1,038,824
Norway and Sweden	1,246,812	321,281	568,362	211,245	109,298	20,931	15,195
Total	14,201,006	1,489,695	3,876,973	2,297,610	2,093,811	2,370,000	2,073,417
Austria-Hungary	1,027,195	592,707	353,719	72,969	7,800	—	—
Italy	1,040,457	651,899	307,309	55,759	11,728	9,231	4,531
Russia and Poland	926,902	602,010	265,088	52,254	4,536	1,621	1,393
Total	2,994,554	1,846,616	926,116	180,982	24,064	10,852	5,924
All other countries	1,919,661	351,253	443,524	333,599	197,449	217,362	376,474

Countries.	Per cent of total immigrants at each period.					
	1891-1900.	1881-1890.	1871-1880.	1861-1870.	1851-1860.	1821-1850.
Aggregate	100	100	100	100	100	100
Canada and Newfoundland .....	.1	7.5	13.6	6.7	2.3	2.3
Germany	13.7	27.7	25.6	34	36.6	24.2
Great Britain	7.4	15.4	19.5	26.2	16.3	15
Ireland	10.5	12.5	15.5	18.8	35.2	42.3
Norway and Sweden	8.7	10.8	7.5	4.7	.8	.6
Total	40.4	73.9	81.7	90.4	91.2	84.4
Austria-Hungary	16.1	6.7	2.6	.4	—	—
Italy	17.7	5.9	2	.5	.3	.2
Russia and Poland	16.3	5	1.8	.2	.1	.1
Total	50.1	17.6	6.4	1.1	.4	.3
All other countries	9.5	8.5	11.9	8.5	8.4	15.3

* Estimated for year ending June 30, 1899.

The distribution of the increase of foreign-born population by geographical divisions of the country is shown in compact form by the following table:

Geographical division.	1890-1900.	1880-1890.
	Per cent. 100	Per cent. 100
The United States		
North Atlantic Division	80.1	41.8
South Atlantic Division	7	1.3
North Central Division	9	44.5
South Central Division	3.3	1.9
Western Division	6.9	10.5

From this table of percentages it appears that of the total increase in foreign born from 1880 to 1890, 44.5 per cent was in the North Central Division, whereas for the decade ending in 1900 only 9 per cent of the increase is found to be in the North Central Division as compared with 80.1 per cent in the North Atlantic Division.

This concentration in the latter division of four-fifths of the increase of the foreign-born element since 1890 is due to a very decided change in the character of the immigration in recent years, a change which began to be apparent in 1890, but which has progressed since at a very rapid rate.

Even up to 1890 the natives of Germany, Ireland, Great Britain, Canada and Newfoundland, Norway, Sweden, and Denmark practically dominated the immigration to this country, these five classes combined having contributed nearly 13,000,000 (12,853,828) out of a total of 15,427,657 immigrants to June 30, 1890.

From 1891 to 1900, however, they have contributed, out of a total of 3,687,564 immigrants, only 1,539,926, or a little more than two-fifths, as against three-fourths for the ten-year period ending in 1890, more than four-fifths for that ending in 1880, and fully nine-tenths for those ending in 1870 and 1860, respectively.

While the 161 principal cities of the country contained more than one-fourth, or 25.9 per cent of the total population in 1900, they had very nearly one-half, or 49.2 per cent, of all the foreign born.

The proportion of foreign born in the principal cities is nearly three times the proportion found in the remainder of the country outside of these cities, comparison being with the total population in both cases.

The North Atlantic Division contained 70 of the principal cities in 1900, with 48 per cent of the total population in the division, while the foreign-born population represented 64.7 per cent of the foreign born in the division. The proportion of foreign born to total population in the cities of the division is also very large,

being 30.5 per cent, or practically twice the proportion (15.4) shown for the remainder of the division.

The 12 principal cities in the State of New York contain more than three-fifths of the total population of the State and fully four-fifths of its foreign-born population.

The principal cities of Massachusetts and Rhode Island represent very nearly as large a proportion of the total population, or 58.4 per cent and 56.7 per cent, respectively, but the cities of Massachusetts contain two-thirds of its foreign element, while those in Rhode Island contain only three-fifths of all the foreign born in that State.

New Hampshire has 42.6 per cent of its foreign born in cities, compared with 34.6 per cent for Massachusetts, 34.1 per cent for New York, and 33.5 per cent for Rhode Island.

The proposed law now under discussion does not afford adequate protection in the matter of closing the Canadian frontier against the entrance that way into the United States of prohibited alien immigrants and others. This immigration comes in two classes—first, those manifested to Canadian ports from Europe, but destined for the United States, and second, those manifested from European ports to interior places in Canada, but intending secretly to cross the border and enter the United States contrary to law.

The first come openly, because they would have little difficulty of entrance at our own ports. The second come that way because, in proportion as inspection and enforcement of the laws become effective at United States ports they are driven to seek that means of evasion.

Even with the first class the inspection is lax, because upon foreign soil there is no authority to deport therefrom. With the second class the United States authorities are practically defenseless, since the immigrant is ostensibly destined to Canada and not to the United States.

Having landed in Canada, there is no authority to inspect, as the immigrant is manifested to a Canadian interior point. If he subsequently sneaks across the border and is arrested by the United States commissioner, he can not be deported through Canada, for lack of legal authority. It is abundantly proved that the greater part of the infirm people who come to us, the aliens who drift into our institutions, come by way of Canada.

Indeed, immigrants rejected at American ports have been subsequently found in New York City, Philadelphia, Baltimore, etc., having returned to this country through the Canadian loophole.

Whatever inspection there is in Canada or at European ports exists by the sufferance of the steamship companies, and has no legal binding force.

It has proved an entire failure and even a disadvantage in the enforcement of the immigration laws.

The immigration laws of this country are flagrantly violated. These Canadian steamship agencies in Europe do not hesitate to advertise openly and guarantee to their passengers (the good, bad, and indifferent ones) that they shall be safely delivered into the United States and no questions asked if they will only take passage via Canada. I have their bills so advertising.

I will read for the benefit of the House a letter I received March 14, this year, from the Secretary of the Treasury on this matter. It is self-explanatory.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, March 13, 1902.

Hon. W. B. SHATTUCK,
Chairman Committee on Immigration and Naturalization,
House of Representatives.

DEAR SIR: As it is understood that your committee has under consideration various measures with relation to the immigration of aliens into the United States, I have the honor to inclose herewith for your information copy of a letter from the United States Commissioner of Immigration at St. John, New Brunswick, together with a circular setting forth the agreement referred to therein, from which you will see some of the difficulties, from an administrative point of view, in enforcing the existing immigration laws as to aliens coming through foreign contiguous territory.

Very truly, yours,

L. M. SHAW,
Secretary of the Treasury.

And now I will read the letter referred to by the Secretary of the Treasury:

No. 1276.] TREASURY DEPARTMENT,
OFFICE OF UNITED STATES COMMISSIONER OF IMMIGRATION,
St. John, New Brunswick, March 11, 1902.
COMMISSIONER-GENERAL OF IMMIGRATION,
Washington, D. C.

SIR: I have the honor to report the following facts in connection with the difficulties experienced here and at Halifax in having excluded immigrants deported:

On February 24 the steamship *Tunisian* arrived at Halifax, bringing, among others, three Finlanders who were suffering with trachoma and who were excluded. Marias Anderson, a Dane, also came on this vessel and was allowed to proceed to this port, where he was examined by Dr. Heiser, who stated that Anderson was suffering with lupus of the skin, whereupon he was excluded as likely to become a public charge and ordered deported.

Last Monday, upon arrival of the steamship *Tunisian* at Halifax on her outward trip, we had these three Finlanders locked up in a room of the immigration building and requested the company's agent to carry out the order of deportation. He said that under instructions from Messrs. H. & A. Allan he could only ask the immigrants if they were willing to return, and if they were, to inform them that the company would return them free of charge; if not, that the company could not and would not force them to be deported.

As soon as Anderson was excluded at this port the company was served with an order of deportation, but it appears that they never made any attempt to detain him here, and he was allowed by them to go at his pleasure and has disappeared.

The Allan Company persistently insists that under the present agreement they are not compelled to use force in deporting excluded immigrants, and that their whole duty is performed when they tell the immigrant that if he desires to return they will take him back free, but that nobody can compel him to return.

This scene has been enacted here and at Halifax time and again, and especially with Allan Line passengers.

When the steamship *Lake Superior* arrived here on February 24 I had the doctor examine the passengers at the gang plank before leaving the vessel, and the objectionable ones were not permitted to land, but were locked up and kept on board until the vessel sailed for Liverpool, on the 1st instant. In this manner we were able to deport the eight immigrants pronounced objectionable by the doctor, but since then it has been stated in the public press that the * * * Immigration Society have engaged counsel and that if anyone is held on board the vessel and not permitted to land a suit will be instituted to compel the steamship company to release them and permit them to land.

However, it is my intention to have the passengers examined by the doctor on board again on the arrival of the steamship *Lake Ontario*, due about the 13th or 14th instant.

Notwithstanding this, I desire to invite attention of the Department to the fact that it is absolutely impossible to secure any deportations at the hands of the Allen Line unless the immigrant is willing to return, which condition is of course ridiculous to consider, as no immigrant will voluntarily consent to deportation.

The Elder-Dempster Company claim that when the passengers are once landed they can not use force to get them back on board, as there is no authority for doing so in the Canadian law.

These facts are furnished for the information of the Department, and it is requested that instructions be given as to the proper course to pursue relative to excluded immigrants when the company refuses to force them to return, as this office has noted under the supposition that section 3 of the present agreement contemplated that the "steamship company bringing such aliens shall be required to return them to the countries from which they respectively came."

Respectfully,

JOHN THOMAS, Commissioner.

There is no doubt at all that these immigrants are by this time across the border into the United States; and this is no isolated case. Had these immigrants been posted on the other side of the ocean they would have purchased their steamer tickets only to some Canadian place, and then they would not have been inspected by our people at all. Our representatives are permitted to inspect only such immigrants as are named in the manifest which is furnished by the steamer (a list of the names of those coming to this country). Yet this very steamship company which refused to deport these rejected immigrants has a paid representative in this city for the purpose of influencing legislation so it may continue to dump at our borders the scum and refuse of Europe and Asia.

It is a fact that most of the steamship companies delivering passengers at New York, Philadelphia, etc., are doing all they

can do to keep immigrants likely to be denied entrance into the United States from securing passage on their boats, while these Canadian lines solicit the undesirable and vicious to be taken, with a view of entrance to this country. This is not all. It can be proven that one of the Canadian railways is in the Chinese passenger traffic regularly, and is assisting the smugglers by stopping its passenger trains several miles outside of a certain city and discharging the Chinese in the country, where wagons, built especially for the purpose, take whole gangs over the border under cover of the night, and in this way thousands of Chinese enter the United States annually.

And how natural it is that these Canadian railways and the steamship lines doing business to and via Canada, as well as the very few American railways interested in this Canadian business, should select as their representative the same gentleman who represents the American Asiatic Association before the House and Senate committees in trying to secure by law what notoriously is done in the face of the law—free entrance of the Chinese to this country without restraint. It appears to be a consolidation of all the interests antagonistic to our laws and to the manifest wishes of the American people.

If the Immigration Restriction League of Boston, Mass., which is working hard to secure the passage of a law which will require every alien immigrant coming into this country to be able to read, would lend its aid in securing legislation which will close the "unguarded gates" on the Canadian frontier against the free and easy entrance to this country from Europe of alien immigrants who are idiots, insane persons, paupers, persons likely to become a public charge, persons afflicted with a loathsome or with a dangerous contagious disease, persons who have been convicted of a felony or other crime, polygamists, anarchists, prostitutes, or persons who have been induced to come to the United States by promises of securing work, then I am sure this House would be more likely to agree to legislation for a still further restrictive feature of our immigration laws which could and would be enforced in New York and elsewhere. But it is useless and foolish to further add restrictive measures to our immigration laws until this Government is enabled to enforce its present laws at the Canadian frontier.

I am well aware that the representatives of the transportation lines which are benefited by this "unguarded gate" (the Canadian frontier) assert that the number of those entering the United States via Canada is greatly overestimated.

The answer to that statement is that there is no record at all as to how many come in illegally by that route.

As many may come in as desire to come in, for there is little, if anything, to prevent them from so doing. The very best evidence that there are very many persons coming that way is that the transportation managers interested are violently opposed to any change in the laws which will close the Canadian "unguarded gate" or interfere with the present state of affairs.

If this business is of no value, if there are very few immigrants coming into the United States that way, why is it that the representatives of these corporations should become excited when new legislation is proposed, legislation which will change even in a very minor way the present status as to that business? A personal experience of over thirty years with these transportation gentlemen and their representatives justifies me in asserting that not one of them ever becomes alarmed without just cause; and, besides, they would not object to any new legislation unless they were injured by it, and they could not be injured unless the corporations they represent who are now doing a profitable illegitimate business, were to lose that business. Legislation will follow shortly with a view of controlling the Canadian frontier. It will then be interesting to see just how many gentlemen who are now enthusiastic on the subject of the educational test as it would apply at ports of the United States will vote against closing the Canadian frontier.

Voting to close the ports of the United States against the entrance to this country of good, strong, honest, healthy young men and women because they can not read a few words in any language and then refusing to vote to effectually close the Canadian frontier against the entrance into this country of criminals, prostitutes, anarchists, insane, and persons sure to become a public charge, will constitute a record such as few men would care to make.

This open discrimination in favor of Canadian steamship companies and Canadian railroads as against our own railroads and steamers landing at our shores should not longer be permitted. That the managers of our own corporations complain is but natural; that the managers of the Canadian corporations and the managers of the American railroads affiliated with them are perfectly satisfied is the best evidence obtainable that a great wrong is permitted to exist.

What little is being accomplished by this Government in controlling the immigration coming via Canada is dependent entirely

upon the good faith and by the permission of the officers of the Canadian steamship companies and officers of the Canadian railroads. This country should not depend upon any corporation either at home or elsewhere for the execution of its immigrant laws, for it is no secret that the railroad and steamship companies do not always keep their promises when entered into between themselves.

Attention is also called to the migratory character of immigration from Canada itself, by which is meant mainly the French-Canadian element engaged largely in lumbering and in the mills and factories of New England.

It is estimated that this migratory immigration from Canada to New England points is not far from 70,000 annually.

Perhaps 10 per cent of it remains and by intermarriage forms part of the permanent population.

The remaining migrationists are birds of passage, coming and going with the seasons, and filling the places in mill and factory from which they have ousted their English and Irish predecessors.

There seems to be no good reason why immigration across the Canadian border should not be subject to inspection, record, and restriction just as rigid as that enforced at ports of entry along the seacoast of the United States. It is manifestly unwise to leave unguarded a wide-open back door through which undesirable immigration, excluded elsewhere, finds easy entrance, thus nullifying the restrictive laws of our own country and exposing us to all the evils we wish to prevent.

The amendments to the law herewith suggested will, if adopted, go a long way toward reaching these evils and preventing such thwarting of our laws.

The designation of exclusive ports of entry along our boundary lines through which alone aliens may be admitted may prove effective, especially if the Government is given authority to employ an adequate police force of inspectors to guard the frontier, as well as to deport all who should enter at other than said designated ports of entry.

The expense of this service would be charged to the immigration fund and the per capita tax collected would much more than pay the expense of the service. It is estimated that there are many thousands who come via Canada annually who pay no head tax at all. It is shown that many aliens debarred from entrance at United States ports come into this country via Canada after having been refused admission at ports of the United States.

With almost unanimous voice the labor interests of the country have asked from Congress legislation for further and more effective restriction of immigration.

Nor is the demand confined to this one division of the people. It is sustained by the press, urged by economists and publicists, and indorsed by the platforms of the political parties.

Opinions differ as to specific methods to be applied, some asking measures more drastic than others, but all unite upon the need of immediate action that shall at least perfect the present laws and regulations and make them more effective for the purposes intended.

The concentration of such a large portion of the total immigration, and of almost all the undesirable immigration, in a comparatively few localities causes an immediate competition in the labor market, from which has sprung the insistent demand for restriction.

The testimony of all representatives of labor is uniformly in favor therefore, as stated, of further and more effective restriction, however much they may differ as to the method best for immediate trial.

It is alleged that immigration causes an oversupply of labor and displaces higher standards of living; that labor fails to get the share of general prosperity otherwise obtainable, because a constantly increasing supply of workmen makes demands for increase in wages in times of prosperity ineffective, and that while this competition is felt less in times of business activity it will act with crushing force if a period of depression should come.

Thus two powerful forces, immigration and machinery, operate jointly to prevent a rise in wages and a consequent increase in the consuming power of labor. The kind of immigration received during the last decade recruits the ranks of the unskilled, from which is constantly drawn the supply to supplant higher-priced labor in the skilled trades. Machinery makes it possible to subdivide processes of labor and use women and children in place of men formerly employed.

Organized labor understands this and therefore stands as a unit in demands upon Congress for further restriction.

Statistics show that immigration ebbs and flows with the movement of wages in this country.

In 1882 immigration reached 788,992, and fell to 334,203 in 1886. In 1892 it rose to 579,663, and fell to 229,299 in 1897, the lowest number since 1864.

During 1901 (including cabin passage immigration) it rose to over 560,000.

Could accurate figures be given for the influx across the Canadian border, undoubtedly at least another hundred thousand would be added to this last total.

While labor representatives urge more effective restriction because of this competition for employment and consequent effect upon increase and even maintenance of present rates of wages, economists also urge it upon the ground of the deleterious effect upon the standard of living and civilization.

Investigation proves conclusively that in general wages in the United States are very much higher than in European countries, ranging from 50 per cent to 500 per cent.

It is generally claimed by immigrants that their wages in American cities are from four to five times as high in money as the wages in the rural districts whence they came.

By the reverse of this proposition, the immigrant in his native country was compelled to exist on an income only 20 to 25 per cent of that received by American labor.

Hence, what the standard of the American mode of living requires and the wages demanded to secure it seem paradise and princely compensation to the new arrival.

The effect of this displacement of labor by immigrants is strikingly shown by the following extract from the report of the Industrial Commission recently submitted to Congress:

There is another effect introduced by immigration different from that which would proceed from a natural increase in population. This is the unequal distribution of immigrants in the several occupations and localities. From unskilled and unorganized occupations and from the Canadian border come more urgent complaints of the depressing effect of foreign-born competition than from elsewhere. Certain unions, such as glass blowers, charge an initiation fee higher for aliens than for citizens. This and various other reasons have caused the immigrants to crowd with concentrated effect upon the unprotected occupations, like those of common labor, coal mining, clothing and textile manufactures. In these trades there has been overcrowding and displacement of native workmen or of earlier immigrants and reduction of wages without directly depressing wages in other employments.

The displaced classes take two different courses. Some of them fall in the moral scale and increase the number of hoodlums and tramps. Others seek other occupations or become the foremen or employers of immigrants where a higher standard can be maintained. It may be said on this account that the fate of the displaced classes turns upon the general prosperity of the country, since in time of prosperity the upward transition is comparatively easy and in times of depression exceedingly difficult. But at this point it should be noted that the method by which the original American stock or the earlier immigrants are able to rise above the new immigrants who displace them is in itself open to objection. It consists in that restriction of numbers, through late marriages and smaller families, by which the pressure of competition is lessened.

In this way the original stock and the earlier immigrant stock from western Europe, though rising in scale, becomes less productive and proportionately smaller as the years go by. For this reason it was contended by the late Francis Walker, Superintendent of the Ninth and Tenth Censuses, that from the time when immigration first assumed large proportions it has amounted not to a reinforcement of our population, but to a replacement of native by foreign stock.

Economists claim that when once labor-saving machinery is introduced and unskilled men can do the work formerly requiring skilled workmen it is largely the immigrant who receives the employment, and the former workman must accept less wages by reason of the competition or seek other employment, only to meet, in all probability, similar conditions therein.

By this means, it is further claimed, the displacement named results in the introduction of continuous successions of lower and lower standards of living, as in the cotton textile industry, wherein the native educated American has been displaced successively by the English, the Irish, the French-Canadian, the Armenian, and the Syrian.

It is noticeable that where women have entered factory production they are usually the wives and daughters of immigrants.

Taking in view all these facts and factors, the inquiry is pertinent, shall the standard of citizenship and living in the United States be permanently depressed or shall rigorous methods be adopted to more carefully sift the immigration coming to our shores?

Could some means be devised whereby the stream of immigration would flow to the farm instead of to the factory, much of the burden and danger would be removed.

Unfortunately, as has been shown, the same powerful inducement that draws the farmer's son to the city acts with tenfold force upon the immigrant, whose controlling impulse is, first, immediate employment as near as possible to Ellis Island, and, second, the largest return possible for his toil.

Both these can best be got in the city, and to the city he gravitates.

If employment is immediately obtained, he becomes, in a measure, self-supporting.

The statistics of the various States present some startling revelations concerning the great burden placed by immigration upon the penal and charitable institutions of this country, the larger percentage of the inmates of jails, insane asylums, and charitable institutions having been furnished by the immigration, and investigation has proved the existence of organized effort in foreign countries to unload upon the United States their pauper, insane, and criminal classes.

It is evident from what has been stated that legislation proposed must be carefully considered and be along conservative lines.

While no undesirable immigrant should be admitted, room may be found for immigration such as from 1860 to 1880 contributed so largely to the growth and development of our country.

Existing laws are weak in many points and silent on others where restriction can be strengthened, and there are many loopholes for evasion.

There has been no codification of the various laws affecting immigration enacted during the past twenty-five years.

Even without suggesting new legislation, it is apparent that great improvement would result if the laws can be so compiled as to remove inconsistencies, ambiguities, and conflicts of authority now existing.

Legal interpretation of existing laws has hampered administration by close construction in some instances, making proof of violation difficult and inflicting unnecessary hardships in enforcement.

Tickets are furnished usually upon correspondence from immigrants already here, describing their own success in finding employment and good wages and the demand for labor.

Then, again, migration is no longer promoted by corporations employing labor, but by importing agencies of the several races.

They have branches in their own country and in America, and thus furnish labor to employers upon order, their long experience teaching them the loopholes in the law and the surest manner of evasion.

The immigrants are collected in squads, forwarded to ports of deportation, and coached effectively in the answers to be given to the American inspectors.

At the same time wholesale bargains and understandings are made with the steamship companies for their transportation.

Upon landing they are met by American agents whom they have means of recognizing.

In due time they are turned over to the employing contractors.

It will be seen how difficult it is to prove a contract under such conditions, and a contract, within the meaning of court interpretation, does not exist.

To meet this difficulty changes are made in the law, so as to more clearly define what shall be construed as a contract.

In framing this law it is believed that due regard has been had for all the interests involved. Undue injury to labor by ruinous competition with imported contract labor will be made more difficult while at the same time avoiding measures so drastic as to cripple American industry, agriculture, and the great shipping and transportation interests.

If the suggested law proves effective within its intended scope and in its administrative features, it can be made the basis of such additions hereafter as public sentiment may warrant or future conditions demand. While special interests may ask for more radical action at the present time, that course is best for all which is the safest and which conserves the interests of our whole country.

Having, by the bill proposed, established a harmonious code for the enforcement and administration of restriction as a general principle, it will be easy and appropriate from time to time to add supplementary features as necessity requires.

A summary of the more important changes, additions, and improvements embodied in this new bill may be appropriately given here.

The principal object of the bill is to codify in concise form all the legislation of this character heretofore enacted from the act of March 3, 1875, to the act of 1894, and to arrange the legislation in regular order and sequence according to the various specific subjects dealt with in the bill.

It is the object also of the bill to eliminate from the laws concerning immigration all those parts which have become obsolete as a result of subsequent legislation and to amend all portions of the laws which have been found inadequate to accomplish the plain purpose intended by them because of judicial decisions and interpretations and because of lack of authority for their administration.

The bill further embraces legislation which seemed to be demanded by enlightened public opinion, besides necessary enactments to cover the recent territorial acquisitions of the United States in the Philippines, Porto Rico, Hawaii, etc.

