HOUSE OF REPRESENTATIVES.

THURSDAY, *February 15, 1900.*

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.

ENROLLED BILLS SIGNED.

Mr. BAKER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 7739. An act to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved March 3, 1899.

H. R. 5288. An act relating to lights on steam pilot vessels.

LEAVE OF ABSENCE.

Mr. SMALL, by unanimous consent, obtained leave of absence for ten days, on account of important business.

BRIDGE ACROSS THE MONONGAHELA RIVER.

Mr. DALZELL. I ask unanimous consent for the present consideration of House bill No. 4006.

The bill (H. R. 4006) authorizing the Union Railroad Company to construct and maintain a bridge across the Monongahela River was read, with the amendments reported by the Committee on Interstate and Foreign Commerce.

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

Mr. McRAE. I would like to know whether the bill has the approval of the War Department.

Mr. DALZELL. The bill is in the ordinary form of such bills; it has been approved by the Secretary of War and unanimously reported by the Committee on Interstate and Foreign Commerce.

There being no objection, the House proceeded to the consideration of the bill.

The amendments reported by the committee 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. DALZELL, a motion to reconsider the last vote was laid on the table.

ANNUAL CLERK TO THE COMMITTEE ON PENSIONS.

Mr. BULL. I am directed by the Committee on Accounts to present a privileged report. I report back favorably the resolution which I send to the desk.

The following resolution (introduced by Mr. LOUDENSLAGER on the 5th instant) was read:

Resolved, That a clerk to the Committee on Pensions is hereby authorized, at an annual salary of $2,000, to be paid out of the contingent fund of the House until such salary is provided for in the legislative, executive, and judicial appropriation act for the fiscal year ending June 30, 1901.

The resolution was agreed to.

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

ADDITIONAL ASSISTANT CLERKS TO COMMITTEES.

Mr. BULL. I am also directed to present another privileged report. I ask that the report be read.

The SPEAKER. The Chair is advised that there are several resolutions, for which the committee report a substitute. Does the gentleman wish to have the substitute read?

Mr. BULL. The report covers the whole ground. It is very brief. I ask that it be read.

The Clerk read the report, as follows:

The Committee on Accounts, to whom was referred House resolutions numbered 60, 63, 93, and 119, for the appointment of assistant clerks to the Committees on Public Lands, Claims, District of Columbia, and Rivers and Harbors, have considered the same, and beg leave to report as follows:

Your committee appointed a subcommittee to consider these and other propositions calling for additional clerical assistance to certain committees. They investigated carefully the work of the various committees, aided by oral and written evidence, and recommended to the full committee the allowance of assistant clerks to the committees above named, and an assistant clerk to the Committee on Merchant Marine and Fisheries, at a salary of $100 per month each, during the sessions of the present Congress, in which recommendation your committee concurred.

The Committee on Claims was granted an assistant clerk in the last and many previous Congresses. That committee has jurisdiction of all civil and miscellaneous claims, and its work, which is voluminous, justifies the granting of the additional clerical help requested. The Committees on Public Lands, District of Columbia, Rivers and Harbors, and Merchant Marine and Fisheries have never had assistant clerks, but we think the work of those committees warrants the allowance at this time, and we therefore recommend the adoption of the following resolution in lieu of resolutions numbered 60, 63, 93, and 119, namely:

Resolved, That an assistant clerk is hereby allowed to each of the following-named committees during the sessions of the Fifty-sixth Congress, to be paid out of the contingent fund of the House at the rate of $100 per month, to wit: Public Lands, Claims, District of Columbia, Rivers and Harbors, and Merchant Marine and Fisheries.

The SPEAKER. The Chair will ask whether the original resolutions have been returned?

Mr. BULL. Yes, sir.

Mr. RICHARDSON. If I caught correctly the reading of the report, this is a privileged resolution. I understand that the salaries of these clerks are to be paid out of the contingent fund of the House. Is that correct?

Mr. BULL. Yes, sir.

Mr. RICHARDSON. I believe, Mr. Speaker, that that fact makes the resolution privileged, and therefore I can not object to its consideration. But I do protest against the adoption of this resolution. As I understand, it provides for the appointment of five additional assistant clerks to committees of this House—five different committees. Now, I do not understand that these committees, at least some of them, have heretofore had these clerks.

Mr. BABCOCK. Will the gentleman permit an interruption at that point?

Mr. RICHARDSON. Yes.

Mr. BABCOCK. During the last Congress the Committee on the District of Columbia was honored by the gentleman from Tennessee [Mr. RICHARDSON] as a member of that committee.

Mr. RICHARDSON. It is always an honor to be associated with my friend.

Mr. BABCOCK. And we had an assistant clerk during the entire session of the Fifty-fifth Congress, and the chairman of that committee had to pay the clerk $100 a month out of his own pocket during the entire session of that Congress.

Mr. RICHARDSON. Now, Mr. Speaker, after what the gentleman from Wisconsin has said, I will say I did not know that the gentleman had made that contribution to the public service during the last Congress.

I know that his committee considers quite a number of bills and does a great deal of work; but, Mr. Speaker, take the Committee on Claims. This resolution gives that committee an assistant clerk. Now, that committee may have and doubtless has a number of bills referred to it. But I want to say, Mr. Speaker, that nearly three months of this Congress have expired and that committee has not even asked consideration of a single, solitary bill on a Private Calendar day.

That committee and the Committee on War Claims are given Friday of each week. They have not even asked this House to consider bills from that committee. Of course, it is in the power of the majority of this House to multiply clerks. It seems they are doing it. I see the able chairman of the Committee on Appropriations there, and he is not raising his voice against this increase in the clerical force.

Mr. GRAFF rose.

The SPEAKER. Does the gentleman from Tennessee yield to the gentleman from Illinois?

Mr. RICHARDSON. Yes.

Mr. GRAFF. I desire to state, in reply to the gentleman from Tennessee, that the Committee on Claims are ready at any time that they are permitted to do so to call up for consideration the claims which are on the Calendar.

In addition to that, I will say that that committee have been holding two meetings a week, commencing at 9 o'clock in the morning, and have been devoting themselves energetically to the performance of their duty, and they have attempted to give these claims actual consideration, and we desire to have them considered in the House.

Mr. RICHARDSON. Now, Mr. Speaker, I have made no criticism of the committee, as to what they are doing.

Mr. GRAFF. And I desire to say further to the gentleman from Tennessee, that I have been compelled to employ an additional clerk, who has been actually engaged in docketing some 700 bills which are before that committee. Every day I receive communications from the members of the House, desiring to have the different bills assigned.

In addition to the assignment of these bills to the different subcommittees and the docketing of them, proofs of the bills which are to be considered have to be supplied, and that requires a gentleman who is competent to perform the task with some intelligence. This committee has always been granted an additional clerk, at least since the Fifty-fourth Congress, since my coming to the House.

Mr. RICHARDSON. Now, Mr. Speaker, I do not want to take issue with the gentleman further than to say that this is the first time that I have heard the chairman of that committee raise his voice in this House in behalf of claims of any kind.

The gentleman knows that, under the rules, every Friday is set apart for the consideration of bills from his committee, together with the Committee on War Claims. Friday after Friday has passed during this Congress, until nearly three months have gone, one-half of the session, and I have not heard that committee undertake to claim the Friday that is given them under the rules for the consideration of their measures.

Mr. OLMSTED rose.

The SPEAKER. Does the gentleman from Tennessee yield to the gentleman from Pennsylvania?

Mr. RICHARDSON. I am about through. I am not here to

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

take care of the majority, if they are determined to increase the clerical force of the House.

Mr. OLMSTED. Will the gentleman yield to me for a question?

Mr. RICHARDSON. If they are willing to add these extra officers, they have the power to do so. I simply want to say, with reference to these committees that have not had assistant clerks, that we do not think they ought to be given. Committees that have had them, committees that actually need them, ought to have them, and there will be no objection to it. Now, I do not care to take any further time.

Mr. OLMSTED. I will ask the gentleman if he does not know that, instead of providing an increase, this resolution, so far as the Committee on Claims is concerned, cuts down the salary which has usually been paid to the assistant clerk of that committee from $6 a day to $100 a month?

Mr. RICHARDSON. That may be true as to that committee; but then the gentleman must notice that the resolution gives additional clerks to other committees that have never had assistant clerks before.

Mr. OLMSTED. And in every instance the chairman of that committee has come before the Committee on Accounts and stated that owing to the increased business of his committee, he was obliged to pay for additional assistance out of his own pocket.

Mr. BARTLETT. Mr. Speaker——

The SPEAKER. Does the gentleman from Rhode Island [Mr. BULL] yield to the gentleman from Georgia?

Mr. BULL. Yes.

Mr. BARTLETT. Mr. Speaker, representing the minority upon the Committee on Accounts, I desire to say that I would not have agreed to the favorable report of this resolution if I did not believe it was a proper one.

Mr. Speaker, a great many propositions have been submitted to and considered by the Committee on Accounts, and we have carefully investigated them. The Committee on Accounts are simply desirous to give to the various committees of the House having charge of the business of the House, and to the chairmen of those committees, that assistance and aid in the way of clerical help that they absolutely need. We must remember, Mr. Speaker, that all of us have private secretaries to do our own work as members, except those who are chairmen of committees having annual or session clerks.

So it happens that all of the committees for which assistant clerks are provided in this resolution, and in the resolutions passed by the House on the other day, are committees that have a great deal of work to do, and the chairmen under the law not having any secretaries to do their work as individual members, have been compelled to pay out of their own pockets for the services of the secretaries, stenographers, or clerks to do their private work.

Now, much as I am in favor of economy in the expenditures of the public money, much as I believe that we should not extravagantly expend the public money, I for one stand here to say that the members of this House in the discharge of their public duty, whether they be Republicans or Democrats, whether the House is Republican or Democratic, are entitled to receive and shall receive at my hands so long as I am upon that committee just consideration and necessary assistance where it is required for the transaction of the public business.

And, Mr. Speaker and gentlemen, I am not in favor of having a condition of affairs where the chairmen of important committees are to be mulct out of their private pockets by the payment of money to secretaries to do their work as individual members, simply because they are prominent enough and distinguished enough to be chairmen of these great committees.

We have investigated this matter very carefully. We appointed a subcommittee to investigate the question. The gentleman from Wisconsin [Mr. BABCOCK], chairman of the Committee on the District of Columbia, stated to us that all last year and even now he has been paying money out of his own pocket to a secretary to assist him in his business as an individual Representative. Other gentlemen, chairmen of committees, have done the same thing, and this resolution gives to these chairmen additional committee clerks only when we believe it is necessary. It simply gives to the chairmen of the committees named a clerk each at a hundred dollars a month, the same as every other member of the House gets for clerk hire during the session of Congress.

So, Mr. Speaker, the Committee on Accounts are unanimous in their decision that this resolution is right, and that it does not call for an unnecessary expenditure of the public money. They believe it is an expenditure in the interest of the public business, in the effective discharge of the duty of a Representative to the House and to his constituents, and it is an effort on the part of the Committee on Accounts to put those gentlemen who are chairmen of important committees upon an equality with other members.

Mr. SIMS. I agree with what the gentleman from Georgia says, but I want to ask him this question: Is there any use in providing facilities for a committee to report bills, if those bills are never to be considered in the House?

Mr. BARTLETT. I will answer the question of my friend. Now, Mr. Speaker, because there happens to be one committee upon this list that has not been able to secure a day for the consideration of its business in the House, I do not think it just that the chairman of that committee and other committees should be denied the clerical aid to which he is entitled. Speaking simply from information which I have obtained from the chairman of the committee, the gentleman from Illinois [Mr. GRAFF], I believe that the assistant clerk which is provided for in this resolution should be allowed. It is true that committee have not been able to secure a day in this House, because a majority of the members of the House have voted to adjourn on Friday, or have voted to take up other business, but that is no reason why an injustice should be done to the chairman of that committee.

The committee have gone on with this work; they have undertaken the discharge of the duty; they are doing it; and the chairman appeared before the committee and said that he had paid out of his own pocket money in order to discharge his duty as chairman of that committee, and therefore asked that he be given this additional clerk.

Mr. SIMS. If the work is worth nothing to the country, why do it? Why have a committee at all, if you are not going to insist upon the rights of the committee before this House?

Mr. BARTLETT. Why, Mr. Speaker, if we are to measure the work of a committee by what we think it is worth to the country, we will in many instances not allow them any clerks. I believe in a great many instances a great many bills are reported to this House which are injurious to the country. Some of the largest committees report bills which I think will do harm to the country; but for that reason I can not deny to the committee, as a member of the Committee on Accounts, the money to do the necessary clerical work of that committee or to furnish them the necessary clerical hire, especially when they have stated to us and demonstrated to us it is absolutely necessary to enable them, with fairness and with equality and with justice to themselves and with justice to this House, to discharge their duties. As a member I am ready to vote for this resolution.

The SPEAKER. The question is on agreeing to the substitute offered by the committee.

Mr. LOUD. Mr. Speaker——

The SPEAKER. To whom does the gentleman from Rhode Island yield?

Mr. BULL. I yield to the gentleman from California.

The SPEAKER. How much time?

Mr. BARTLETT. Will the gentleman permit me to yield five minutes to the gentleman from Virginia [Mr. OTEY]?

Mr. BULL. Yes, sir; I will.

Mr. OTEY. Mr. Speaker, I rise to speak for one committee of which I have the honor to be a member, and that is the Committee on Claims. As all of you may perhaps know, that is a committee that has a great deal of work to do. We have over 700 bills now before that committee. We have been meeting at 9 o'clock in the morning on Tuesday and 9 o'clock on Thursday and a subcommittee meeting on Monday at 9 o'clock, of which I am a member, and we need all the work and assistance that a clerk can give us. We are endeavoring to bring the claims to a conclusion and get them out of the way, either by having them adversely reported or favorably reported and disposed of, and without an assistant clerk to that committee it can not be done.

Mr. SIMS. Do you know why the chairman of the committee does not demand his rights here every Friday?

Mr. OTEY. I suppose the chairman has demanded his rights. I do not know of any reason why he should not do so. He desires to get rid of these bills as well for the House as the patrons of the bills, and we are doing all we can to accomplish it; and the little question of whether we shall have assistance to carry on this work is a mere bagatelle. We had better have two assistants and have the work done. From one session to another these bills are favorably reported or not reported, and they go on for twenty or twenty-five years. Some of these bills have been before the House for twenty-five years; and it is the duty of Congress to get rid of them, and not let them stand on the calendars ad infinitum.

Mr. LOUD. Mr. Speaker, as a member of the committee, I desire briefly to define my own position in regard to the resolution before the House. It has become the custom of gentlemen when they address the House to say that such and such a report is the unanimous report of the committee. In many instances, I suppose, that is of the members who were present. Gentlemen must know that I never favored a resolution of this character. I was not present when it was adopted, and I do not desire to betray any of the confidences of the committee; but I would like the attention of the House for a moment in order that they may understand what the committee has had to contend with. This question has been before the Committee on Accounts for something like six or eight weeks.

Mr. SNODGRASS. Mr. Speaker, I rise to a point of order. We can not hear what the gentleman is saying.

The SPEAKER. All gentlemen will be seated.

Mr. LOUD. This question, as I was saying, has been before the Committee on Accounts for six or eight weeks; in fact, ever since Congress has met. We have adopted resolution after resolution. I think I betray no confidence of the committee in stating that, because it is a fact, some time ago the committee adopted a resolution to give all committees that had an annual clerk an additional clerk at $100 a month.

Now, I stated at that time, and I may as well do the same here, that, so far as the Committee on the Post-Office and Post-Roads is concerned, which is one of those committees, I do not need and do not ask for any clerk. I would even be willing and would urge that every committee of this House having an annual clerk have a clerk to the chairman of the committee. The committee hardly thought that was fair, and they included them all. The resolution came back and was reconsidered, and reconsidered, and reconsidered. We have since then been acting on this matter piecemeal. There are chairmen of committees in this House who are too modest to come here and ask for assistance, and the result is favoritism.

Mr. SHERMAN. Will the gentleman yield to a question?

Mr. LOUD. I will.

Mr. SHERMAN. Why can not the whole difficulty be remedied by bringing in here a resolution providing that the same clerk hire shall be allowed to all gentlemen who are members of committees during the session of Congress that is now allowed to them who are not chairmen?

Mr. LOUD. The difficulty about that is this: The committee determined on that course at one time, and we reconsidered that action and then came back and took the matter up by piecemeal and gave the Military Committee, the Naval Committee, the Committee on Interstate and Foreign Commerce, the Judiciary Committee, and, I think, perhaps some others who were particularly urgent, clerks at $6 a day. They have taken so many out of the list for important committees of this House and given them clerks at $6 a day that it has complicated the matter, and unless you repeal the action you have taken the time has gone by for any reconsideration——

Mr. SHERMAN. Could you not except those instances?

Mr. LOUD. It is not an act of justice, permit me to say. From my experience in this House, extending over a few years, and association on several committees, I do not believe there is a committee in this House having a competent man as its clerk but what can get along with one clerk. The trouble is, Mr. Speaker, that incompetent men are appointed as clerks of committees. Now, there is a proposition contained in this resolution for a stenographer for the Committee on Invalid Pensions, because they have not got a stenographer. In the year 1900, a committee in the House of Representatives having two or three clerks and have not got a stenographer! Why, stenographers are the cheapest article in the market to-day. You can get stenographers at $50 and $60 a month. Let it be known that you want one and you will have 500 here in an hour.

Now, because the chairmen of committees propose to appoint John Smith or Thomas Jones as clerks of committee, incompetent to perform the work, they come to Congress and seek relief. Here is the Committee on Claims, and let us see what injustice is being done. While I believe this is doing well enough for the Committee on Claims, let me say that after having served on that committee four years, there is not a committee in this House, excepting none, that has the same work to do that this Committee on Claims has, and yet you give to the other committees assistant clerks at $6 a day and break through the custom which has existed here for years. And you say to the chairman of the Committee on Claims, "You can have a clerk at $100 a month," and because some one else is more persistent he shall have a clerk at $6 a day. As a rule the clerk of chairman receiving $100 a month during the recess is turned over to a six-dollar-a-day clerkship during the session of the House. This question is going to aggravate you until you settle it. We have got to the point now where you have given clerks to all standing committees having annual clerks, except three, four, or five, and you may just as well take this matter up now and dispose of it as to come in here by piecemeal and give clerks at $6 a day.

Mr. BULL. I now yield five minutes to the gentleman from Pennsylvania [Mr. OLMSTED].