The bill increases the amount of the head tax on aliens coming into the United States by land transportation as well as by water from \$1 to \$1.50. The increase is justified by the greater cost of administering the law, which proposes to deal in a more effective way with the dangers of an already large and rapidly growing alien population, not only by rejecting at our ports before landing those who are found to be inadmissible, but by following up those who have effected an entrance and afterwards become criminal or pauper burdens upon the local municipalities, and within

three years after their arrival returning them to their own countries.

The head tax, by the way, is also required to be paid by aliens coming into the United States across the land boundaries, and the proposed law imposes a penalty for the nonpayment of the same.

The present bill consolidates with the general immigration laws existing legislation with regard to the importation of aliens under contract to perform labor in the United States, thus making the money from the head tax available for funds in payment of expenses for the enforcement of those laws instead of securing the necessary funds for the purpose through a special annual appropriation.

The proposed law excludes from admission to the United States, or any place subject to the jurisdiction thereof, the following classes of alien immigrants: All idiots, insane persons, epileptics, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; persons afflicted with a loathsome or with a dangerous contagious disease; persons who have been convicted of a felony or other crime or misdemeanor involving moral turpitude; polygamists; anarchists or persons who believe in or advocate the overthrow by force or violence of all government or of all forms of law or the assassination of public officials; prostitutes, and persons who procure or attempt to bring in prostitutes or women for the purpose of prostitution; persons whose migration to the United States has been induced by offers, solicitations, promises or agreements, parol or special, express or implied, of labor or work or service of any kind in the United States, and also any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes. Persons living in the United States are not prevented from sending for a relative or friend who is not of these classes mentioned, nor are persons convicted of a purely political offense excluded. It is also provided that skilled labor may be imported if labor of like kind unemployed can not be found within the United States. Professional actors, artists, etc., are not excluded.

The new law in relation to the insane was introduced in this bill to relieve our State and municipal institutions from the burdens they have been made to bear by these immigrants obtaining admission to them and remaining there indefinitely. The provisions concerning anarchists were adopted upon the theory that an effective way to deal with this evil was by refusing admission to the United States to the teachers and disciples of such a system or belief.

The part of the bill in relation to prostitutes and procurers is to complete the evident purpose of the act of March 3, 1875, which makes the importation of such aliens a felony, but omits to provide for rejection at ports of the United States.

The wisdom of the proposed law in regard to contract alien labor can not be questioned. It is for the protection of the American workingman. He deserves all that we can legally do for him, and no law which will keep alien contract labor out of competition with him can be too strict. The old law is strengthened in this respect by dropping the word "contract" and inserting in its place the words "offer, solicitation, promise."

This change has been made to meet the rulings of the courts, which held that in every case of alleged violation of the law the elements of a binding contract must be proven to bring offenders within the meaning of the act. Now, the "contract" does not have to be proved under the proposed bill, only the "offer, solicitation, or promise."

Certain rulings of courts have destroyed the value of the act as far as its protection was concerned, because under such rulings aliens could be imported with impunity upon the suggestion or assurance that employment awaited them in this country. Besides, Congress has already recognized, in section 3 of the act of March 3, 1891, the necessity of broadening the language of the act so as to cover the evil, for in this measure referred to it makes a violation of the law the migration of any alien to the United States in consequence of an advertisement in any foreign country promising work in this country. Therefore throughout the bill the words "offer, solicitation, promise" are used in lieu of the word "contract," as at present.

In this connection, what was considered by the committee as a necessary exception was embodied in this act. It provides that where skilled labor of the kind desired can not be found unemployed in this country, then, under such circumstances, skilled labor may be imported. The practicability and propriety of this is obvious. The imported alien contract laborer injures the American workman only by displacing him. If labor of the kind desired can not be found in this country and is imported, no one is displaced.

Another change in this bill is in the substitution of the word "attempt" for "aid," the courts having in effect held that the word "aid" involved the actual landing of the prohibited aliens. Of course, when a steamship company willfully tried to land such class of aliens and the inspectors discovered they were illegally here, then they were immediately rejected and (technically) not allowed to land. Therefore the steamship companies could not be held liable, because they had not aided the alien to land in view of the fact that he had not landed at all. Hence the word "attempt," so as to cover even the effort of the company to land such a person, whether he is rejected by the inspector or not.

What is considered a fair and equitable provision is also included, which provides that if an alien immigrant who is really not entitled under the law to enter this country should be admitted by the immigrant inspector, and is afterwards found to be here unlawfully, the fact that the inspector admitted him relieves the steamship company of the penalty of a fine of not more than \$1,000 provided for attempting to land such aliens, but does not relieve the steamship company from taking such alien back at the expense of the company if found here within one year after his arrival. Many safeguards are thrown around the actions of inspectors under the proposed law, and it will be very difficult for an immigrant who should not be admitted to get through safely.

The provision also covers those immigrants who secure entrance into the country without inspection. The bill further provides that any alien contract laborer, rejected as such, may be detained, if such detention is necessary, to be used as a witness in behalf of the Government in any suit which may be brought against the person or persons inducing his unlawful immigration to the United States, the expense of such detention to be paid by the immigrant fund. The necessity for this legislation is due to the fact that the immediate return of such alien robs the Government in many cases of the sole witness it has to successfully maintain an action against a contractor.

The present bill makes it unlawful for any transportation company or vessel to bring to any port of the United States any alien afflicted with a loathsome or dangerous contagious disease.

The company which brings such alien under this bill is subject to a fine of \$100 for each alien so brought if the Secretary of the Treasury is satisfied that the disease existed at the time of foreign embarkation and that its existence then could have been discovered. To enable the collection of such fine the law prohibits the issuance of clearance papers to any vessel which has incurred such fine or refused or neglected to pay it, and it furthermore provides that such fine shall not be remitted. As before stated the deportation of any such alien is provided for. This new legislation, by punishing the taking on board ship, will, it is believed, abate the evil under discussion, for the owners of vessels will avoid the payment of any such fine by a more careful examination at the port of embarkation. The exclusion, at the port of departure, of all diseased persons will prevent the thousands of passengers on board ship en route to this country from becoming inoculated with any disease which would not manifest itself until days after such passengers had become distributed throughout the country. It is not at all unjust to the owners, for they can easily protect themselves by careful examination before embarkation of aliens and by the refusal of passage to those so afflicted.

Another feature provides for the return, with any rejected alien who is helpless from infancy or physical inability, of any person who has accompanied such helpless alien to this country.

A most important part of the system of supervision of immigration in this country is the examination at the port of arrival by physicians. Provision is therefore made in the bill for thoroughly competent physicians who are qualified within all reasonable limits for this particular work.

The time within which an alien who has become a public charge may be deported is extended by the bill from one to three years. The reason for this extension of time is found in the frequent complaints of communities charged with the burden of maintaining helpless aliens, such complaints being supported by an array of figures which leave no room for doubt that the extension of time is imperative. It is a fact that many aliens of this particular class have come here, remained the one year formerly prescribed, and then, safe from deportation, entered the charitable institution in the community in which they then happened to be, to remain there permanently a public charge and burden upon that community.

The old laws make a distinction between those aliens who become public charges from causes existing previous to their landing here and those who become so from causes arising after such landing. The new bill is the same in this respect. It provides that any alien who shall become a public charge from causes ex-

isting prior to landing shall be deported to the country whence he came at any time within one year after his arrival at the expense of the steamship company bringing such alien here, and so this is added in the proposed law one-half the cost of inland transportation to the port of deportation.

Formerly the steamship company was merely required to take the alien back on its ship. The added penalty of one-half the inland transportation (which is to be paid by the steamship companies) will no doubt increase the vigilance of the companies and cause them to refuse passage to persons of this character from the other side. It is not a severe penalty, but since it involves some actual outlay it should be more effective than the mere return of such alien on ships regularly plying to foreign ports; which return is made at an inappreciable cost.

Under the proposed bill it is provided that an alien who has become a public charge from causes existing before he landed may be deported within three years after the first year after arrival, the immigrant fund paying the cost of his ocean transportation to the country whence he came, and the corporation or municipality relieved of such burden paying the expense of delivering such alien at the port of deportation, including inland transportation, care, etc.

Under the proposed law those aliens who become public charges from causes arising after landing may be deported if found here within three years after arrival in the same way, the immigrant fund paying the cost of ocean travel and the corporation or municipality paying the expense of delivering the alien at the port of departure.

In order to keep track of them in our institutions the proposed law improves the system whereby undesirable aliens may be traced, and this information will be carefully taken and preserved. Heretofore these immigrants have been lost sight of and have actually filled many of our institutions. Careful periodical inspection of all these institutions is to be made also with this end in view. What is generally considered one of the best features of the proposed law in this connection is the requirement that the passenger manifests of vessels carrying immigrants shall be full, detailed, and explicit in all data that may serve in personal identification.

The Secretary of the Treasury is given power to arrest and deport aliens found to be unlawfully in the United States and their return is required by the transportation lines bringing them here, to the country whence they came, or if that can not be done, as in the case of tramp steamers, then at the expense of the immigration fund. The time within which such arrest may be made is extended to three years, to correspond with the parts of the proposed bill just above referred to.

The foregoing comprises briefly all the proposed legislation that is essentially new in this act, that is, all that is not already on the statute books, and the entire codification is really and simply a fuller application of the principle of existing laws. Of this there is certainly much need, and the committee believe such changes and improvements to be necessary and imperative.

Mr. Chairman, I am very sure there is not a gentleman in this House who will not heartily and fully approve of the purposes of this bill. We may differ, and properly so, as to the methods of securing desired results, but I am sure there will be no objection to the general object of the bill. Little, if any, legislation would be enacted if every one of the 356 members was to have every bill in all respects to his liking. Legislation is largely a matter of compromise, as every well-informed person understands.

Few bills have been more carefully considered by a committee than has this measure, and it was at its final hearing unanimously agreed to by the committee (of 11 members). The bill meets the approval of the Secretary of the Treasury, who has charge of the Department which will administer it, and it may be added that the bill is substantially in accord with the conclusions of a conference of experts in the employ of the United States Industrial Commission, some of the greatest alienists in the country, the Commissioner-General of Immigration, and the commissioners of immigration at the ports of New York, Boston, Philadelphia, Baltimore, and San Francisco. It may be said, therefore, to embody the best expert suggestions obtainable, and that it contains the best of what such a law ought to contain in order to give a conservative yet effective instrument for the exclusion or regulation of undesirable immigrants.

Consider and analyze carefully the statistics given in this table. These figures speak volumes. They are correct so far as they go. There is not included in these statements the number of immigrants who illegally come into the United States by the Canadian frontier. It is claimed by perfectly competent authority that the number who have been debarred at our ports, together with the number who avoided our ports of entry altogether and who sneaked in by the Canadian frontier, is many times the number of the debarred who are recorded in this report. [Prolonged applause.]

Report of immigration at ports of the United States and Canada for the year ending June 30, 1901.

Race.	Sex.		Total.	Ages.			Debarred.										Returned in 1 year after landing.	Relieved in hospital.	Illiteracy, 14 years and over.		Immigrants bringing—		Total amount of money shown.	Have been in the United States before.
	Male.	Female.		Under 14 years.	14 to 45.	45 and over.	Idiots.	Insane persons.	Paupers, or likely to become public charges.	Loathsome or dangerous contagious diseases.	Convicts.	Assisted immigrants.	Women for immoral purposes.	Contract laborers.	Can read, but can not write.	Can neither read nor write.			\$30 or over.	Less than \$30.				
African (black)	299	295	594	120	416	58	---	---	16	---	---	---	---	5	1	---	13	167	33	497	\$3,290	297		
Armenian	1,364	491	1,855	242	1,534	79	---	---	14	7	---	---	---	---	1	39	2	344	128	1,092	12,053	109		
Bohemian and Moravian	1,943	1,823	3,766	757	2,663	346	---	---	8	---	---	---	---	1	3	31	6	39	513	1,906	86,795	217		
Bulgarian, Servian, and Montenegrin	499	112	611	54	540	17	---	---	70	---	---	---	---	---	---	4	4	208	93	823	14,242	15		
Chinese	2,413	39	2,452	56	2,399	87	---	---	---	---	42	3	42	17	---	---	125	39	339	1,180	2,239	7		
Korean	46	1	47	1	43	3	---	---	---	1	---	---	---	---	---	---	1	---	35	4	12,545	---		
Croatian and Slovenian	15,492	2,436	17,928	745	16,576	607	---	---	53	1	---	---	---	8	2	96	41	6,773	1,892	14,897	232,185	1,633		
Cuban	1,019	608	1,622	360	1,085	177	---	1	6	---	---	1	---	1	1	5	16	103	173	1,447	23,261	951		
Dalmatian, Bosnian, and Herzegovinian	630	102	732	40	664	28	---	---	---	---	---	---	---	2	---	1	---	202	164	273	14,569	57		
Dutch and Flemish	2,149	1,150	3,299	769	2,232	298	---	---	16	5	---	---	---	1	---	31	10	189	662	1,073	98,412	355		
East Indian	18	2	20	1	19	---	---	---	---	---	---	---	---	---	---	1	---	5	12	7	1,163	3		
English	8,041	5,447	13,488	2,105	9,702	1,681	1	3	93	5	---	---	---	2	28	44	47	161	4,849	3,802	542,293	4,267		
Finnish	6,458	3,541	9,999	1,099	8,557	343	---	---	16	10	---	---	---	7	49	94	163	876	7,254	136,719	906			
French	2,526	1,510	4,036	432	3,253	351	---	---	13	1	---	---	---	1	4	13	8	132	1,500	1,216	164,644	1,608		
German	20,214	14,528	34,742	6,490	25,706	2,546	---	---	120	12	3	---	---	6	26	414	67	1,100	7,163	14,752	1,056,850	3,882		
Greek	5,754	165	5,919	506	5,238	175	---	---	70	10	---	---	---	2	2	31	3	1,398	509	4,925	92,145	306		
Hawaiian	3	2	5	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	120	---		
Hebrew	32,345	25,753	58,098	14,731	39,330	3,537	2	2	243	49	1	---	---	9	69	555	135	10,119	3,111	19,394	487,787	1,873		
Irish	12,807	17,597	30,404	1,347	27,821	1,236	---	4	73	11	---	---	---	2	59	106	72	867	3,091	20,230	457,733	5,908		
Italian (north)	17,852	4,251	22,103	1,830	19,156	1,117	---	---	51	10	---	---	---	9	1	27	77	3,122	7,147	10,820	505,974	3,017		
Italian (south)	90,395	25,309	115,704	15,794	90,317	9,593	2	4	1,292	30	2	---	---	67	52	708	540	58,493	5,656	78,747	1,017,310	11,524		
Japanese	4,887	362	5,249	53	5,079	117	---	---	158	30	---	6	---	125	2	---	---	4,856	117	269,689	438	---		
Lithuanian	6,499	2,316	8,815	712	7,986	117	---	---	14	7	---	---	---	4	65	402	3,635	481	6,615	79,917	233	---		
Magyar	9,627	3,684	13,311	1,108	11,620	583	---	---	40	2	---	---	---	---	18	53	53	859	616	10,751	143,550	1,614		
Mexican	217	133	350	42	278	31	---	---	5	---	---	---	---	---	---	---	---	68	142	84	10,070	112		
Pacific Islander	20	4	24	1	21	2	---	---	---	---	---	---	---	---	---	---	---	3	14	---	951	4		
Polish	29,581	14,036	43,617	4,520	37,904	1,193	---	---	98	50	---	---	---	3	22	266	931	13,739	1,725	33,075	429,032	2,323		
Portuguese	2,240	1,936	4,176	1,030	2,774	372	---	---	7	---	---	---	---	---	---	---	11	123	1,884	310	2,274	45,842	671	
Romanian	704	57	761	23	684	54	---	---	2	---	---	---	---	3	3	---	---	274	25	668	8,322	36		
Russian	474	196	690	147	495	28	---	---	---	2	---	---	---	---	---	---	1	3	166	87	358	16,929	30	
Ruthenian (Russiak)	3,903	1,385	5,288	252	4,850	186	---	---	23	---	---	---	---	---	---	18	45	2,634	158	4,169	50,402	509		
Scandinavian (Norwegians, Danes, and Swedes)	23,503	16,774	40,277	3,185	34,796	2,296	1	2	45	5	1	---	---	4	18	68	92	196	5,596	25,455	690,798	7,218		
Scotch	1,202	802	2,004	311	1,482	211	---	---	15	---	---	---	---	---	---	---	---	15	622	681	90,897	524	---	
Slovak	21,227	8,116	29,343	2,582	25,756	1,005	---	---	77	14	---	---	---	8	13	114	132	8,086	1,771	23,678	356,942	5,157		
Spanish	1,072	130	1,202	105	1,020	77	---	---	21	1	---	---	---	18	---	---	11	2	150	365	655	54,291	337	
Syrian	2,729	1,335	4,064	798	3,080	186	---	---	82	28	---	---	---	7	3	113	9	1,825	520	2,055	70,436	370		
Turkish	123	13	136	8	125	3	---	---	5	---	---	---	---	---	---	---	---	61	22	100	3,296	9		
Welsh	391	283	674	113	485	76	---	---	1	---	---	---	---	---	---	1	5	18	240	190	21,424	337		
West Indian	62	20	82	9	72	1	---	---	34	---	---	---	---	1	1	4	---	10	37	10	3,235	24		
Spanish-American	200	76	276	49	210	17	---	---	1	---	---	---	---	---	---	---	---	41	158	60	44,134	112		
Filipino	105	33	138	31	104	3	---	---	9	17	---	---	---	---	---	---	---	16	11	1,206	---	---		
Esquimaux	10	13	23	4	15	4	---	---	---	---	---	---	---	---	---	---	---	---	13	---	290	---		
Arabian	11	---	11	---	11	---	---	---	2	---	---	---	---	---	---	---	---	6	---	---	---	---		
Swiss	1	---	1	---	1	---	---	---	---	---	1	---	---	---	---	---	---	1	---	---	30	---		
Total	331,055	156,863	487,918	62,562	396,516	28,840	6	16	2,798	300	7	50	3	327	363	2,826	3,058	117,587	56,312	294,860	7,383,822	58,182		

Mr. OLMSTED. Mr. Chairman, I would like to ask the gentleman from Ohio a question before he sits down.

Mr. SHATTUC. I yield for a question.

Mr. OLMSTED. Or rather a suggestion. It seems to me that without amendment the bill that your committee has reported will not read as you had intended. I understand this tax of \$1.50 per person is to be paid by the vessel or the passenger?

Mr. SHATTUC. There is an amendment to be offered there.

Mr. OLMSTED. It reads to be paid by the—

master, agent, owner, or consignee of every such vessel, or by the alien passenger, if such passenger comes overland within twenty-four hours after the arrival of such vessel in port.

What vessels come overland?

Mr. SHATTUC. If you will wait until the amendment is reported you will find that it is straightened out.

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

Mr. SHATTUC. I yield to the gentleman for a question.

Mr. BARTHOLDT. I would like to ask the gentleman whether this bill restricts immigration?

Mr. SHATTUC. Not to any greater extent than before, but we have anarchists in there, and the insane and lepers, and I think that is about all.

Mr. BARTHOLDT. The argument made by the gentleman from Ohio—

Mr. SHATTUC. I thought the gentleman was asking me a question.

Mr. BARTHOLDT. I am coming to my question now, if you will permit me. I will not take up your time. The argument of the gentleman from Ohio was to the effect that immigration was injurious—

Mr. SHATTUC. I beg your pardon. I call the gentleman to order. I yielded for a question. That is not a question.

Mr. BARTHOLDT. If the gentleman will not permit me to put the question in my way, I shall not ask a question.

Mr. SHATTUC. Under the five-minute rule you can ask it, but not now.

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

Mr. SHATTUC. I yield to the gentleman for a question.

Mr. CLARK. That is what I am trying to get at. Is this bill substantially the same bill that Cleveland vetoed or not?

Mr. SHATTUC. Not at all. Mr. Cleveland vetoed the educational test.

Mr. CLARK. Has this any educational test?

Mr. SHATTUC. It has not; and I hope it will not have when it goes through the House.

Mr. WILLIAMS of Mississippi. I should like to ask the gentleman a question.

Mr. OLMSTED. I would like to ask the gentleman a further question.

The CHAIRMAN. To whom does the gentleman yield?

Mr. SHATTUC. I yield to my friend from Mississippi.

Mr. WILLIAMS of Mississippi. I want to know if any agreement has been made about the length of general debate?

Mr. SHATTUC. Not yet.

Mr. WILLIAMS of Mississippi. Could not an agreement be made?

Mr. SHATTUC. We did not try very hard.

Mr. OLMSTED. I want to ask whether this bill has a provision that relates in any way to the coming of persons into our home ports from our insular possessions?

Mr. SHATTUC. It has.

Mr. OLMSTED. That is covered by the bill?

Mr. ROBINSON of Indiana. Mr. Chairman—

The CHAIRMAN. Does the gentleman yield to the gentleman from Indiana?

Mr. SHATTUC. I do.

Mr. ROBINSON of Indiana. I see that by a section of the bill that it provides "United States" shall be construed to mean territories over which the United States has jurisdiction. What is the operation of the law, first, with reference to Hawaii?

Mr. SHATTUC. It takes in Hawaii.

Mr. ROBINSON of Indiana. With reference to the immigration from the Territory of Hawaii how would it apply?

Mr. SHATTUC. I would like to call upon some of the great lawyers upon the committee to state that.

Mr. KLEBERG. It would apply.

Mr. ROBINSON of Indiana. Would it apply to immigration to the Philippine Islands?

Mr. SHATTUC. Not from the United States.

Mr. ROBINSON of Indiana. From other countries?

Mr. SHATTUC. It applies to all other countries equally and to all of our new possessions equally.

Mr. ROBINSON of Indiana. Then under it you can not either receive Japanese or Chinese in the Philippine Islands?

Mr. SHATTUC. No.

Mr. ROBINSON of Indiana. The provision excludes them as it would from the United States.

Mr. SHATTUC. Certainly.

Mr. MANN. Is there anything in this bill with reference to the Japanese or Chinese?

Mr. SHATTUC. I have not agreed to yield to the gentleman from Illinois, Mr. Chairman. Have you read the bill?

Mr. MANN. I have not, or I should not have asked.

Mr. SHATTUC. You have not asked me to yield. [Laughter.]

The CHAIRMAN. Does the gentleman yield to the gentleman from Illinois for a question?

Mr. SHATTUC. With pleasure. [Laughter.]

Mr. MANN. May I ask if the gentleman has read the bill? [Laughter.]

Mr. SHATTUC. Have I read it? I reserve the balance of my time. [Laughter.]

The CHAIRMAN. The gentleman has seventeen minutes remaining.

Mr. WATSON. With the permission of the gentleman, I would like to ask him a question.

The CHAIRMAN. Does the gentleman yield to the gentleman from Indiana?

Mr. SHATTUC. For a question.

Mr. WATSON. Do I understand that by a provision of your bill you strengthen the existing laws?

Mr. SHATTUC. That is the simple purpose of the bill—only.

Mr. WATSON. And by its terms and provisions do you exclude any persons not now excluded?

Mr. SHATTUC. Yes—no nationality, no—but we exclude those who come here insane and those who are anarchists.

Mr. LANDIS. Paupers.

Mr. SHATTUC. No; they are already excluded, and epileptics.

Mr. WATSON. Do you exclude persons coming across the Canadian border that are not now excluded?

Mr. SHATTUC. The theory of the committee is that we ought not to take up the question of the Canadian border and we ought not to take up the educational test, nor should we take up the question of selling liquor on the Government reserves in this bill, but that we ought to get some good legislation and put it on our statute books and then take up these several meritorious measures by themselves.

The fact is that we have not been able so far to get any good immigration legislation because there are three or four different classes of people here in this House who are not satisfied to have some good, first-class legislation passed, but they want better legislation, and they want to tack onto the bill the educational test if they can, and others will tack on, if they can, the question of the Canadian border, and that is the worst trouble we have to deal with. Then, too, our good prohibition friends want to tack on the liquor question, and so the bill gets loaded up and is defeated. I hope that this bill will receive the support of all of our good friends, those who desire the educational test, those who want no liquor sold anywhere within a thousand miles of any place where the Government owns land, and those who want nobody to come over the Canadian frontier. The committee considered all of those questions, and has reported this bill with the hope of getting something done in the House.

Mr. WATSON. I understood a good portion of the gentleman's argument to be directed to excluding people from coming over the Canadian border who now come.

Mr. SHATTUC. Oh, no; because we do not want to endanger the passage of this bill.

Mr. WATSON. Then, I understand that that was just a general observation.

Mr. SHATTUC. Yes.

Mr. BARTHOLDT. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Missouri?

Mr. SHATTUC. Yes; for a question.

Mr. BARTHOLDT. This bill, of course, excludes anarchists?

Mr. SHATTUC. Yes.

Mr. BARTHOLDT. I should like to have the gentleman state what machinery is provided for the identification of anarchists?

Mr. SHATTUC. The same machinery that is used when they try to find out whether a woman is a bad woman or not. They ask her.

Mr. BARTHOLDT. All the means, then, at their disposal is to ask questions?

Mr. SHATTUC. Yes; as to whether or not the man is an anarchist.

Mr. BARTHOLDT. Does the gentleman think a man will admit that he is an anarchist when he is asked the question?

Mr. SHATTUC. Yes; lots of them do.

Mr. BARTHOLDT. Is there nothing more to prevent his coming?

Mr. SHATTUC. We can get a great deal of information from our consuls and our diplomats and our agents whom we send abroad.

Mr. BARTHOLDT. Is it not possible that if some one intends to keep a man out of this country, all he would have to do under the provisions of this bill would be to write to the immigration authorities in New York and denounce the man as an anarchist? I will state that in my judgment a single postal card or a single letter would be sufficient to keep a man out of this country.

Mr. SHATTUC. Well, now, is that a question?

Mr. BARTHOLDT. That is a question which I ask you.

Mr. SHATTUC. Well, I will say to the gentleman that the bill will not let one more come in than could come in otherwise. It is our disposition to keep them out. We keep out a great many other people where we have no greater facility for finding out their objectionable qualifications under the law than we have with the anarchists. I will state to the gentleman that he need not worry about the anarchists.

Mr. POWERS of Maine. Does not this bill prevent people from coming into the United States from the Republic of Cuba?

Mr. SHATTUC. Yes; it does now.

Mr. POWERS of Maine. Why should we admit people from the Republic of Mexico and not from the Republic of Cuba, for which we wish to do so much?

Mr. SHATTUC. Well, because in Mexico they are right along our borders and they can step right over.

Mr. POWERS of Maine. Oh, no; but they may come from some portion of Canada.

Mr. SHATTUC. One is practicable and the other is not.

Mr. POWERS of Maine. This applies to those coming by vessel, as I understand it, from Mexico and the Dominion of Canada. Now, from a large portion of the maritime provinces immigrants come by vessel.

Mr. SHATTUC. Yes; but about 70,000 come across on foot right up in your country, where we are trying to stop it.

Mr. POWERS of Maine. I want to know why we should exclude people from the Republic of Cuba and admit them from the Republic of Mexico?

Mr. SHATTUC. Because it is not contiguous territory.

Mr. POWERS of Maine. It does not seem to me that that is a very satisfactory answer.

Mr. SHATTUC. Well, I know; but it is to the committee. [Laughter.] Now, Mr. Chairman, I reserve the balance of my time and yield the floor to the gentleman from Missouri [Mr. RUCKER].

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GRAFF having taken the chair as Speaker pro tempore, a message from the President of the United States was communicated to the House of Representatives by Mr. B. F. BARNES, one of his secretaries, who informed the House of Representatives that the President had approved and signed bills of the following titles:

On May 19, 1902:

H. R. 53. An act for the protection of cities and towns in the Indian Territory, and for other purposes; and

H. R. 13076. An act to apportion the term of office of Senators elected at the first general election in the Territory of Hawaii.

On May 20, 1902:

H. R. 13288. An act to authorize the construction of a bridge across the Tennessee River in Marion County, Tenn.

IMMIGRATION.

The committee resumed its session.

Mr. RUCKER. I yield to the gentleman from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Chairman, some months ago the gentleman from Indiana [Mr. WATSON] introduced a bill in this House that has not been yet reported from the committee in favor of an educational test for immigration. After consulting with Mr. WATSON, and with his permission, before commencing my remarks, I desire to offer that bill substantially as an amendment to the pending bill, and have it pending at this time. I send it to the Clerk's desk to have it read.

The CHAIRMAN. The Chair thinks that at this time it will not be in order as an amendment.

Mr. UNDERWOOD. Then I ask to have it read to go in the RECORD, and I will offer it at the proper time when the paragraph is reached.

The Clerk read as follows:

Amend the bill by adding as a new section, between lines 14 and 15, on page 4, the following:

"SEC. 3. That in addition to the persons excluded under the foregoing section, admission into the United States shall be denied to all persons over 15 years of age and physically capable of reading who can not read the English language or some other language; but an admissible immigrant or a person now in or hereafter admitted to this country may bring in or send for his wife, his children under 18 years of age, and his parents or grandparents over 50 years of age, if they are otherwise admissible, whether they are so able to read or not.

"That for the purpose of testing the ability of the immigrant to read the inspection officers shall be furnished with copies of the Constitution of the United States, printed on uniform pasteboard slips, each containing not less than 20 nor more than 25 words of said Constitution printed in the various languages of the immigrants in double small pica type. Each immigrant may designate the language in which he prefers the test shall be made, and shall be required to read the words printed on a slip in such language. No two immigrants listed on the same manifest shall be tested with the same slip. An immigrant failing to read as above provided shall not be admitted, but shall be returned to the country from which he came at the expense of the steamship or railroad company which brought him."

Mr. UNDERWOOD. Mr. Chairman, there are many people in the United States who believe that there are some restrictions on immigration into this country intended to prevent our receiving any but the better class of immigrants from an intellectual standpoint; but the bill that is now reported by the committee and now before the House is practically a compilation of the old statutes on the question of immigration, with some few changes. There is nothing in it as it stands without the amendment I have offered that restricts immigration, except as to criminal classes and as to pauper classes and certain restrictions in regard to contract labor. The policy of the country has been heretofore simply to say that the deaf and dumb, the blind, the idiotic, the insane, or pauper and criminal classes shall not have entrance into this country; then stop and admit all other classes of immigrants without restriction. In other words, we have not heretofore attempted to say that we will only bring in competition with the standard of American life, the standard of American wage-earners, the standard of American principles and ideas, people from other countries who are qualified and fit to maintain and uphold that standard. We have left our gates open to receive all that come, whether they uplift us or whether, through ignorance or racial tendencies, their admission will result in pulling down our civilization, the standard of American life, and the standard of American wage-earners.

I say the time has come in this country when the duty that the American Congress owes to the American people is far greater to protect the American laborer against the pauper labor of Europe than it is to protect the American laborer against the pauper-made goods of Europe. The first is far more dangerous to his welfare and well being than the latter.

You may say that this country is over 100 years old, that we have passed through four generations since the birth of our Republic and that no such innovation as this has been necessary heretofore; that it is laying down a new rule, but I say to you that the time has come in the history of this country when a new rule should be laid down; that to leave the gates of our country open to any class of people who want to come here in the future endangers our civilization, and the hour has come when we should call a halt and only admit as citizens of this country those people who are capable of understanding our form of government and maintaining the high position of the American citizen and wage-earner.

Mr. BARTHOLDT. Will the gentleman permit a question?

Mr. UNDERWOOD. Yes; if it is only a question.

Mr. BARTHOLDT. The gentleman said the evil of immigration was greater than the danger of free trade.

Mr. UNDERWOOD. Oh, my friend wants to be facetious, and I do not care to yield for that purpose.

Mr. BARTHOLDT. No; I am very serious.

Mr. UNDERWOOD. I stated that I believed the competition of the pauper labor of Europe coming into our country was more

dangerous to the wage-earner than the pauper-made goods coming from Europe.

Mr. BARTHOLDT. Yes; that is the proposition. As to that I would like to ask the gentleman whether it is not true that the men who come here for the purpose of working on American soil are not consumers of our goods, the same as they are producers, and if it is not more beneficial for the country to have them here in this country as consumers than to allow them to remain in Europe and be consumers over there, and then bring their productions to this country under free-trade regulations?

Mr. UNDERWOOD. I am not going into a tariff argument; that has nothing to do with this bill. I merely mean this: I read in the papers not long ago where a certain number of immigrants landed in this country without money, without property, with nobody to give them employment, and they were driven from the refuse dumps in New York, where they were sleeping and eating the refuse of that great city because they had no place to go. These men, if brought here and allowed to remain here, must come eventually into competition with the great American wage-earner of this country; and I say he is entitled to be free from competition from such a source. That is my position.

Now, why should we make this change? Why, the reason is evident. In the beginning of our Government we had vast prairies and forests to the west of us. The great Western reserve was unsettled. There were miles and miles and hundreds of miles of fertile soil there waiting for the woodman's axe and the farmer's plow. We had no steamship companies in those days to hunt among the slums of Europe and gather anyone that had money enough to pay a fare and bring them here for profit.

The immigrant from whom you and I and most of the great American people are descended came from the north of Europe. He was not brought here by anyone else, but he came here to better his condition. He had to save the money at home to buy his own passage. He came here with the courage and nerve to go into an unknown and an untried wilderness and build a great republic. We were glad to welcome that kind of immigrants; and they were the only ones that came in that day. They were the men of brawn and sinew. They are the men who have left their mark on the American Republic. They were a different class of men from the class gathered to-day and dumped here by the millions in the great cities of this country, not for the purpose of developing it, but with the effect (I do not say for the purpose) of dragging down our own standards here at home.

Mr. BARTHOLDT. Will the gentleman permit another question?

Mr. UNDERWOOD. Certainly.

Mr. BARTHOLDT. Does my friend think the educational test is a cure for the evil that he speaks of?

Mr. UNDERWOOD. Well, I will come to that in a moment. I ask my friend to wait. I am coming to that.

Mr. BARTHOLDT. Is it not true that the man who comes here—

Mr. UNDERWOOD. Now, I ask my friend not to inject an argument into my speech. I have been willing to yield to him for a question. I say I am coming to the discussion of the educational test a little later. If the gentleman desires then to interrupt me for a question, I will yield; but not now. I have not reached that point in my remarks.

Mr. BARTHOLDT. Yes, you have. You made a statement that such a man—

Mr. UNDERWOOD. Well, I must decline to yield. I have tried to treat the gentleman from Missouri with courtesy; but if he will not accept it in the spirit in which I offer it, I must simply refuse to yield.

Now, Mr. Chairman, between the years 1790 and 1830, when the foundation stones of this Republic were laid, there were only a few hundred thousand immigrants coming into this country; yet the nation of itself developed in those years from 4,000,000 to 13,000,000 of people. What did that demonstrate? It demonstrated that the reproductive powers of our own people, the opportunities for growth, the opportunities for the development of our own people, responded to the needs of the country, and the body of American citizenship developed along natural channels. But if you intend to stifle the people of our own country by making the struggle and the battle for life harder by bringing the pauper labor of Europe here in competition with them, you are of necessity, as all history points, going to cut off the growth of the American citizen himself; you are going to crowd out the people who have built the country; you are going to pull down the standard of living thereby, and you are going to undertake the task of assimilating a class of people that may endanger your republican institutions.

In the beginning of the century we had full opportunity to take care of all the immigrants that came to this country. The homestead laws between 1860 and 1880 allowed immigrants to come to

this country and buy small homesteads at \$1.25 an acre, and build their homes there and develop the country. The result is, as we find from the statistics, that between 1860 and 1880, when the great West was developing, there were 5,100,000 immigrants landed in this country. Most of them went to the West to build their homes and make their living. What has been the result? The great West was practically developed by 1880, but in the twenty years succeeding—from 1880 to 1900—we find that 9,100,000 immigrants have come to this country. And where have they settled? Not in the great West. Most of them have crowded the already overcrowded cities of the North. Notwithstanding our country had been filled up in the West, the opportunities for free homesteads practically gone, the steamship lines continued to foster the business of bringing immigrants to this country. Naturally these companies selected as the field from which to draw these immigrants portions of Europe where they could be obtained most readily, and that was where the people were most dissatisfied with the conditions that confronted them. So that instead of the high class of immigrants that we had up to 1880, the character of our immigration has been gradually growing lower and lower, until to-day it is a threat to the American Republic.

There is another reason why the immigrants that we had in the beginning do not come now, and why the poorer classes of immigrants are coming to this country. In the first two decades that I spoke of after the civil war, agricultural prices were at their highest point. There was full opportunity and inviting opportunity for the best classes of the farming population of Europe to come here as immigrants and make a good living. Since that time there has been a gradual fall in agricultural prices. To-day agriculture is more profitable than it was a few years ago; nevertheless, it has had a downward tendency for many years, and the better classes of European immigrants have not found the field inviting.

The object of bringing this immense number of immigrants to this country now is to supply the demands for labor. But even to-day, when the demand for labor is at its height, the field for employment is overcrowded in almost all the cities and manufacturing districts. There is no place for this surplus of laboring population to go except to the farms; and we know that there is very little of homestead land left to absorb this supply.

As I said, in the beginning of the century the immigrants who came here depended upon their own energy, thrift, and pluck to fight their own way. The class of immigrants who are coming here to-day depend alone on the agents of the steamship companies to bring them and depend on any opportunity at any price to make a living after they come here. Now, what is the difference in the class of immigrants we then received and receive now? I wish to call the attention of the House to the difference in the class of immigrants who have come into the country.

In the first place, in the early part of the century almost the entire immigration into this country came from Great Britain and Ireland, Germany, Sweden, Norway, France, and northern Europe. To-day we are receiving the larger portion of our immigration from Austria-Hungary, Italy, Poland, and Russia.

In 1869 the immigrants from the latter countries equaled only about one one-hundredth of the number that we received from the United Kingdom, France, Germany, and Scandinavia. In 1880 the immigration from eastern Europe amounted to about one-tenth of the number coming from northern Europe. In 1894 it nearly equaled the number coming from northern Europe, and in 1901 it was three times as great as the immigration coming from northern Europe. In other words, the immigration from northern and western Europe in 1899 amounted to 130,000 immigrants, or 41 per cent of the total, and from eastern Europe 175,000 immigrants, or 56 per cent.

The next year the immigrants from northern and western Europe amounted to 149,000, or 33 per cent of the total, and from eastern Europe 276,000, or 61 per cent. The next year, 1901, the immigration from western Europe amounted to 164,000, or 33 per cent, and the immigration from eastern Europe amounted to 309,000, or 62 per cent.

Of these—that is, of those coming in from eastern and southern Europe—the larger percentage were as follows: In the year 1900, southern Italians, 115,000; Poles, 43,000; Slovaks, 29,000. So, of the immigrants that came in in that year, you can see that the greater proportion were from southern and eastern Europe.

Now, to determine what class of immigrants we want, we all know that it is much more difficult for us to assimilate the Slovak and the Pole and the Italian from southern Europe than it is to assimilate and build up the country with the Irishman, the Englishman, the German, or the Frenchman, people of our own blood and our own kin.

Mr. WACHTER. I should like to ask the gentleman whether it is not a fact that the larger part of these immigrants of the

class the gentleman has just mentioned remain in the cities instead of going to the rural districts?

Mr. UNDERWOOD. I stated that a few minutes ago. That is a fact. Now, Mr. Chairman, as to which of these immigrants are best for our country is a question about which we can have no doubt here. We know that when the German, the Scotchman, the Irishman, the Englishman, or the Frenchman comes here he builds a home, he develops the country, he adds to our prosperity; but we know that when the Slovak or the Pole or the Italian from Southern Italy comes here he stays in the larger cities. He does not build a home and he does not develop our country. He is difficult of assimilation.

I have some figures here showing the amounts of money that each of these classes of immigrants brought here in the year 1900, as showing the different kinds of immigrants coming to the country. I find that the average Scotchman immigrating to this country in that year had \$41; the Englishman had \$38; the Frenchman, \$37; the German, \$28, and so on. But the average Slovak who came into this country that year had \$11; the Pole had \$9; the Italian from southern Europe had \$8. That shows the distinction in the classes coming in that year.

But the question then is whether an educational test will in any way affect this question. You say, if this class of immigrants are undesirable, why should you apply the educational test to keep them out. You may say that education is no test of intelligence. I grant it. A man may have the highest natural intelligence and yet be unable to read and write because he has not had the opportunity to learn. I grant you that an education is merely a tool that can be used successfully in the hands of an intelligent man; but I do say that an intelligent man will seek education, and the fact that a man has education implies that he has intelligence.

Well, how would an educational test affect the citizens of this country? What effect would it have on the class of immigrants now coming in? I find that in 1890 the percentage of illiteracy of the total immigration over 15 years was 20 per cent; in 1896 it was 29 per cent; in 1897 it was 23 per cent; in 1898, 23 per cent; in 1899, 19 per cent; in 1900, 24 per cent; in 1901, 27 per cent. So that as shown in these figures the illiteracy among the immigrants that come into this country is constantly increasing. I have shown that in the figures I have already read that in these years the number of immigrants coming from northern Europe has greatly diminished, and the number coming from southern and eastern Europe has largely increased, keeping pace with the illiteracy that is shown.

I also find that the number of persons in each hundred immigrants, over 14 years of age, who can not read or can not read and write their own language, from those races which contributed 2,000 immigrants to the United States during the years 1899, 1900, 1901 are as follows. I will merely read the difference for the year 1901 and insert the balance in the RECORD. There was eight-tenths of 1 per cent among the Scandinavians who could not read; among the English, 1.8 per cent; Scotch, 1.2; Irish, 3.2; among the French, 3.9; among the Germans, 4.1.

Now, coming down to the races that come from southern Europe and eastern Europe, where the greater proportion of our immigrants are coming from to-day, I find that among the Hebrews there were 23 per cent who could not read and write; among the Greeks, 25 per cent; the Slovaks, 30 per cent; Polish, 87 per cent; Slavonians, 39 per cent; Ruthenians, 53 per cent; Italians from southern Italy, 59 per cent, and Portuguese, 63 per cent. In other words, the illiteracy shown by the immigrants coming from northern Europe for the year was only 5.6 per cent—a little over five men out of every hundred men who landed from northern Europe were unable to read or write—but when you come to the immigration from southern and eastern Europe we find that there was an average of 43.2. In other words, that of the lower class of immigrants that are now coming into this country by the hordes, the greater proportion are immigrants coming from eastern and southern Europe, 43 per cent of whom can not read and write; and if you add to them the other races that are coming in, which are the Japanese and Chinese and Assyrians, you make it 50 per cent of these races that come into this country who can not read and write as against 5.6 per cent from northwest and western Europe.

Those who come here are entitled to all the benefits of our laws, all the benefits of our country. Are we doing the southern Italians, Slovaks, and Poles any good by bringing more from their country, in their present condition, to compete with them and fight in our cities for their daily bread? I say not. I say that those who are already here can not complain against our discriminating against the further importation of that class of labor. But when you come to the men from whom you and I are descended, whether they came yesterday or a hundred or two hundred years ago—I mean the Englishman, the Welshman, the Irishman, the Scotchman, the Frenchman, the German, the men from

northern Europe, the men whose blood we bear, whether they are citizens of to-day or descendants of citizens of a hundred years ago—can you say that they will complain against a test that excludes as immigrants from their countries only five men out of every hundred men that come here?

Can any man say that the great German citizenship of this country, that citizenship that has lent its aid so greatly to build up the Republic, to develop our broad acres, to build its homes, that they will complain against a test that only excludes from coming here four men in every hundred that wish to come to this country, and yet protect them from the competition of the Slovaks, the Polish, and the Hungarians, of which 50 per cent who come here can not read or write? I say no. I say that the great German citizenship of this country love their adopted country. They love the American flag and love the American standard of living. They love American protection to the wage-earner in this country too well to fight a law which will protect them and their country from indiscriminate immigration, because forsooth four out of every hundred citizens who seek to come here from Germany are stopped at the gates.

Mr. RAY of New York. Mr. Chairman, if the gentleman will permit me, I would like to ask if he has looked at the statistics on this point? The gentleman has referred to the fact that in the neighborhood of 50 per cent of the Italians when they come here can not read or write, and about the same per cent of Poles and Russians. Now, I would like to ask if he has looked at all to the figures and statistics to ascertain whether or not these people who come to the United States from southern and eastern Europe avail themselves, after they have settled in this country, of our institutions, our public schools, to the end that their children may become educated.

Mr. UNDERWOOD. I will say to my friend that I have not searched the statistics as to how many immigrants of that class go to American schools, or avail themselves of that opportunity in this country, but from my general knowledge I know that that class of immigrants come here in such a destitute condition both as to money and native ability to earn a living and to lift themselves up toward the American standard, that I presume their children have but little opportunity to take the advantages of education. In other words, I know from general observation that since this class of immigrants have lately been coming to this country the sweat houses in the great cities have been heard of, and the degrading situation that we find and read about in the papers as to the way the immigrants to this country are being herded and driven along as though they were cattle.

You never hear of the better classes of immigrants coming from northern Europe being herded and driven about as are these poor people coming from southern Europe, where they have been held down and oppressed by poverty and hard living for hundreds of years, for centuries back, and have become so degraded that they are unable to lift themselves up to the high plane of American citizenship. They are descendants of dying races. They have not got the blood that is in the veins of the immigrants of northern Europe, that is reaching out and developing and extending and upbuilding our great Republic. They are like the Egyptians of old that at one time stood proud possessors of the highest civilization of the world, but to-day we find them mere hewers of wood and drawers of water, and unable to rise above that condition. Their course has run, their destiny is complete.

Mr. WATSON. Will the gentleman allow me an interruption?

Mr. UNDERWOOD. Certainly.

Mr. WATSON. On the very question asked by the gentleman from New York there is an interview in the Washington Post of this morning. There is a great deal of testimony on that proposition, but this is valuable, coming as it does from the president of the University of Prague, a member of the Austrian Reichsrath, who gives his observations on this country. He says that the greatest peril to our institutions is immigration; and on the very proposition that the gentleman has asked about, he says:

Go to New York and you find them fairly swarming about the streets of the East Side from early morning until late in the evening. Then go to the other section of the city and you notice the contrast. In the one place thousands of ignorant children playing in the filth of the smaller streets and alleys, and in the other neatly clad children with school books in their arms.

It is safe to say that the condition in the former case, under the present circumstances, when no care is manifested for the welfare of the offspring of the foreigners, will not naturally become alleviated in less than the third to the fifth generation.

There is only one remedy that I can think of, and that is to organize a movement to take care of these children, educate them, and by so doing elevate their moral condition.

That is in answer to the question put by the gentleman from New York whether or not the children of these immigrants take advantage of the public schools.

Mr. RAY of New York. If the gentleman from Alabama will permit me, I did not care to interrupt him and he went right on. I have made a careful study of that question, and my study has

run through some years, for the purpose of ascertaining whether or not these people from south and eastern Europe avail themselves or show a disposition to avail themselves of our institutions and our free schools after arriving in this country. I came to the conclusion that they not only do not do it, but do not care to do it.

In New York, where we are experimenting with the compulsory-education law, we find it very difficult to enforce that law against the children of that class of people, whereas with the other classes—the Irish, the Scandinavian, the English, the Scotch, the French, and German—we have no trouble at all; however ignorant their parents are when they come to this country, they are ready, anxious, and willing to embrace the opportunities for education afforded by our common schools.

Mr. UNDERWOOD. Now, Mr. Chairman, I wish to state that the amendment that has been read, and which will be offered by me when the bill is read under the five-minute rule, providing for the educational qualification for immigrants merely provides that an immigrant wishing to enter this country must be able, either in the English language or his own language, to read some clause of the Constitution of the United States, but his children under the age of 18 years, or his wife, or his parents, or grandparents over the age of 50 years can be admitted with him or sent for by him without being able to read, so that there will be no separation of families and no hardships established. There might be other tests, there might be other ways of lessening the immigration into this country. It has been suggested by some that we adopt a consular service examination, but if we do that it requires a good deal of machinery, and, besides, it is very expensive to the Government. The consul, before the immigrants leave their country, must pass upon whether he is a suitable person, and one consul may have one idea in reference to some class of immigrants, and another may have another judgment in reference to another class. There would be no uniformity of system, and in the end, when the immigrant lands at Ellis Island, New York, or the port of entry, he would have to be met with another examination and possibly sent back.