Mr. OLMSTED. Mr. Speaker, we all know the reputation of my distinguished friend from California [Mr. LOUD] for economy, but it seems to me that, in the language of a popular minstrel song of the day, "he hasn't got his habits on" this morning. He opposes this resolution which proposes a session clerk for the 5 committees named at $100 a month, and he opposes it because we do not give clerks to the chairmen of 21 committees instead of 5. Indeed, my distinguished friend advocated giving to the chairman of each committee having annual or session clerks $100 per month for his own clerk hire during the sessions of the House. Now, there are 21 committees having annual clerks by law, and 17 committees having session clerks by law, so that my friend favored appointing 38 additional clerks at one fell swoop, and now opposes the granting of 5.

Mr. LOUD. The gentleman is neither truthful nor fair.

Mr. OLMSTED. I appreciate the extreme politeness of the gentleman's remark, coming from an old and distinguished member of the House. I would not have referred to what occurred in the committee if the gentleman had not already done so. I say upon my word that he did vote in favor of a resolution giving the chairman of each committee which had an annual or session clerk additional clerk hire at $100 per month during the session, making 38 in all——

Mr. LOUD. That is not true.

Mr. OLMSTED. When upon my motion that resolution had been reconsidered and defeated, the gentleman from California made the motion——

Mr. LOUD. I made a motion that the committees having annual clerks should have assistant clerks, but that applied only to 21 committees.

Mr. BARTLETT. I make the point of order, Mr. Speaker——

The SPEAKER. This discussion is out of order. Gentlemen will proceed without disclosing the work of the committee.

Mr. OLMSTED. Let us see how unfair this would be. The Committee on Elections No. 1 has a $2,000 annual clerk. It would give that chairman an additional clerk at $100 a month during the session. How would that work as between Elections Committee No. 1 and the Committees 2 and 3, which have no annual clerk at all? The Committee on Elections No. 1 would have practically $3,200 a year for clerk hire, while the Committees Nos. 2 and 3 would have nothing. We thought—and I am proud that I was largely responsible for the defeat of the other measure—we thought it wise to take up each committee and judge of it upon its merits; so we have recommended that these 5 committees—not the whole 21 committees—be allowed each an additional clerk, at the rate not of $6 a day, but of $100 a month.

Now, the chairman of each of these committees has, under the law, while Congress is not in session, an allowance of $100 per month for clerk hire. They receive this allowance while Congress is not in session the same as members who are not chairmen of committees; so that if this resolution be adopted, each of these chairmen of these 5 committees will have, during the session of Congress, his regular allowance of $100 a month for clerk hire besides the assistance of a $2,000 clerk allowed to the committee. We thought that the $2,000 clerk now allowed by law ought to be able to do the work of the committee and that the chairman as a member of the House could get along with his allowance of $1,200 a year the same as other members. So, in the interest of economy—in the interest of the taxpayers—we recommended the adoption of the resolution reported in place of a more sweeping one granting a larger number of clerks.

The question being taken, the resolution reported by the committee was agreed to.

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

The SPEAKER. Without objection, the original resolutions for which the resolution just adopted was reported as a substitute will lie on the table.

There was no objection.

STENOGRAPHER FOR COMMITTEE ON INVALID PENSIONS.

Mr. BULL. I have one more report to make. I have been directed to report back favorably the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the chairman of the Committee on Invalid Pensions be authorized to appoint a stenographer for said committee, whose salary shall be paid out of the contingent fund of the House and shall not exceed $100 per month.

Mr. SULLOWAY. I have an amendment which I desire to offer.

The SPEAKER. Does the gentleman from Rhode Island yield to allow the amendment to be offered?

Mr. BULL. Yes, sir.

The amendment sent to the desk by Mr. SULLOWAY was read, as follows:

Amend by striking out the words "$100 a month" and inserting in lieu thereof the words "at $6 per day."

The SPEAKER. The question is on agreeing to this amendment.

Mr. RICHARDSON. I desire to say——

The SPEAKER. Does the gentleman from Rhode Island yield to the gentleman from Tennessee [Mr. RICHARDSON].

Mr. RICHARDSON. I desire only a minute.

Mr. BULL. I desire first to yield to the gentleman from New Hampshire, if he desires to be heard in support of his amendment.

Mr. SULLOWAY. I desire to say in behalf of this amendment that the resolution now pending was introduced, I think, nearly five weeks ago. At that time the committee were hopeful that

they could secure a competent stenographer for $100 a month; but, developing under the Darwinian process, we have found, during these four or five weeks, that it will be absolutely impossible to secure for this amount of money a man competent for this business—familiar with the medical dictionary. In asking for a stenographer at $6 a day we are not asking any expenditure in behalf of this committee beyond what has heretofore been allowed. In the Fifty-second Congress there were two assistant clerks at $6 per day; we have but one. In the Fifty-third Congress there were two assistant clerks at $6 per day; we have but one. In the Fifty-fourth Congress there were three assistant clerks at $6 a day; we have but one. If $6 a day be allowed us to enable us to obtain a competent stenographer, we shall have a clerk and what might be termed two assistant clerks; and if you gentlemen who have bills pending in our committee, where there are 3,000 to-day, a thousand of which it has been impossible for the clerk, up to this time, to docket—if you want your bills considered and reported, then we must have this stenographer. That is all I have to say.

Mr. RICHARDSON. Mr. Speaker, I did not intend to rise in opposition to any of these recommendations of the Committee on Accounts. But I now rise for the purpose of emphasizing the fact that this committee is now asking something that no other committee has ever asked for or had.

Mr. SULLOWAY. The gentleman will allow me to correct him. We have had stenographers, and we have had additional assistant clerks.

Mr. RICHARDSON. I understand you have now a clerk and an assistant clerk.

Mr. SULLOWAY. Yes, sir.

Mr. RICHARDSON. And you have a special man deputized from the Pension Office——

Mr. SULLOWAY. Which this committee has always had.

Mr. RICHARDSON. Thus there are now three clerks for that committee. Now, I say that when the Committee on Invalid Pensions come to this House and ask in addition a stenographer they are asking what the House has never authorized before.

Mr. SULLOWAY. The gentleman is mistaken.

Mr. RICHARDSON. I would not undertake to put my recollection against that of the gentleman on a matter of this kind; but I have no recollection that the Committee on Invalid Pensions has ever had a stenographer.

There is only one other point to which I wish to call attention. Gentlemen on the other side have the right to make these increases if they want to do so; they have the power. I am opposed to giving this committee a stenographer, because they already have three clerks, and I also oppose increasing the pay, as recommended by the committee, from $100 a month to $6 a day. I believe that $100 a month will secure an efficient stenographer for that committee, if it is necessary to have one. Therefore I shall vote against both propositions, and most earnestly against the amendment increasing the amount of the proposed salary to $6 a day.

Mr. SULLOWAY. Does the gentleman know of a competent stenographer familiar with medical phrases who can be employed for less that $1,600?

Mr. RICHARDSON. I take it that the member of the committee who may be dictating to the stenographer will furnish to him such information about medical terms as he may require. Of course the member must himself have the necessary acquaintance with such terms; he can not expect to depend upon his stenographer for information of that kind.

Mr. DINSMORE. Mr. Chairman, I should like to ask the gentleman from New Hampshire [Mr. SULLOWAY], the chairman of the Committee on Invalid Pensions, a question.

The SPEAKER. Does the gentleman from New Hampshire [Mr. SULLOWAY] yield to the gentleman from Arkansas [Mr. DINSMORE] for a question?

Mr. SULLOWAY. Certainly.

Mr. DINSMORE. Is the clerk of the Committee on Invalid Pensions a stenographer?

Mr. SULLOWAY. No, sir; he is not.

Mr. DINSMORE. Is the assistant clerk a stenographer?

Mr. SULLOWAY. No, sir.

Mr. DINSMORE. Neither one nor the other?

Mr. SULLOWAY. Neither of them.

Mr. DINSMORE. Could not all this be obviated by having one or the other of those clerks a practical stenographer?

Mr. SULLOWAY. No, sir; it is a physical impossibility for any two men, no matter who selects them or where they come from, to do the work in that committee, and have these bills examined, docketed, and cross-docketed.

In the first place, you can not docket a bill that comes from the Senate in less than fifteen minutes. Here are 3,000 bills, and we had no clerk up to the 1st of January. When he got here there were 2,000 bills piled up in the room for him to assort, separate, docket, and get ready so that when any gentleman in the House came down there and looked for his bill he could find it and tell him where it was. The work never was done by two men and never can be.

Mr. DINSMORE. I should like to ask the gentleman if it does not add to the efficiency of any clerk or any assistant clerk of any committee to be a stenographer?

Mr. SULLOWAY. I dare say it might.

Mr. DINSMORE. Then, may I ask, in the interest of the business of the House, not with any purpose to interfere with the affairs of the committee of which the gentleman is the able chairman, if it would not be in the interest of the business of the House to have stenographers appointed as clerk and assistant clerk instead of the people who are there.

Mr. SULLOWAY. It would not be a disadvantage, but in this particular case I do not see that it would be an advantage. The work of the clerk is different from the work of the stenographer employed in that committee room. There is a special examiner that goes through all of this evidence which is filed in these different cases and makes a condensed statement of the facts——

Mr. DINSMORE. And I believe a man is detailed from the Department to do that.

Mr. SULLOWAY. This special examiner has to go through this evidence and dictate a brief statement of it to this stenographer, and that forms a great portion of the work which a stenographer has to do.

Mr. SIMS. I desire to ask the chairman of the Committee on Invalid Pensions a question for information only.

The SPEAKER. Does the gentleman from New Hampshire yield to the gentleman from Tennessee?

Mr. SULLOWAY. Yes.

Mr. SIMS. I want to ask the chairman of the Committee on Invalid Pensions if the business before that committee is increasing?

Mr. SULLOWAY. I think it is as large or will be as large as in any previous Congress. There is every reason in the world why it should be.

Mr. SIMS. There is no decrease?

Mr. SULLOWAY. As long as there are old soldiers to-day who are shivering with cold and gaunt with hunger and not on the pension rolls there is no reason why they should not come to our committee.

Mr. SIMS. There is no decrease as I understand it?

Mr. SULLOWAY. I hope not. [Applause on the Republican side.]

The SPEAKER. The question is on the amendment offered by the gentleman from New Hampshire.

Mr. RICHARDSON. This is to increase the compensation to $6 a day, as I understand it.

The SPEAKER. This is on the amendment offered by the gentleman from New Hampshire to the report of the Committee on Accounts.

The question being taken, the Speaker announced that in the opinion of the Chair the ayes have it.

Mr. BARTLETT. Division, Mr. Speaker.

The House divided; and there were—ayes 112, noes 44.

Accordingly the amendment was agreed to.

The question being taken on agreeing to the resolution as amended, the Speaker announced that the noes appeared to have it.

Mr. BULL. Division, Mr. Speaker.

Mr. BARTLETT. I desire to make a parliamentary inquiry. As I understand the situation, the resolution, if passed now as amended, provides for $6 a day instead of the recommendation of the Committee on Accounts, for $100 a month.

The SPEAKER. The gentleman is correct in his understanding of it.

Mr. BARTLETT. I want gentlemen to understand it.

The question being taken on agreeing to the resolution as amended, on a division there were—ayes 113, noes 45.

Mr. TALBERT. No quorum, Mr. Speaker.

The SPEAKER. The point is made by the gentleman from South Carolina that there is no quorum.

Mr. SHERMAN. I desire to call the attention of the Chair to the fact that the gentleman did not make the point that there is no quorum present.

Mr. TALBERT. I meant that by implication, and I now make the point that there is no quorum present, if that will satisfy the gentleman any better.

The SPEAKER, having counted the House, announced 197 members, a quorum, present.

Accordingly, the resolution was agreed to.

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

REPRINT OF A BILL.

Mr. LACEY. Mr. Speaker, I ask unanimous consent for a reprint of the bill (H. R. 7572) extending in the district of Alaska the placer-mining laws to lands reserved from sale in sections 1

and 10 of an act of Congress approved May 14, 1898, entitled "An act extending the homestead laws and providing for right of way for railroads in the district of Alaska, and for other purposes."

The SPEAKER. The gentleman from Iowa asks unanimous consent for a reprint of the bill H. R. 7572. Is there objection?

There was no objection.

MESSAGE FROM THE PRESIDENT.

A message from the President of the United States, by Mr. PRUDEN, one of his secretaries, announced that the President had approved and signed bills and joint resolutions of the following titles:

On February 7, 1900:

H. R. 6272. An act fixing the salary of the postmaster at Washington City, D. C.; and

H. R. 947. An act to create a new division in the eastern judicial district in the State of Tennessee.

On February 8, 1900:

H. R. 5042. An act to provide for improvements in the tax departments of the District of Columbia.

On February 9, 1900:

H. R. 6237. An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1900, and for prior years, and for other purposes;

H. R. 5491. An act to amend section 4843 of the Revised Statutes; and

H. J. Res. 6. Joint resolution authorizing the Secretary of War to use $60,000 of the appropriations for the support of the Regular and Volunteer Army for the fiscal year ending June 30, 1900, for the construction of a modern military hospital at Fort Leavenworth, Kans.

On February 10, 1900:

H. R. 6073. An act to amend section 4 of the act of Congress approved June 16, 1880, granting to the city of Hot Springs, Ark., certain lands as a city park, and for other purposes;

H. R. 5076. An act to amend the first section of an act to change the time and places for the district and circuit courts of the northern district of Texas, approved June 11, 1896; and

H. J. Res. 136. Joint resolution providing for the distribution of Compiled Statutes of the District of Columbia to committees of the Senate and House of Representatives.

On February 13, 1900:

H. R. 284. An act granting permission and authority to the Orleans Levee Board to move, without cost to the United States, the existing line of levee in front of the marine-hospital property in New Orleans, La.

On February 14, 1900:

H. R. 5066. An act to amend section 4290 of the Revised Statutes, relating to log entry of collisions; and

H. R. 3718. An act for the preservation of the frigate *Constitution*.

On February 15, 1900:

H. R. 4000. An act to authorize the Southeastern Railroad Company to construct and maintain a bridge across the Lumber River within the boundary lines of Robeson County, N. C.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed resolutions of the following titles; in which the concurrence of the House of Representatives was requested:

S. R. 10. Joint resolution providing for the printing of 3,000 copies of House Document No. 141, relating to the preliminary examination of reservoir sites in Wyoming and Colorado; and

Senate concurrent resolution 19:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 20,000 copies of the message of the President transmitting the treaty of peace with Spain and the accompanying documents, in one volume, of which 13,000 copies shall be for the use of the House of Representatives and 7,000 copies for the use of the Senate.

SENATE BILLS AND RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. R. 10. Joint resolution providing for the printing of 3,000 copies of House Document No. 141, relating to the preliminary examination of reservoir sites in Wyoming and Colorado—to the Committee on Printing.

Senate concurrent resolution 19:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 20,000 copies of the message of the President transmitting the treaty of peace with Spain and the accompanying documents, in one volume, of which 13,000 copies shall be for the use of the House of Representatives and 7,000 copies for the use of the Senate—

to the Committee on Printing.

S. 68. An act granting to the State of Kansas the abandoned Fort Hays Military Reservation, in said State, for the purpose of establishing western branches of the Kansas Agricultural College and of the Kansas State Normal School thereon, and for a public park—to the Committee on the Public Lands.

S. 41. An act to authorize the President to place Andrew Geddes on the retired list with the rank of captain—to the Committee on Military Affairs.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BURKE of South Dakota, for four days, on account of important business.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

And then, on motion of Mr. HEMENWAY, the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8347) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1901, and for other purposes, with Mr. SHERMAN in the chair.

The CHAIRMAN. The gentleman from Massachusetts [Mr. MOODY] is recognized.

Mr. MOODY of Massachusetts. Mr. Chairman, I yield forty-five minutes to the gentleman from Illinois [Mr. BOUTELL].

Mr. BARTLETT. Mr. Speaker, before the gentleman from Massachusetts sits down, will he, as a member of the committee, answer me a question?

Mr. MOODY of Massachusetts. Mr. Chairman, I will say to the gentleman from Georgia that I am not on the subcommittee which has in charge this particular bill.

Mr. BARTLETT. I merely want to ask the gentleman if in this bill provision is made for the payment of salaries due to members who have died during this Congress?

Mr. MOODY of Massachusetts. Mr. Chairman, I am informed by the gentleman from Indiana [Mr. HEMENWAY] who is in charge of this bill that that subject properly belongs to the deficiency bill and is not, therefore, upon this bill.

The CHAIRMAN. The Chair desires to call the attention of the committee to the fact that an equal distribution of the time between the two sides would leave seventy-eight minutes to the Republican side and thirty-two minutes to the Democratic side, considering the time that was used on yesterday.

The gentleman from Massachusetts [Mr. MOODY] yields to the gentleman from Illinois [Mr. BOUTELL] forty-five minutes.

[Mr. BOUTELL of Illinois addressed the committee. See Appendix.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. Mr. Chairman, just a moment, if the gentleman from Alabama please. How much time would my colleague like—thirty minutes?

The CHAIRMAN. The gentleman from Illinois has but three minutes remaining.

Mr. BOUTELL of Illinois. There are others who want to speak, and I will not take further time. [Loud applause on the Republican side.]

Mr. LIVINGSTON. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has thirty-two minutes.

Mr. LIVINGSTON. I thought I had thirty-eight minutes.

The CHAIRMAN. Does the gentleman from Georgia desire the gentleman from Alabama to occupy that entire time?

Mr. LIVINGSTON. I yield to him such time as he wants.

Mr. UNDERWOOD. Mr. Chairman, some time ago I introduced a resolution in favor of the repeal of the fifteenth amendment to the Constitution of the United States. I do not know what fate that resolution may meet with in the committee to which it is referred; nor do I know that there ever will be an opportunity in this Congress to discuss that resolution directly on the floor of this House. I therefore take advantage of this opportunity to give some reasons why I believe the time has come when it is not only right, but expedient that the people of the United States should seriously, without partisan prejudice or political strife, consider this great question of limitations or the rights of limitations of the franchise in the United States.

In his Farewell Address to the people of the United States George Washington, in speaking of our Government, said: "Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty."

In a republic the keystone in the arch of government, above all other questions, must be a love of liberty by the citizens of the Republic, and the mental capacity and desire to discriminate between "true liberty" and personal license; for if the latter is allowed to go uncontrolled it must result in the subversion of the rights and liberties of others.

To the people of the United States belong the sovereign power to make and control the fundamental principles of government, and first among these must always stand the power to regulate and control the suffrage.

We therefore must face the problem as to how we can best grant the privilege of the ballot to those who will understand and uphold liberty in its truest and highest sense, together with the other great principles of government, and at the same time allow to the citizen the fullest share of civil liberty and freedom of action that can be given without danger to the Republic.

The only true guide that we can use in determining how to solve this vexed and difficult question is that which is the best for the greatest number of people, and we must not be misled by our sympathies and prejudices for individual or particular classes. We must never forget that the duty of preserving civil liberty in this country is intrusted to the people as a sacred heritage from our Revolutionary forefathers, and the ballot is the weapon by which it must be preserved if properly exercised, for if subverted it will become the tool of base, ignorant, or unscrupulous men, by which the liberties of the people will be finally overthrown.