I do not say that this educational test is a perfect test. It is not perfect by any means. But I do say that, as shown by the statistics I have read, it will stop the immigration of over 50 per cent of the immigrants that we do not want, and it will stop the immigration of only 4 per cent of that class that we do want.

Now, if we can adopt a system which, although not perfect, costs the Government nothing, a system that will never turn back the immigrant after he lands on our shores (because under the amendment I offer the steamship companies are responsible for his return passage if he can not pass the test, and they will apply the test before he gets here), why is not such a system desirable? It puts us to no expense—it turns back no man—it does not separate the members of a family, yet it excludes 50 per cent and more of the undesirable immigrants that are coming into this country to-day. I say that under these circumstances, even if this system is not perfect—if it is not all that we might desire—if in some instances it may work disadvantageously to a small extent, it will certainly work greatly to the advantage of our country in other respects, and I say that the wise thing for us to do at this time is to adopt this test so far as it goes.

More than that, a man who, coming to this country, does not understand our institutions, our theory of government, our mode of living is a menace to the American Republic, because after he is here a very short time—in some of the States only a year—as soon as he declares his intention to become a citizen of the United States you put into his hands the most sacred power of government; you enshrine him in the highest office of the world; you give him the power of an elector of the American Republic. Now, while you and I and our constituency are fighting a battle for good government in this country, can we properly say that when so many as 9,000,000 immigrants are coming here in the space of twenty years, and the number is increasing every year, it is fair to them, it is fair to ourselves, to let this condition go on without attempting to restrict this immigration in some way?

Mr. COOPER of Wisconsin. I observe that among the classes of aliens included in section 2 are all persons convicted of crime. Does the gentleman know of any provision of law by which that clause of the bill could be enforced?

Mr. UNDERWOOD. I will say to my friend from Wisconsin [Mr. COOPER] that I am not discussing the general provisions of the bill. I am not on the Immigration Committee. I have offered as a separate section an amendment proposing to apply the educational test, and that is the proposition I am discussing.

Mr. COOPER of Wisconsin. I thought the gentleman from Alabama was a member of the committee.

Mr. UNDERWOOD. No, sir; I do not know whether there is adequate machinery for carrying out that provision of the bill; but I do know that in this amendment there is a provision for

enforcing this educational test. And as I was saying a moment ago, if we are going to admit this class of immigrants into this country in competition with the American wage-earner of to-day, giving them the ballot, and thereby the right to govern this country as well as ourselves, is it not fair and just to our own people, the people who make up the great mass of American citizens, to say that when those men come here they must be provided with enough education to read the Constitution of the United States and to acquire some intelligent idea of our form of government.

Mr. BARTHOLDT. Will the gentleman yield now for a question?

Mr. UNDERWOOD. I will; but I hope the gentleman will not introduce anything in the way of argument. For a question, I cheerfully yield.

Mr. BARTHOLDT. I will move to have the gentleman's time extended.

Mr. UNDERWOOD. Very well.

Mr. BARTHOLDT. If a man coming from any country of Europe has not had the opportunity of education, but is otherwise acceptable as a citizen—if he comes here with two strong arms and a healthy mind and a willingness to identify himself with our institutions, and if under your educational test that man is excluded, is it not true that we punish lack of opportunity; and is such a thing in harmony with true Americanism?

Mr. UNDERWOOD. I will answer my friend so far as I am able. As I said some time ago, I do not believe that education is a test of intelligence. I admit, for instance, that there might come from the great Empire of Germany many men or some men as immigrants into our country who would be unable to read, and yet with intelligent and healthy minds and healthy bodies, and able to bring themselves up to the American standard of living and American citizenship. On the other hand, as I said a while ago, when a man can not read or write the presumption is that he has not the intelligence to bring himself up to that standard; yet an intelligent man will seek the opportunity of education, and he does not have to go very far in the line of education to be able to read the Constitution of the United States, which is the only test we prescribe here. But I do say that you can not write any law upon the statute books—none has ever been written—that may not produce a hardship in some cases.

Hard cases often make bad laws, but you can not legislate justly for the whole people by bringing down your standard of legislation to take care of the hard cases. You must fix your standard at the top. You must fix your standard where it is just and right to the great body of the people you are legislating for, and then if some unfortunate falls below the standard, why it is his misfortune. It does not make the law unjust. I will say to my friend from Missouri [Mr. BARTHOLDT] that he looks at it from the standard of the immigrant who is coming here. He looks at it from the standpoint of the man who seeks to come here and find an asylum.

I will say that I would be very glad for the great American Republic to open its arms to the distressed of all the world if we could do so without danger to ourselves, but I think our first duty is to our citizens at home and our next duty may be to citizens of other countries whom we are willing to welcome and to uplift in the standards of our civilization, but when our own people are threatened by indiscriminate immigration into this country, the hour has come when we must first be just to them, and the only way to be just to them is in some way to prescribe limitations on the importation into this country of all classes of immigration from Europe, regardless of what may be the effect on us. In the decades to come we have got to assimilate these people. Their blood will be joined with our blood; and if they are not up to the standard of the rest that are already here, they will pull us down toward their standard.

Mr. SNOOK. Mr. Chairman, I would like to ask a question.

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Ohio?

Mr. UNDERWOOD. Yes.

Mr. SNOOK. The gentleman from Missouri [Mr. BARTHOLDT] asked the gentleman from Alabama the question whether or not he thinks an immigrant should be barred from coming to this country because he could not read and write if he intends to become a citizen of the United States. I will ask the gentleman from Alabama if he has carried his investigation far enough to know what percentage of these people of whom he has been talking, who come to this country from southern Europe, come here with the intention of making their home in this country and what percentage come here with the intention of acquiring a few hundred dollars and then going back to Italy or to the different countries there?

Mr. UNDERWOOD. I will say that I have been unable to find any satisfactory figures on that, because under the loose laws

in many States, where they allow a man to take out his papers of intention and then vote, after he has been here a year, it is usual for that class of immigrants to do so, which raises the presumption that they are going to stay here. But I do know from my own experience and what investigation I have made, although I say it has not been satisfactory, that the greater portion of the people who return to their former homes are from those countries of eastern and southern Europe, and that it is very rare that you find an immigrant coming from northern Europe who does not settle here permanently, raise his children here, and become a permanent American citizen.

Mr. SNOOK. Then it is true that a very large percentage of these people from southern Europe do come to acquire a few hundred dollars and then go back?

Mr. UNDERWOOD. I know a great many of them go back.

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

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Illinois?

Mr. UNDERWOOD. Yes.

Mr. MANN. Do I understand the gentleman from Alabama to say that the large proportion of Italians, Bohemians, and Polanders return to their former homes?

Mr. UNDERWOOD. I did not state that. I said I did not know what percentage did, but I knew the percentage was much larger among those coming from southern and eastern Europe than those coming from northern Europe.

Mr. MANN. Will the gentleman permit me to say that from personal knowledge in my own city, Chicago, there is an extremely small percentage of those people who return, and I think a smaller percentage even than those who come from the northern countries?

Mr. UNDERWOOD. Well, I have not found that from my own observation or from my investigation of the question, but as I stated to the gentleman from Ohio, I have not been able to find satisfactory statistics, and therefore did not assert it, but from my own observation and what I have been able to gather on the question, my information is that the percentage of those from southern Europe and eastern Europe who return is far greater than those who come from northern Europe.

Mr. RYAN. Mr. Chairman, I would like to interrupt the gentleman a moment.

The CHAIRMAN. Does the gentleman yield?

Mr. UNDERWOOD. Yes.

Mr. RYAN. I will state that the statement made by the gentleman from Illinois is also true of my section. Very few of those people return. We have more than 60,000 Polanders in Buffalo and they make good citizens and come here with the intention of remaining.

Mr. WACHTER. I will say the same condition exists in Baltimore. They live so well here after they come that they want to stay here.

Mr. UNDERWOOD. Well, Mr. Chairman, I am perfectly willing for all my friends from the large cities to clear their consciences and put themselves on record. [Laughter.] If there is any other gentleman from a large city who desires to do so I will give him the opportunity.

This is a fight for home and country; for the peace, contentment, and prosperity of our own people, for the protection of the American wage-earner and the maintenance of our civilization.

I hope the amendment will be adopted, and I feel sure that it will meet with the approval of all classes of our citizens, whether native or foreign born, who love their country and who desire peace and prosperity at home.

APPENDIX.

GENERAL FIGURES AS TO TOTAL IMMIGRATION.

1. Immigration by decades, 1821 to 1900.

[From Report of United States Industrial Commission, p. 267.]

1821 to 1830	143,430
1831 to 1840	590,125
1841 to 1850	1,713,251
1851 to 1860	2,598,214
1861 to 1870	2,314,824
1871 to 1880	2,812,191
1881 to 1890	5,246,613
1891 to 1900	3,867,564
Total	19,115,221

2. Immigration by years from 1885.

[From reports of Superintendent, and Bureau of Immigration.]

1885	395,346	1894 ^b	285,631
1886	324,203	1895 ^b	258,536
1887	490,109	1896 ^b	343,267
1888	548,889	1897 ^b	230,832
1889	447,427	1898	229,299
1890	455,302	1899	311,715
1891	560,319	1900	448,572
1892	579,663	1901	487,913
1893 ^a	439,730		

^aThe cholera year.

^bPeriod of commercial depression.

RECENT CHANGES IN THE NATIONALITY OF IMMIGRANTS.

[Specially prepared from Quarterly Report Bureau Statistics, No. 2, series 1892-93, and reports of Commissioner-General of Immigration.]

1. Comparison of certain groups.

Year.	Per cent of immigrants from Austria-Hungary, Italy, Poland, and Russia to total immigration.	Per cent of immigrants from United Kingdom, France, Germany, and Scandinavia to total immigration.
1899.....	0.9	73.8
1890.....	8.5	64.5
1891.....	34	57.7
1892.....	39.6	52.1
1893.....	44.8	53.9
1894.....	42.7	48.2
1895.....	42.6	47.9
1896.....	39.8	52.9
1897.....	52	38
1898.....	57	33
1899.....	64	27
1900.....	66.7	25.3
1901.....	68.6	22.5

2. Immigration from eastern and western Europe and per cent of total immigration.

Year.	Western Europe.		Eastern Europe.	
	Immigrants.	Per cent of whole.	Immigrants.	Per cent of whole.
1899.....	130,160	41.7	175,270	56.2
1900.....	149,442	33.3	276,793	61.8
1901.....	164,792	33.7	309,301	62.7

3. Total immigration of Asian races.

1899.....	8,972
1900.....	17,946
1901.....	13,698

4. The largest elements in immigration at present.

Race.	1899.	1900.	1901.
Southern Italian.....	65,639	84,346	115,704
Hebrew.....	37,415	60,764	58,098
Polish.....	28,446	46,938	43,617
Scandinavian.....	23,249	32,952	40,277
Irish.....	32,345	35,607	30,404
German.....	26,632	29,682	34,742
Slovak.....	15,838	29,243	29,343

CONDITIONS OF IMMIGRATION.

Average money shown by immigrants.

1896.....	\$11
1897.....	15
1898.....	17
1899.....	17
1900.....	15
1901.....	15

Money brought by the several races, 1900.

[Report of the United States Industrial Commission, p. 284.]

Races.	Amount of money shown per capita.	Races.	Amount of money shown per capita.
Scotch.....	\$41.51	Syrian.....	\$14.31
Japanese.....	39.59	Chinese.....	13.98
English.....	38.90	Finnish.....	13.06
French.....	37.80	Croatian and Slovenian.....	12.51
Greek.....	28.78	Slovak.....	11.69
German.....	28.53	Ruthenian (Russniak).....	10.51
Bohemian and Moravian.....	31.12	Portuguese.....	10.47
Italian (northern).....	22.49	Magyar.....	10.39
Dutch and Flemish.....	21.00	Polish.....	9.94
Cuban.....	19.34	Italian (southern).....	8.84
Scandinavian.....	16.65	Hebrew.....	8.67
Russian.....	14.94	Lithuanian.....	7.96
Irish.....	14.50		

Illiteracy in general.

Per cent of illiterate in total immigration:

Over 15 years of age—	
1896.....	20
1897.....	29
1898.....	23
Over 14 years of age—	
1896.....	23
1897.....	19.7
1898.....	24.3
1900.....	27.7

Number of persons in each hundred immigrants over 14 years of age who can not write or can not read and write their own language, from those races (not nations) which contributed upward of 2,000 immigrants to the United States during the last three fiscal years.

Races.	1899.	1900.	1901.
Western Europe:			
Scandinavian.....	0.6	0.6	0.8
English.....	1.7	1.2	1.8
Scotch.....			1.2
Bohemian and Moravian.....	3.3	3	1.5
Finnish.....	2	2.7	2.2
Irish.....	3.9	3.3	3.2
French.....	3.5	3.9	3.9
German.....	3.2	5.8	4.1
Dutch and Flemish.....		9.6	7.8
Italian (north).....	11.4	11.2	15.7
Average of above.....	3.6	4.2	5.6
Eastern Europe (with Spain and Portugal):			
Magyar.....	10.8	16.8	7.5
Hebrew.....	20.3	22.9	23.6
Greek.....	23.4	17.1	25.9
Slovak.....	27.6	27.9	30.7
Polish.....	31.3	31.2	37.5
Croatian and Slovenian.....	26.1	37.4	39.7
Lithuanian.....	32.4	31.7	49.8
Ruthenian.....		49.0	53.2
Italian (south).....	57.2	54.6	59.1
Portuguese.....	65.5	59.9	63.8
Average of above.....	37.6	36.4	43.2
Other races:			
Cuban.....		6.8	
Japanese.....	4.7	8.9	6.7
Chinese.....			6.9
Syrian.....	56.2	55.9	56.1

Letter of Mr. Gompers in reference to an educational test.

AMERICAN FEDERATION OF LABOR,
Washington, D. C., May 16, 1902.

Hon. JAMES E. WATSON,
House of Representatives.

DEAR SIR: I have observed with much pleasure your activity in the cause of the regulation of immigration, and in particular your introduction of a bill providing that no adult immigrant shall be admitted to our country till he has acquired the first rudiments of education. It is for this reason that I now address you with regard to pending and prospective legislation.

The organized workers of the country feel that the existing immigration laws, while not without their value, are of trifling effect compared with the needs and the just demands of American labor.

The elaborate bill reported to the House by the Committee on Immigration is for the most part a simple codification of the existing laws, and modifies them only in some few details. I believe that the changes proposed are for the most part desirable. They are, however, comparatively unimportant. If it is worth while to take up the question of immigration at all, it is worth while to introduce a genuine and effective regulation.

The strength of this country is in the intelligence and prosperity of our working people. But both the intelligence and the prosperity of our working people are endangered by the present immigration. Cheap labor, ignorant labor, takes our jobs and cuts our wages.

The fittest survive; that is, those that fit the conditions best. But it is the economically weak, not the economically strong, that fit the conditions of the labor market. They fit best because they can be got to work cheapest. Women and children drive out men, unless either law or labor organization stops it. In just the same way the Chinaman and others drive out the American, the German, the Irishman.

The tariff keeps out cheap foreign goods. It is employers, not workmen, that have goods to sell. Workmen sell labor, and cheap labor is not kept out by the tariff. The protection that would directly help the workers is protection against the cheap labor itself.

The Nashville convention of the American Federation of Labor, by a vote of 1,858 to 352, pronounced in favor of an educational test for immigrants. Such a measure would check immigration in a moderate degree, and those who would be kept out by it are those whose competition in the labor market is most injurious to American workers. No other measure which would have any important effect of this kind is seriously proposed.

The need of regulation may be less sharply felt at the present time, when there are less men out of work than there were a few years ago. But the flood of cheap labor is increasing, and its effect at the slightest stagnation in industry or in any crisis will be fearful to the American workmen.

A fall in wages or a relative fall of wages makes the workers unable to buy as large a share as before of the goods they produce. This hastens the time when overproduction or underconsumption will show itself. That means hard times; and when hard times come the mass of immigrants that prosperity attracted will be here to increase the burden of unemployment.

For these reasons the American Federation of Labor believes that the present opportunity ought not to be allowed to pass without the adoption of an effective measure for the protection of American labor.

I earnestly hope that you will be able to procure the embodiment of an illiteracy test for immigrants in the bill (H. R. 12199) which the House now has under consideration.

I have the honor to remain, yours, very respectfully,

SAM. J. GOMPERS,
President American Federation of Labor.

Following is a copy of the amendment offered by Mr. UNDERWOOD, and adopted in the Committee of the Whole House by vote of 86 yeas and 7 nays on May 22, 1902:

"Mr. UNDERWOOD. Mr. Chairman, it has been an hour or more since my amendment was read, and I would like to have it again reported."

"The CHAIRMAN. Without objection, the amendment will be again reported by the Clerk."

"The Clerk read as follows:

"Amend the bill by adding as a new section, between lines 14 and 15 on page 4, the following:

"SEC. 3. That in addition to the persons excluded under the foregoing

section, admission into the United States shall be denied to all persons over 15 years of age and physically capable of reading who can not read the English language or some other language; but an admissible immigrant or a person now in or hereafter admitted to this country may bring in or send for his wife, his children under 18 years of age, and his parents or grandparents over 50 years of age, if they are otherwise admissible, whether they are so able to read or not.

"That for the purpose of testing the ability of the immigrant to read the inspection officers shall be furnished with copies of the Constitution of the United States, printed on uniform pasteboard slips, each containing not less than 20 nor more than 25 words of said Constitution printed in the various languages of the immigrants in double small pica type. Each immigrant may designate the language in which he prefers the test shall be made, and shall be required to read the words printed on a slip in such language. No two immigrants listed on the same manifest shall be tested with the same slip. An immigrant failing to read as above provided shall not be admitted, but shall be returned to the country from which he came at the expense of the steamship or railroad company which brought him."

ENROLLED JOINT RESOLUTION SIGNED.

The committee informally rose; and Mr. DALZELL having taken the chair as Speaker pro tempore, Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title; when the Speaker signed the same:

Joint resolution (H. J. Res. 192) fixing the time when a certain provision of the Indian appropriation act for the year ending June 30, 1903, shall take effect.

IMMIGRATION.

The committee resumed its session.

Mr. SHATTUC. Mr. Chairman, I ask unanimous consent that I be permitted to print some statistics in the RECORD.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to print statistics in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. BARTHOLDT. Mr. Chairman, I do not want to object, but I would like to ask the gentleman what statistics they are?

Mr. SHATTUC. Immigration statistics.

Mr. BARTHOLDT. Furnished by the Immigration Bureau?

Mr. SHATTUC. No.

Mr. BARTHOLDT. I want it understood that on the question of illiteracy the figures cited by the gentleman from Alabama [Mr. UNDERWOOD] are not official figures, because those statistics are not authorized by law and have never been taken officially, so we will simply have to take the statements of the immigration officials on these subjects for what they are worth.

Mr. UNDERWOOD. I will say to the gentleman that some of these statistics that I have read were gathered by me from the census reports and others I have gathered from the reports of the Bureau of Immigration.

Mr. SHATTUC. Did the Chair put my request for unanimous consent to print in the RECORD some statistics?

The CHAIRMAN. There was no objection to the gentleman's request, and it was granted.

Mr. SHATTUC. Now, Mr. Chairman, I ask my colleague from Missouri [Mr. RUCKER] if we can not agree on the matter of closing debate?

Mr. RUCKER. Mr. Chairman, I have requests for about forty-five or fifty minutes' time on this side. That is the extent to which I have been requested to yield time. I am willing to make any reasonable agreement.

Mr. SHATTUC. Then, Mr. Chairman, I suggest that the gentleman take his forty-five minutes this afternoon, and that I have thirty-five minutes to-morrow afternoon, after the morning hour.

The CHAIRMAN. The Chair will state to the committee that according to his recollection of what took place in the House this morning, no order for the division of time was made. The gentleman from Ohio [Mr. SHATTUC] was recognized, as chairman of the committee, and consumed fifty minutes, having ten minutes remaining. The gentleman from Missouri [Mr. RUCKER] was then recognized, as a member of the committee, and yielded one hour, which was entirely consumed by the gentleman from Alabama [Mr. UNDERWOOD].

Mr. SHATTUC. That all grew out of the fact that I did not ask the House to carry out an agreement that I had made with my colleague on the committee [Mr. RUCKER]. I wish now to put it on the basis on which it would have been had I asked the House to allow my friend to control the time on that side. I therefore renew my request.

The CHAIRMAN. The gentleman from Ohio will restate his request.

Mr. SHATTUC. I ask unanimous consent that the general debate close in one hour and a half, forty-five minutes to be allotted to each side.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that general debate close in an hour and a half—forty-five minutes to be consumed on each side.

Mr. WATSON. I should like to ask the gentleman from Ohio how the time on this side is to be distributed?

Mr. SHATTUC. One-half of the forty-five minutes on this side to go to the gentleman from Indiana.

Mr. WATSON. Give me thirty minutes and I will agree to it.

Mr. SHATTUC. I will do it.

Mr. RUCKER. I shall make no objection to the request unless some other gentleman on this side signifies a desire to speak, and I have heard of none.

The CHAIRMAN. The Chair will then state the request of the gentleman from Ohio, which is that general debate be continued for one hour and a half—forty-five minutes to be controlled by the chairman of the committee and forty-five minutes to be controlled by the gentleman from Missouri [Mr. RUCKER]. Is there objection?

There was no objection.

Mr. RUCKER. Mr. Chairman, I now yield fifteen minutes to the gentleman from Texas [Mr. KLEBERG].

The CHAIRMAN. The gentleman from Texas [Mr. KLEBERG] is recognized for fifteen minutes.

Mr. KLEBERG. Mr. Chairman, in looking over this bill I find nothing especially objectionable. Possibly the clause in section 21 which authorizes the deportation of aliens to be made within five years should be limited to one year or two years. I believe the law now is one year. Of course there may be some details of the bill to which I would object and to which I may offer amendments as the bill is read; but as a general scheme of intelligent control of undesirable immigration to this country, I believe that upon the whole it is a measure that should meet the support of this body.

Mr. RAY of New York. May I ask the gentleman a question right on that point?

Mr. KLEBERG. I have only fifteen minutes, but I will yield to the gentleman.

Mr. RAY of New York. You were speaking of the deportation feature of the bill. I should like to have you state, if you can, how this Government can enforce a provision of law providing for the deportation of a man whom we have permitted to land in this country and stay for one or two years or three years, whom we then deport for some offense. Of course, we could send the man away, but how can we compel the foreign country to receive him if that country objects? I should like some suggestion on that point.

Mr. KLEBERG. I am not referring to the legal question, and I do not want to enter into any controversy with the gentleman from New York, because my time is limited and I want to address my remarks to other subjects in the bill; but I will state that my information is that deportation has taken place under the one-year clause. I do not know how many have been deported, but I understand that some have been.

Mr. CLARK. We are deporting Chinamen all the time.

Mr. KLEBERG. Now, aside from this, I will address myself principally to the amendment which will be offered by the gentleman from Alabama, possibly, or some of the friends of that measure; and I wish to enter my protest now, because I may not have the time when the bill is read under the five-minute rule, to the so-called educational test. I think that a test of that kind would be an absolute bar to all further immigration in the United States. A test which required the reading of a part of our Constitution in some language will have the effect of practically barring all immigrants who are now employed for manual labor, and yet who will make desirable immigrants.

I do not wish it to be understood that I do not want to have people immigrate who are able to read and write. But let us remember that while the United States is the greatest country under the sun, we do not have our gates open simply for educated men, for professors, or for artists, or for singers, and sculptors, and classes of this kind. This country, let it be remembered, is still a new country. Seventy millions of people upon an area as large as that of the United States is simply a drop in the bucket to what it ought to be and likely will be fifty or a hundred years hence.

Let us remember that this is not a matter of national pride. We do not stand here simply either as the descendants of Germans, or Frenchmen, or of Italians, or Irishmen, or of Englishmen, or Poles, or what not. We stand here as American legislators, legislating for the American people, and for the Aryan race the world over, so far as immigration to this country is affected.

Now, my friend has alluded to the fact of illiteracy as an objection to intelligent or patriotic citizenship. I grant that. But that, gentlemen and Mr. Chairman, is a question of naturalization. I have no objection to making naturalization laws which will only admit to citizenship people who understand our institutions and who are amenable to our institutions. But while that is a question as to the naturalization law, is it any reason why we should object to a man, as illustrated by my colleague from Missouri, who has two strong hands and is sane in body and mind, who is willing to do and to work and to build up the stratum

from which we will have to draw our citizenship in the future? Let it be remembered that not only statistics but the opinions of eminent economists teach us the fact that citizenship must constantly reinforce its ranks from the lower strata of society, provided it has the necessary racial characteristics.

Now, I have advocated Chinese exclusion, and I am against the amalgamation of inferior races with the race of people which is naturally designated American. But can it be said that we will confine our selection to the immigrants from Germany or France or England? Shall we exclude Italy, a people with as illustrious and glorious a history as any in the world? Shall we exclude the Italians, the descendants of proud Rome? Shall we exclude the Greeks, the descendants of the proudest nation of ancient times; or the Poles, who have an illustrious ancestry, or any other like people? I say, Mr. Chairman, that any people who can trace their ancestry to the Aryan race are a valuable acquisition to American citizenship. It will not do to shut out the hardy laborer, the man who is willing to work, and who brings here a healthy body and mind, and who is not a criminal or a pauper.

Many of our citizens, or at least the ancestors of many of our citizens, came to these shores possibly not able to read and write a technical document such as the Constitution of the United States, yet their descendants are among the most eminent and most successful citizens in this country. As long as there is a good race, as long as the right kind of people—or rather historic ability in the race of people—that come to American soil, they should not be excluded. Our industrial development will march on by leaps and bounds, and while it is right that we should protect our laborers, the time will come when we need more laborers, these men who are to do the manual work of this great nation, to build up and develop our industrial resources as they will develop in the future.

Are we to shut ourselves in by a Chinese wall, and say that only our children, our posterity, shall work, that only those inside of our citizenship shall do the work of this great nation, industrially and intellectually? Should we not open our gates to all desirable immigration, to workmen, to laborers, as well as men of science, and artists? It is those people that we need; the people who will come here and develop and build the railroads, clear the forests, open the mines, and do the work that some of our citizens are now not necessitated to do. The time will soon come when we will have to look for these laborers to do the work of our great industrial enterprises in every direction.

Every new enterprise will create a new demand for labor and new opportunities. As the population of this nation increases, the means of subsistence will increase; the more people, the more to do for them; the wider the field of cooperation, the quicker the progress of civilization, the greater the comfort and happiness of the individual, the healthier the growth of industrial, social, and political institutions. This is the law of evolution, to which all municipal and national legislation must conform. As our industrial system expands our population must expand likewise, and be invigorated by the influx of new people racially kindred to the resident population. Invention, skill, energy, and intelligent organization of both capital and labor will develop our industrial life in the near future as it has never been anticipated before.

And then, if we are simply drawing on our own population we can not look for the intelligent development and for the necessary development that we are to make in the coming generations. Now, the idea of excluding these people, who come here healthy, willing, and who will make law-abiding citizens, who wish to better their condition and our condition, who come here to work, and who will labor and who will be amenable to our institutions, and who will continue to add to our growth and progress—it is preposterous; it is folly. It is foreign to the genius of our Government.

The gentleman from Indiana who read the extract from the Post, from the eminent Austrian professor, only emphasized one side of that question. If you will read the able editorial in the Washington Post, it points to the fact that our educational system—the system of public schools—should be extended over that kind of population and embody it in our American citizenship. Go and build the schoolhouses, open the doors of the schoolhouses, make the necessary legislation, if necessary, compulsory, and in one generation the children of the Italian, of the Pole, of the Slav, or whatever kindred race will be an intelligent and useful American citizen. There is no objection to admitting that class of immigration. Why, our laborers and labor unions and labor organizations do not object so much to the people who will come here and do manual labor as they do to the artisans, to the men who can read and write and who will enter into active competition with them in the factories. That is the class of laborers against whom they inveigh—the artisan who can read and write.

I do not go to the extent of excluding intelligent people, artisans who can read and write; I am willing to let them come in

under reasonable regulations, provided they come voluntarily and are not brought here under contract and introduced into this country as so many cattle. If they come of their own free will, whether they can read or write is not the question; we shall need them all in our economic, industrial, and in our political system. We shall have room for them in the future as in the past.

We need the leaven of immigration; we need the new blood from year to year. The gentleman from Alabama says in a few years our blood or that of our posterity will run down and be degenerated by such immigration. I reply to him that if we shut ourselves in by a Chinese wall and do not have the influx of new blood and new immigration, always confining it, of course, to the right kind of races—to the Aryan race—the time will come when this great people will degenerate because of the want of new blood and new incentive. That is the lesson history teaches, exclusion of new blood means decay.

The only way this nation can go forth and work out its great destiny is by the same step and the same gait it has taken from the beginning, and that is to open its gates to all desirable immigrants, to those men who are willing to work; men who are honest; men who are not paupers; men who are not criminals, no matter whether they can read or write or have money; and they are the stratum from which we must draw our magnificent citizenship in the future, as we have drawn it in the past. New blood, fresh people from the parent stock of the Aryan race, brought under our free institutions, under the Constitution, under our ideas of government, will, together with our resident population, build up this Western continent and nation so that it will truly set the pace, not only in political life, but in the industrial, commercial, and moral life of the nations of the world.

Talk about morality, why, is it not true that you find immorality under the cloak of persons who can read and write? Frequently and in most instances you will find anarchy, the spirit which is against and inimical to our institutions, under the velvet cover of the so-called educated gentry who come into this country and afterwards become editors of anarchistic papers and agitators, political and otherwise.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KLEBERG. Mr. Chairman, I ask unanimous consent that I may extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

[After a pause.] The Chair hears none.

Mr. GROSVENOR. Mr. Chairman, I do not rise to oppose the educational test of fitness of immigrants into this country, but I want to point out what minute and unimportant value, in my judgment, will grow out of such a proposition. Nobody appreciates the value of education more highly than those men who never had an opportunity for education. There is no man holding membership in this House who knows better than I know what a weight it is to put upon a young man to be deprived absolutely of all means of education, and be compelled to make his own way by the best available sources of knowledge and information that he can get without the benefit of schools.

The difficulty that grows up in the discussion of this question is the failure to distinguish between nonintelligence and illiteracy. Therefore, the proposition to submit an educational test of any character that is properly covered by the words "educational test" is valueless, in my judgment, and harmful, in my opinion. I have not the time to work this subject out, except to point out some teaching of history on that subject.

The gentleman from Texas, in the closing remarks he made, pointed to the very suggestion I want to make. If we have any purpose in these exclusion acts, it is to benefit our country, to benefit the aggregation of our population, to protect our country from the dangers that follow the promiscuous immigration of foreigners into our land.

Now, history ought to teach us something on this subject, and I presume that the advocates of this measure will say that their object in this proposition is to exclude illiterate people from the United States in the interest of a better condition to us than would follow the promiscuous introduction of illiterate people into the country. I think there is no greater stumbling block in the way of an intelligent study of this question than the idea that education—a literary education, an education in books and letters—fits a man especially to be a citizen of the United States, and that the absence of that sort of education unfits him.

Now, looking over the history of my country, I do not find any justification for the theory that illiterate men have been especially harmful to the American Republic. Going back to the very dawn of our national existence, I find that the men who led the forces, the intellectual power, that created the great organization of Tories in this country, were all of them the very best educated men. I am going to point out now that no evil came to this country, no evil ever menaced this country, from ignorant men, and on

the other hand I affirm that such menace did come from the educated men.

Look at the teachings of the Tories of the Revolution; and I always look to those people with a kind of sympathy, for they were the "regulars" of that day, and we were the "rebels." They were the "Loyalists," as they always called themselves. But they do not stand very high in the estimation of the historian or of the American people. The leaders of that class were all of them educated in the New England colleges. Four men of one single family who were the outspoken leaders of Toryism were graduates of three of the New England colleges of that period; and some of the educated people of New England and New York and Pennsylvania and New Jersey were among the leaders of the Tory party of that day.

Coming down to 1812, when the illiterate people of this country were standing by the Government, what was happening along the coast of New England? We had a nation then, and treason consisted in just what it does now, for the Constitution had been adopted. The Hartford convention was born of the machination of college-bred men.

I had occasion to go down to that particular country on a certain occasion not many years ago, looking for some evidence of a character that might be disclosed by the muster rolls of certain regiments of New England troops. There were some regiments called out in Connecticut to defend our coast at Stonington and other points against the threatened invasion of the British army that had been attracted there by the disloyalty of the Hartford convention advocates and the men of the colleges of New England who denied that we were rightfully at war with Great Britain. And when I got hold of the muster roll of one of the companies of one of those regiments I found a wonderful sprinkling of men who signed the pay roll with a mark. There was a pretty good exhibition. One was the loyal man, who could not write his name, fighting to protect his country, and the other was the educated man, who had laid the plans that brought the enemy there and caused the necessity for calling those men out.

Who laid the foundation upon which was builded the superstructure of the idea of the right of a State to secede and go out of the Union? Who was it that educated the people of the South, and who was it that declared that he had been thirty-five years educating the people of the country, through speeches and the press, up to such a condition of opinion as at last opened the way for the great rebellion? Was that rebellion the result of ignorance and illiteracy? I am not here to discuss the right of it or the wrong of it; but whatever there was of evil in it came through the educated people who had trained the people of the South to that belief.

Now, let us look at the question in more modern times. Who have been guilty of the murders that have startled the world? Who have formed the conspiracies that reddened the ground with the blood of some of the best people of the earth? Was it an educated man who drove the dagger of death into the heart of that lovely woman, the Empress of Austria? Or was it a man educated in not less than three languages, who could have passed this educational test and come into this country? Who slaughtered the King of Italy? Who destroyed the President of France? All of them educated men. Who struck the blow that killed Lincoln? Who fired the shot that killed Garfield? Who laid the plan and murdered McKinley? Was there an ignorant man among them, judged from the standpoint of literacy or illiteracy?

Was there ever a menace of harm to the Government of the United States, either in the formation of anarchistic societies or in the development of outbreaks against the authority of law, that did not come from conspirators who were educated men? They could all have come in under this educational test, they could all have come here and taken seats, most of them, as professors in our colleges and universities, and yet you would put up that test against the harmless man who comes over here to earn his living and who has no idea of rebellion against the Government, who comes here to take what he can get and be content with that, and you would drive him out while you held out a premium in your own statute, your own legislation, to the organized conspirator against the Government—the educated criminal class who come to this country to use their educational strength and power to undermine and overthrow the liberties of their country.

Mr. Chairman, I have other views upon this particular topic and other illustrations. I know the time is very short for debate, and I shall say no more at this time, but ask unanimous consent to extend my remarks in the RECORD along this particular line and upon the direct topic about which I have spoken.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection? There was no objection.

Mr. GROSVENOR. Oh, Mr. Chairman, I understand perfectly well the cheap demagoguery of any attack upon a member of Con-

gress because he does not believe in the sovereign remedy of the exclusion of illiterates. No man has a higher regard for the common-school education and the collegiate course of education in this country than I have, and I will not stop to reply to the assault made by the gentleman from Indiana. It is unworthy of a man who has had the opportunities that he has to assault others under the circumstances that surround this situation, and I regret that he should have done so.

The argument which the gentleman has made in favor of the unfitness of the illiterates to participate in American citizenship would apply with equal force and potency in justification of the disfranchisement of the colored men of the South, and I congratulate my friend from Indiana [Mr. WATSON] that he has at last planted himself upon an argument that is absolutely irresistible in justification of the disfranchisement of the colored people of the South.

If the test of illiteracy is the true test of intelligence and the true test of the fitness of the foreigners to participate in our Government, it is by like argument and by like effect and reason a conclusive argument why the colored men of the South and the white men of the South and the white men of the North and the colored men of the North who can not read and write should be excluded from citizenship, and my friend from Indiana has at last planted himself upon the indestructible argument, if his premises are correct. I do not believe any of this.

I can not better define my own position than by reproducing an address which I had the honor to make on two separate occasions last summer at certain Chautauqua assemblies. It embodies my views of to-day, and for what they are worth I here insert them under the order of the House.

THE ELECTIVE FRANCHISE.

The question of greatest moment to the future of the United States and to the people thereof has grown out of the question of the elective franchise of the States of the Union. The basis of our Government and its admitted claim of right to live is based upon the consent of the governed. The Declaration of Independence put that proposition in few words when it was said that among the inalienable rights of man are those of "life, liberty, and the pursuit of happiness," and then followed those words which have been so often wrested to the undoing of the man who tinkers with them, "That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed." Here was the fundamental declaration of our forefathers, which we have from time to time by innumerable acts and declarations cordially and earnestly indorsed and ratified.

Acting upon this fundamental basis the States of the Union have, from time to time, fixed and altered laws and regulations touching the qualifications of voters. It has grown to be a settled factor of law in our history that Congress can not interfere to regulate or define the right of citizenship and the right to vote in the States, and that practically the only foothold Congress has that in anywise affects the relation of the voter to the Government and that fixes the qualification of a voter is to provide that unless the American citizen is allowed to vote in the several States, and if any disqualification of such citizen shall be by reason of color, race, or previous condition of servitude, that person shall not be counted to make up the representation of the State in the Congress and in the electoral college.

Here, then, is a most important and salutary provision. The State is left free to fix the qualifications of the voter absolutely. It may disqualify a man from the electoral franchise because of the color of his hair, perhaps, unless there is something in the constitution of the State which forbids it; but if the disqualification touches or is affected by or is based upon the color, the race, or the previous condition of the voter, then Article XIV of the Constitution applies, and here is the wording:

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.

Now, the law of the country, it seems to me, and I think there is no dispute about that, is very plain and simple. If a State of the South sees fit to say that the colored man of the South shall not vote because he is a colored man it has a perfect right to do so, but such State must submit to a reduction of representation in Congress and in the electoral college. The brave old Senator, JOHN T. MORGAN, of Alabama, a man who has no idea of indirection and no toleration for quirks and quibbles, presented in the Alabama convention a clean-cut proposition to disfranchise the

colored man because he is a colored man, and to submit to the terms of the Constitution of the United States and stand the re-demption.

But throughout the country, mainly at present limited by the Mason and Dixon line, the wit of man is being brought into action to devise a system that shall not be obnoxious to this provision of the Constitution, and which shall at the same time operate to disfranchise the colored man. Hence all sorts of schemes have been devised, and the false and fraudulent pretense that education and intelligence is to become more fully than heretofore the basis of the right to franchise is being insisted upon. In some instances no doubt this is an honest and sincere proposition, but in many other instances the humbug of it and the fraudulent character of it is too manifest.

I have no time to discuss at full length and in great detail the fraudulent character of the attempts that have already been made, and I do not wish to interfere and discuss and to express opinions in regard to matters and measures which are purely within the legitimate purview and jurisdiction of the States themselves. That is to say, I want to discuss the question from the standpoint of what is best for the nation at large, and what is fair and just to the individuals affected, but by no means denying to the States a perfect right to deal just as they see fit with this very mighty question. But the people of the whole country have a right to be heard. They have a right to discuss the question which, in my opinion, is fraught with mighty consequences of evil to the body politic of the United States itself.

On this occasion I shall mainly give consideration to the discussion of the claim set up that it is at this late date wise and proper to take from men already exercising the right of franchise the ballot because of their supposed unfitness to be trusted, because of their ignorance and hence their lack of intelligence. First, I may say that it is a dangerous thing to take from a man that immunity and that privilege which he holds dearest of anything on earth. It is one thing to provide that the man coming to this country in the future shall have to comply with a new outfit of qualifications or that he shall not begin to vote. It is one thing to say when the youth becomes 21 years of age he shall not vote unless he possesses certain qualifications, but it is a widely different and other thing, based upon widely different and other questions and affecting other and widely different interests, when you take away from a man who has been for years a voter the right and privilege to vote.

In so many words I put it, a punishment, a penalty without conviction, and he goes forth stripped of his privilege and branded as an unfit and incompetent man. Can you imagine anything more horrible to the mind of a man, even though he may not be versed in the literature of his country or able to read in the various languages of modern education, who for thirty-odd years has been steadily voting at the polls for or against men and measures, and suddenly, without notice to him, without his consent and without his day in court, the right to vote, the great immunity, the great prerequisite and privilege of an American citizen, is taken from him.

The man of the South when upbraided on this question calmly says to you, "Look at Massachusetts, the model of States, and the home of model statesmanship; they have disfranchised men by reason of their illiteracy." I answer that two wrongs do not make a right; but there is this mighty distinction between the legislation of Massachusetts and the legislation proposed here and now under discussion. In Massachusetts no man who had been a voter was disfranchised by reason of illiteracy, but it was the coming man, the coming voter, who was coming to the polls upon whom the test was fixed. There is a vast difference. In one case you fix a qualification upon the claim of the voter and in the other case you strip from a person a privilege which he has for years and years enjoyed.

Here is the great difference and here is the fundamental outrage of this whole transaction. It is the taking away from the man of the right which he has enjoyed. But I will not go into details. I want to discuss another proposition. It is that this system now being sought to be introduced into the Southern States is a plan to take from the voting list the men who are dangerous to the welfare of the Commonwealths because of their illiteracy, and therefore because of their unfitness to discharge the duty of citizenship in this direction.

It has not been said at any time that the ignorance of a man should relieve him from taxation. It has not been said that because he can not read he need not pay taxes. It has not been said that because he can not read a statute and does not know of its existence he shall not be punished for a violation of that statute. By no means. That would startle and shock the very souls of these men. Ah, no. The man, however ignorant, however illiterate, however unfortunate in this regard, must nevertheless pay his full share of the cost of running the government.

Why should a man be put to the expense of citizenship and be

debarred from participation in the affairs of citizenship? Why should a man be punished for violating a statute that he has never read and can not read and the existence of which he never knew anything of, and yet be refused the right to vote for a man to alter, amend, or repeal that statute? I leave the questions naturally incident to this phase of the discussion to be solved by the statesmen of to-day who are seeking to undo the history of the past and to write into the new constitutions a guaranty against the unfavorable operation of existing statutes.

But I want to discuss another phase of it. Is the ignorant man necessarily unfitted to be a voter? By the word "ignorant" I mean illiterate, uneducated, not versed in letters, not able to read the English language or the French language or the German language; not able to translate Greek and Latin, even as ignorant of Greek and Latin as 99 out of every 100 graduates of American colleges are at the end of ten years after their graduation; not capable of understanding the Constitution of their country.

Permit me here to deflect for a moment. The condition upon which franchise is based in one of the States is that the person claiming the right to vote shall be able to understand the constitution of the State in which he lives, and yet there is not a day passes in that State that there is not more or less discussion among the best educated men of the State as to what the constitution of the State means.

Why, think of it. As I have already shown, for one hundred and twenty-odd years the best legal ability of this country, the ablest lawyers of the country, have been arrayed on two sides of the mightiest question of constitutional construction that has ever fallen to the lot of man to be affected, and generations have come and gone and the discussion has gone forward, and decision after decision of the Supreme Court has been made and overruled, and quarrels have risen and gone forward as to what the decisions of the Supreme Court meant, and the poor old Constitution has been kicked and cuffed about in the highways and byways of the country almost unceasingly. And yet here is a qualification of the voter that he must understand what the Constitution means.

Why, take our Supreme Court, with the nine great judges, and ask them to say what is the meaning of the words "the United States" in the taxing power, or rather the limitation of the taxing power, in the Constitution, and we will have three different opinions from that august body as to what the real meaning is, and yet the man who belongs to the class that builds the wealth of the earth and dwells in the earth and brings forth the blessings of Providence as the result of his toil is to be deprived of his right to vote because he differs with a set of partisan judges about the interpretation of the Constitution.

But I am not through on that head. No man appreciates more highly the value of education than I do. No man appreciates more keenly the disadvantages of no education than I do. No man need tell me how weak is the man who, because of poverty in his youth, was unable to secure the blessings of a liberal education. No man need to tell me how valuable to him has been any scrap of education that he may have acquired in any way. Our forefathers, when they established the Northwestern Territory and set the greatest example of patriotic legislation that has ever been established among men by the passage of the ordinance of 1787, which was in point of fact the keynote of all these constitutional discussions, put into that immortal instrument that "Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged."

No truer words were ever uttered, and time has developed and made unimpeachable their wisdom. But the real question is not involved in that opinion nor in the experience that has grown therefrom. The question that we are here to solve is this: Shall it be established in the United States that because a man can not read and write, he is therefore necessarily and for that reason alone unfit to vote at the elections? That is the whole of it. It narrows itself right down. It does not broaden out, but it grows more and more narrow as you investigate it.

If that be true, if the illiterate man is not fit to be a voter, if the true test of fitness is the power of the individual to read and write, there ought to be some reason shown for it. No honest man will say that the right to vote should be taken from these illiterate persons unless it can be shown that there is a public necessity for it. To strip a man of the right to vote must be based upon some public reason, and it must appear to be a duty that is due to the public at large, or else it is wrong, and will be so held by all thinking men.

What is, therefore, the public reason, if there be one, why the man who can not read ought not to be allowed to vote? Is it something that he and the men like him have done? I take it that it will hardly be said that because some of these men have voted a different ticket from that which the constitutional tinkers vote, that therefore the power of the majority to disfranchise may be rightfully exercised. I think that the most energetic exponent of

relatives will permit it, 1,500 miles away to the asylum in Washington, D. C., or to asylums of sister States that will charitably receive them.

It is on the Calendar, ready for the action of the House.

If the Speaker and the gracious Master above do not help those 400,000 people and these unfortunates, it will be because their prayers have gone unanswered. [Loud applause.]

APPENDIX.

[House Report No. 956, Fifty-seventh Congress, first session.]

TERRITORY OF JEFFERSON AND GOVERNMENT FOR THE SAME.

The Committee on the Territories, to whom was referred the bill (H. R. 12268) to create the Territory of Jefferson and to provide a temporary government for the same, and for other purposes, respectfully report:

The committee believe that a Territorial form of government, such as this bill provides, will put in the hands of the people of the Territory now known as the Indian Territory the machinery for correcting the evils there existing, satisfy their present needs, and go far toward giving them the legislation demanded by the population and resources of the country. There exist conditions in the Territory that can not be adequately and timely met by Congress, and can be responded to only by a local legislature.

The lands embraced in the boundaries of the Indian Territory are a part of the Louisiana Purchase made under the Administration of President Jefferson. This Territory, excepting that part embraced within the Quapaw Agency, was created by a number of treaties entered into at different times between the United States, the Cherokee Indians, the Muscogee or Creek Indians, and the Choctaw and other Indians. The detailed provisions of these treaties may be found, together with a history of the statutes and departmental orders, and the relation of the Government to the various Indian tribes now occupying the Territory in part, in Senate Executive Document No. 78, Fifty-first Congress, first session, being a letter from the Secretary of the Interior, dated March 12, 1890, to the President of the Senate. Previous to the immigration of the tribes specially mentioned to the Territory during the years 1831-1838, under the treaty stipulations, they resided in the States of Alabama, Georgia, Mississippi, and Tennessee.

The act entitled "An act for the protection of the people of the Indian Territory, and for other purposes," approved June 28, 1898, tended greatly toward alleviating the deplorable conditions then existing in that Territory; it enabled the development of the Territory to increase, as well as afforded greater security for life and property, but is inadequate to meet the present conditions which are constantly changing. The act authorized the organization of towns having 200 inhabitants or more to possess the powers and rights of similar towns in the State of Arkansas, but made no provision for the protection of life and property and educational facilities outside of the corporate limits of the towns. The people who live outside of incorporated towns are afforded no police protection except through the United States marshal's office; in fact, the only executive government in the Territory is a government by United States marshals.

The Indian Territory, which comprises an area of 31,400 square miles, by the census of 1900 has a population of 391,960, of which only about 75,000 are Indians or connected with the Indian tribes. The people are intelligent, industrious, enterprising, and law-abiding, accustomed to live in a different state of society and to participate in the affairs of local self-government.

According to the census, there are in the Territory 159,125 persons of school age, of which 32,000 are Indian children, and the remainder are not members of the Indian tribes. Of this class, 29,900 live in the incorporated towns and have the advantages of free school facilities (public schools being maintained in incorporated towns under power conferred by the Curtis Act), and the remainder, 97,225, have no free school facilities whatever, there being no means by which they may be maintained in the rural districts.