It has been said "that the right of suffrage is at the foundation of our Government; that it is the moving power and first principle that puts it in motion, and sustains, operates, and gives it direction in all its parts."

It is evident that when the power of the ballot is given to unfit or unscrupulous men it will in the end corrupt both the voters and the officeholders, and produce bad laws, dishonest legislation, a corrupt judiciary, and tyrannical executive officers. It will corrupt the people because it gives greater opportunity for bad men to succeed by dishonest methods, and a greater temptation and opportunity to resort to them; and it will produce corruption because honest men will abhor the means necessary to attain success and leave those men who do not scruple as to the methods to be employed in sole possession of the political field.

On the other hand, if the privilege of the ballot is only granted to those who act from patriotic motives, with honesty and intelligence, it elevates the right of the franchise, it makes it a privilege that every good citizen will guard with care, political power will emanate from a pure and uncorruptible source, dishonest men will not dare to enter into the contest for office, and the principles of liberty and good government will become perpetuated in our political institution.

Whenever an effort is made to elevate the right of franchise or to disqualify unfit persons from the right of the ballot, the demagogue and time server is sure to at once assail you with the often misapplied and misquoted maxim "that all men are born free and equal." So they are in some respects. All men are entitled to equal freedom of action and thought: all men are entitled to stand on an equality before the law, and all men are entitled to equal protection from the Government. But it can not be contended that one who is being consumed by a hereditary disease is the physical equal of the robust young man who has never known sickness, nor can one who has been ushered into this life an idiot be said to stand the intellectual equal of the great, liberal, and just statesman who wrote the Declaration of Independence. If Jefferson had believed that all men were his mental, moral, and intellectual equals, he would have returned home and freed his slaves, and insisted that the privilege and duties of government be put in their hands; but he did not do so.

As a matter of fact, nowhere are men endowed with equal political rights to-day. Some men are exempt from jury duty, working the public roads, and serving their country as soldiers. An educational qualification is required for one to practice medicine; only those learned in the law are allowed to hold judicial positions; men are excluded from the exercise of the elective franchise on account of moral qualifications, and in most of the States women, no matter what may be their intellectual qualifications, are denied the right to vote on account of their sex; and throughout all the Union men are denied the right of the ballot until they are 21 years of age, in order to secure, to a certain extent, a constituency of matured intelligence.

When the question is raised as to who should be entitled to exercise the right of suffrage, the public safety should be the governing test. It should not be sufficient to say that a man may in time, or his descendants may ultimately, acquire sufficient intelligence and moral character to authorize them to take part in the government of the State; but the question is, Do they possess now those qualifications that justly entitle them to exercise the power of government, and can they safely be intrusted with the high privilege of governing themselves and their neighbors?

I contend that no greater crime can be committed against the people—yes, against the Government itself—than to prematurely thrust the powers of government upon a people who are morally and intellectually disqualified to exercise this high privilege. It is incompatible with the public good and has a tendency to weaken and destroy the Constitution.

I do not believe that any gentleman on this floor will controvert the proposition that the public good must determine what qualifications must be placed on the right of suffrage, and that any limitation that is placed on this right for the benefit of good government is not an abridgment of the liberties of the citizen.

With these principles to guide us, let us take up the question of suffrage as it is affected by the fifteenth amendment to the Constitution of the United States. It reads as follows:

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

In Ex parte Yarborough (110 U. S., page 665) the Supreme Court says:

> This new constitutional right was mainly designed for citizens of African descent.

As construed by this and other decisions of the Supreme Court, the negro race is given a privilege under the Constitution that is not accorded to citizens of other nationalities. You can exclude the Mongolian, the Indian, or the white man on account of his race, but you can not exclude the black man. The Indian and the Chinese are to-day excluded from the right of suffrage in some of the States, regardless of the personal qualifications of the individual citizen. This being the case, is it just to the great body of American voters to insist that the fundamental law of the land shall grant this protection to one class of our citizens when it is not granted to other races better qualified to exercise the right of the ballot.

On the 13th day of March, 1870, when the fifteenth amendment was adopted, the country had just emerged from a bloody civil war; the South was crushed by defeat and devastated by war; the North was triumphant and flushed with the success of victory; the Southern States were about to take their place once more in the councils of the nation; and it is probable that the politicians of the North feared that if political power was placed in the hands of their late foe the contentions of war might be revived and renewed, and for this reason they desired to confer the right of suffrage on a class of people whom they believed they could control and direct.

The unwisdom of their actions, viewed in the light of the past, must be apparent to all fair-thinking men, when we know that the people of the South under no terms and conditions would return to or countenance slavery in this country or any of its dependencies; when we have seen the soldier of the South fighting in the same battle line with the soldier of the North for the honor of our common country and the glory of the flag of the nation.

You have tried the experiment for thirty years, and it has failed. Instead of its becoming a source of strength to the Republican party, it has proved to be a badge of weakness. You can not by your laws contravene the laws of God. The Almighty, in His divine wisdom, has made some frail and others strong, some races weak and others great and powerful.

Ever since the day when the Aryan (or white) race came down from the Caucasian Mountains and overran Europe, though they were barbarians, no other race of people have been able to stand against them. They acquired the civilization of those they conquered, but retained the power to rule. They embraced the Christian religion and carried the banner of the cross to Palestine at the point of their swords. They have dared the dangers of an unknown ocean and cleared the path of civilization through the trackless forests of America. They are the only race who have ever known the art of self-government and who have been able to maintain the liberty of the individual citizen. In this country, whether their ancestors landed with the Pilgrim fathers at Plymouth Rock or with the Cavaliers at Jamestown, the same blood flows through their veins. They have never bowed to the domination of an inferior race and never will; and the man who seeks to make them subservient to an inferior race is not only a traitor to his own blood, but is foreordained to failure by a law of nature that the legislation of man is powerless to change.

Nothing but reckless brutality will array the weaker race against the stronger, for in the end the weaker must give away. Instead of the helping hand he should receive from the stronger toward his intellectual and moral development, it forces a strife that can only result in the further degradation of the weaker race.

In many of the Southern States immediately after the war the negro was in absolute political control. What was the result? Government became a farce; bribery stalked in the legislative halls; justice was purchased at a price, and corruption held the reins of power; the rights of property became insecure; life was endangered every hour, and anarchy reigned, clothed in the robes of ignorance.

In my State in four years a debt of twenty millions was created; negro legislators were bought and sold at the price of a suit of clothes; and the women dared not walk the streets in broad daylight without armed protection. Men of the North, would you submit to such a condition, would you have abandoned your homes and your property, or would you have snatched the brand from the burning, the government of your State from dishonor, at whatever the cost? As long as this condition remains do you expect to see anything but the solid South? Can you expect any political question to become more dominant than the right of self-preservation?

After thirty years the great bulk of the negro population of the South is no further advanced than it was when the fifteenth amendment was passed, and yet it is not because they have not had the opportunity. In the State of Alabama they do not pay 5 per cent of the taxes, and yet they have their own schools, their own teachers, and receive an equal share of the school money in proportion to population. There is not a State in the Union where the negro has a better or fairer opportunity to work at any trade or employment he may desire under the protection of the law than in Alabama.

As a race he has not advanced morally or intellectually because he has been forced prematurely into political contests with the superior white race. I do not believe the negro race can ever become the equal of the white race, because the Creator of the universe did not so intend it, but he can develop under the protection and guidance of his white neighbor to a point where he will reach a proper understanding of the rules of government and good morals, when he will respect good government and know that liberty does not mean license.

But this can only come by removing the continued political contests that now exist and by making the right of suffrage a high privilege to be attained by him, rather than a useless right that is not valued or understood.

Some may say you can accomplish this fully by an educational qualification, but I say that you can not accomplish the result in this way in the South. I have known many young negroes in the South who could read and write as a parrot can talk who had no conception of the rights of others or the necessity of good government and probably never will have. On the other hand, I have known honest, law-abiding, property-holding white men, who have not had the benefits of an education and could not read and write, who understood the theory of our Government as well as you or I, whose votes are absolutely above any price, and who are far more capable of exercising the right of suffrage than many men who have had an education.

There can be no doubt that the fifteenth amendment to the Constitution is a mistake. It has failed in its object, and it can not advance the material and moral development of the negro race. On the contrary, it has a tendency to array one race against the other, and, as I have already stated, a conflict must inevitably result in injury to both races.

Let us then face the question fairly and honestly; let us repeal the fifteenth amendment and allow the States the untrammeled privilege of regulating the suffrage without conflict with the Federal Government. The tendency in all free governments is always toward an enlargement of the franchise, and it can be depended upon that the sovereign power of the States, vested in the people, will never deprive any man of this high privilege in whose hands it can be intrusted without endangering the Government and the true principles of liberty.

The CHAIRMAN (Mr. CANNON). As no one addresses the Chair——

Mr. LIVINGSTON. Mr. Chairman, I want to ask unanimous consent to extend the debate until 4 o'clock, thirty minutes to be used on this side and thirty minutes on the other side.

Mr. HEMENWAY. I do not know of anyone who wants to use any time on this side.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend general debate until 4 o'clock.

Mr. LIVINGSTON. One-half of the time to be given to this side and one-half to the other side.

The CHAIRMAN. The Chair thinks the better way is to let the committee rise, because the House has made an order that debate shall close at 3 o'clock.

Mr. HEMENWAY. Then, Mr. Chairman, I move that the committee rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. HEPBURN, the Speaker pro tempore, resumed the chair.

The SPEAKER pro tempore. The House will be in order.

Mr. LIVINGSTON. Mr. Speaker, I now ask unanimous consent that general debate be continued until 4 o'clock, one half to be under the control of the gentleman from Indiana and the other half to be controlled by this side.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent that the general debate be extended until 4 o'clock, one-half to be controlled by the gentleman from Indiana and the other half by the gentleman from Georgia. Is there objection? [After a pause.] The Chair hears none.

Mr. HEMENWAY. Now, Mr. Speaker, I move that the House resolve itself into Committee of the Whole House for the further consideration of the appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the legislative, executive, and judicial appropriation bill.

Mr. LIVINGSTON. Now, Mr. Chairman, I yield twenty-five minutes to the gentleman from Indiana [Mr. MIERS].

Mr. MIERS of Indiana. Mr. Chairman, the question of our new possessions is higher than a party question. It ought not to be a party question. In matters of fundamental policy, where the true doctrines of Americanism have been called up in our hearts, we have always forgotten that we had ever been partisans, and remembered only that we were patriots. Mr. Chairman, I am proud that I was a member of this House when, with magnificent unanimity, we voted for a declaration of American principles and to perpetuate those principles among the suffering people of the island of Cuba without fear of the result or hope of reward. Mr. Chairman, that was a glorious day in American history. I want to read again that resolution:

First. That the people of the island of Cuba are, and of right ought to be, free and independent.

Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the Government of Spain at once relinquish its authority and government in the island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

Third. That the President of the United States be, and hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into active service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

Fourth. That the United States hereby disclaims any disposition or intention to exercise authority, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the island to its people.

What a magnificent spectacle, a strong nation stretching forth its arm to protect and not to subjugate the weak. It was a magnanimous people who in the name of liberty proclaimed to the world that their brothers should be free at whatever cost and without benefits of any kind to accrue in return. Our hearts were afire with a patriotic glow, and as we returned to our homes the streets were bedecked with flags and we listened to the plaudits of the multitudes. The press, without regard to politics, applauded our act. We were Americans. We had inherited from our sires the spirit of '76. We remembered the deeds of our fathers in far-off New England and in the sunny South. The words of the Declaration of Independence were to our minds as though they had been written but the day before. All men were equal under the law; all men were, and of right ought to be, free.

We poured out our treasure of blood and gold, and the Stars and Stripes carried freedom with them wherever they floated. The cause of freedom met with not a single reverse. The boys in blue performed deeds of valor and heroism which gained for the American Army the admiration of the entire civilized world. That was true Americanism. There was no Republicanism in it, there was no Populism in it, there was no Democracy in it. It was a question which shook to the very foundation the American Republic, and I do not believe that there was then a single traitor at heart to be found in all America.

The war was fought, and at its conclusion we found ourselves bound to carry out the purposes of this resolution and provide for Cuba an independent government. We found that we had also freed, in freeing the Cubans, the other colonists of Spain. The colonies of Puerto Rico and the Philippine Islands were ceded to us to do as we pleased with. Americanism had commanded of us, with respect to Cuba, that we spend millions of money and thousands of valuable lives in order to give them an independent govment. The war was successful beyond our dreams. In addition to being able to confer this boon of independence upon the island of Cuba, we were able also to confer it upon Puerto Rico and the Philippines. We had not only carried the flag of freedom across the narrow channel which divides Florida from the Pearl of the Antilles, but we had carried it 7,000 miles across the Pacific and claimed for liberty a part of the Orient where liberty had never before been known.

Mr. Chairman, this war was not fought as a business investment in order that we might make money. This war was not fought in order that we might subjugate other lands. This war was fought and America expended blood and gold in order to make other people independent and free, as we are independent and free. But, Mr. Chairman, instead of the flag we must not raise the standard of the dollar, and hold the dollar so close to the eyes that it hides the flag from view.

Have we heard upon the floor of this House any discussion as to what would better the conditions of the people of Puerto Rico or serve to enable them to establish their independence? Has anyone intimated that this bill will enable the Filipinos to form a stable and independent government? Not one word, Mr. Chairman. It is all reduced to a cold, mathematical calculation. We bought the islands of the Philippine Archipelago and paid $20,000,000 for the privilege of establishing an independent government. We paid two dollars and a half a head for men who, under our Declaration of Independence and our American system, are as much entitled to independence as we are. Shall we shoot down and kill all of the men who object to being sold to the United States for two dollars and a half?

Mr. Chairman, we hear the wails of the people from Puerto Rico. They tell us what they need in order to make them self-supporting and happy. They tell us from what financial disease they are suffering. Shall we arise to the emergency of the occasion and give them the remedy? It is a question with the House, What is the humane thing to do? It is what is best for Puerto Rico, and not what will bring the most money into the Treasury of the United States.

We hear the opinion plainly expressed that Cuba, Puerto Rico, and the Philippines will be parceled out for the benefit of individual Americans. This must not be so. As a result of the grand war for humanity, I protest against even the expression of such an opinion. If subsequent events prove the assertion to be true, it will cause the blush of shame to mantle the cheek of every true American. I make no charges, because I still hope that patriotism, which I know is not dead in any man upon this floor, will triumph. We are still Americans, but different interests incline and warp the judgment of some. The islands are wealthy, and this fact has aroused greed and avarice. Greed and avarice should never be allowed to have a place in the dictation of national legislation.

The principle upon which the American Government is founded is stated in the Declaration of Independence in the following language:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed, that whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

The Declaration proceeds to enumerate the grievances against the Crown of Great Britain. The principal ones of these are that King George kept an army in the United Colonies in times of peace and that the colonies were taxed without representation. Has there ever been a consent by the people of Puerto Rico or the people of the Philippines to a government by the United States? Are we not maintaining military authority in Puerto Rico in time of peace? Is not this very provision a taxation for the benefit of the United States of the people of Puerto Rico without in any way granting them a representation? Not a word in the entire Declaration of Independence must apply to us in our treatment of the people of Puerto Pico, Cuba, or the Philippines.

The colonies had ample cause for rebellion. Every American is proud of the fact that his forefathers did rebel and that liberty was established upon the Western Hemisphere. That spirit of the equality of men and the rights of the governed to their own self-government, the spirit of liberty, breathed through every word of the declaration of war with Spain. The war of the Revolution and the war with Spain were fought upon the fundamental American principles. And now it is advocated upon the floor of this House that we abandon the American principle in our treatment of these peoples and adopt the principle Great Britain applied to us when we were her colonists. [Applause.]

Mr. Chairman, I hope that the gentlemen in this House will pause and deliberate before they so act. There is not one of us who, if he can cast aside all consideration of money and look at this question not from a partisan but from an American standpoint, will deny these people their liberty and will vote to give these people either admission upon terms of equality or independence in the matter of their own government.

I want to read to this House a paragraph from the Farewell Address of President George Washington:

The unity of government which constitutes you one people is also now dear to you. It is justly so, for it is a main pillar in the edifice of your real independence, the support of your tranquillity at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth, as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your National Union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety, discountenancing whatever may suggest even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

It is a national maxim: "United we stand; divided we fall."

Mr. Chairman, President McKinley is reported to have said in a speech at Pittsburg that Puerto Rico and the Philippines were as much ours as Louisiana or Texas. Granting this to be true as against Spain, the United States could not under the Constitution sell either Louisiana or Texas by a treaty. They could not sell Puerto Rico or the Philippines. The nations of Europe deal in islands; they buy them, they sell them, and they trade them. Under the peculiar form of government we have in the United States this Government can not go into business as a real-estate speculator with a view to profit and loss. This Government is a chain of States, and it is only as strong as is the weakest link. For us to have a republican government on the continent, a despotic sultanship in the island of Sulu, a military government in Puerto Rico, a protectorate in Cuba, an aristocracy in Alaska, and possibly a monarchy in Hawaii is to entirely destroy the foundation of the Union, and it will be impossible for us to hold these discordant elements together.

I do not wish to be severe in my criticism of those who do not agree with me, but I warn them that this new policy will disrupt the Union and make the words of Lincoln in his first inaugural address apply nearly as strongly to-day as they did when spoken:

We are not enemies, but friends. We must not be enemies. Though passion may have strained it must not break our bonds of affection. The mystic chords of memory, stretching from every battlefield and patriot grave to every living heart and hearthstone all over this broad land, will yet swell the chorus of the Union when again touched, as surely they will be, by the better angels of our nature.

We have been termed by the press expansionists and antiexpansionists. The terms are misnomers. No one would call it expansion to add these little bits of islands scattered thousands of miles apart, the aggregate of which would not result in as much expansion as did the decision of the United States Supreme Court in the controversy concerning what is known as "No Man's Land." That decision expanded this country more than these conquests did. There was never anything said or thought about this decision. There was more expansion in No Man's Land because there was more room for expansion. It is impossible for the United States to expand in Puerto Rico, because the island is over populated now, as are the islands of the Philippine Archipelago, and in both instances there is no room for expansion, but only room for contraction.

There are no anti-expansionists in the United States. The United States have expanded in territory, wealth, and population more rapidly than any other country in the world. The settled policy of the United States has been to add contiguous territory as rapidly as such territory can be assimilated into the Union. No one is trying to overturn this wise policy. The State of Texas alone has enough unoccupied land to supply our needs for many years to come. When all of the States of our Union have become so developed that new lands are necessary the opportunity will arise, as opportunities have arisen in the past, for us to still further extend our boundaries. We want the Stars and Stripes to float over none but freemen. We want America for Americans. We don't want Americans that can not be Americanized. We want to exert our great strength in bestowing the blessings of freedom upon the people of other lands and to encourage the cause of liberty throughout the world. We have been a world-power for good ever since the Declaration of Independence was signed, and we want to continue to be a world-power for good until the end of time. [Applause.]