The real estate in the Indian Territory is at present exempt from taxation, the title to the whole body of the lands outside of the towns being yet in the Indians, but the taxable property is sufficient to support a Territorial government. The following data, obtained from reliable sources, give a conservative estimate of some of the property subject to taxation:

Ninety incorporated towns, including only about 75,000 of the population, have an assessed valuation of taxable property of \$30,000,000. A conservative estimate of the taxable value of unincorporated towns is \$5,000,000. There are 1,500,000 head of cattle; 400,000 head of horses; 65,000 head of mules; about 400,000 hogs, and 25,000 head of sheep. There is invested in coal-mining and coke-oven properties about \$4,000,000. There are 1,415 miles of railroad in operation, and about 300 miles now under construction. A conservative estimate of the entire taxable wealth of the Territory could not be less than \$60,000,000. No estimate is made of corn, wheat, oats, and cotton, which are also extensively produced in the Territory.

The Commission to the Five Civilized Tribes, in its report to the Secretary of the Interior, speaking of what the Commission found in the Territory when it went there in 1893, said:

"Instead of an arid Western plain, occupied by the savage of tradition, as many suppose, the Commission found a Territory not greatly smaller than the State of Maine, rich in mineral and agricultural resources and in valuable timber; a country which has been occupied and cultivated for over half a century, whose fertile valleys yield bountiful harvests of Southern products, and whose prairies graze 250,000 cattle yearly; where cities have sprung up, through which railroads have been constructed, and where five distinct modern governments existed independent of the sovereignty of the United States."

In 1891 President Harrison, in a message to Congress, called attention to the conditions existing there and to the need for some organic change in the relation of these Indian tribes to the United States, and recommended that the change involve the acceptance of citizenship by the Indians and representation in Congress.

Congress, by act approved March 3, 1901, conferred citizenship on every Indian in the Indian Territory.

With each year there is a large influx of people from almost every State in the Union seeking homes and occupations in that country, vastly and rapidly increasing the population, so that the necessity for organic change and representation in Congress is much greater than when President Harrison first called attention to it.

This bill gives to the Indian Territory the name of Jefferson. It seems fitting that from the vast tract of land included within the limits of the Louisiana purchase, possessing such wonderful resources, some portion should commemorate the name of the President who brought it under our flag.

The government provided for in the bill is in general similar to that provided for other Territories in the United States. The treaty rights and land titles of the Indians are fully respected, and it does not conflict with the Indian tribal organizations as secured to them by law. The Indians are protected in all of their rights. The judicial system now in the Territory and the laws now in force are continued.

The people of the Territory are without adequate roads; they have no schools in the rural districts; they have no asylums for the unfortunate, for the deaf, dumb, blind, and insane, and not even provisions for the holding of coroners' inquests. They can not have these because of no law for local self-government. The laws in force there are totally inadequate and necessitate a continual clamoring at the doors of Congress for new and needful legislation, making their claims in the lobby for lack of representation on the floor—of a body unfamiliar with their conditions. This manner of securing legislation is fraught with obvious objections, as is evidenced by the long and persistent petitioning of Congress for such laws as have been heretofore enacted.

Those who prosper under the chaotic conditions are sufficiently influential to prevent the enactment of many needful laws, to the great injury of the majority of the people. Whereas with a local legislature composed of persons directly interested and familiar with the conditions and wants, and directly responsible to the people, the embargo on the enactment of necessary and useful laws is removed. This idea is further impressed by a message of President Harrison to Congress in 1889. Referring to the negotiations for opening what was known as the "Cherokee Strip," now a part of the Territory of Oklahoma, he said:

"The cattle syndicate now occupying the lands for grazing purposes is clearly one of the agencies responsible for the obstruction of our negotiations with the Cherokees."

The governor of Oklahoma, in his last report to the Secretary of the Interior, says:

"Affairs in the Indian Territory are somewhat chaotic. It is a question of legislation and not of administration which presents itself. The administration, under the present laws and conditions, must necessarily move slowly. There are too many questions to consider and difficult problems to solve for the Executive Department of the Government to be charged with the responsibility of solving them at long range, and it is practically impossible for these questions ever to be satisfactorily solved until representatives of these people, who are responsible to the people and community directly, are elected to Congress with the responsibility of working out these difficult problems. The Indian Territory situation is without precedent in this country. * * * What the Indian Territory most needs is wise legislation, which will lay the foundation of an American community with proper provisions for schools, churches, convenient highways, and the exercise of political rights and individual responsibility."

In the opinion of the committee it is certainly an anomalous situation, which demands prompt relief, that a section of country almost as large as the State of Indiana and occupied by 400,000 people should be left without the protection of civil government.

The committee believe that this bill will correct all of these evils and grant to 400,000 American citizens rights to which they are entitled.

The committee therefore recommend the passage of this bill without amendment.

THE PRESS OF INDIAN TERRITORY ON THE PROPOSED TERRITORY OF JEFFERSON—FREE SCHOOLS, SELF-GOVERNMENT, REPRESENTATION IN CONGRESS—H. R. 12268—PRESS ACCEPTS MOON BILL.

It will be seen that these newspapers represent all sections of the Territory, all political beliefs and of various convictions regarding ultimate statehood, yet in unison they speak for their people in demanding local self-government of the present Congress:

CHEROKEE NATION.

[Chelsea Commercial.]

The question of single and dual statehood has been a long-discussed one that has not of itself evolved a solution or even approached one. * * * In the meantime we will see the Moon bill passed and the B. I. T. started on a new era of prosperity. It is the duty of all to put our shoulders to the wheel for the Moon bill and stay with the fight until we win.

[Claremore Progress.]

Prospects of legislation for the Indian Territory all point to the adoption of the Moon bill and the Territory of Jefferson. So let it be. As Messenger has pointed out before, there are many grave errors in the Moon bill, but it is at least a step in the right direction, and the other steps will come a little later on. After the ice is once broken it will not be so difficult to secure the legislation of which the country actually stands in need of. We can not expect to get just what we want on the first throw of the dice. We are in favor of the Moon bill, not so much because of what is in it at present, but in spite of that. Other things will follow.

[Tablequah Arrow.]

The bill introduced in the House of Representatives providing for a Territorial form of Government for Indian Territory is conceded by the Territorial press as the best measure, by far, ever offered for the relief of the inhabitants generally of this country, and when Congress adopts the measure it will be the taking of the initial step to place one of the brightest gems in the starry crown of American liberty and thus honor and guarantee the perpetuation of the name of one of the greatest statesmen and patriots in history. If this bill is passed, and every indication is that it will be, it will be an assurance that at some future time a great Commonwealth will bear the name of the illustrious Jefferson, and that Commonwealth will be the most beautiful country on God's footstool—Indian Territory.

CHICKASAW NATION.

[Sulphur Springs Journal.]

The South McAlester Capital is red hot for the Moon bill, as it and every other paper in the Territory should be. This is about all we can hope to receive at this session of Congress.

[Ada News.]

The Moon bill, creating Jefferson Territory, is favorably accepted by the people. It's the unanimous verdict of those with whom we've talked that it's the best yet proposed except statehood itself.

CREEK NATION.

[Wetumka Herald.]

The hope of the people of the Indian Territory is again aroused over the prospects of a Territorial form of government, and to-day those prospects are bright. The people of the Territory have succeeded in convincing many Congressmen that not only does this Territory need a government, but that it deserves it. The justice of our cause is what makes it strong—makes it irresistible. And while many are convinced and favor the enactment of a law giving us a real government, yet there is a strong opposition. The pie counter is large and profitable, and only the most persistent efforts should be our motto until the Moon bill has been passed by both Houses and approved by President Roosevelt.

us to help an unfortunate people, to remove the bonds of oppression that keep them from the guarantees of life, liberty, and the pursuit of happiness, and to give them the simple and usual form of Territorial government that will enable them to educate their children, to care for their poor, their insane, and incorrigible.

Indian Territory, 400,000 strong in people, three-fourths of whom but a short time ago were your constituents and mine, is asking it. These people are the best yeomanry from every State of the Union. Eleven thousand of them alone born in the State of Illinois, and other States, according to conditions, likewise represented; thousands from Maine, Massachusetts, and the Eastern States.

Why deny these people some civilized government when they had good governments back at home?

Of the 400,000 inhabitants of this Territory 75,000 are Indian and mixed blood; but these are not Indians as many of us understand the term. One going there can scarcely pick out, from their appearance and by their action, 10,000 as Indian, they are so mixed with the white—so like them in their pursuits and conduct. There are scarcely any blanket Indians in the Territory—not nearly as many as in the State of Kansas. There are fewer blanket Indians than confessed dudes in the streets of Washington or New York or the larger cities, each of which class is equally baneful, one to the upper and the other to the lower stratum of society.

Indian Territory is the land of the Five Civilized Tribes—the Cherokee, Choctaw, Chickasaw, Creek or Muscogee, and the Seminole—originally from Alabama, Georgia, Mississippi, and Tennessee.

The men are active in every avenue of business. They were made citizens of the United States by an act of the last Congress.

They are educated and alert, and people from the States to their country must understand this, or going there they will, by their intelligence, thrift, and industry, be driven from the field of the professions, from business, from the farm, and the ranch. Indian Territory in agricultural lands is one of the richest places in the world.

Each one of these five nations has a fairly good government of its own. There are, however, 325,000 of other people in this domain, which is about the size of Indiana and but little less in size than Maine.

In 1874 the Mansfield Digest of Laws of Arkansas was compiled in that State, and by acts of Congress subsequently was in part carried to the Indian Territory. Without codification or revision these remain, and, coupled with the Curtis Act of 1898, gave some measure of relief to towns of 200 or more people, giving these towns school facilities. These towns comprise a school population of 30,000 and a total population of 75,000.

Those in towns have some facilities and a partial though crude form of organized government. The laws, respectively, of the Five Civilized Tribes take care, in a crude way, of their children and their people.

But outside of the Five Civilized Tribes and the 90 incorporated towns, the 100,000 school children have no schools and no means of public education, and the people have no government that gives them protection or secures their rights save the practical rule of anarchy that might makes right, and brute force and violence triumphs over all.

So far as the government is concerned they are left to grow up in ignorance and vice, to fill the houses of corrections and prisons, and if they are not treated better in after life than their Government treated them in youth and adolescence they will become wanderers and outcasts on the face of the earth. The executive government is made up of three United States marshals, and in the enforcement of law they are aided by three United States attorneys.

These people have no laws to give them public roads or bridges or ditches; they have no schools; they have no asylums or eleemosynary institutions. Twenty-five daffy, demented, and silent witnesses from the Indian Territory in the Government Insane Asylum across the Potomac River from Washington, D. C., speak more eloquently than words can tell of the woes of 400,000 American citizens. They were railroaded 1,500 miles away from friends and home to get the only treatment that this Congress furnish to these unfortunate people, and thus you see the injustice of government.

Untold scores of these unfortunates are scattered throughout the eleemosynary institutions of the border States, shifted away to other States to get treatment for them and protection for those who remain.

Within two weeks three insane came to the Washington Asylum, sent by the court of the Indian Territory, and in each case the criminal charge was assault, and they were acquitted because insane. It does not require a shrewd guesser, and I suspect that the court in desperation at the intolerable conditions stultifies itself and twists the law to get the refuge of asylum for those who maybe should never have been charged with crime.

Let me read what was said by Mr. S. B. Bradford in January, 1902, who was then United States commissioner, and since deceased, in his testimony before the committee:

I wish to give you a few facts only. We have 50 national banks in Indian Territory and we have 37 private banks. We have 75,000 school children absolutely without any school privileges. We have insane people chained down like wild beasts, in their little cabins, because there are no laws for their relief. We have no public roads in Indian Territory except those voluntarily constructed by the people themselves. We have no bridges or schoolhouses outside of the organized towns and the cities except those built by private subscription. There is no law to build a bridge and not a syllable of law for the issuance of bonds to build schoolhouses, waterworks, or anything for the purpose of saving property, except in the Creek Nation.

The Committee on the Territories had hearings at that time, which were printed and may be had by members.

That committee considered the bills before it and authorized the distinguished gentleman from Tennessee [Mr. Moon] to report favorably the bill, which he did in a report that will convince the impartial of the needs and necessity for this legislation.

This report was made on March 14, 1902, and provides the usual and simple form of Territorial government. Since then the bill has hung on the Calendar, between heaven and earth, like Mahomet's coffin, not in silence, while those people suffer, but while they clamor loud and long for the United States laws to protect them from the oppressive conditions under which they are living.

The report by the gentleman from Tennessee [Mr. Moon] is a succinct and careful statement of facts and reasons, and I will append it to my remarks. Some guardians, self-constituted, may claim that the people are not ready for or able to bear self-government, but this is refuted by the universal expression of the people themselves and the press, expressed publicly and in a private way. It is refuted by the nearly 400,000 of people, by the richness of the soil, by its 50 national and 37 private banks, with a capital and surplus of over \$3,000,000 and deposits of over \$7,000,000; by its \$60,000,000 of assessable personal property, \$4,000,000 in coal mining and coke ovens, 1,500,000 cattle, 400,000 horses, 65,000 mules, 400,000 swine, 25,000 sheep, and 1,500 miles of railroad in operation and 300 more under construction, not to mention wheat, corn, oats, and cotton, the last year's crop of the latter aggregating over 200,000 bales.

There are 3,000 miles of telegraph and telephone lines in operation.

Yet, in this theater of modern endeavor and civilized work, if a man die suddenly or mysteriously the law does not give him the poor privilege of a coroner's inquest to ascertain the cause of death. And here it is that the insane are chained to a tree or to the floor in their little cabins.

Talk to me of the discontent in Ireland, tell me of the woes in foreign countries, but rather give me encouragement for this Territory so near to home.

President Harrison recommended a reform, a change of government, and that these people should be represented by a delegate in Congress. He said that "the cattle syndicate now occupying the land for grazing purposes" interfered with the negotiations with the Cherokee Nation.

Are they still there? I understand they are, and are as perverse and arrogant as ever.

The exploiters are the ones who declaim against this relief, this act of justice to these people. The governor of Oklahoma in his last report recommended the enactment of legislation that would remove the chaotic state there existing. He said:

Affairs in the Indian Territory are somewhat chaotic. It is a question of legislation and not of administration which presents itself. The Administration, under the present laws and conditions, must necessarily move slowly. There are too many questions to consider and difficult problems to solve for the executive department of the Government to be charged with the responsibility of solving them at long range, and it is practically impossible for these questions ever to be satisfactorily solved until representatives of these people, who are responsible to the people and community directly, are elected to Congress with the responsibility of working out these difficult problems. The Indian Territory situation is without precedent in this country. * * * What the Indian Territory most needs is wise legislation, which will lay the foundation of an American community with proper provisions for schools, churches, convenient highways, and the exercise of political rights and individual responsibility.

I am not certain what the course of events will bring forth, but, speaking for myself, I believe that the policy of uniting at some future time Indian Territory to Oklahoma will be wise and well. The omnibus Territorial admission bill recently passed provides for that, and the giving of Territorial government under the Moon bill to Indian Territory, it seems to me, will be a long and wise step in the accomplishment of that desired end. This bill has slumbered on the Calendar for months, not in silence or in peace, but in a dreadful nightmare, for every breath it drew measured the loss of education by 100,000 American school children in the Indian Territory; every sigh brought up the discontent over the injustice of Congress. This bill is bound no closer to the Calendar than are the unhappy and violent insane, chained to the trees and the floors, awaiting to be carted, if their

men might have voted, while thousands of men who carried muskets in defense of the country would have been turned aside. This illustrates Mr. Gladstone's suggestion that the most dangerous man, if he be an immoral man, is the best educated man. Who are standing to-day in the United States of America as a great insurmountable bulwark of patriotism and protection to these institutions of our country that we love? A great army of educated men, I admit, but also a great army of men who would be disfranchised under the Maryland law.

Who carried the muskets that saved this Union and all its blessings? Educated men? Certainly. Illiterate men? Who dare deny it? There was no test made in 1860 and 1861 when the Government cried out in its agony, "Save, or we perish." The soldier who was enlisted and who put down his name was not asked to define the principles of the Constitution, and when he marched to battle and fought for his country and came home bearing the old flag in triumph it was not a condition of the warm reception of the people that he should stand a literary examination, and his pay was handed over to him with the same cordiality of the paymaster when he signed his name with a mark as though he had signed it in the most flowing chirography.

Who was it, when the wise Americans believed that the best institutions and purposes of our country were menaced by the falsest of all false dogmas of politics, came forward in response to the demands of patriotism and none other and voted to strike down the hideous monster that threatened the welfare of the community? Were they educated men? A vast proportion of them were, but a contingent without which victory was impossible were the men who could not read or write. But you say the number is small; then I say, Why disfranchise them? If you say that all these great things have been worked out, all these achievements have been the result of the action of educated men, then I say, Why strike this cruel blow? By that argument you destroy the proposition of necessity and you lead a crusade of cold-blooded cruelty when there is no need of it.

Let me put the argument in its concrete form. All these glorious results have been worked out from the first by the greatness and glory of the education of the country or by the cooperation and patriotism of the illiterate men of the country. If by the latter, then they should not be punished, for they have been true and patriotic. If by the former, then there is no need of this legislation. Either we have come to this condition of glory by the help of these ignorant men and because they were powerless to do harm, or else we have come to this condition over and against their power to do harm, and in either event the argument is simply unanswerable.

Thus it will be seen that this crusade, at this late date, when for thirty-odd years, under present conditions, we have tested this question, is purely an unnecessary assault and an unnecessary changing of conditions suggested by no demand of the hour.

There is another phase of this matter that is worth considering. You can not have a disfranchised class in a free government without making of that class enemies of the government. Take the State of Maryland as an illustration. There is no more patriotic State than Maryland; no State whose citizenship is more in harmony with the institutions of the country than Maryland. By the Gorman act it is proposed to disfranchise about 30,000 of the voters of Maryland, men who now and for many years have been voting.

These men are to be taken up and, without a day in court, are to be stripped of the highest right of an American citizen, a right vested, as I say, by every principle of humanity and common decency. It is to be done in the interest of a political party, as it will be done everywhere in that interest, if done at all. Think you that the disfranchised men will be fond of and faithful to the institutions of Maryland and the United States, or will they stand aside branded, condemned, assailed, a class second only to the imprisoned and the criminal and the vicious, and will they not hate a Government that thus treats its citizenship?

There will be men go to the polls in Maryland next November who, within a generation, have marched to the muzzle of the enemy's guns in the war for the Union, and they will be turned aside as unfit to vote because they can not read. Think you that they will love the country for which they formerly fought, or will they be an organization of enemies of the country, enrolled, organized, sent forth? And there is more than that. They have sons and sons-in-law. Think you that the son or the son-in-law of the man known to be faithful and honest and upright who is thus deprived of citizenship will be friendly to the power that disfranchised the father or the father-in-law? Will the coming young man love a country that took the services of his father in the war that saved the Union from destruction and then turned around and forbade that man to vote? Think you that that son will be a loyal and loving citizen of the commonwealth, or will he and his boy go to the polls to punish the party that has dared to thus stigmatize his father?

I have thus far not discussed the subject of the negro, but I may say that all I have said of the loyalty and faithfulness to the Government of the illiterate white man can be said as truly in as large degree, at least, of the colored man. He is loyal to this Government. He believes in it. He will follow the men who are loyal. I wish here to incorporate a statement taken from official figures in regard to what the colored man has done. I quote from a recent speech by Mr. George H. White, a colored man and an ex-member of Congress from North Carolina.

In the past thirty years the illiteracy of the colored race has been reduced 45 per cent. They have written and published nearly 500 books. We have nearly 300 newspapers, 3 of which are daily. We have in practice nearly 2,000 lawyers and as many doctors. We have accumulated over \$12,000,000 worth of school property, and \$40,000,000 worth of church property. We have about 140,000 farms and homes, valued at \$750,000,000, and personal property valued at \$170,000,000. We have raised \$11,000,000 for educational purposes.

We are operating successfully several banks and commercial enterprises in the Southland, including a cotton mill and a silk mill. We have 32,000 teachers in the schools of the country; we have built 20,000 churches, and support 7 colleges, 17 academies, 50 high schools, 5 law schools, 5 medical schools, and 25 theological seminaries. We have done this under the most adverse circumstances, in the face of lynching, burning at the stake, disfranchisement of our male citizens, and the violation of our women; with the factories closed against us, no negro permitted to be an engineer or conductor of any railroad train, most of the mines and the labor unions closed against us, and few negroes permitted to be employed in our mercantile stores.

And I further quote a statement of what the colored man is doing from the business standpoint in the United States from a statement made by Hon. Judson W. Lyons, the Register of the Treasury:

The colored race is playing a much more prominent part in the industrial activities of the country than is ordinarily supposed. It is producing 80 per cent of all the cotton grown. The crop of last year was 10,000,000 bales, at an average price of 10 cents a pound, making \$400,000,000 as the value of the cotton produced by the colored people. On this cotton crop of America is dependent every person employed in cotton manufacturing in either this country or abroad—millions of families who are dependent for their chance to earn their daily bread upon the production of American cotton, not to speak of the uncounted millions in China, Japan, and Europe, who wear cotton goods and are therefore dependent upon the labor of those who produce the cotton from which these goods are manufactured.

The colored people of America produce easily 75 per cent of all the rice that is produced in this country; 90 per cent of all the sugar and molasses, and 75 per cent of all the rosin and turpentine in the raw state; 65 per cent of all the corn that is grown in the South, and a like proportion of the output of all the iron and coal mines of the South. In every industry that entails outdoor labor in the South the colored man is doing the major part. Without him the great wave of prosperity and industrial progress that is now sweeping over that section would be impossible.

Thus it appears that the colored race has reduced the condition of illiteracy 45 per cent, and that, too, under all the troubles and turmoils under which they have labored, and if left alone and encouraged the cry of illiteracy among the colored men will gradually and indeed at last rapidly diminish.

Mr. SHATTUC. Mr. Chairman, I yield the balance of my time to the gentleman from Indiana [Mr. WATSON].

[Mr. WATSON addressed the committee. See Appendix.]

Mr. ROBINSON of Indiana. Mr. Chairman, seldom will a member or committee of the House be called to defend when legislation is unenacted and plead in justification that they have done all that can be done under the rules of the House in the line of a public duty.

I speak for myself rather than for the Committee on the Territories, of which I am an humble member, but what I say applies as well to it and to all its members. The action of the committee speaks for itself. The Democrats and the Republicans should cease talking of the Louisiana purchase, should not hold expositions to commemorate it, should not refer to it in partisan debate till the last unorganized vestige of it, Indian Territory, is given an organized form of government worthy of the name.

It is a reflection on the Republic when any part within its borders has no civilized government, and it is a no less reflection when known that the only part where anarchy practically prevails is a part of the Louisiana purchase.

The people of Indian Territory desire the security and benefits that a Territorial form of government will give them, the protection to their rights and the safeguarding of their interests—such as an American citizen deserves and ought to have.

If these people who are asking you all by letter to give them this do not receive it at this session of Congress, it is not the fault of the members of the Territory Committee, or of that committee which has unanimously expressed its judgment in favor of it. That committee has performed its duty, and the burden now rests upon the House, upon all its members, and you must answer to your thousands of former constituents who have gone there and to those who favor it who have remained at home for this failure to give the rights due to American citizens. You talk of cruelties in foreign lands, you have something akin to cruelty and oppression near at home, within continental United States itself. Members without number have received letters. Members of the committee have been besieged by them, asking

the idea of disfranchisement by the majority of the minority will concede that the ground for it must be a different ground from that. I assume that it will be said that per se the man who can not read can not be intelligent, and therefore ought not to vote.

My answer is that the record of the voting that has been hitherto done in this country does not bear out the suggestion, and voting in the United States is a record of wisdom. By some means we have nearly always voted right in the United States. Has it been a triumph of education and intelligence over illiteracy and ignorance? Has it? Will the supporters of this new idea assume that responsibility? When the people of the United States by an overwhelming majority of those who voted decreed that Abraham Lincoln should be the President of the United States, and with it that the dogma that the Constitution went everywhere and upheld slavery in the Territories should be wiped off the slate of American ideas, was that a bad vote?