Mr. Chairman, I hope that we will deliberate upon this bill as Americans, and not as partisans. I hope we will carry out the spirit of the Declaration of Independence and of the resolutions declaring war with Spain. Let us not lessen the dignity which we now have in the eyes of the world on account of our noble war for the sake of humanity by a party squabble as to how to make the most of the spoils of the conquest. I want to deal with this question under the broad principles expounded by the Declaration of Independence and perpetuated by the stars and stripes of the American flag. I do not want to wave the dollars. I want to wave the principles. I do not care whether the Philippines were worth $20,000,000 or nothing at all. If, with the expenditure of $20,000,000 or any other sum, we can carry out the principles of our just and glorious war and enable struggling people to be free, I will consider it money well spent; but to try to make a profit out of the liberties of our brethren in any part of the world is beneath the character of the American people. [Applause.]

We have no internal dissensions. The flag is revered by all. The South and North stand together, guarding the sacred charge of national peace and unity. This wonderful Republic of ours, unparalleled in its onward and upward career, has expanded from 13 States, with a population of 3,000,000, to a gigantic power of 45 States, with a population of 80,000,000. Let the blood of the heroes of the Revolution, of the war of 1812, of 1861, and of the Spanish war incite in all Americans the true spirit of the founders. Let us read anew the Constitution and the famous Declaration of Independence, and not forget the patriotic devotion which led these men to the field of mortal conflict, and emulate the spirit of self-sacrifice which animated these heroes to the strife for perpetuity of the Republic. We should always bear in mind the terse and significant saying of Jefferson: "Eternal vigilance is the price of liberty." It is a price which must be paid or liberty must be lost, substantially at first and formally at last. Liberty flourishes not like the weeds in the field, without labor or attention, but like the useful grain, which requires painstaking culture to maintain its life and perishes by neglect.

The new problems now upon us call for a wise and speedy solution. Casting away the bonds of mere partisan feeling and prejudice, let us apply ourselves to the task of working them out for the highest interests of our country. The nation's heroes died for it. Let us accept their legacy of honor and live for it. Let us not neglect our means of salvation. We have these at our command; the destiny of the nation is in our hands. The world is waiting the issue of their final decision.

We have a weapon firmer set
And better than the bayonet;
A weapon that comes down as still
As snowflakes fall upon the sod;
But executes a freeman's will,
As lightning does the will of God.

If we employ it against the powers of evil, we can make our nation the joy of all the earth; and in every latitude and clime, whether at home or in distant lands, it will be the highest boast of every man, "I am an American citizen." [Applause.]

Mr. HEMENWAY. Mr. Chairman, I now yield fifteen minutes to the gentleman from Pennsylvania [Mr. SHOWALTER].

Mr. SHOWALTER. Mr. Chairman, I am heartily in favor of this appropriation, and, believing that there is no doubt of its passage, I will, under the rule prevailing in the House, devote my time to the consideration of another subject.

Mr. Chairman, in the summer of 1898 I was invited to make an address at a presentation of the flag, by the young ladies of my town, to the public school. I said in part: "I congratulate the young ladies upon the result of their labors. They have wrought a beautiful work. I congratulate them because of the patriotic spirit that prompted them to this service. It is the same spirit as exhibited by their mothers in earlier days, a spirit of devotion and love of country, and why not? For who has sacrificed more for the dear old flag than the mothers, wives, and sisters of our land? For it they poured out their heart's richest treasures; for it in silence and alone they endured untold anguish for loved ones battling that it might float in freedom's air. For it they have suffered, for it they have trained their sons to die if necessary in its defense. All honor to the noble women of America for their devotion to the flag of their country. That flag represents the hopes and aspirations of millions of our race. It is the emblem of freedom. It represents more to-day than ever before in its history. Under its beneficent folds has recently been fought to a successful issue the most holy war ever waged—a war for humanity. Under its shining stars the immortal Dewey and his brave sailors won the greatest naval battle ever fought and placed the flag of their country and the American eagle in the far distant Orient—there, let us trust, to remain forever.

"I for one am in favor of keeping what we have conquered, and never returning to the blighting, damning rule of Spain one foot of land wrested from her by the courage, the valor, and the blood of American heroes. When we declared war we deliberately declared to the world that we did not desire any new territory, and we meant it. But a power higher, greater, than the American Congress ordained otherwise. Without intent upon our part, we have been irresistibly swept, as by an avalanche, into a position from which we can not in honor recede. We have become a world power. The God of nations has a work for us to do. Boys and girls, prepare yourselves for the great work. No greater or more golden opportunities were ever offered to the educated, intelligent young men and women than will be offered to you upon your graduation.

"With rich opportunities at home for advancement, the acquisition of Hawaii, Puerto Rico, and the Philippines waiting with outstretched arms for your coming to colonize, educate, Christianize, and govern, will give you advantages and opportunities undreamed of in times gone by. May you be ready and prepared for the high duties that await you; may you ever maintain as your fathers have the dignity, honor, and glory of the flag!"

I quote this part of my address upon that occasion that you may know that I am no recent convert to the doctrine of expansion. At that early day, long before the signing of the treaty with Spain, when few public men had expressed their views, when nine-tenths of the Republican press were opposed to the permanent retention of the Philippines, I was a firm believer that the God of nations had a duty for us to perform and that duty could only be performed by permanently retaining Puerto Rico and the Philippines.

What else could we do with these islands? We could not turn them back to Spain; we could not leave them, unarmed for defense and untried in statecraft, to the horrors of domestic strife or to partition among European powers. We had assumed the responsibilities of victory, and wherever our flag has gone, there the liberty, humanity, and civilization which that flag embodies and represents must remain and abide forever. The civilized nations of the world and wise and patriotic men of all parties in our own land now see that there is but one course for us to pursue, and that course is being pursued by our able and wise Chief Magistrate.

Once and for all time let it be known that we are in lawful possession of the Philippines, with a double title, that of conquest and that of treaty—a title as indisputable as that of California or Alaska. Let it be known that that generation is yet unborn that will ever see them abandoned to another power. America acquires territory; she never surrenders it. And how shall we govern the Philippines? Govern them as Jefferson governed Louisiana—under the Constitution, which grants the power to acquire territory or other property anywhere, and govern it as we please, the inhabitants having the constitutional guaranty of civil rights and such political rights as Congress may confer under that provision of the Constitution which says, "Congress shall have power to dispose of and make all needful rules and regulations respecting the territory belonging to the United States." This constitutional power is not longer seriously doubted by anyone save the "constitutional lawyer."

The preponderance of constitutional authorities, headed by Gouverneur Morris, Daniel Webster, and Thomas Benton, and an unbroken tendency of decisions by the courts of the United States for the last fifty years, from Chief Justice Waite and Mr. Justice Miller down to the most recent utterance on the subject, that of Justice Morrow, of the circuit court of appeals, sustains this power. We are in the Philippines as we are in the West Indies, because duty called us and we responded to the call. Shall we now prove recreant to the opportunities that are showered upon us? Never in all history has such opportunities been thrust upon any nation. Are we equal to the occasion? The two richest archipelagoes in the world are in our possession.

The largest ocean on the globe is in our hands—the ocean that is to bear the commerce of the twentieth century. The Philippines are the gateway or foothold for our trade with China. They command China, India, the Orient, the whole Pacific for the purposes of offense, defense, and trade. China's foreign commerce in 1897 was $286,000,000, in round numbers, of which we had less than 9 per cent. In ten years we will have 50 per cent. China only has 350 miles of railroad for her 400,000,000 people—less than a mile to the million of population. In ten years she will likely have 10,000 miles. Her trade is the most powerful commercial factor in our future.

The 400,000,000 American citizens of the twentieth century demand that we retain the Philippines and the command of this great trade for them. Shall we prove recreant to the duty that posterity imposes? Shall we yield to the demand of the unpatriotic so-called anti-imperialists and surrender this rich possession with its command of this vast trade? Shall the historian record that at this unexampled crisis in our history we were timid and short-sighted and were unequal to the duty of the hour? Shall we prefer, with the the teeming population that the century will bring us, to be a "hibernating nation, living off its own fat," a "hermit nation?" Not to do our duty now means the perpetual isolation of this continent. We will do our duty now, as we ever have in the past. Every pledge made by the Republican party has been redeemed.

Many stirring events have transpired since the 4th of March, 1897. Our party, led by its matchless chieftain, William McKinley, has gained new victories and won fresh laurels. It has proven itself, as it ever has from the day of its birth down to the present hour, able, patriotic, prompt, and fearless in the discharge of every duty. When it came into power the country was straggling for existence, handicapped, burdened, and oppressed by the operations of the obnoxious tariff law of the last Administration. Under the malign influence of that law, our mills and factories and forges were closed, 2,000,000 American workingmen were thrown out of employment and idle; every industry languishing, business of all kinds paralyzed, with the national debt increased in a time of absolute peace to the extent of $262,000,000.

The Republican party came into power and was equal to the occasion. It promptly redeemed its pledge and gave to the people a new tariff law, every line of which is American, and under the benign influence of which every industry except that of the "soup house" has revived. Work for the workingman, business for the business man, good prices for the products of the farm, with more than a sufficient revenue to run the Government on a peace basis, and prosperity for all has been the result of this wise enactment. The party redeemed its pledge on the money question and maintained the national honor. The passage through the United States Senate by the Demo-Populists of the TELLER resolution, providing for the payment of our bonds in silver, was overwhelmingly defeated in the House of Representatives by a united Republican phalanx, thus maintaining and preserving our national honor. That day, January 31, 1898, was a momentous one in the history of our country.

To the minds of many the situation that confronted the American Congress on that day was of greater moment, freighted with more evil consequences and peril, than the situation that confronted the country in the dark days of the early sixties. Then it was a question whether the Government handed down to us by

our forefathers should be maintained as a single republic or whether we should have two republics in these United States. It was a question of union or disunion. On the 31st of January, 1898, it was a question of honesty or dishonesty, whether we should be honest with our own people and the people of other lands, or whether we should be dishonest with our own people or the people of other lands. It was a question of honor or dishonor. The United States Senate had passed the resolution declaring in favor of paying our just and honest obligations in 44-cent dollars. It had declared virtually for repudiation of 56 cents on every dollar of our debt. The Republicans of the House of Representatives deserve the thanks of the American people for preventing this great nation from being plunged into the vortex of national repudiation, dishonor, and disgrace.

May that policy never prevail which will sully our fair fame and make us a reproach among the nations of the earth. The Republican party established our finances on a sound and solid basis, and it intends to keep them there. The country can rest assured that as long as the Republican party is in power the national credit will be maintained, and not only will our national bonds be paid in 100-cent dollars, but also will our workingmen in factory, forge, and field and everybody else receive their pay in 100-cent dollars. The wild theories of our misguided free-silver friends find no place in our midst, and I firmly believe that when the American people again get an opportunity they will bury them under an avalanche of ballots so deep that they never again will be resurrected.

The Republicans of the House of Representatives deserve the thanks of the nation for their patriotic stand on the Cuban resolutions. From the day that our noble battle ship with her 266 brave sailors went down to death in the dark, sullen, and mysterious waters of Habana Harbor, victims of cruel, treacherous Spanish hatred, I knew, everyone who felt the public pulse knew, that nothing but armed intervention in the affairs of Cuba, to the end that the struggling patriots fighting for liberty and independence should be free, would appease the just and awful wrath of an aroused, awakened American conscience, but it was important that no false or unsound position should be taken. We were making history, we were writing legislation for the emulation of the nations of the world. To take a false or uncertain position was to create dissensions at home and annoyance and interference abroad.

How wisely the Republicans of the House of Representatives acted during the strain and excitement of many long and wearisome hours of continued session let history and a grateful people tell. We entered upon a war for humanity, the most holy war ever waged, the result of which no one ever doubted—the freedom and independence of Cuba. We entered upon this struggle to rescue and succor starving childhood and outraged womanhood, over 300,000 of whose starved and outraged bodies had enriched the soil of Cuba in the past five years. That we did right every patriotic citizen believes. We expected no recompense except the approval of our own consciences and the smiles of an approving God. That we are to be recompensed by the acquisition of valuable territory is now certain.

The proper government of these territories for the time being devolves upon the Republican party; upon its wise and patriotic leader, the President of the United States, whom to know is to honor and to love. The American people, the civilized world, are looking to us, expecting, demanding, that we restore peace and order in the Philippines, and they shall not be disappointed. Peace and order shall prevail there even though it takes our last dollar and last gun. The insurrection must be effectually crushed, so that peace, tranquillity, and freedom shall be established and maintained. Under the flag of the Republic and the honest administration of wise laws these beautiful islands are destined to become the abode of a contented, prosperous, happy people, loving and revering the Stars and Stripes, enjoying a liberty and freedom undreamed of by their wildest enthusiasts.

I deplore the attacks upon the Administration on account of its Philippine policy, because of the encouragement it gives to the Filipino insurgents, great encouragement; and hope and a determination to continue fighting has been the result of these attacks. These are well-substantiated facts, as witness the statements of the lamented, courageous Lawton, of General Wheeler, and many others in the Philippines. Every such attack coming from the Senate or House rings the death knell to an American soldier. Let us as patriots forget that we are partisan and rise above such detractions; let us support, instead of censure, until every armed insurgent lays down his arms and acknowledges the sovereignty of the United States. [Loud applause.]

Mr. HEMENWAY. Mr. Chairman, I yield seventeen minutes and a half to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Chairman, I did not think twenty-four hours ago that I would ever again address the House of Representatives on the subject of the civil-service law and its administration. I have stood in my place on this floor, a good deal of the time almost alone, at other times with eloquent and able support, and have pointed out to the House of Representatives, and indirectly to the country, some of the fallacies and errors of civil-service literature and arguments. But we had a committee appointed at each Congress since 1883, nominally called "The Committee on Reform in the Civil Service," and had in the two branches of Congress introduced and referred to that committee and its kindred committee in the Senate bills running up in number to the thousands, bills for the repeal of the law absolutely, bills for every form of modification that genius and statesmanship could devise, and yet up to to-day there has never been in this House a report on a single one of those bills.

That which has suggested itself to my mind during all this period of time has been that that committee has always been so constituted that it hovered with patriarchal anxiety over this bantling of mistaken education, and was afraid to trust the representatives of the people with any measure upon which it might ingraft an amendment that would have expressed the views of the House of Representatives. And so we have had the door locked and the pigeonhole stuffed full of measures and no reports. The facts which have changed my own views about again speaking to the House happened here on yesterday, when the distinguished gentleman from Indiana, in charge of the pending bill [Mr. HEMENWAY], representing, as I assume he does, the views of at least a majority of that great Committee on Appropriations, had courage enough to tell the country something of what is going on under this beautiful administration of the civil service of a great country. [Applause.]

For once there has been some light thrown in, and the people of the country have an opportunity now to see the open door behind which there is a vast amount of information not yet brought to the knowledge of the country.

Now, in the very brief time I shall occupy I shall attempt to go back to the civil service of the country at the time of the adoption of this measure in 1883, and I shall put into my address extracts from the speeches of Governor Morton and the speech of Senator Ingalls, and from the declarations of the Secretary of the Treasury at that date, all of which I will put in, with the names and quotations properly given, in support of my proposition that at the date of the passage of this law in 1883 the civil service of this Government was a model in the estimation of every honest man and in the estimation of the people not only of this country but of the world.

I will show you that by the framers of this measure, the utterances in favor of the efficacy of the then civil service, it was so admitted on the record of both Houses of Congress. No man lifted up his voice to say that so far as benefiting the civil service of the Government there was the slightest necessity for this bill. I challenge any man on this floor to put his finger on an utterance of the character to which I have referred. Not only that, but the great leaders in the debate in both Houses, of both parties, the Secretary of the Treasury and the heads of the Departments, came forward with one voice and said that so far as their Departments were concerned they were run in the most efficient and valuable manner. What, then, was the demand? It came confessedly for a single purpose. We had had a long line of Republican administration, beginning in 1861.

Mr. LIVINGSTON. Will the gentleman allow me one suggestion? He will find that in the hearings before the Appropriations Committee the declarations from the War Department and other Departments were that those temporary clerks were doing just as efficient service as those on the permanent roll.

Mr. GROSVENOR. I thank the distinguished gentleman. I should have come to that. But I am very much obliged, nevertheless.

What, then, was the object? We had had, as I was proceeding to say, a long line of Republican administration, and partisanship had assumed control, in effect, of all the Departments. We had gone from 1861 to 1883 without any Democratic administration; and Mr. Pendleton, the author of this bill, frankly said that his whole object was to bring about a division of offices between the Democrats and the Republicans. Nobody thought of any other proposition.

These gentlemen who to-day are exercising a power in this Government dangerous to the very principles of the Government never had a dream at that time that there was a necessity for anything else than a division of the offices. Mr. Pendleton so declared; and further than that, he was so uncertain in his own mind as to the efficacy of his bill that he put a limit upon the number of offices that it should cover, saying that not over 10,000 at the outside in the whole United States would be covered by it; and in urging the measure he advocated it as a tentative measure, saying that he hoped it might work well, but did not know whether it would or would not.

Mr. RICHARDSON. One suggestion, if the gentleman will allow it. The gentleman from Ohio was about as much responsible for the St. Louis platform as any other man in the country.

I should like to know why he consented to put in that platform a declaration in favor of the extension of the civil-service system?

Mr. GROSVENOR. Mr. Chairman, why has the gentleman from Tennessee acted the fool a great many times in the matter of platform making? [Laughter.]

Mr. RICHARDSON. I confess I can not answer an argument like that.

Mr. GROSVENOR. Nor can I answer your question in any better way than that.

I have very often said on this floor that the details of these convention platforms make no impression upon anybody. There were two things at St. Louis that we were looking after; and when we had got those into the platform we cared but little about the declarations which might be made by the little fellows who went about "declaring"——

Mr. RICHARDSON. The gentleman's remark, as I understand, implies that he is wiser now than then.

Mr. GROSVENOR. I was as wise then as I am now.

Mr. RICHARDSON. If the gentleman is wiser now than then, he must admit that the platform upon which Mr. Bryan made his campaign four years ago was founded in wisdom, because that platform did not advocate the extension of the civil-service system. So the gentleman can now be welcomed to a position on the Bryan platform.

Mr. GROSVENOR. God only knows whether that will be of any avail when the next campaign comes. [Laughter.]

But I do not want to consume my time on any extrinsic matter, as I have only seven minutes and a half left.