When the American people voted that the war for the upholding of the Union was not a failure, and that Grant and Sherman and Sheridan and Lincoln should be upheld, was that a bad vote, an unwise vote? When down through the whole period from 1864 to 1896 the American people voted as one man to uphold the credit of the Government and dig up by the roots the fallacy of financial humbuggery that was invented, and voted to destroy the idea of irredeemable paper money, and voted to destroy the idea of two coins in this country, one of 100 per cent value and another to be half that ratio, was that bad voting? Was it?

When the people of the United States in 1896 and 1900 voted to tear from the throat of demagoguery the doctrines of anarchy, the doctrines of bad money, the doctrines involved in all the isms that pervaded those two campaigns, was that bad voting? When the people of the United States, with the cry of imperialism ringing in their ears, were told that the Constitution was being overthrown, that imperialism and czarism were to absorb the Republic, and that the Government of the United States must be withdrawn from the islands of the sea and our flag come trailing home in disgrace and dishonor, and the people of the United States by an overwhelming majority voted the other way, was that bad voting?

So you see you must look elsewhere than at the general results to establish the proposition. If during the next thirty-six years this country shall progress with one-half the ratio that it has during the last thirty-six years it seems to me that it will be idle to appeal to the people of the country to recognize the voting force of the country because harm has come to the country by reason of illiteracy and ignorance among the voters. This brings me to a point in which I feel great interest. First, has it been the ignorant and illiterate that have menaced harm to the United States, been disloyal and unfaithful in the hour of her need? And second, is it the ignorant and illiterate that to-day menace the future of the Republic?

Let us see. It was not the illiterate men of the old thirteen States that stood by King George and became Tories and perpetrated war and murder against the loyal people of the colonies in the great struggle for independence. Take the history of the Loyalists of New England and you will find that a large proportion of them were men of liberal education, graduates of the colleges; all of their leaders men of education, men who could read and write, and, therefore, wholly qualified, under this new system of salvation, to be great citizens of a country. Benedict Arnold was not an illiterate man. He was an educated man, and this statement applies with truthfulness to the whole body of men who stood by King George.

In 1812 the men who sought to weaken the power of the United States in the prosecution of the war, were they illiterate men, or were not the men who stood by the Government in 1812, many of them, illiterate men? History tells us that there was a period of time when there was a convention held somewhere in this country to take the side of Great Britain in the struggle of 1812, and history tells us that during that critical period of time the British fleet off the coast had opportunity furnished them to beware of the proximity of danger by certain signal lights which were given a flaunting in their interest. So says history.

Were those men of the Hartford convention ignorant men? That was a critical time in our history, that was a time that tried men's souls, that was a time when the line was sharply drawn. Were the men who took the side of Great Britain illiterate? I think not. But I will give you an illustration. Right when this treason was being enacted the British ships had been lured to the destruction of certain towns on our seacoast and the men of the country surrounding were called upon for patriotic duty and organized themselves into companies and regiments and flew to the seacoast to fight John Bull and prevent the burning of the cities, and not very long ago I had occasion in another interest and for another purpose altogether to hunt up the pay roll of one of those regiments and I was amazed at the large per cent of men who signed those pay rolls for the meager pay they got with the badge

of illiteracy, their mark, but they were loyal men and they were standing by their Government, and they were seeking to counteract the treason of the men of education who had plotted against their country. Let us go forward. I only point to these landmarks, by no means exhausting the subject.

Go to the controversies of 1860 and back of that and trace the period of time when it was made possible that a great war that should devastate the homes and destroy the best fruits of our civilization should spring up for the overthrow of the Union, was it ignorant and illiterate men who plotted? Was it men who could not read and men who did not understand the Constitution and who had never graduated from schools or colleges that sowed the seed that blossomed and bloomed into a million untimely graves and sent off to struggle with life a long somber column of widows and crying children and broken firesides?

Was that horror brought about by illiteracy? Was it ignorant men who denied the right of this Government to protect itself? Was it? Was it ignorance and illiteracy that inculcated and instilled in the minds of the people of the South the doctrine of Calhoun? In other words, was there ever a great question of law, a great question of morals, a great question of patriotism against which was hurled the thunderbolts of opposition and that opposition did not come from educated men, men of the colleges, men of the universities, men of the high schools, men of the common schools, men in every walk of educated life, men from the newspaper offices, men from the professions, men from the educated columns of men?

These were the men that sowed those seeds. These were the men that sowed the dragon's teeth from which the crop of horrors was harvested. Who stood by the Government? Who carried the musket? Who held the plow? Who made it possible in all these wars, from the Revolution to this day, that this Government—founded upon intelligence, founded upon the principle of equal rights, founded upon the principle of individual liberty—might by its power at the ballot box, in the halls of legislation, and behind the guns, typical of the great power of government, uphold itself and enforce the principles involved in its organization?

Who were they who in the war against Spain, a war for humanity, a war dictated by the almost unanimous voice of the American people, invaded the armies of our soldiers and sought to promote disruption and crime? Illiterate men, ignorant men, were they? Men who did not understand the Constitution? Who were they who sent forth to the world that Aguinaldo was a second George Washington, and that the result of the election would be the withdrawal of the troops and the disgrace of the American armies? Were they ignorant men? Were the men who fulminated these doctrines and disgraced American manhood—were they illiterate?

But let us go to another phase. This country is threatened in more or less degree by an element which I shall call, for the want of a more comprehensive and condensed term, anarchy, liberty, and license combined—the doctrine of the red flag, the anarchistic doctrine that all governments are wrong, and in favor of organized or perhaps unorganized resistance to law. It is tapping, tapping, tapping at the foundation stone of our Republic. This hideous monster is insidiously pervading our land. In large part its advocates and devotees are coming from the old country. In large part they have been driven from there by reason of their crimes or by reason of their incendiary suggestions and opinions.

They are filling the press of our country, a certain portion of it, with their infamous doctrines. They are sapping and mining like moles underneath our labor system. They are teaching that resistance to government is the law of God. Are these men illiterate men? Are they uneducated men? They read and write. Do they come under the bane of the Maryland statute or the Mississippi constitution? Far from it. They are educated men. They are capable, so far as educational qualification is concerned, to take chairs in our colleges and universities, very many of them. They are posted upon history. They are familiar with the literature of the day. Many of them are men of unequalled education. Their danger consists in their complete education.

Was it an ignorant man who slew the President of France because he was making the Government so popular that it might dethrone anarchy? Was it an ignorant man that drove a knife into the gentle, liberal, and benevolent heart of the Queen of Austria? Was it an ignorant man who slew the King of Italy a few months ago? Was it an ignorant man who sought the life of the Prince of Wales in the railroad station at Brussels? Was it an illiterate man who shot to death Abraham Lincoln in Ford's Theater in the city of Washington? Was Guiteau illiterate and ignorant, or would both those men have been entitled to vote under any of the restrictive phases of any of the legislation upon that subject to which the country has been treated during the last two years?

The answer to all this is that under the restrictive laws of the United States, residence having been acquired, every one of these

this book not having been published, and some of the other manuscripts having been published, it was thought Congress ought to authorize this publication, as it had authorized the others; but as it will be published in any event, even if Congress has it printed, we might as well save the expense and let it be published by private parties.

Mr. BALL of Texas. If that is the purpose of this resolution, I object, Mr. Speaker.

The SPEAKER pro tempore. Objection is made?

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows: To Mr. SCARBOROUGH, for three days, on account of important business.

To Mr. CALDERHEAD, for fifteen days, on account of important business.

And then, on motion of Mr. SHATTUC (at 5 o'clock p. m.), the House adjourned.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

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 W. Vaughan, administrator of estate of Turner Vaughan, 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. RICHARDSON of Alabama, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 4776) to authorize the construction of a bridge across the Emory River, in the State of Tennessee, by the Tennessee Central Railway or its successors, reported the same without amendment, accompanied by a report (No. 2162); which said bill and report were referred to the House Calendar.

Mr. FLETCHER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 5434) to authorize the city of Little Falls, Minn., to construct a wagon and foot bridge across the Mississippi River within the limits of said city, reported the same without amendment, accompanied by a report (No. 2163); which said bill and report were referred to the House Calendar.

Mr. JONES of Washington, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 4204) relating to grants of land to the Territory and State of Washington for school purposes, reported the same with amendments, accompanied by a report (No. 2164); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. NEEDHAM, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 14511) to authorize the relinquishment to the United States of patented lands and claims, and so forth, reported the same with amendment, accompanied by a report (No. 2165); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MONDELL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 14280) providing for national trophy and prizes for rifle competition, reported the same with amendments, accompanied by a report (No. 2168); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DAVIS of Florida, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 14380) to authorize the construction of a bridge across Waccamaw River, at Conway, in the State of South Carolina, by Conway and Seashore Railroad Company, reported the same with amendments, accompanied by a report (No. 2169); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. REID, from the Committee on Claims, to which was re-

ferred the bill of the House (H. R. 7864) to pay John F. Lawson \$237.96, balance due him for services as United States mail carrier, reported the same without amendment, accompanied by a report (No. 2159); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4766) granting an increase of pension to James P. McClure, reported the same without amendment, accompanied by a report (No. 2160); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the Senate (S. 4306) for the relief of Edward Haines, John Hangland, Wallace L. Reed, W. D. Davis, Martin Monson, Johann Bottjer, and the legal representatives of J. P. Ferwerda, deceased, reported the same with amendment, accompanied by a report (No. 2161); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2, Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. HULL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 13790) relating to the San Francisco and Piedmont Railway, a railroad corporation organized and existing under the laws of the State of California, and granting to said corporation the right to use for terminal purposes a part or portion of Yerba Buena or Goat Island, in the Bay of San Francisco, California, reported the same adversely, accompanied by a report (No. 2166); which said bill and report were laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 8191) relating to the San Francisco and Piedmont Railway, a railroad corporation organized and existing under the laws of the State of California, and granting to said corporation the right to use for terminal purposes a part or portion of Yerba Buena or Goat Island, in the Bay of San Francisco, California, reported the same adversely, accompanied by a report (No. 2167); which said bill and report were laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. OVERSTREET: A bill (H. R. 14622) to establish a fish-hatching and fish station in the State of Indiana—to the Committee on the Merchant Marine and Fisheries.

By Mr. HENRY of Connecticut: A bill (H. R. 14623) to establish a division in the Department of Agriculture for the study of the criminal, pauper, and defective classes and the influence of agricultural life upon them—to the Committee on the Judiciary.

By Mr. HOPKINS: A bill (H. R. 14643) to provide for the taking of a census of agricultural statistics in the year 1905 and every tenth year thereafter—to the Select Committee on the Census.

By Mr. RAY of New York: A joint resolution (H. J. Res. 194) providing for the printing of the constitutions of the several States with marginal notes and index—to the Committee on Printing.

By Mr. HEPBURN: A resolution (H. Res. 266) providing for a new rule of the House of Representatives—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. ACHESON: A bill (H. R. 14624) for the relief of Louis R. Newlands—to the Committee on War Claims.

By Mr. ALLEN of Kentucky: A bill (H. R. 14625) granting an increase of pension to William H. Castlen, of the Mexican war, now a pensioner under certificate No. 338—to the Committee on Pensions.

By Mr. CLAYTON: A bill (H. R. 14626) for the relief of Mrs. L. E. Boatwright—to the Committee on War Claims.

Also, a bill (H. R. 14627) for the relief of the representatives of the estate of Reuben Dawkins, deceased—to the Committee on War Claims.

By Mr. COOMBS: A bill (H. R. 14628) granting a pension to Timothy Hanlon—to the Committee on Invalid Pensions.

By Mr. GARDNER of New Jersey: A bill (H. R. 14629) referring the claim of the legal representatives of William T. Duvall, deceased, against the United States to the Court of Claims—to the Committee on Claims.

By Mr. HAUGEN: A bill (H. R. 14630) granting a pension to Edgar N. Sleeper—to the Committee on Invalid Pensions.

which has received a favorable report from the House Committee on Territories. Wisdom dictates an acceptance of the best form of government that can be had, not a blind devotion to that which is impossible. It bids us not take what we want, but what we can get. The enemies of the Moon bill oppose it, not on the ground that it is a bad, unsafe, inefficient, vicious measure, but because those who have been instrumental in having it framed are not friends of single statehood. They affect to believe that because it is favored by the advocates of double statehood it will ultimately be the means of defeating single statehood.

"These arguments are fallacious. They are not based on reason, but on mere fears and idle suppositions. The enemies of the Moon bill oppose the bill, not because of its provisions, but because its promoters and advocates are double statehooders. But instead of making it more difficult to secure single statehood, the Moon bill, in my opinion, will be the greatest means of securing it. It will, in giving an opportunity to establish counties and county seats, to elect a Delegate to Congress, to provide for county schools, a Territorial legislature, a judiciary, and many other important changes, hasten the time for Congress to bestow upon us the rights of statehood along with Oklahoma. There is no necessity for the Indian Territory to refuse the benefits which the Moon bill offers in order to be absolutely certain of statehood with Oklahoma in three or four years from now.

"Considerable opposition is manifesting itself against the Moon bill because the capital is located in South McAlester. This opposition is inspired by bitter enmity and envy of the Black Diamond City. South McAlester is the logical capital of the Indian Territory, not only on account of its geographical position, but on account of its being the center of population. Such talk will not appeal to any man who is looking out for the best interests of the Indian Territory rather than for some personal hobby.

"I understand that many who are fighting the bill are doing so for the reason that it contains a provision for the Territorial legislature. Their objections are rather queer, in the face of the fact that they are working in the interest of a statehood bill which embraces a legislative feature. Why a legislature under a Territorial form of government is objected to and a legislature under a State form of government is favored I am at a loss to understand. If a legislature can be maintained under statehood it can be maintained under Territorial government. To say that it can not convict one of dealing in absurdities.

"What the people of the Indian Territory want is relief. It is offered in the Moon bill, in opposing which we invite a continuation of the present state of affairs, and in accepting which we summons a new era of prosperity and progress—an era of unprecedented increase in population and commercial wealth."

MOON BILL IN A NUT SHELL.

Schools for the schoolless thousands.
Good roads and bridges.
Elimination of tribal tax.
County government.
Legislature to enact laws that fit local conditions.
Accessibility to records.
A delegate to Congress.
Better laws and more officers to enforce them.
Continuation of present Federal judiciary.
The freeman's sacred privilege—suffrage.
Preparation for statehood.

WETUMKA WANTS A CHANGE—RINGING RESOLUTIONS ADOPTED BY THE COMMERCIAL CLUB OF THAT CITY—APPEAL.

An appeal by the Commercial Club of the town of Wetumka in relation to the establishment of a Territorial form of government in the Indian Territory.

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

The Commercial Club of the town of Wetumka, Ind. T., would respectfully and earnestly urge upon you the great necessity of establishing some form of Territorial government for this Territory at this session of Congress.

In support of this appeal we call your attention to the fact that there are now in this Territory half a million people without any form of government except such as the courts may afford; that there are, at the lowest estimate, over 100,000 white children of school age without the slightest opportunities for education; that the people of this Territory are intelligent, industrious, prosperous, and law-abiding; that they are ready, willing, and anxious to bear their share of the burdens of taxation which may be necessary in case such Territorial government is established; that any report, petition, or appeal stating that the people of this Territory are not ready to assume the expense and responsibility of a Territorial government is untrue and a misrepresentation so far as the wishes of this community are concerned.

Passed by unanimous vote of the Commercial Club of Wetumka, Ind. T., April 14, 1902.

H. H. HOLMAN, President.

Attest:
N. T. GILBERT, Secretary.

MORE MASS MEETINGS—CITIZENS MEET AND PASS RESOLUTIONS IN REGARD TO THE MOON BILL.

The following are resolutions adopted at Ada:

Whereas a bill has been introduced in Congress, known as the Moon bill, providing for a Territorial government for Indian Territory; and
Whereas the said bill in its present form provides the most satisfactory relief from the present hardships, inconveniences, and chaotic conditions in the Indian Territory of any measure yet proposed: Therefore, be it

Resolved by the citizens of Ada, Ind. T., in mass meeting assembled, That we fully indorse the said Moon bill, and respectfully urge upon Congress the necessity for its immediate passage without amendment.

Be it further resolved, That a copy of these resolutions be furnished the Ada Star and the Ada News for publication, and that a copy be sent the Hon. JOHN A. MOON, M. C., Washington, D. C.

U. G. PHIPPEN, Chairman.
J. L. SKINNER, Secretary.

ROFF RESOLUTIONS.

Whereas a bill is now pending in the Congress of the United States, commonly known as the Moon bill, which provides relief from the unsatisfactory conditions prevailing in the Indian Territory more than any other proposed; Therefore we, the citizens of Roff, Ind. T., in mass meeting assembled, do hereby resolve—

That we urge upon the Congress of the United States the immediate passage, in its present form and without amendment, of what is known as the Moon bill.

Resolved further, That a copy of these resolutions be furnished to the Hon. JOHN A. MOON, M. C., and that a copy be furnished to the Roff Tribune for publication.

JOE T. ROFF, Chairman.
B. C. KING, Secretary.

KREBS WANTS LEGISLATION—RESOLUTIONS ADOPTED FAVORING TERRITORY OF JEFFERSON BILL.

Whereas the repeated and just claims of 400,000 American citizens, residing in the Indian Territory, demanding that they be relieved of the present anomalous and chaotic condition of affairs existing in this Territory, and that they be provided with a better and more stable form of government, in order that they may enjoy the blessings of civil liberty and local self-government, rights inherently American and vouchsafed to them by the immortal Declaration of Independence, have at last attracted the serious attention of Congress; and

Whereas the Committee on Territories of the lower House of Congress have unanimously approved and recommended for passage a bill known as the Moon bill, which proposed legislation is carefully considered, and is well calculated to cure the many existing evils and abuses prevalent in this country; and

Whereas we believe that said legislation is well adapted to the present needs of the Indian Territory, and that treaty rights and the land titles of the Indians are fully respected, and that said proposed legislation does not conflict with the Indian tribal organizations as secured to them by law, and that the Federal judiciary system is in no wise changed and that the work of the Dawes Commission and the various town-site commissions engaged in work of fulfilling treaty stipulations is in no wise interfered with, curtailed, or abridged; and

Whereas that said proposed legislation provides the necessary means by which more than 97,000 American children of school age in the rural district may have the benefit of free school education, the boon of every American citizen; and

Whereas said legislation furnishes a complete and adequate system of government for the 400,000 intelligent, industrious, enterprising, law-abiding, and patriotic American citizens residing in Indian Territory: Therefore, be it

Resolved, That we, the people of the town of Krebs, Ind. T., in mass meeting duly called and assembled, do hereby approve and indorse said proposed legislation known as the Moon bill and earnestly ask and petition Congress to enact the same into law as early as possible in its present form.

Resolved, That a copy of these resolutions be forwarded to each member of the Committee on Territories of the United States Senate and House of Representatives, and that a copy be furnished to the press for publication.

W. G. OGLESBY, Chairman.
TAL MILLWEE, Secretary.

MASS MEETING AT ALLEN.

Whereas Congressman J. A. MOON, of Tennessee, has introduced in the Congress of the United States a bill providing a Territorial form of government for the Indian Territory; and said Territorial government, we consider, is adapted to the needs of the people and the Commonwealth generally:

Resolved, That we, the citizens of Allen, Ind. T., in mass meeting assembled, do heartily petition and most humbly invoke the Congress of the United States that they pass the Moon bill without amendment.

Mr. SHATTUC. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. DALZELL having taken the chair as Speaker pro tempore, Mr. BOUTELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12199) to regulate the immigration of aliens into the United States, and had come to no resolution thereon.

THE "MORALS OF JESUS OF NAZARETH."

Mr. LACEY. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent for the present consideration of a resolution which the Clerk will report.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), Whereas it has been ascertained that the authorities of the National Museum Library have expressed their willingness to permit private parties to publish the volume in said library known as the "Morals of Jesus of Nazareth," by Thomas Jefferson, and that private publishers have expressed their purpose to do so, House concurrent resolution No. 15 of the present Congress is hereby rescinded.

The SPEAKER pro tempore. Is there objection?

Mr. SHATTUC. Mr. Speaker, reserving the right to object, I should like to have the gentleman explain the purpose of the resolution.

Mr. LACEY. Mr. Speaker, at the request of a good many persons interested in the publication, I introduced the resolution which passed here the other day. Subsequent arrangements have been made by which this book will be published privately, and therefore there is no necessity for its publication by Congress.

Mr. WARNOCK. This is to be done without expense to the Government?

Mr. LACEY. Without expense to the Government. That being the case, I simply ask to have the former resolution rescinded.

Mr. SHATTUC. Do we become responsible for its publication?

Mr. LACEY. Not at all. We simply withdraw this resolution, and private parties will publish it without any expense to the Government.

Mr. BALL of Texas. That is true of pretty nearly all the publications that we distribute, is it not, that private parties would publish them?

Mr. LACEY. The reason this was offered was because Congress had the control of the manuscripts in that collection, and

[Nowata Advocate.]

Excessive taxation is the bugaboo now held out by the opponents of the Moon bill. It is the cry of the single-State advocates and is as nonsensical as it is unreasonable. Under the adequate system of government proposed by the Moon bill we would be placed on a basis where we could intelligently prepare for early statehood. The taxes proposed are adequate for our temporary needs and far less burdensome than the taxes that are now being paid by the people of Oklahoma. Why should we be attached to a Territory that has no interests in common with ours when we are big enough and intelligent enough to promulgate and maintain a State government without the aid or consent of a lot of cheap-screw politicians?

[Spiro Gazette.]

In the closing paragraph of a letter received at this office a few days ago from Hon. FRANCIS W. CUSHMAN, a member of the House Committee on the Territories, he says: "I also note your request that I help boost the Moon bill when it comes up in the House. I know Congressman Moon very well, and I am a member of the House Committee on the Territories. I assure you that I will give this matter my attention."

[Stillwell Standard.]

The Standard is for single statehood for Indian Territory and Oklahoma first, last, and all the time, but it prefers Moonshine to no light at all; and the Moon bill is far preferable, a thousand times over, to the carpetbag rule in this country.

[Sulphur Journal.]

The Territory is getting tired of being made the dumping ground for the political misfits, cranks, and reformers, the flotsam and jetsam of the Republican party, and wants relief and home government. The Moon bill will give us the right to elect our own officers.

[Fort Gibson Post.]

The Moon bill is all right—that is, about as near right as Territorial people can expect, and a great improvement on present conditions. With the Moon bill in operation, the people of this Territory would be in paradise compared with present conditions.

[Checotah Times.]

With home rule, a fair field, and no favors, the Indian Territory will establish a new record of development not previously attained in any part of the civilized world.

[Stillwell Standard.]

The Moon bill is the only halfway decent government offered the Indian Territory by the present Congress, outside of the bill offered to give us statehood with Oklahoma. The other measures are all political schemes of pie-hunters and carpetbaggers to make a lot of soft berths in this country. In saying this and swallowing the Moon bill as the best thing in sight, right now the Standard is forced to remark that it can eat crow, but danged if it bankers after it.

[Spiro Gazette.]

What the people want is relief from their downtrodden, helpless condition; relief from our inability to own our homes, educate our children, improve our towns, transact business, elect our officers, enact our own laws, and a thousand and one other things needed. The Moon bill furnishes the relief needed, and unless this miserable gang of chronic office-seekers and heelers can bring a strong influence to bear upon the Senate we may expect to hear of the passage of the Moon bill in the very near future. Then for the grandest ratification ever heard of.

[Boswell City News.]

We are highly in favor of the Moon bill in all its principles of legislation, and we will always be in favor of any bill passed for the relief of the people of the Indian Territory, but we do not like the change of name to that of Jefferson. We honor and revere the name of that noble statesman, and we desire that his memory be held sacred for future generations, but in the name of this, the last small refuge donated to the former possessors of nearly half a confiscated continent, we would commemorate the name of the red man. Call it Tusahoma (Red Warrior) and let the ages to come see the true picture, implied in a name of a race that could not exist long in the confines of civilization, and whose original cast was faded out by the greed of the white man.

[Hugo News.]