Mr. RICHARDSON. The gentleman will remember that the President in his letter of acceptance and in his inaugural address approved this civil-service system.

Mr. GROSVENOR. That straw has been thrashed out here so many times that my friend will allow me to say it is unworthy of him to bring it up again when there is so much new straw that could be thrashed out just as well.

Now, I have pointed out that it was never claimed by the friends of the original civil-service bill, first, that it was needed because of the condition of the public service, or, second, that it was anything but a tentative measure for the purpose I have indicated. Now what is the condition? We have gone from 1883 down to the present time, and here comes this great committee of the House, and, speaking through the gentleman in charge of this bill, lays before the country a very faint and modest description of what we have come to. I heard a high officer of this Government, holding a position nearly up to a Cabinet position, say not very long ago that he would take a contract, and give bond to carry it out, to pay all the expenses of running these Departments in the city of Washington for 50 cents on the dollar of what they are costing to-day, and would grow to a millionaire's position every year that he could have the contract.

I quote the following from the debate of yesterday on this bill:

Mr. CRUMPACKER. I should like to have a little more information about the condition of the public service in the various Departments. I would ask the gentleman if he knows or can approximate the number of incompetent employees in any one of the Departments?

Mr. HEMENWAY. I should say that in the office of the Auditor for the War Department the statement shows that 10 per cent of the employees are—well, you might say, incompetent.

Mr. CRUMPACKER. Ten per cent?

Mr. HEMENWAY. Their efficiency is very low.

Mr. CRUMPACKER. Is there a like percentage of incompetency in all the other Departments?

Mr. HEMENWAY. In the General Land Office the Commissioner, Mr. Hermann, estimates that 40 out of 400 are incompetent.

Mr. CRUMPACKER. That is 10 per cent.

Mr. HEMENWAY. That is 10 per cent. Here are two very competent officials whom I have selected from the list—the Auditor for the War Department and the Commissioner of the General Land Office. Their estimates show 10 per cent of incompetent employees.

Mr. CRUMPACKER. And the chiefs of these various Departments make that admission in letters addressed to your committee, do they?

Mr. HEMENWAY. Well, either in hearings before our committee or in letters.

Mr. CRUMPACKER. And do they confess their inability to correct that evil?

Mr. HEMENWAY. They confess their inability to correct the evil.

Mr. CRUMPACKER. Under the operation of the civil-service laws are they not required to discharge incompetent men from the public service?

Mr. HEMENWAY. They are, but like all of us they are human, and while I have no desire to criticise Members of the House or Senators of the United States, when a number of Senators and Members of Congress come to these gentlemen and insist that an employee shall not be discharged, the gentleman can readily understand how difficult it is.

Mr. CRUMPACKER. The bill reported by the gentleman carries an appropriation for the payment of these incompetent employees, I presume.

Mr. HEMENWAY. It certainly does, because the committee has no way of ascertaining who these persons are.

Mr. CRUMPACKER. And no power to discharge them, of course.

Mr. HEMENWAY. No power to discharge, and we are simply bringing this fact before the House that they may understand the conditions. The Committee on Appropriations, by inserting the provisions found in section 4, on page 124 of the bill, has undertaken, by repeating what is now the law, to call attention to this condition and to bring about the discharge of these incompetent employees.

* * * * * * *

Mr. SHATTUC. May I ask the gentleman a question?

The CHAIRMAN. Does the gentleman yield to the gentleman from Ohio?

Mr. HEMENWAY. In just a moment. I will read section 4 of the bill.

"That the appropriations herein made for the officers, clerks, and persons employed in the public service shall not be available for the compensation of any persons permanently incapacitated for performing such service."

Mr. CLARK of Missouri. Where is that provision to be found?

Mr. HEMENWAY. That is on page 124 of the bill. The committee seeks by this provision to call attention to what is now the law, and thereby to prevent the payment, out of sums appropriated by this bill, for the services of incompetent employees; but gentlemen may stand here and talk about this during this session of Congress and the coming session of Congress, and the incompetent employees will stay in the Department. If the head of a Department goes to a chief clerk and down the line to try to ascertain who are incompetent, I will say to you that he has a very hard job, because they do not try to aid him in picking out the incompetent employees. And why?

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

Mr. HEMENWAY (continuing). Because they are there together, they have been there together for years; friendships there are just as they are here; and they are not going to try to get the old incompetent fellow out that has been there for many years. We have got to have some legislation upon this question that will remedy this evil; and if we do not, it is going to keep on growing and growing until we are going to have a great civil pension list.

Mr. SHATTUC. Is it not your opinion, if the heads of the Departments should dismiss these men and put in the men that Congressmen and Senators recommend, that the Senators and Congressmen would not ask them to keep these incompetent people?

Mr. HEMENWAY. I have no doubt that is correct, because when you give them the right to employ another man they would recommend competent men.

Mr. SHATTUC. Would it not be better for spoilsmen to recommend men who would be competent rather than to keep the incompetent men in the way they are now being kept?

Mr. HEMENWAY. In reply to the gentleman's question, I can only say, with reference to this temporary force that has been employed, it is admitted by those who favor civil service and are at the heads of the different Departments that this temporary force, placed there within the last two or three years, is a very competent force; that they are more competent than the force secured through the civil service. They are younger men, men better qualified for the particular service to which they are assigned, and all along the line more efficient than the force secured through the civil service.

Mr. PEARRE. I would like to ask the gentleman this question: Does he think it likely that the heads of the Departments and bureaus will appoint more competent men to the positions than those recommended by Members of Congress and Senators; in other words——

Mr. HEMENWAY. In reply to that, I will say that when they ask for the appointment of any particular class, they designate the kind of a man they want. If they want an accountant, they say to the gentleman, "Will you furnish me an accountant?" and if they want an accountant you would not send them a laborer. It is the experience that Members of Congress and Senators, if given the opportunity to furnish a particular kind of man, furnish that kind.

* * * * * * *

Mr. CLARK of Missouri. That being the case, does not the gentleman think there ought to be established an age limit, on attaining which employees should be retired, just as there is an age limit in the Army and Navy?

Mr. MOODY of Massachusetts. I do. Although I believe in the present civil-service system, yet I will say that if we do not do something to meet this question of superannuation the service will break down.

Mr. WACHTER. I should like to know if the gentleman from Indiana [Mr. HEMENWAY] can inform us what percentage of these incompetent employees are females?

Mr. HEMENWAY. We have no information on that subject.

Mr. GROSVENOR. Will the gentleman from Indiana allow me to ask the gentleman from Massachusetts [Mr. MOODY] a question?

Mr. MOODY of Massachusetts. I supposed that I was through with the gentleman from Ohio on this question.

Mr. HEMENWAY. I yield to the gentleman from Ohio.

Mr. GROSVENOR. The gentleman from Massachusetts has stated that the Commissioner of Pensions has said that if he could only discharge 100 clerks and fill the remaining places with persons of his own selection he could thereby greatly benefit the service. Now, does not the gentleman admit that the Commissioner of Pensions can not do this under the beautiful, far-reaching administration of the civil-service law; that where the removal of incompetent employees is desired there must be a trial before a sort of court, with a prescribed set of rules, to act upon each one of these individual cases?

Mr. MOODY of Massachusetts. In answer to the gentleman from Ohio I will say that I believe the provision to which he refers, but which I do not understand to go to the extent he describes, was an unwise provision. But I do not understand that there is any difficulty in the way of the head of a Department discharging any of his subordinates if he will certify that they are incompetent.

Mr. GROSVENOR. Is there not an Executive order forbidding that identical thing being done?

Mr. MOODY of Massachusetts. I do not so understand.

Mr. GROSVENOR. Was not such a provision inserted within a year upon the demand of the civil-service organization?

Mr. MOODY of Massachusetts. I do not so understand. I do understand that a man can not be discharged except for cause stated, and after an opportunity to be heard.

Mr. GROSVENOR. Very good; that is just what I said.

Mr. MOODY of Massachusetts. But I venture to say that if the head of a Department, who is responsible for his work, undertakes to assert that the man is incompetent, that would be a sufficient reason for discharge. If that is not so, it is time Congress should go to work and make it so.

Mr. GROSVENOR. We know they should; but they will not do it. The idea of the gentleman from Massachusetts seems to be that if the head of a Department will only assert himself he may repeal the order of the Executive forbidding him to do what he undertakes to do.

Mr. MOODY of Massachusetts. I do not so understand the matter at all.

And nobody doubts that any business concern in the country could take this entire concern under its administration and for 50 cents on the dollar do all that is done now and do it in a much more satisfactory manner.

Let us see. Ten per cent in the War Department; 100 worthless clerks in the Pension Office; 10 per cent on an average throughout the entire Departments. And now comes the Committee on Appropriations. Would any of these gentlemen go upon the witness stand and testify that 10 per cent of worthless clerks is the limit? Far from it. And yet when we come to cross-examine the gentleman from Massachusetts and the gentleman from Indiana we find, first, that the Departments refuse to report the names of these inefficient clerks; second, they refuse to obey the

law which requires them to discharge such clerks; and third, that there is no system by which they can be discharged without a proceeding that is mortifying to the helpless clerk and disgusting to the chiefs of Departments.

The order of the Executive that compels written charges and a hearing is equivalent to a trial in every case, and he who turns off a clerk on any ground other than that violates the statute of his country. That is all there is about it, and that order was made upon the demand of the civil-service organization of the United States. I have their address, in which Mr. Carl Schurz and others declared that without that order the civil-service law was inoperative, because the heads of Departments might discharge without giving the reasons for it. And so at last that, as one of the improvements of the organization, stands across the pathway of any removal except for cause, that cause to be stated in writing and the party to have a hearing upon that question of cause.

Now, what is the answer to all this? Why do they not discharge them? For a very good reason, gentlemen. No chief of a bureau would consent, with his eyes wide open, to-day, to discharge even an inefficient clerk who had some knowledge of the routine of the office and trust to an academic competitive examination to fill the place. That is the whole of it. That is where the whole evil comes. It comes of the fact that these Departments are unwilling to hazard the result of an application to this Bureau that has the patronage of the Government by the throat and is administering it in a way that ought to be condemned by every honest man in this country. [Applause.]

That is the reason why the Departments suffer the evils that they have "rather than fly to others that they know not of." That is the whole of it, and we must come forward as the representatives of the people and abate this nuisance or we will never have it abated. What is the answer to it all? I stand upon the platform of the Evans bill of the last Congress, a measure that covered all the clerical service of this Government here, covered all the clerical force in the Railway Mail Service of the United States, covered all the great post-offices and custom-houses of the country, and simply provided for a tenure of office such as you have, a tenure of office such as the President has, a tenure of office such as the Senate has, and then provided at the end of the four or six years the young fellow might go out and go home, unless the chief of his bureau or his Department desired his retention, and provided for a bureau to examine as to his fitness.

It is true, as the gentleman from Georgia has said, that there never was a more efficient set of clerks ever put into the Departments in Washington than the temporary clerks under the Army bill. There is no more efficient service in all this country than these men have made here. Why does not the Civil Service Bureau, that has made war upon these clerks in every possible way, and tried to drive them out, tried to prevent their promotion, done everything to humiliate them that they possibly could—why do they not come forward and point out to the people of the country some failure in that service, which came upon the recommendation of Congressmen and went into the Departments to rescue the Government from the hands of the inefficiency that had cursed the Departments for lo, these many years? Why did they not point out where some of these men have failed?

I tell you, my countrymen, I shall not agitate this question very much longer. I do not care very much about it. I care nothing about it from a personal standpoint. But when I see 25 per cent, 30 per cent, 40 per cent, 50 per cent of this enormous expenditure of my country's money paid out to uphold a mere theory that has no foundation in practical justice or practical effect, I am disgusted with the whole subject of the administration of the Civil Service Bureau, and the people of this country will inquire into it some of these days, and they will inquire into it in a way much more effective than the passage of the Evans bill would have been, and the time will come when the advocates of this measure that has thus ruined the administration of these Departments will wish that they had accepted the Evans bill as a just compromise, rather than to have made war and carried on this devastation against the best interests of the country. [Applause.]

Under the permission to extend my remarks, I reproduce in support of my argument here portions of a speech which I had the honor to make upon this subject in the House of Representatives of the Fifty-fifth Congress on the 19th day of July, 1897:

THE ORIGINAL CIVIL-SERVICE LEGISLATION—THE PRESENT PRACTICE A WIDE AND UNJUSTIFIED DEPARTURE.

Mr. Chairman, I come now to discuss, in connection with the aggressions and growth of this bureaucracy the original idea of the promoters of this legislation. Had there been a suggestion to Congress in 1883 that this law would have been construed as it has been and the power of the Civil Service Commission have grown until it denounced the President and Cabinet officers and Congress, it would not have received 10 votes in either branch of the legislative body, and I make this statement in the light of the proof before us.

The original effort, following the law of 1853, was the effort of Mr. Jenckes, who played to the public galleries in 1866-67. He struggled on and on, and encountered defeat in the Thirty-ninth Congress by a vote of 72 to 66 in the House, 52 members refusing to vote. This chimerical system, which has since grown into an enactment, was spit upon by the distinguished members of Congress of that day, and it is pleasant now to consider that among the great statesmen of the hour who voted to table the whole business we find the names of Mr. Blaine, Mr. Kasson, Senator Wilson, Secretary Windom, Senator ALLISON, and Mr. Boutwell, while Conkling and Garfield refused to vote.

At that time Mr. Jenckes was challenged over and over again to bring forward any reason why such a law was to be passed. He was never able to do it, and finally, after his defeat, as above stated, he abandoned the field, so far as Washington and the Departments were concerned, and undertook to try and reach inefficiency, as he called it, in the customs and internal-revenue service. After the defeat and death of Mr. Jenckes, Mr. Schurz, who has never refused an office from any party, no matter what its principles were, brought the same bill into the Senate, but it was sidetracked by a production of Senator Trumbull, entitled "An act to prevent importunity and to maintain the independence of the Departments." "Senators wanted one thing," as has been well said by another, "but the civil-service 'reformers' wanted another, and finally they both joined hands, but for different objects, to reach the same result."

Mr. Ham, a most able and lucid writer upon this subject, has recently published a small pamphlet in which he reviews, with historic accuracy, the rise and promotion of this heresy. The Albany (N. Y.) Evening Journal quotes Mr. Ham with the following indorsement:

Mr. Ham treats the subject of civil-service reform, modeled after the English experiment, intelligently and candidly.

This candid writer says:

DENUNCIATION OF SPOILSMEN.

At this juncture the most alarming statements were made in the public press and on the stump concerning the condition of the civil service. It was alleged to be corrupt, inefficient, and wholly under the control of Congress, and the country was flooded with untrue, unjust, and most malicious allegations and insinuations. The people were told that the country had come under the yoke of an office-holding oligarchy (Grant) and that its power was poisoning the vitals of the Republic. Every man who failed to fall down and worship at the British "competitive" shrine set up in the market places by Dorman B. Eaton was denounced as a "spoilsman," and the very air was pregnant with the clamor of the demagogue and the applause of those who innocently followed in the wake of ambitious politicians cloaked in the garb of civil-service "reformers," while bells were tolled to warn the people against danger from the "officeholders" under General Grant.

Let us glance at the situation and conditions which existed about this time. The nation had just emerged from a death struggle to maintain its own existence. To raise the needed revenue, obtain supplies, and distribute them promptly to vast armies called into the field a large number of officeholders not needed in time of peace. Contractors were a necessary evil, and coming in contact with the peace contingent in office, abuses outside the Departments may have come to infest the public service. The impetus of the war force was so great, and the peril so imminent, that the final result found the Government generously tardy in coping with evils which had crept in and attached themselves like barnacles to places invested with more or less power; millions of war and other claims remained to be adjusted, and the new system of internal-revenue taxation had become necessary.

Heavy amounts of revenue were and would long require to be raised, not only to repair losses, but to reward patriotism and to pay our indebtedness. A large force must be kept employed, and, for the reasons stated, it was not entirely clean. This abnormal situation brought to the surface a lot of theorists, ambitious demagogues—reformers, some of whom were jealous of the civil and military personnel in power—who, in Congress and at the front, had carried the nation successfully through a great war. The conditions became ripe and the moment favorable to commence an agitation for anything that promised "reform."

Only a month or two after General Lee's surrender a select committee on "retrenchment" was raised in the House to investigate matters, and there was a suggestion in the resolve that the inquiry extend to the subject of appointments to office, to the examination of persons for place, and to the policy of continuing them in office for a fixed term. That was the original idea, and, aside from Mr. Jenckes's effort, that was the starting point of the present civil-service law.

A train of abuses is the inevitable result of a civil war; they would have been gradually removed without "competitive" examinations, because the trouble was not so much in the Departments as outside of them, but "civil-service reform" was sprung upon the people who were bearing heavy burdens, and they were made to believe—by diligent efforts—that the remedy lay in this pretended reform. Petitions were circulated, editorials written, and speeches made which finally resulted in an educated clamor for the civil-service scheme that was eventually foisted upon the people. Public men who had labored hard during the war in Congress and had grown weary began to gradually favor something—anything—which would relieve them from the "importunity" of those who desired places. These men were not brought to take this elixir because they either deemed the "competitive idea necessary or that it contained the elevating, eradicating, and purifying qualities claimed for it by the civil-service reformers. It simply furnished the machinery to relieve men from importunity."

For five years—from 1866 to 1871—the House of Representatives persistently refused to accept the civil-service idea, but the people had been plied with all sorts of statements relating to the public service, and they finally took alarm. Not one in ten thousand, however, comprehended what the "reform" meant. Some interpreted it to signify a decrease in taxation and the purifying of the public service and as much more as an active and imaginary mind could be wrought to conceive. But Congress refused to move, until finally the "competitive" idea was hitched on as a "rider" to a sundry civil appropriation bill during the last hours of the session of 1870.

To attach this scheme to an appropriation bill smacked of unfair method. The motion to lay it on the table escaped defeat in the Senate by barely 1 vote, and it was accepted by the House under protest from General Logan and by a minority vote. It is known as section 1753 of the Revised Statutes,

and remains in force. It thrust upon the President a responsibility which he did not desire and in a form which he did not suggest. The President had felt the pressure of "importunity" and wished to get relief therefrom, but above all he regarded the real evil to be the careless recommendations of persons for place by Senators and Representatives almost inevitable during the war.

In December, 1870, President Grant said that in mercantile pursuits "the business man who gives a letter of recommendation to a friend to enable him to obtain credit of a stranger is regarded as morally responsible for the integrity of his friend and his ability to meet his obligations. A reformatory law which would enforce that principle against all indorsers of persons for public place would insure great caution in making recommendations."

There was assuredly no "competitive" idea conveyed in that suggestion—no indorsement in it to prevent "importunity" even; no intimation that it was necessary.

TACTICS OF THE REFORMERS.

But the scheme had obtained a footing, and the reformers became supposedly intrenched behind a law which left its success or failure to rest upon the President. They at once determined to hold him, rather than themselves, responsible for any failure of the experiment; and the work of denouncing every man who declined to accept their civil-service elixir or "competitive" compound was begun with renewed vigor, at Government expense, in reports to the President. The word "reform" had been used to thrust upon the country something which the people did not want nor understand.

JACKSON AS AN EXAMPLE.

Even the idea of using the word "reform" in the manner stated was not original. That word was just as effectually employed during the Administrations of Adams and Jackson by politicians to secure Jackson's election, and to excuse his removals from office, as the modern civil-service reformers used it to bring the "competitive" idea to the statute book.

Some modern "reformers" there were who hoped the cry would capture Republicans, tear them away from their party, build up the "Liberal" movement, perhaps make Carl Schurz President. They were simply handling the word "reform" as it had been used in the days of Benton, Clay, and Calhoun; just as Mr. Benton raised a "select committee on executive patronage" in 1826 under cover of a desire to reform the civil service. He and his friends then pretended to believe that the ship of state was about to go to pieces on the rock of "patronage," and danger signals were hoisted on every hilltop and kept brightly burning. The people were told that unless something was done the nation would surely go to the demnition bowwows without confession or prayer. The cry went up that the President had too much power; the civil-service reformer of more modern times tells us that the average Senator and Representative had too much influence.

The Jackson adherents wanted their man and their principles and policy to prevail, and they raised the civil-service "reform" war cry. Jackson came to power in 1829, and six years later, in 1835-36, Clay and Calhoun combined and raised a select committee on civil-service reform. Calhoun had fallen out of line because of his stand on nullification; and, if ambitious, he also desired to punish Jackson.

The wording of the Calhoun-Clay resolve was so similar with that known as the Jenckes resolution in 1866-67 that it seems easy to divine whence the latter came. Cursory examination will convince the most skeptical that the civil-service reformers of 1866-1883 drew all their inspiration as to pretended need and necessity for civil-service reform in this country from the reports made by Benton in 1826-27, and Clay and Calhoun in 1835-36.

The Calhoun-Clay report in 1835-36 alleged that honest and capable men were dismissed to make room for the base and corrupt; that the offices were made the spoils of victory, the reward of partisan service, and the means of substituting man worship for patriotism. To these allegations the reformers of 1866-1883 added but two ideas: That the civil service was inefficient and the importunity of constituents exasperating. Benton met the attack of 1835 by saying that it proceeded from political animosities and was unfounded; that the charges emanated from barnacles who had been removed by Jackson.

Mr. Calhoun pointed out to Benton that his position was quite inconsistent with the language of his (Benton's) report in 1826, when the latter and his friends were assailing Adams, and the point made by the South Carolina Senator was well taken. Silas Wright was on the floor of the Senate and made sport of the fears expressed in the Clay-Calhoun report leveled at Jackson. He said:

"How are most of these officeholders appointed? Upon the recommendations and petitions of the people themselves, upon certificates of character, respectability, and moral worth, made by those who are neighbors and friends of the candidate, who know him personally and intimately, and most usually on the recommendation of the Representatives here of the person appointed. Are we, then, to assume that offices are bestowed as rewards for partisan service, without respect to merit?"

William L. Marcy's familiar remark, which the advocates of civil-service reform so delight to recall from its slumbers, viz, that "to the victors belong the spoils," contained a very essential appendage, which is always suppressed. Mr. Wright added, "but I do not mean to say that the victors should plunder their own camp." A very important qualification, indeed; one that carries a complete refutation of the construction generally placed on his original remark by the civil-service people.

In other words, while the political party which succeeds has a right to the offices—in order to enforce its policy and its principles upon the country, if it can—the argument was, and is, that its appointees have generally been men of character, honesty, and merit, not only that they might best serve the public interests, but to accomplish the purpose indicated; and in the very nature of things the best, the strongest, and most positive men were, as a rule, appointed. No political party will "plunder its own camp," and thus endanger its power by selecting dishonest, corrupt, or inefficient persons to hold office in time of peace.

COLLAPSE OF THE ORIGINAL IDEA.

The original law of 1871 provided that the President might "prescribe such regulations for the admission of persons into the civil service of the United States as may best promote efficiency," etc. Following the passage of that act came the zealous efforts of the reformers to prepare rules and regulations to make the scheme work out their theories. They failed, and the competitive idea finally collapsed in 1875-76. The President, General Grant, said distinctly in his message of December, 1875, that—

If Congress adjourns without *positive legislation* on the subject of civil-service reform, I will regard such action as a disapproval of the system and will abandon it. Competitive examinations will be abandoned.

Congress, wisely and deliberately, and with its eyes wide open, did adjourn without any "positive legislation." Now, in this connection it is important to see whether or not the allegations of corruption and inefficiency alleged against the Republican Administration of that day were true or false. This child of despotism was born of those declarations; whatever there is of it now had its birth and origin because of the declarations made that in 1875-76 there was a condition in the Departments at Washington that required an enactment of this character.

There was not one officer of the General Government, nor bureau, that did not denounce as an outrage the slanders upon which these proceedings were based, and it was not strange to the men of those days that slanders should emanate from certain of the sources promoting this alleged reform. The Third Auditor of the Treasury said that the clerks appointed by competitive examination were not superior to those appointed in the old way. The Supervising Architect said that the civil-service law had led to demoralization, rivalries, and intrigues, and that no examination was of any value compared with practical tests, and he advised the repeal of so much of the law as had at that time been passed into enactment, to wit, section 1753 of the Revised Statutes.

The New York naval officer said that the examinations resorted to under the old system were the means of introducing into the service appointees equally as efficient as any appointed under the civil-service law.

The First Comptroller of the Treasury said "the evils from it exceeded the benefits."

The Third Assistant Postmaster-General said that the law "fell short of properly or satisfactorily filling its mission;" but, as this writer has well said, this fusillade was kept up, and the words "spoilsman," "henchmen," "patronage," and "reform" were sung and echoed throughout the halls of Congress and throughout the air which surrounded politicians out of jobs, who had traded on their influence in the campaign preceding 1877.

Then came a determined effort, which unfortunately failed, to get rid of this whole business and go back to the simpler and more effective terms of the law of 1853, as amended. In 1872 Senator Carpenter, of Wisconsin, one of the great leaders of the Republican party, moved an amendment to an appropriation bill to repeal that law. It failed by a slender majority of 8. But in 1874 the House of Representatives did attach an amendment to repeal the civil-service law of 1871. The Senate refused to concur, but moved to amend by striking it out and to give $15,000 to enforce the law, and in conference the action of both branches failed and civil-service reform substantially came to a dead stop. The effect was, is, and remains that the competitive system was abandoned and denounced all along its pathway up to this date.

THE REAL OBJECT OF THE LAW.

The real object of the law, it was claimed at the time, was to make men in public stations accountable for their recommendations, and Senator Morrill said that he desired to prevent intoxication among employees; and yet, as Mr. Ham has well said:

The average civil-service reformer of to-day will say that the one great purpose of the act of 1871 was to bring greater efficiency to the service; to destroy the patronage power of the politician. With this contrariety of ideas it is little wonder that the competitive idea of 1871 came to an untimely end. Senators did not concede that there was corruption or inefficiency in the grades which the law would reach.

No greater scandal or outrage was ever perpetrated upon the fair name of the American people than at the beginning of the civil-service law. There was no necessity for greater efficiency or purer morals in the Departments at Washington or in the great bureaus in other cities.

The Senators of 1871 made swift progress to denounce the whole business, and addressing himself to the Trumbull bill in that year Senator Morton, of Indiana, one of the great leaders of the Republican party, said:

It is said that there are a large number of incompetent and worthless clerks employed. Is that true? I believe the clerks here are as competent and as well qualified, and men of as good character, as can be found in any country. I believe our civil service is now conducted as well if not better than at any former period of our history. We have gone on improving and reforming, and the civil service is getting better from year to year.

Senator Cameron, the great champion of the party in Pennsylvania, said:

Take them all together, I do not believe there is a more efficient, a more honest, a more useful, and a worse paid body of people than these clerks.

The Secretary of the Treasury, Mr. Richardson, who was appealed to and who was in that year a man of courage, who was in that year a man who was not afraid of the babble and bluster of the noisy element in the country, said:

The business in the Treasury, upon the whole, is not only done in a satisfactory manner, but it will compare in accuracy and efficiency with the business of the country generally which is carried on by corporations and individuals.

He also affirmed "that the removals were no greater than was needed to insure vigor and infuse new life in the Department."

At that time the high priest, who, I believe, had not yet deserted his political party, although he was, perhaps, making ready and looking out for later engagements, said:

Whether the Departments at Washington are well or badly managed was an insignificant question.

Baffled and completely routed in his assaults upon the Government and upon the departmental service in Washington, he said that it was a matter of insignificance whether they were well or badly run. They were to be reformed whether there was any reform needed or not. In this connection it is well to quote what Representative Baker, of New Hampshire, said recently in a speech in this House:

Why, gentlemen, years ago I had the honor of serving in one of these Departments. I know what its personnel was from 1865 to 1874 by actual contact with it, and, by business and other relations with that Department, I have known it ever since, and I tell you that there has never been, in the history of the Treasury Department, a time when it was so well managed, when it had clerks of such ability who so honestly and faithfully discharged their duties as during that so-called "spoils" time from 1865 to 1875.

Then came a little tinkering of the law in a legislative appropriation bill of August 15, 1876, and then came the great struggle to create public sentiment, and Mr. Ham has so well stated the unjust and libelous efforts that were made in that direction that I reproduce his remarks:

This only seemed to whet the keen appetite of the reformers, who commenced a systematic siege, and for several years in public print, in conventions, meetings, and on the stump, it was sought to create a sentiment which would justify a second appeal to Congress, of sufficient proportions to terrify and bulldoze the legislative branch into passing an elaborate act. Accordingly in 1877 Mr. Hayes was prevailed upon to allow Mr. Eaton to show how "competitive" examinations had worked in England and here. That gentleman labored on a brochure of 266 printed pages about two years and four months, at a good salary, going back to the Norman invasion and tracing the rise, progress, and causes of abuses in the British Empire, desiring, of course, to have the country assume that what had proceeded from the rule of English tyrants and feudalism existed here also or was likely to be precipitated upon this country, unless the "competitive" panacea was applied at once. It was a report calculated and intended to excite and alarm, but it had no application whatever to the existing conditions of our civil service. And the suggestion which it conveyed, to wit, that the abuses in England had been eradicated by civil-service "competitive" examinations was the weakest feature of his historical effort. Mr. Eaton's report showed that Parliament was under the sway, practically, of 160,000 voters. In some districts 10, 13, or 35 persons controlled an election. The rotten borough system there was in full blast. Ninety members went up to Parliament on a total vote of but 4,500. Three lords controlled 31 members of the Commons. Of over 50 persons foisted on the Government between 1837 and 1855, several were found absolutely incompetent because of old age; titled barnacles, spoken of by Mr. Dickens.

Many others of the 50 were found entirely unqualified for divers other reasons, such as bad character, ill health, and some could neither read nor write. Of 290 persons examined under the old system in 1855 in England, 285 were rejected because of ignorance in spelling and arithmetic. There was assuredly need of education in England—even if it had to come under the guise of "competitive" examinations. But the scholastic effort to draw a parallel between the situation there and here was devoid of truth in its suggestion and lacking in true American pride. It was an insinuating libel upon the United States, printed at Government expense.

But this did not succeed, and no civil-service law grew out of it. A well-known and distinguished civil-service reformer assailed Mr. Dawes, a Senator from Massachusetts, to know why the law had not been passed, and Mr. Dawes said, "How can you expect a law to be passed by Congress when the constituents of Congress do not want it?" And one of the theorists of that day said: "Of course I know that it is true that no law which is very much in advance of the prevailing tone of public morality is ever effectually executed. It will not execute itself."

Mr. Dawes said, in that connection, "We can not get the legislation and make it permanent unless our constituents behind us will support us in it. We never rise higher than the fountain;" and thereupon a cheap-John stereotype system of printed headings and the old, old style of petitions, signed promiscuously in country stores and post-offices and everywhere, poured in upon Congress as an evidence of a growing public sentiment.

Now came the partial sanction of the civil-service-reform movement. It did not originate in the House of Representatives; it never came from any immediate representatives of the people, but it had its origin in the Senate of the United States. Its progenitor ostensibly was Mr. Pendleton. It has been well said, and is true, that the bill containing the competitive scheme was handed to Mr. Pendleton, and was reported favorably, devoid of sections 8, 9, 10, 11, 12, 13, and 14, which really contain all of reform there is in the civil-service law.

The Senate amended the bill as reported by adding the above sections; 11, 12, 13, and 15 coming from Senator HAWLEY, who now has views on this great question, and section 14 from the late Senator Beck. Mr. Pendleton never drafted a line of the experiment. As Senator Miller said:

The bill is the joint work of a number of educated gentlemen who are organized for the purpose of promoting a reform in the civil service.

Senator Ingalls said:

This bill is not devised by either political party in the Senate; it was sent here by a self-constituted commission of exceedingly holy and wise men outside the Senate. It does not represent the sentiment of either of the political parties in this body. I know who drew up this bill; I know who sent it here, and I know the motives and the incentives that are being used to pass it.

And he added:

This bill appears to be supported by each party for the purpose of cheating the other. It is sustained by one party upon grounds that are absolutely adverse to those on which it is supported by the other, and it will end by defrauding both.

And who will say that to-day the intelligent, far-seeing, and shrewd men of all political parties do not recognize that they have and their constituents have and the country has been cheated by this bill?

Senator Logan said:

I do not protest against certain Senators constantly discussing this question, based upon the corruption of the clerical force of this country, because it has no foundation in fact.

But Mr. Pendleton then and there waved a flag of compromise which alone saved the bill, by declaring:

It has been said that the abandonment of the spoils system will retain in office the appointments of the Republican party. I do not think so. There is no proposition to extend the term of office nor anywise to limit the power of removal.

But to-day the Civil Service Commissioners demand that the power of removal shall be limited by an Executive order which the Executive has no constitutional power to issue, and in a recent article in the Forum the chairman of the executive committee of the National Civil Service Association says that the weak spots in the law as it stands to-day are, first, that there is no power of removal and, in fact and by inference, that no Presidential order can limit the power of the appointing heads of the Departments from making removals with or without cause, excepting in so far as the President can coerce the judgment and action of his Cabinet; and second, that there is no provision for the disabled; that is, there is no civil-pension list. As I have already said, that will be the next step needed. The step has already been taken by the honorable chairman of the Civil Service Committee of this House.

I shall here incorporate some of the pertinent discussions when this bill was pending. These choice excerpts are collated from speeches of HAWLEY, Pendleton, and Sherman, and has been well expressed by Senator MORGAN in the following:

Is not "importunity" the great evil against which we have to contend?

So it appears that—

The object of Senators on both occasions was relief against the importunities of those who desired places. The competitive scheme would throw all the minor office hunters upon the Civil Service Commission. It was not that competitive examinations were necessary. That idea would simply furnish the machinery which would attain the other desired result. And the consequence was that, independently of the competitive scheme, its machinery would defend men from "importunity."

That is to say, distinguished Senators who had risen upon the wave of results achieved by the working men of their party at home wanted to put a legal barrier between the importunities for reward of their constituents who had made them great. This was the declared position; but General HAWLEY, the gallant old soldier, hero, and statesman of Connecticut, has said, as stated by Mr. Ham, and I quote a considerable amount of the collation of that indefatigable writer:

Nine-tenths of those who do the headwork in the great political campaigns at home, in town and county and State committees, and who are at the polls distributing ballots, serving as counters, running out to bring in voters, and attending to correspondence are men who serve with no care for, no thought nor expectation of ever holding a political office. Nine-tenths of the men who subscribe money for the honorable uses of a campaign are of the same description. There has been a deal of unlimited and nonsensical abuse on that subject.

Why should Senators and Representatives erect a barrier between themselves and these men and the public service, seek the labor and financial assistance even of party friends, and then be able to turn about and say, in answer to a request for a position, "Oh, I can't help you; all the places are under the civil service." They ought to add—even if it is in a whisper—"which I helped to enact and now vote to continue." Ex-Senator Vilas gave the snap away when he said on the floor of the Senate April 7, 1896: "The relief which has been enjoyed by Senators and Representatives, not to speak of those intrusted with the offices of the Government, is in itself a second item of great consequence."

It may be of great consequence for a Senator to be able to turn a constituent down with the leverage of a law of his own creation, but the Senator who gloried in it has himself been retired, and the people are ready to retire more who may think as he does.

But in what way are Senators and Representatives advantaged by this law, so far as it may tend to relieve them from "importunity?" Without a civil-service law they would be asked to secure "appointments." Under the law they are importuned to keep persons in and also to secure reinstatements. We think the law increases the volume of importunity.

It is by and through political parties that this Government has worked out its greatest achievements and advances—and all before civil-service reform had an existence! By and through parties come purification, exposures of wrong, and economies. Destroy one of the incentives which a small percentage of party workers have—reward for fidelity and zeal—and a republican form of government will gradually lapse into a state of coma. Political parties are the vitalizing forces of our system. They consist in part of workers and organizers not one in a thousand of whom seek Federal positions!

The strife between the comparatively few who do develops the unobjectionable and qualified person. The assumption is that unless competitive examination is resorted to we get incompetents. The whole country is full of qualified persons! Would Mr. Gage or any other bank president wanting a teller, cashier, note clerk, or other officer go to some "competitive" school for such an officer? And why not, as well as for a clerk in the Treasury?

So now it becomes pertinent to ascertain what was the real incentive of the Senators to pass the Pendleton bill. Was the civil service inefficient? I have already more than once commented; I shall continue to comment.

President Arthur said in 1881:

I declare my dissent from the severe and almost indiscriminate censure with which the present civil servants of the Government have been recently assailed. That they are, as a class, indolent, inefficient, and corrupt is a statement which has been often made and widely credited; but when the extent, variety, delicacy, and importance of their duties are considered, the

great majority of the employees of the Government are, in my judgment, deserving of high commendation.

"I protest vigorously against the extreme denunciation of the existing system of this country," said Mr. HAWLEY. "It has become a fashion very largely, among a class of men who have or claim for themselves a superior culture to the average, to speak of the whole public service of this country as corrupt. They have no right to such language. * * * I have an unutterable contempt for the man who justifies his neglect of his public duties by talking about the dirty waters of politics."