It is a lamentable fact that there are a few papers in the Territory that prefer to have matters remain as they are rather than become a Territory with a Territorial form of government without some proviso for an ultimate attachment to Oklahoma. We can get along a whole lot better without Oklahoma than with it, but that fact does not seem to make any difference. However, the majority of the papers are in favor of a change of some kind, although it may not embody all that we desire, and we suppose that these papers reflect the sentiments of the people. If this be true, there should be no difficulty in securing some sort of relief in the way of a Territorial form of government, and the Lord knows we need it.

[Tahlequah Arrow.]

The Moon bill has been favorably reported by the House Committee on Territories, and as it stands it is by far the most desirable relief measure ever offered in Congress for Indian Territory. It may be a little repugnant to the single-staters, but it is free from the taint of carpetbagism, and has already received the approval of the press of the Territory.

[Ada News.]

The Moon bill is now being ventilated by the press of the two Territories. Its merits and demerits are set forth in such a way that no one can remain on the fence. You are either for it or against it. As for us, we should like to see it become a law.

[Hugo News.]

The call to "get together" on a bill giving us a Territorial form of government is being generally observed by Indian Territory papers—but who in thunder is going to get Walker together?

[Miami Record.]

Nearly everybody in the Territory is Moon-eyed when it comes to a Territorial form of government.

[Denison Herald.]

"Lo" is not worried about names, but he is worried about conditions. If Congress will give the Indians a Territorial form of government, they will accept most any old name.

Every commercial club or other body in the Indian Territory should endorse the Moon bill. It is one of the best measures ever introduced for the benefit of the people of the Indian Territory.

[Antlers American.]

It is evident that the dissension in the Territory will be a great barrier to legislation for our "relief" passing the Senate. That body has openly

charged that the different kinds of legislation asked for is evidence that we want something but we do not know what. The Indian Territory people know one thing to a certainty—they have had a good and plenty of departmental rule—government by "hand out" as it were—and will welcome a change. It now appears since the declaration of that kaleidoscopic body that it is up to the Territory people to agree on what they want or stay in the pillory until another session. Congress has decreed that no kind of statehood is coming this session. That eliminates the issue which has divided the Territory, and every man in it should stand up and make himself heard.

The Committee on Territories has recommended the modified Moon bill to the House, and there seems no doubt but that it will pass the House. The danger will be in the Senate, and the Territory should bring all possible pressure on that body. It is the final lift, and if it fails we fall back into the old rut for two more years at least. The Moon bill is the most liberal of the proffered legislation. We can get that by united effort of the press and different organizations. Regardless of party affiliations or former efforts for statehood, the relief of 500,000 people demands a solid front.

The Senate openly says "we do not know what we want." Let us take the hint and agree on the "next best" to statehood, and convince them that while we differ on homeopathy and allopathy we never doubted we had the disease.

PROPOSED TERRITORY OF JEFFERSON.

[Globe-Democrat.]

By a unanimous vote the House Committee on Territories has decided to recommend the organization of the Territory of Jefferson, now Indian Territory. The name selected could not be improved. It would honor a statesman whose national achievements deserve to be commemorated in the list of States, and also give his name to a part of the Louisiana purchase—a most felicitous idea. And an Territory needs the attention and speedy action of Congress. Its development has been surrounded with many peculiar difficulties, due to its exceptional status under old tribal treaties. In the course of time these conditions have become a burden and hindrance to all the inhabitants of the Territory, regardless of race lines. For one thing, public education is paralyzed, and when a great number of children in an American community are growing up without public schools the case is simply intolerable.

Sensible members of the various tribes in Indian Territory want their children to be educated and also know that the present confused and insufficient government is hurtful to all its citizens alike. Provision is made in the bill approved by the House committee to adjust, in a spirit of fairness, the questions upon which treaty issues have a proper bearing. Details ought to be arranged in a conciliatory manner. The main point is to get away from the present deadlock and create a Territorial form of government, able to meet the demands of intelligent progress. Every person in the Territory will be benefited by the proposed new order of things, which will be directed by a legislature chosen by the inhabitants themselves. The people of the country in general are ready to say: "All hail to Jefferson Territory."

THE MOON BILL.

[Denison Herald.]

The South McAlester Capital, in urging the people to go to work for the Moon bill providing for a Territorial form of government for Indian Territory, says that the Congressmen complained that the trouble Congress has in doing anything for the Indian Territory is caused by a lack of knowledge of what the people of the Territory want. They ask for so many things that the minds of Congressmen are confused, and they can not figure out just what the people want.

It appears that in the very nature of things there should be no confusion in the minds of Congressmen as to what the people really want.

The people have spoken, and they have said every time they have spoken that what they wanted is a form of local self-government.

That was the cry of the Oklahoma-Indian Territory convention at Muskogee.

That was the cry of the "Double statehood" convention at Muskogee.

Both conventions expressed a desire for a form of local self-government as soon as in the wisdom or discretion of Congress the people were ready for it. That is, the double statehooders asked that, but the single Staters wanted a local self-government right now, immediately, without waiting for the tedium of winding up Indian affairs, which they said might be done as well, as safely, and speedily under a form of State or Territorial government as under the present arrangement.

Every organization, every convention that has spoken on Territorial matters, has stated that what the country needs and wants is a form of local self-government.

That is what the people want. What are Congressmen and Senators for if they are not elected for the purpose of going into the meat of things and producing results? The statesman is elected for office because the people have confidence that he may select the best form of law or government that may be had. The Congressman who applies his attention to a plan of local self-government for the Territory, and secures the passage of a bill, is entitled to the thanks and praise of the people of that country.

The Moon bill is a good measure, on the whole, and having been approved by the committee, it stands a good show to pass. It is well enough for the people to go to work to secure its passage, and if it is secured, it will do more to advance the Territory in every conceivable sort of prosperity than anything that the Territory has had since it became a part of the map of the Southwestern country.

[Antlers American.]

S. C. Treadwell, of Tishomingo, is out in a strong letter urging the people of the Chickasaw Nation to meet in the towns and neighborhoods in the nation and thoroughly discuss the Moon bill and indorse it. It would be a good way to get Congressional action.

FAVORS THE MOON BILL—VIEWS OF AN INDIAN CONCERNING LEGISLATION FOR THE TERRITORY.

[Ardmore special to the Dallas News.]

The Moon bill, providing for a Territorial form of government, is being advocated by the leading papers of the Indian Territory, which are urging the people to accept the proposed legislation. With some changes in the bill, it would be acceptable to the noncitizens.

The Indians would rather see the lands allotted before Congress passes a measure of this kind, although at the Atoka meeting the Indians were silent on the proposition of Territorial government.

F. F. Fox of this city, who is an Indian, speaking of the Moon bill, said to the News correspondent:

"Those people who are still agitating single statehood for the Indian Territory are fighting for a hopeless cause, as far as the present is concerned. Not only that, but they are retarding the chances of getting relief from the present anomalous, unsatisfactory conditions provided for by the Moon bill,

[Checotah Times.]

The passage of the Moon bill will be welcomed by Territorial people generally as a long step forward. We believe a majority of the people interested will be very well satisfied with its provisions, realizing that it gives the best form of government that can be expected by Territorial people under present conditions. The greatest concern just now is that it may be held up in the Senate and not reach a final passage during the present session. It seems to us that such tactics by either branch of Congress, in the face of existing circumstances, would be little short of criminal, and it is certainly to be hoped that the pleading going up from this Territory for some remedial legislation will be heeded and the necessary relief be granted speedily.

[Tulsa Democrat.]

The amended Moon bill, giving the Indian Territory a Territorial form of government, is acceptable to all factions in the former statehood fight. Until a few days ago there was a division of sentiment regarding legislation that would remedy present conditions, but on the refusal of the House Committee on the Territories to report favorably on either single or double statehood for Indian Territory and their substitution of the Moon bill all former convictions were cast aside and a united campaign is being waged for the passage of the Moon measure.

Thousands of letters are being written by people all over the Territory to their former Congressmen and Senators pleading for the recognition of Indian Territory. No one but a resident of the Territory can appreciate the possibility of release from departmental rule. Business circles are feeling the pressure very strongly, and there are few who are not in accord with acceptance of any legislation that will release the Territory from bondage.

In several towns public meetings have been called to draft memorials to Congress, and the papers are filled with reasons for recognition. The impression prevails that the House will pass the Jefferson Territory bill without much debate and with a few amendments, but the Senate is expected to make a fight on the measure.

CHOCTAW NATION.

[Durant Citizen.]

One of the most interesting topics agitating the minds of the Indian Territory people this week is the Moon bill providing for a Territorial form of government. The bill has been introduced in the House, referred to the Committee on the Territories, indorsed by that committee, and referred back to the House with recommendation that it become a law. It is now up to the House as to what it shall do with it. It is confidently believed by some that the House will pass it; but next, what will the Senate do? The people of this Indian Territory are breathlessly waiting to applaud the act of Congress that will bring relief.

[Hugo News.]

Eternal striving for the unattainable is wasted energy; therefore, let us direct all our efforts for the betterment of our present condition toward something we can get. There is no doubt that the present Congress will give us a half loaf—if we cease trying to capture the entire bakery. The Moon bill just at present seems to have the best chance of becoming a law, especially if it is properly urged by the residents of the Territory. Let us take what we can get until something better is offered.

[Spiro Gazette.]

The Moon bill will be very acceptable to the people of Indian Territory, and the people will always remember Congressman MOON as a friend of Indian Territory.

[Ardmore Appeal.]

There is no possible chance of getting any kind of statehood at this session of Congress. Even the persistent advocates of statehood, both single and double, have given up their hopes of securing the passage of a statehood bill.

Such being the facts, then the people should take the next best thing, the Moon bill, which provides a Territorial form of government for the Territory. However, they can not get the bill through without hard work. While it is true that the Moon bill has been indorsed by the House Committee on Territories and that it will undoubtedly be passed by the House, yet there is a fight ahead in the Senate. The bill will greatly relieve the conditions here and will place us several milestones nearer the statehood goal.

It provides for a skeleton form of territorial government. It gives us governor and other territorial officers besides a Delegate to Congress and a legislature, which shall be composed of 15 members in the upper and 33 in the lower house. According to its provisions the present laws and acts of the Indian tribal governments shall be repealed and the collection of permit taxes prohibited. On a whole, this bill is the best piece of legislation which we can hope to get, and we had better get it. Write to the members of Congress and urge them to pass the bill. Don't delay. Write to-day. Here is an opportunity for us to take advantage of. Shall we do it?

[Choctaw Gazette.]

If we can not get a "whole loaf" we had better take what is offered. Visions of statehood, like mirage, is always just ahead of us. If we can get a territorial form of government, however light, it is paving the way to something better. Under existing conditions the wheels of progress are clogged, enterprise crippled, and golden opportunities slipping by. There is no reason why this Territory, with its vast undeveloped mineral resources, its farming, grazing, and timber lands, should not become one of the brightest in the Southwest. It is the duty of every one to use their influence to bring about these conditions. Politics should be put out of sight and all join hands for a measure that will bring about the greatest good to the greatest number.

[Marietta Monitor.]

As the House Committee on Territories has recommended the modified Moon bill, every citizen of the Indian Territory who desires a change from our present form of government should go to work in earnest and urge its passage in the Senate. There is little doubt that the measure will pass the House by an overwhelming majority, and the only danger of it becoming a law is in the Senate. No sane man can longer expect statehood at this time; consequently we should all strive to secure the next best thing to it, which is a full-fledged form of Territorial government, the same that is provided for by the Moon bill.

[Chickasha Democrat.]

Mr. MOON, in his Jefferson bill, names South McAlester as the capital. Anything will do for the chief city so we get a change in affairs.

[Sulphur Journal.]

The people of the Territory are ready and willing to accept the Moon bill, and were it left to a vote of the people it would meet with almost unanimous indorsement.

[Spiro Gazette.]

It is thought that Congress will adjourn about June 15. The Moon bill is about the most important measure that body has on hand now, and unless it

runs up against something more substantial than the Soper-Quarles bill it will go through both Houses in less time than it took Nancy Hanks to win her race.

[Vinita Chieftain.]

The Moon bill provides a partially satisfactory introduction to future enfranchisement. Congress evidently believes in acquainting the people of the Territory with liberty in gradual doses; but the little taste will be very, very palatable. The only opposition to the Soper home bill comes from the 400,000 residents of the Indian Territory, who want to know who gave him authority to barter their liberties for a carpetbag machine.

[Webber Falls Monitor.]

A Territorial government for the Indian Territory at the present session of Congress seems to be a possibility. Many think that is the thing to do. Statehood would entail a very heavy expense on an undeveloped country and unsettled conditions. Under the proper Territorial incorporation the people in a short while could launch the proud ship of a great State.

[Pryor Creek Clipper.]

Much has been said in the past of the Indian Territory's wonderful progress. We are transforming a waste into a busy province. Persons seeking investments in property or business locations should investigate the opportunities that are remaining undiscovered in this section. A vast domain of land so rich in natural wealth is yawning to be producing profitable grain, not weeds. The Moon bill is the only restorer at present for it.

[Vinita Chieftain.]

The absurd argument that all of the Territories are clamoring for statehood is used by the opponents of the Moon bill to prove that a Territorial form of government is unsatisfactory. The American people are so constituted that nothing less than complete self-government will ever satisfy them. The Territorial government is the natural stepping-stone to statehood and was never intended to be a permanent condition. The Territory of Jefferson will make itself heard on the statehood question when the appointed time arrives.

[Checotah Times.]

Those who believe that the Moon bill would afford the Territory temporary relief from the galling conditions that now prevail, and that it would be a stepping-stone to statehood, not a hindrance, should espouse their belief and throw their influence in support of its passage. The Times sincerely believes that the benefits to be derived from the enactment of this bill would a hundredfold outweigh the added burden of taxation that it would impose. For this reason we believe that no community can afford to place obstacles in the way of the passage of this legislation, more especially when opposition is clearly evoked from purely selfish or personal motives.

[Coalgate Courier.]

Quite a number of papers are condemning the South McAlester Capital for so actively championing the Moon bill—the relief bill for Indian Territory. We are unable to see the objectionable features of the Moon bill that seems to be so prominent with these calamity howlers. We say give us the Moon bill and give it to us now. The Moon bill is far preferable to anything else that is on the list of "probables" for the settlement of the existing complications in Indian Territory. The Capital expects South McAlester to be benefited by the passage of this bill, but we feel sure that this is not the only motive that prompts the Capital to fight for the passage of the bill. It will probably benefit South McAlester more than any other town, but then every town can not expect to be the seat of the government, and therefore should not condemn the bill because it does not name their particular town. Let the Moon bill come, it is just what we want.

[Chickasha Democrat.]

Say, Brother Walker, do not make any fight on the Moon bill. It is not what we want, but it will be one step toward statehood.

[Marietta Monitor.]

With a Territorial form of government such as is provided for in the Moon bill the masses of the people of the Chickasaw Nation will soon be prosperous and happy.

[Lehigh Leader.]

The Moon bill is the only measure that has ever been introduced in Congress that has no element of selfishness, politics, or favoritism. It is the fairest measure that has ever been introduced for the relief of the people of the Indian Territory, and has met with the approval of the people from one side of the Territory to the other.

It provides for a form of government to be established by the voice of the people, for a Delegate in Congress, for schools, for public roads and improvements, and in fact about everything that can be done under the present state of affairs. It is urged by a few people that we want no form of government until the Territory comes in as a State with Oklahoma. But it seems this can not be until the allotment question is completed, and with no chance to settle the citizenship question, it seems certain that the four years yet allowed in the Atoka agreement for the winding up of the tribal governments will be consumed before statehood is possible. At the present rate of determining citizenship contests, it seems possible to make a greatly developed country of this territory under the provisions of the Moon bill long before it can be made a State and titles be given or tribal governments dissolved.

[Coalgate Courier.]

The Ardmoreite says that it doesn't want a Territorial form of government, but wants this country to remain as it is until we have statehood. Just think how unwise such a remark is. Every schoolboy knows that such a course is impracticable and without precedent. A Territorial form of government is the stepping-stone to statehood. Just think of any intelligent person being opposed to a Territorial form of government. The Ardmoreite must undoubtedly know better than this, but of course it is in favor of continuing departmental rule in Indian Territory for reasons known by all, or else it is opposing a Territorial form of government because it thinks the capital will be located at South McAlester. Ardmore is on a direct railroad line from Coalgate, and it might be that a compromise could be made by having the capital located at Coalgate. We are sorry to know that any paper would oppose local self-government which promises to give to the thousands of children in Indian Territory school privileges.

[Cherokee Wigwam.]

The Moon bill, which, if it becomes a law, will give the Territory a home government embracing many of the rights of statehood, is universally favored by those who are not interested in making it a tool for the accomplishment of some scheme. This bill meets the fullest approbation of the people of this section. Let it come. It will be warmly welcomed.

Charles Sumner died, or whether all who sit here now put together, have done a more important single service to the country than he did in securing the passage of the resolution which pledged us to deal with Cuba according to the principles of the Declaration of Independence.

You also, my imperialistic friends, have had your ideals and your sentimentalities. One is that the flag shall never be hauled down where it has once floated. Another is that you will not talk or reason with a people with arms in their hands. Another is that sovereignty over an unwilling people may be bought with gold. And another is that sovereignty may be got by force of arms, as the booty of battle or the spoils of victory.

What has been the practical statesmanship which comes from your ideals and your sentimentalities? You have wasted six hundred millions of treasure. You have sacrificed nearly 10,000 American lives—the flower of our youth. You have devastated provinces. You have slain uncounted thousands of the people you desire to benefit. You have established reconcentration camps. Your generals are coming home from their harvest, bringing their sheaves with them, in the shape of other thousands of sick and wounded and insane to drag out miserable lives, wrecked in body and mind. You make the American flag in the eyes of a numerous people the emblem of sacrilege in Christian churches, and of the burning of human dwellings, and of the horror of the water torture. Your practical statesmanship, which disdains to take George Washington and Abraham Lincoln or the soldiers of the Revolution or of the civil war as models, has looked in some cases to Spain for your example. I believe—nay, I know—that in general our officers and soldiers are humane. But in some cases they have carried on your warfare with a mixture of American ingenuity and Castilian cruelty.

Your practical statesmanship has succeeded in converting a people who three years ago were ready to kiss the hem of the garment of the American and to welcome him as a liberator, who thronged after your men when they landed on those islands with benediction and gratitude, into sullen and irreconcilable enemies, possessed of a hatred which centuries can not eradicate.

The practical statesmanship of the Declaration of Independence and the Golden Rule would have cost nothing but a few kind words. They would have bought for you the great title of liberator and benefactor, which your fathers won for your country in the South American Republics and in Japan and which you have won in Cuba. They would have bought for you the undying gratitude of a great and free people and the undying glory which belongs to the name of liberator. That people would have felt for you as Japan felt for you when she declared last summer that she owed everything to the United States of America.

What have your ideals cost you, and what have they bought for you?

1. For the Philippine Islands you have had to repeal the Declaration of Independence.

For Cuba you have had to reaffirm it and give it new luster.

2. For the Philippine Islands you have had to convert the Monroe doctrine into a doctrine of mere selfishness.

For Cuba you have acted on it and vindicated it.

3. In Cuba you have got the eternal gratitude of a free people.

In the Philippine Islands you have got the hatred and sullen submission of a subjugated people.

4. From Cuba you have brought home nothing but glory.

From the Philippines you have brought home nothing of glory.

5. In Cuba no man thinks of counting the cost. The few soldiers who came home from Cuba wounded or sick carry about their wounds and their pale faces as if they were medals of honor. What soldier glories in a wound or an empty sleeve which he got in the Philippines?

6. The conflict in the Philippines has cost you \$600,000,000, thousands of American soldiers—the flower of your youth—the health and sanity of thousands more, and hundreds of thousands of Filipinos slain.

Another price we have paid as the result of your practical statesmanship. We have sold out the right, the old American right, to speak out the sympathy which is in our hearts for people who are desolate and oppressed everywhere on the face of the earth. Has there ever been a contest between power and the spirit of liberty, before that now going on in South Africa, when American Senators held their peace because they thought they were under an obligation to the nation in the wrong for not interfering with us? I have heard that it turned out that we had no great reason for gratitude of that kind. But I myself heard an American Senator, a soldier of the civil war, declare in this Chamber that, while he sympathized with the Boers, he did not say so because of our obligation to Great Britain for not meddling with us in the war with Spain. Nothing worse than that was said of us in the old slavery days. A great English poet before the civil war, in a poem entitled "The Curse," taunted us by say-

ing that we did not dare to utter our sympathy with freedom so long as we were the holders of slaves. I remember, after fifty years, the sting and shame I felt in my youth when that was uttered. I had hoped that we had got rid of that forever before 1865.

Ye shall watch while kings conspire
Round the people's smouldering fire,
And, warm for your part,
Shall never dare, O, shame!
To utter the thought into flame
Which burns at your heart.

Ye shall watch while nations strive
With the bloodhounds—die or survive—
Drop faint from their jaws,
Or throttle them backward to death,
And only under your breath
Shall ye bless the cause.

Sometimes men are affected by particular instances who are not impressed by statistics of great numbers.

Sterne's starling in its cage has moved more hearts than were ever stirred by census tables.

Let me take two examples out of a thousand with which to contrast the natural result of the doctrine of your fathers with yours.

I do not think there ever was a more delightful occurrence in the history of Massachusetts since the Puritans or the Pilgrims landed there, than the visit to Harvard two years ago of the Cuban teachers to the Harvard Summer School. The old University put on her best apparel for the occasion. The guests were manly boys and fair girls, making you think of Tennyson's sweet girl graduates, who came to sit at the feet of old Harvard to learn something which they could teach to their pupils, and to carry back to their country and teach their own children undying gratitude to the great Republic. It was one of the most delightful lessons in all history of the gratitude of a people to its liberator, and of the affection of the liberator-Republic to the people it had delivered. Was there ever a more fitting subject for poetry or for art than the venerable President Eliot, surrounded with his staff of learned teachers and famous scholars, the foremost men in the Republic of letters and science, as he welcomed them, these young men and women, to the delights of learning and the blessings of liberty?

Contrast this scene with another. It is all you have to show, that you have brought back, so far, from the Philippine Islands. You have no grateful youth coming to sit at your feet. You do not dare to bring here even a friendly Filipino to tell you, with unfettered lips, what his people think of you, or what they want of you. I read the other day in a Nebraska paper a terrible story of the passage through Omaha of a carload of maniacs from the Philippine Islands.

The story, I believe, has been read in the Senate. I telegraphed to Omaha to the editor of a paper, of high reputation; I believe, a zealous supporter of the policy of Imperialism, to learn if the story was authentic. I am told in reply, and I am glad to know it, that the picture is sensational and exaggerated, but the substantial fact is confirmed that that load of young soldiers passed through that city lately, as other like cargoes have passed through before, maniacs and broken in mental health as the result of service in the Philippine Islands.

It is no answer to tell me that such horrors exist everywhere; that there are other maniacs at St. Elizabeth, and that every State asylum is full of them. Those unhappy beings have been visited, without any man's fault, by the mysterious Providence of God, or if their affliction comes from any man's fault it is our duty to make it known and to hold the party guilty responsible. It is a terrible picture that I have drawn. It is a picture of men suffering from the inevitable result which every reasonable man must have anticipated of the decisions made in this Chamber when we elected to make war for the principle of despotism instead of a policy of peace, in accordance with the principles of the Declaration of Independence.

Mr. President, every one of these maniacs, every one of the many like freights of horror that come back to us from the Philippine Islands, every dead soldier, every wounded or wrecked soldier was once an American boy, the delight of some American home, fairer and nobler in his young promise, as we like to think, than any other the round world over. Ah! Mr. President, it was not \$20,000,000 that we paid as the price of sovereignty. It was the souls of these boys of ours that entered into the cost. When you determined by one vote to ratify the Spanish treaty; when you determined by one vote to defeat the Bacon resolution; when you declared, in the McEnery resolution, that we would dispose of that people as might be for the interest of the United States; when the Senator from Wisconsin said we would not talk to a people who had arms in their hands, although they begged that there should be no war, and that we would at least hear them; when some of you went about the country declaring that the flag never should be hauled down where it once floated, you did not know, because in your excitement and haste