So the law was passed in fraud. It was conceived in sin and brought forth in iniquity, for it is always iniquitous to intend to pass a law for one purpose when covertly and secretly you intend it shall operate for another purpose. It went through the House in fraud of the rights of the members of the House and the people whom they represent. It was never intended to cover anything but the Departments in Washington, and that alone in its application to the clerical force. Had any man in those days said that that law would be tortured to affect the appointment by the President himself of an assistant messenger in the White House, there would have been no vote in favor of it on the floor of the Senate. It was an experiment to be tried upon the clerks in the Departments. The whole line of debate shows it. Mr. Pendleton himself says:

I said that this was a tentative effort; that it was intended to be an experiment; and it is because it is tentative, because it is intended as an experiment, that the committee thought it advisable to limit it.

Limit it to what? Why, to the very subjects that we say to-day it is limited to. Pendleton, its author, understood it so; Pendleton, its putative father, knew what it meant.

In 1888 Mr. Cox said that when the Pendleton bill came over from the Senate the House was about to take up an important shipping bill, and he at once proposed to Mr. Kasson, of Iowa, that a vote be taken on the Pendleton bill without debate, and it was passed in that way, or, as Mr. Cox expressed it, "on the tidal wave of an emotion," and that emotion has emotioned out of office every Administration that has touched it with a single item, and its baneful effects are just being felt in this country; and here I quote from Mr. Ham what this experiment has cost the people of the United States:

As an "experiment" it has been used and abused as has no other law on the statute books. Specific details or cases to sustain this assertion will doubtless be forthcoming in due time; it is sufficient to now say that this has been done through the general rules, the special rules applicable to each Department, and the regulations, for be it known that the civil-service "trust," commission, or board of control of the Federal patronage, the three "bosses" over 87,000 places, and their predecessors, have erected a "machine" under those rules that would startle Tweed himself. Its original entrance or appointment rules, special rules for each Department, rules for transfer and promotions, and its regulations, and that delectable semipolitical "machine" in the Treasury for special or noncompetitive examinations, cover 53 pages of small type! Is it any wonder that Senators and Representatives "throw up their hands" when they attempt to discover what it all means?

The Departments were "blanketed" under civil-service reformer Cleveland to such an extent in the reach for jurisdiction that farmers and blacksmiths on Indian reservations and employees in sawmills, and cooks, even, are said to come within the rules. In fact, a doubt has arisen whether there are enough places "excepted" to satisfy even the very few remaining applicants from the State of Ohio!

Mr. LIVINGSTON. How much time have I left?

The CHAIRMAN. The gentleman has thirteen minutes.

Mr. LIVINGSTON. I yield it to the gentleman from New York [Mr. DRIGGS].

The CHAIRMAN. The gentleman from New York [Mr. DRIGGS] is recognized for thirteen minutes.

Mr. DRIGGS. Mr. Chairman, I have been a member of the Committee on Invalid Pensions for three years, and I desire to say during that time I have not seen in that committee one particle of partisanship. Every bill brought in there, whether introduced by a Democrat or Republican, has been fairly, honorably, and squarely treated and considered. The Democrats have received as much consideration as have the Republicans. I believe the time has come when the country should understand what we do in the House at the Friday night sessions. The newspapers of the country say: "The pension mill in the House is again at work grinding out bills."

Mr. BELL. May I ask the gentleman a question?

Mr. DRIGGS. Yes, sir.

Mr. BELL. I should like to know how that committee works——

Mr. DRIGGS. I will come to that.

Mr. BELL. I should like to know how it is that some of us who have introduced a number of bills and who have made the proof in the very beginning of this session have not yet got a bill on this Calendar. I made my proof before the committee in the case of 75 bills; yet I have not been able to get one bill on the Calendar. I should like to know how that occurs.

Mr. DRIGGS. It is a pleasure for me to answer the gentleman. At the commencement of this session the chairman of the Committee on Invalid Pensions sent a notice to every member of this House that if he had any special preferences for any special bills, those bills would be given consideration in accordance with the request of the member.

Mr. BELL. Now, may I ask the gentleman again——

Mr. DRIGGS. I would rather not yield just now.

Mr. BELL. In the very beginning——

Mr. DRIGGS. I decline to yield now. I am coming to the gentleman's question.

There are in this committee members assigned to examine bills from the different States; and if any Representative on this side of the Chamber does not get his bills reported he will understand the reason. The committee meets on Monday and Friday of each week; and we go through the bills without any regard as to whether the member interested is a Democrat or a Republican. There are fifteen members of that committee when they are all present; and when the State of Colorado, for instance, is reached, the Representative having charge of bills from that State takes up those bills and gives them consideration after their examination by the pension expert sent us by the Pension Department and bases his report upon this expert evidence. I will ask the gentleman from Colorado [Mr. BELL] whether I have answered his question.

Mr. BELL. I think you did.

Mr. DRIGGS. Mr. Chairman, the bills are then reported to the committee as a whole, acted upon, rejected or accepted, and placed upon the Calendar for the future consideration of the House. Each bill, sir, passes over five steps before going to the Senate, viz: Pension expert, subcommittee, whole committee, Committee of Whole House, and then the House. No bills considered in Congress pass through so devious and fair a course as those from our committee.

Mr. Chairman, I desire to send to the Clerk's desk and have read this editorial from the New York Times of February 12.

The Clerk read as follows:

THE PENSION ATTORNEYS' WORK.

It is well to remember that the enormous amount of pension legislation now being pressed in Congress is not the work of the soldiers as a class, nor even of a very great proportion of the soldiers. In very large part, the persons receiving or seeking pensions now are not soldiers, but the relatives of soldiers, and these have none of the sense of pride that generally is felt by those who have been in the military service.

Another considerable number of the present applicants for pension are men who deserted from the Army or in other ways forfeited their rights, or those who were mere camp followers and never exposed themselves to any danger. Back of this army of hungry and unscrupulous persons, or persons never really connected with the service, are the pension attorneys, more greedy and unprincipled than the clients they hunt up from all corners of the land. It is this class that are hounding Congress for the passage of the flood of private pension bills, almost every one of which enacts a claim that has been carefully and honestly examined in the Pension Bureau and rejected for good cause.

The whole theory of the special legislation on this subject is wrong. There are only a very few cases in which a pension should be paid except in accordance with general laws and on grounds fixed by these laws and capable of definite proof in compliance with the tests imposed by the Bureau. There is almost no claim that can be passed on by a committee of Congress so honestly, fairly, and wisely as by the trained and responsible officers of the Bureau. We do not know that there is any way of enforcing on Congress the application of this perfectly sound principle. It is not practicable to restrict the powers of Congress by statute, and if the committees and the two Houses choose to abuse their powers, as they continually do, they can not be prevented.

But it ought to be well understood by the country that their motives are not good, and that in the great body of cases they are not acting from reckless generosity, but selfishly. The pension attorneys are the organizers and managers of the so-called "soldier vote," and they menace with it every Congressman who stands in their way. Probably nine-tenths of the undeserved pensions voted in Congress are the product of this sort of blackmail, in which the pension sharks are experts. The only check on them is wholesome public opinion, mainly that of the real soldiers, and this is not sufficiently direct and well informed at present to have a decided influence. There has never been a time when Congress was so reckless and shameless in this direction.

Mr. DRIGGS. Mr. Chairman, this editorial of this great metropolitan daily is one of the most outrageous attacks upon Congress, upon the representatives of the people in Congress, and upon the members of the Committee on Invalid Pensions that I have ever read or heard of under the head of pension legislation. It is written with the purpose to deceive and mislead the American people on the subject of pension legislation. And I do not propose, either at this late hour of this day's session or in this late year in the history of our country, to talk on the subject as to whether pension legislation is advisable or unadvisable. But I do say this: That as a Democrat I believe in the volunteer soldiery of this country, and I believe the only way that we are going to be able to maintain and keep up the volunteer force of this country in any future wars that may occur is by standing by the pension principles laid down by the fathers when they established the first act providing for pensions, some five or six weeks (August 26, 1776) after the signing of the Declaration of Independence.

Now, Mr. Chairman, the first part of this editorial states that it is well to remember that the pension legislation which is now before us is not the act of the old soldiers, but largely that of their relatives and people who have no real right to pensions under the law. I say that during the three years I have served on this Committee on Invalid Pensions every single case that we have considered has been that of an old soldier, his widow, or some one directly dependent upon that soldier—aged father or mother or helpless children. Desertion bills are not considered by us. It continues by stating that the pension attorneys appear before our

committee, and that we members of Congress are pushed forward to bring about this legislation in their behalf and not of the soldier—sort of a system of blackmail.

I say now that there has never been one single, solitary pension attorney before that committee to talk to or consult with us or to ask anything about any special pension legislation; and I say now that I, for one, if a pension attorney were to ask permission to appear before that committee on any special bill, would be one of the first to vote in the committee against giving him the privilege to appear there, because the old soldiers themselves take up the time of that committee. Our fellow-Representatives of this House come before us on behalf of this soldier and that soldier; it is their duty and their right to come; it is our pleasure to listen to them as they stand up to defend old soldiers who ask nothing but simple justice and fair treatment.

Mr. SIMS. May I ask the gentleman a question?

Mr. DRIGGS. Certainly. I am always willing to yield to so courteous a member as my friend from Tennessee.

Mr. SIMS. As a member of Congress, is it not your experience that the applications coming to you to file bills for private pensions are usually accompanied by a letter of some pension attorney, who has told the man that he can not get a pension under the law and that he must go to Congress?

Mr. DRIGGS. Most emphatically, no, sir; that is not my experience.

Mr. SIMS. That is my experience, and I have the letters which will show it.

Mr. DRIGGS. I have never received a letter like that, and I have received letters from a great many old soldiers. I do not know the experiences of other members of this House, but speaking for myself, I do not recall that I have ever received a letter from a pension attorney in reference to one of these private pension bills.

Mr. SIMS. I do not mean a letter to the member, but a letter to the applicant, which he files with his letter.

Mr. DRIGGS. That may be, but they never come to me.

Now I will go on. They say this is a system of blackmail, that the old-soldier vote is held over the head of every Representative on the floor of this House if he does not vote for liberal pensions.

I desire, Mr. Chairman, to go away back to one of the early Congresses and read to you the resolution which organized and authorized the establishment of the Committee on Invalid Pensions. It was found away back in 1830 that Congress had not the time to consider all pension claims which came before it; therefore in this Congress—that is, the Twenty-first Congress—in the second session, it decided to do away with one committee on pensions and erect two, and thus a resolution was passed under which this Committee on Invalid Pensions was organized. In that Congress Mr. Trezevant, a member, moved the following resolution on the 5th day of January, 1831:

> That a committee shall be added to the standing committees, to be appointed at the commencement of each session, which shall be called the Committee on Invalid Pensions, and whose duty it shall be to take into consideration all such matters respecting invalid pensions as shall be referred to them by the House.

That resolution, then adopted, has continued in force from that on to this, very nearly seventy years, and during all that time it has been the duty of the Committee on Invalid Pensions to consider—what? To consider claims where an applicant for pension, not able, through some peculiar technicality in the law or some very singular decision of the medical referee, or the impossibility of producing sufficient evidence to prove his case, was to have the right to come to Congress as a court of last resort and ask our relief for their disability thus placed upon them in the Pension Bureau; and as such a committee—committee of last resort—the Committee on Invalid Pensions has done their duty to this House, to their constituencies, to their country, and its Treasury. Were we to report a bill favorably to this House at any one of these pension sessions which we had not investigated and considered thoroughly, and considered earnestly, and considered justly, we would not be entitled to the fair consideration of this House or the nation, because we would not have been performing our duty either capably or honestly.

I know, Mr. Chairman, that the members of this House find it almost impossible from the reading of the reports as they are read from the desk, to understand all the different salient features of each one of these measures. I know, and I repeat, in our committee no bill can possibly pass through unless it has first passed the eyes of the expert examiner from the Pension Bureau, and after passing his eyes it then goes to the subcommittee, and the subcommittee carefully considers the brief which the pension expert has drawn, and then we decide in accordance with the resolution which established the Committee on Invalid Pensions as to whether the applicant is entitled to relief or not.

In every case reported to this House in the Fifty-fifth Congress the committee unanimously reported, and the reports were accepted and adopted by the House of Representatives without the changing or amending of a single report, and when they went over to the other end of this Capitol there were but 26 or 27 bills that went to a conference, showing that the two committees had done their work and that the Senate and the House had agreed to pension measures almost absolutely and unanimously. No blackmail or threats here, sir, for many members have no bills before us.

I would say, in addition, Mr. Chairman, we realize that these applications to Congress for relief are increasing, that in each year there are more and more of them. I desire to show, Mr. Chairman, why it is that these applications that have been coming into Congress are increasing.

I would say first, however, in reply to the conclusion of the above-quoted editorial, that not one private pension bill has up to the present time been enacted into law during this session, although a few have passed the Senate and House independently, but have not been acted upon jointly.

The CHAIRMAN. The time of the gentleman has expired. The hour of 4 o'clock having arrived, the Clerk will read the bill by sections.

Mr. DRIGGS. I desire to ask unanimous consent that I be permitted to proceed with my remarks.

The CHAIRMAN. The gentleman asks unanimous consent that he be permitted to extend his remarks in the RECORD.

Mr. DRIGGS. No; I have that consent, given last Friday night. I would like to ask for five minutes more time.

The CHAIRMAN. It can not be done in the committee, the order of the House being that general debate should close at 4 o'clock.

Mr. BOUTELL of Illinois. I ask unanimous consent that I may be permitted to extend my remarks in the RECORD.

Mr. LIVINGSTON. Mr. Chairman, I ask that that leave be extended to all who have participated in the debate, for ten days.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that all gentlemen who have participated in the debate on this bill may have leave to extend their remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, in full compensation for the service of the fiscal year ending June 30, 1901, for the objects hereinafter expressed, namely.

Mr. DRIGGS. To resume, Mr. Chairman, I find, according to a most carefully prepared report of the ex-chairman of the Committee on Invalid Pensions, Hon. GEORGE W. RAY, that in the Fifty-second Congress there were 217 special acts passed; in the Fifty-third Congress there were 119 special acts passed; in the last Congress there were 693 special acts passed.

Now, then, what is the reason for this great increase? It is not difficult of explanation. Shortly after (October 15, 1890) the enactment of the act of June 27, 1890, the following order, known as No. 164, was issued by Commissioner Raum:

ORDER NO. 164.

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,
Washington, D. C., October 15, 1890.

In regard to fixing rates of pensions under the act of June 27, 1890:

That all claimants under the act of June 27, 1890, showing a mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, and which incapacitate them from the performance of manual labor, rendering them unable to earn a support in such a degree as would be rated under former laws at or above $6 and less than $12, shall be rated the same as like disabilities of service origin, and that all cases showing a pensionable disability which, if of service origin, would be rated at or above $12 per month shall be rated at $12 per month.

GREEN B. RAUM, *Commissioner.*

Approved.

CYRUS BUSSEY, *Assistant Secretary.*

This order created, as events and time proved, an extremely liberal and generous construction of the act of June 27, 1890. It is well to remember that at the date of issuance of Order No. 164 no person in or out of public life knew anything as to the probable increase of expenditures for pensions under the law of June 27, 1890. So great, however, became the increase in the pension rolls that on June 9, 1893, Order No. 225, which follows, was issued:

ORDER NO. 225.

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,
Washington, D. C., June 9, 1893.

As to adjudicating and fixing rates of pensions under the act of June 27, 1890:

1. A claim for pension under the second section of the act of June 27, 1890, can only be allowed upon proof of mental or physical disability of a permanent character, not the result of the claimant's own vicious habits, incapacitating him for the performance of manual labor in such a degree as to render him unable to earn a support.

2. No specific injury or disability can, as such, have a pensionable rating under that act, nor be considered otherwise than as it affects the capacity of the claimant to perform ordinary manual labor.

3. Proof that the disability is not the result of the claimant's own vicious habits is requisite; and therefore the causes and circumstances of the origin of the disability should be shown by the evidence furnished in support of the claim for pension, so far as can be done, and by persons other than the claimant.

4. To give the claimant a pensionable status under this act the disability must be such as to incapacitate him for the performance of manual labor in

such a degree as to render him unable to earn a support; yet the act recognizes differences in the degree of such pensionable disability, giving $12 per month in case of the greatest and $6 per month in case of the lowest degree of such pensionable disability rendering the claimant unable to earn a support by manual labor. It also provides for intermediate ratings proportioned to the intermediate degrees of such pensionable disability. The proper ratings under this act will, therefore, be made in accordance with such rules for rating as the medical referee shall prescribe, subject to the approval of the Commissioner.

WM. LOCHREN, *Commissioner.*

Approved.

HOKE SMITH, *Secretary.*

This order continues in force to the present day. While Order No. 164 was too liberal, Order No. 225 was and is too severe, for it practically leaves all cases considered under its provisions to the judgment and almost absolute authority of the medical referee. It makes him almost in reality the absolute dictator of the Pension Bureau as far as the act of 1890 is concerned. Mr. Chairman, I do not desire to attack the medical referee, but solely the great power given him, or, more properly speaking, his office under Order 225.

It is this order alone that has created the necessity for almost all the special bills introduced in Congress, and so long as it continues in force Congress will be flooded with special pension bills. It is un-American, because it is unjust and unfair to those of our people seeking relief at the Pension Bureau. It is a thorn in the side of every member of Congress, for it keeps us busy calling up cases that would otherwise have been speedily adjudicated at the Pension Bureau. Born in a Democratic, continued in a Republican Administration, it has been tried and found wanting. It should be modified, amended, or repealed, and some order, a fair, equitable, and just medium between it and No. 164, issued.

I respectfully submit in emphasis to the above the following decision of Assistant Secretary Davis, of the Interior Department, in the case of Charles Norbury (Senate Document No. 1, Fifty-sixth Congress, first session, page 36):

Order 164 was an extremely liberal construction of the law as to rating under the act of June 27, 1890; indeed, it could not be consistently maintained when the terms of the act were compared with former laws. On the other hand, Order No. 225, as put into effect and as formerly construed, went to the other extreme, and in many cases resulted in great injustice to claimants. This was remedied in a large measure by a more liberal construction of said order, which on its face is not regarded as objectionable, properly construed, but much depends upon how it is construed. * * *

It will be observed that in the last clause of order 225 the question of rating is left largely at the discretion of the medical referee, subject to the approval of the Commissioner of Pensions.

As already indicated, much depends upon the construction given to the law and the order (225) now in force.

It should be borne in mind that the average age of the surviving soldiers who were in the war of the rebellion is 63 or upward. It is not an unreasonable presumption that nearly all are in some degree mentally or physically disabled. The spirit of the law and the circumstances attending its enactment certainly warrant the conclusion that a liberal interpretation should be given and relief granted, at least at the minimum rate, if an appreciable disability which impairs ability for self-support by manual labor is shown to exist.

The repeal of order No. 225 needs no additional or stronger argument.

Mr. Chairman, another reason for increase of special pension bills is that the laws as they now exist can be construed in any manner desired, and I quote from Commissioner Evans's personal statement when being examined by Senator GALLINGER (Senate Document No. 1, Fifty-sixth Congress, first session, page 9):

Commissioner EVANS. In my annual report for 1898 I said:

"Since the passage of the general law of July 14, 1862, there have been numerous laws amendatory, special and general, with the many rulings and decisions interpreting the laws, until the whole system is a most complex and wonderful network or labyrinth of laws and legal opinions, to the end that a precedent may be cited for any action of this Bureau.

"The importance of the work is such and the demands upon the revenues of the Government so great, with a prospect of much greater in the future, that I am of the opinion that in order to secure reliable, intelligent, and uniform practice in the future a commission should be appointed on the revision of the laws, rules, and regulations governing the issuance of pensions."

That was the statement on that subject in my annual report of 1898. In my report of 1899 I add this:

"This should be done, especially to meet future conditions. With our present laws and established practice there can be no uniformity in pensioning. The beneficiaries are dissatisfied and there is general criticism."

Revision of all the pension laws has become essential, the sooner the better. Revision unquestionably will be a tremendous and expensive task; but is it not better to commence the twentieth century with a feeling of general satisfaction in the justice and fairness of the pension laws and their administration instead of a feeling of general dissatisfaction?

Mr. GILLETT of Massachusetts. Mr. Chairman, am I recognized?

The CHAIRMAN. The gentleman will be recognized in opposition to the amendment.

Mr. GILLETT of Massachusetts. Mr. Chairman, the question of civil service was so thoroughly thrashed out in the last Congress, one year ago, that I did not suppose it was necessary to touch on it in this Congress, but the words which have been spoken by the gentleman from Ohio [Mr. GROSVENOR] in regard to the new information given here yesterday requires a moment's answer. The gentleman from Ohio stated that, as reported from the Committee on Appropriations, there were 10 per cent of inefficient employees, and he gave as the reason that the Departments did not get rid of those employees was that they did not dare to trust an application to the Civil Service Commission for new clerks, because they would get such poor ones, and they preferred to keep the old ones.

Now, if the gentleman had listened to the statement made by the Appropriations Committee yesterday, he would have heard them say that the reason these useless employees were retained was not for the reason he suggests, but was because Members of Congress and Senators went to the heads of Departments and insisted that these men, friends of theirs, should not be discharged. In other words, the system of patronage, the old system, which the gentleman says created such a model service up to 1883, that same system of patronage, of keeping friends in office, is responsible for the very retention of these useless employees to-day. And we are asked, when studying how to get rid of useless employees, to resort to the very system which retains them. If members of Congress would not exercise patronage, these men would be discharged. My colleague made the suggestion yesterday of one case where the Pension Commissioner said he would be glad to get rid of 100 men, but the members of Congress would not allow them to be discharged. In other words, it is in this case, as I think it is almost always where the civil-service system is attacked, it is attacked, not for its inherent faults, but for imperfections which the relics of the other system cause.

If in this case of decrepit employees the patronage system was done away with, we would have no trouble in getting rid of the old clerks and getting in good ones. There is one comparison we easily make right before us. It is claimed that 10 per cent of the clerks now employed are inefficient. I remember very well in the last Congress when one of the most influential members of this House, one who knows as much about the subject as anyone, said that of the employees in this House, where there is no civil service, but all are under the service which the gentleman so eulogizes, 33 per cent were unnecessary and useless, but they were employed because of the necessity of having patronage. We have here no limitations of civil service, and so just because we want the offices we create useless offices, and there are 33 per cent useless employees in this House against 10 per cent under the civil service.

Now, I want to call the attention of the gentleman to another point, which he referred to yesterday and which he repeated today, and where I think he is obviously mistaken. He says there is not the free right of removal, but there must be a trial and hearing, and that is one of the troubles of the service. I would like to read the rule formulated by President McKinley:

No removal shall be made from the competitive classified service except for just cause and for reasons given in writing; and the person sought to be removed shall have notice and be furnished a copy of such reasons, and be allowed a reasonable time for personally answering the same in writing.

Does that put any limitation upon the officer in regard to removal? All it requires is that the charge shall be made against the man, that he shall be removed for cause, and that he shall have an opportunity to put in his answer. But after he has put in his answer, the head of the Department may remove or not at his pleasure. It is not required that the man have any hearing. The officer is under no compulsion; he has absolute and free discretion, if he wants to discharge him. Of course the reason for that rule is obvious; it is to prevent any superior clerk, on account of petty spleen or any miserable little personalities, making false complaints and causing a removal when, if the clerk complained of had a chance to answer and the truth were known, he would keep his place, and also to prevent political removals.

Mr. GROSVENOR. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. That is the pending amendment.

Mr. GROSVENOR. Then I move to strike out the last two words.

It appears now, Mr. Chairman, that we have come to this: That we have put a farce on the records of this country—have said that no man shall be removed unless charges are preferred against him, and until he shall have a copy of those charges, and until he shall have opportunity to disprove them; but he may be removed whether those charges are true or false.

Mr. GILLETT of Massachusetts. Exactly.

Mr. GROSVENOR. Now, is not that the most monstrous position that ever was taken? Why do you require the making of charges? Why do you require a trial? The gentleman says there is no trial about it. In other words, a poor fellow may be charged with some delinquency; he comes forward and answers that the charge is not true, that he is ready to disprove it, and he does disprove it; but this does not operate in the least as a protection from the power of removal. Notwithstanding all that he may do in the way of proving his innocence of the charges, he may be turned out regardless of whether they are true or false.

Mr. GILLETT of Massachusetts. Does not the gentleman find

that limitation in the law? Does he not agree to the fact of its existence?

Mr. GROSVENOR. The plain construction of the law is that if the charges are not true the persons shall not be removed. That construction is put upon it in every Department of the Government.

Mr. GILLETT of Massachusetts. Does the gentleman give that as his construction as a lawyer?

Mr. GROSVENOR. I do most clearly. Suppose I am indicted; I have a right to see a copy of the indictment, to know what I am charged with; and if I prove myself not guilty, I have a right to go acquitted.

But let us see what else was said yesterday.

Mr. PEARRE. I would like to ask the gentleman this question: Does he think it likely that the heads of the Departments and bureaus will appoint more competent men to the positions than those recommended by Members of Congress and Senators; in other words——

Mr. HEMENWAY. In reply to that, I will say that when they ask for the appointment of any particular class, they designate the kind of a man they want. If they want an accountant, they say to the gentleman, "Will you furnish me with an accountant?" and if they want an accountant you would not send them a laborer. It is the experience that Members of Congress and Senators, if given the opportunity to furnish a particular kind of man, furnish that kind.

In another place the gentleman from Indiana [Mr. HEMENWAY] says:

In reply to the gentleman's question, I can only say, with reference to this temporary force that has been employed, it is admitted by those who favor civil service and are at the heads of the different Departments that this temporary force, placed there within the last two or three years, is a very competent force; that they are more competent than the force secured through the civil service. They are younger men, men better qualified for the particular service to which they are assigned, and all along the line more efficient than the force secured through the civil service.

There is a testimony that every chief of division in this great city who knows about it will make, I think, whenever the gentleman from Massachusetts wants to get the information—that that great body of clerks who did the great business of this Government, who handled the great service of the Government during the extraordinary demands of the Spanish and the Philippine war; that the service of that force has been more efficient than anything ever obtained under civil-service procedure in this country.

Mr. FITZGERALD of Massachusetts. Do I understand that the statement just made by the gentleman from Ohio is signed by every head of a Department?

Mr. GROSVENOR. I say that it will be verified by every bureau chief.

Mr. FITZGERALD of Massachusetts. The statement just read—by whom is that statement made?

Mr. GROSVENOR. By the gentleman from Indiana [Mr. HEMENWAY] in charge of this bill.

Mr. FITZGERALD of Massachusetts. Then it is not the statement of any chief of a bureau.

Mr. GROSVENOR. I said that it would be confirmed by every bureau chief in the city who had these men in his division.

Mr. FITZGERALD of Massachusetts. How do you know that?

Mr. GROSVENOR. I know it from constant, everyday contact with those gentlemen.

Mr. FITZGERALD of Massachusetts. Does not the gentleman know that the efficiency of the Railway Mail Service has increased tremendously within the last ten years since that service was protected by civil-service regulations?

Mr. GROSVENOR. I have no doubt about that.

Mr. FITZGERALD of Massachusetts. That service is better now than it ever was.

Mr. GROSVENOR. It is better now than it ever was; and have I not always voted to retain this system in that branch of the service?

Mr. FITZGERALD of Massachusetts. I do not know anything about that.

Mr. GROSVENOR. Then you are talking about something else not now under discussion.

Mr. FITZGERALD of Massachusetts. Will the gentleman pardon me a moment?

Mr. GROSVENOR. The gentleman is occupying my time.

Mr. FITZGERALD of Massachusetts. But the gentleman was arguing that the service of clerks appointed without reference to civil-service requirements was better than the service of clerks appointed under civil-service regulations. I do not agree with the gentleman.

Mr. GROSVENOR. I am stating what the record shows; and the testimony of every bureau chief in this city will back me up.

Mr. FITZGERALD of Massachusetts. That testimony is not here.

Mr. GROSVENOR. This testimony is here, coming from a member of this House who has this bill in charge and who says it is the testimony of these men who know.

Mr. FITZGERALD of Massachusetts. Was it given before any committee?

Mr. GROSVENOR. Does the gentleman know any better testimony than this?

Mr. FITZGERALD of Massachusetts. I want straighter testimony than the best which the gentleman seems to be able to give.

Mr. GROSVENOR. I read the statement of the gentleman from Indiana [Mr. HEMENWAY].

Mr. HEMENWAY. Will the gentleman allow me a word? We had before us Capt. C. H. Davis, of the Naval Observatory, who called attention to the fact that he had recently sent to the Civil Service Commission for an engineer, and they sent him a Methodist parson and a negro at that. [Laughter.]

Mr. GROSVENOR. Exactly. A happy illustration of this whole thing, and I thank the gentleman for the information.

[Here the hammer fell.]

Mr. DRIGGS. Mr. Chairman——

The CHAIRMAN. The gentleman from New York [Mr. DRIGGS] is recognized in opposition to the pro forma amendment.

Mr. DRIGGS. Mr. Chairman, another reason for the increase of special pension bills is the ever-increasing misunderstanding between the medical referee and the local boards of medical examiners.

I would like to add right here that in the report of Senator GALLINGER in response to a question asked the Commissioner of Pensions by the Senator, twice repeated, so that there could be no misunderstanding, as to the desirability of omitting from future appropriation bills the provision that the ratings made by the medical board shall be considered by the Bureau in reaching conclusions, he replied that he was emphatically in favor of omitting these ratings. Mr. Chairman, these medical boards come from all of our districts. Many of them are made up of the best physicians that can be found in our localities.

Mr. SIMS. You mean the local boards?

Mr. DRIGGS. I mean the local boards, for I judge Commissioner Evans so meant. I say the local boards have the very best physicians throughout the district. The soldier appears before them, and yet the medical referee in this year's report of the Commissioner of Pensions, says that there are but very few of these boards who are able to draw an adequate pen picture as to the disabilities of the soldiers who have appeared before them. I contend that the local medical boards are far more able and competent to judge of the disabilities of the soldiers and sailors, of men entitled to a pension, than some man in the Pension Bureau who acts as a sort of referee on that case. They are the most peculiar kind of referees I ever saw or heard of. They know nothing whatever about the applicant except from the evidence which is put before them, never having seen the soldier at all, and surely the physicians who personally examined the applicant for pension are far more capable of judging the disabilities than a physician not having had an actual eye study of the case.

I contend that the local boards are as careful in their examinations as are the examiners in the division of the medical referee. Why, sir, in hundreds of cases considered by our committee during the past three years we have found local board upon local board agreeing upon various disabilities and their reports afterwards rejected by the division of the medical referee. In nine cases out of ten we would overrule the referee and allow the claim, accepting the testimony of the local board as conclusive on the questions raised.

I do not believe such language as the following, taken from page 94 of the Report of the Commissioner of Pensions for 1899, is justifiable, viz:

It is the experience of the medical examiners and reviewers of the division that too many boards have very little appreciation of their duties and very little regard for the interest of either the claimant or the Government. It is too much a question with them of the number of examinations they make and the amount of fees that may be coming to them at the end of a quarter. The whole system of employment of the members of the boards of examining surgeons is faulty in this, that it fails to guarantee the best talent for these places. And so long as influence shall alone determine who shall be appointed, the Bureau will fail to secure the best results.

This is part of report of medical referee.

I do not believe local boards are infallible, but I do believe their errors are no more numerous than those of the division of the medical referee. I desire to cite one case, and others could be shown had I the time. The case referred to is from Senate Document No. 1, Fifty-sixth Congress, first session, page 37, to wit, the witness before the committee a Mr. Patrick:

But the second case was that of Born, to which I have referred. The medical examination in that case showed that this applicant was disabled to the extent of 50 per cent in the use of his right shoulder from crepitus, and the disability was rated by the examiner at nine-eighteenths. He was also reported as suffering from hemorrhoids and similar troubles, for which the medical board had rated him at six-eighteenths disability. For some other infirmities that I do not recall he was rated as having been disabled to the extent of six-thirtieths. This claim had been rejected, and it seemed to our unprofessional view that it should have been allowed had the disabilities been properly combined.

At our request the medical referee was sent for, and he came in and we discussed at considerable length the first disability which he thought did not establish a pensionable status. But when we passed to the second he very promptly stated that when combining the effects of the first and second disabilities, and taking into consideration perhaps also the third, the application ought to have been allowed. He also stated that two months prior to that time he had placed a competent and careful member of his staff in charge of

such cases to overlook them after they had been passed upon by the medical examiners in his office, so as to see that no injustice had been or might be done, and that every case in which the disabilities ought to have been combined should be so rated, because these small cases did not come personally before the medical referee. He stated that this particular case had been adjudicated during the temporary absence of the official whom he had so placed in charge; and I think that he expressed the opinion that but for such absence that claim would doubtless have been allowed.

Mr. Chairman, I believe in fair play, and also in the theory that there are two sides to every question. I therefore quote each of the above. I contend that in the Pension Bureau at the small salaries paid it is an absolute impossibility to obtain the best medical talent for the examination or review of cases or for the pen pictures or portrayal of the cases, and the best examinations are those made by the local boards and not by the Pension Bureau. And so long as influence shall alone determine who shall be appointed in the division of medical referee in Washington in the Pension Bureau the Bureau will fail to secure the best results.

Mr. SIMS. I understand the gentleman to say that the best medical talent is found on the local boards.

Mr. DRIGGS. Yes, I do say so.

Mr. SIMS. Now, in your city of New York can the best medical talent be obtained to work for $10 a day?

Mr. DRIGGS. By no means.

Mr. SIMS. That is all they can get on a local board.

Mr. DRIGGS. I am aware of that.

Mr. SIMS. But they can not get more than $10 a day, because if they examine more than five cases they do not get paid for it.

Mr. DRIGGS. That is the case. But they have their own private practice; they are largely not political appointees; they are all good physicians and surgeons; certainly 90 per cent of them are. I believe that a very decided reform or even a revolution of the methods of examination now in vogue in the divisions of medical examination (referee and local board alike) would be productive of very beneficial results to the pensioner, to the country, and to the Treasury of the United States.

From all the above argument taken collectively I have endeavored to show how and why a committee of Congress can pass upon a pension claim as fairly, honestly, and wisely as the trained experts of the Pension Bureau.

The pension question has ever attracted the attention of our Republic. Many debates have occurred in Congress upon the subject, and thousands of columns have been printed in the Annals, Globe, and RECORD recording for all time these debates. Why, sir, in 1820 the agitation was so great that Congress passed the famous "alarm act," which provided that "every pensioner shall exhibit a schedule of his whole estate and income, clothing and bedding excepted."

In 1830–1835 more discussion; 1850–1855 more agitation; so it has continued to the present day. How much have we paid out for pensions?

It is impossible for me to deal with more than our four great wars while considering amount of pensions paid.

I. REVOLUTIONARY WAR.

In all 278,000 soldiers served during the struggle for freedom. Of this number 37,918 received pensions amounting to $49,000,000, and to this day we see from the following table that some of their descendants are on the list. (Pension Commissioner's Report 1899, page 61.)

Names of surviving widows and daughters of Revolutionary soldiers on the pension rolls June 30, 1899, with their ages and places of residence.

Name.	Age.	Name of soldier.	Service.	Town and State.
Barrett, Hannah Newell.*	99	Harrod, Noah	Massachusetts	Boston, Mass.
Chadwick, Susannah.*	84	Chadwick, Elihu	New Jersey	Emporium, Pa.
Damon, Esther S	85	Damon, Noah	Massachusetts	Plymouth Union. Vt.
Hurlburt, Sarah C.*	81	Weeks, Elijah	do	Little Marsh, Pa.
Jones, Nancy	85	Darling, James	N. Carolina	Jonesboro, Tenn.
Mayo, Rebecca	86	Mayo, Stephen	Virginia	Newbern, Va.
Sandford, Eliza*		Sandford, Wm	United States	Bloomfield, N. J.
Slaughter, Ann M.*	89	Slaughter, Philip	Virginia	Mitchell Station, Va.
Snead, Mary	83	Snead, Bowdoin	do	Parksley, Va.
Thompson, Rhoda Augusta.*	78	Thompson, Thad.	New York	Woodbury, Conn.
Tuller, Augusta*		Way, Isaac	Connecticut	Bridgeport, Conn.

*Daughter; pensioned by special act.

Hiram Cronk, who served with the troops from New York, is the only surviving pensioned soldier of the war of 1812. He is 99 years of age, and resides in northwestern New York.

Daniel F. Bakeman, the last survivor of the war of the Revolution, was born in Schoharie County, N. Y., September 28, 1759; died in Freedom, Cattaraugus County, N. Y., April 5, 1869, aged 109 years 6 months and 8 days.

To the widows of the Revolution were paid about $20,000,000, making a total of $69,000,000.

II. WAR OF 1812.

Total enlistments were 527,654. Of this number 296,916 served sixty days or more, and 31,000 of them have been pensioned, and 35,000 widows have been pensioned.

III. MEXICAN WAR.

Total enlistments were 73,260. Of this number 7,560 were pensioned as invalids prior to the act of January 29, 1887. Since the passage of that act I have been unable to find any statistics showing greatest number of pensioners on account of Mexican war, but as the number of surviving pensioners is 17,379, the percentage of pensioners to enlistments must have been very great. Taking the total number of pensioners in the Mexican war, viz, 32,000, the percentage would be over 43 per cent of the enlistments. The expenditure in money, or total disbursements, is shown in the following table (page 52, Report Pension Commissioner, 1899):

WAR OF 1812.

Fiscal year.	Survivors.	Widows.	Total disbursements.
1871 (from Feb. 14, 1871)	$2,555.05	$511.00	$3,066.05
1872	1,977,415.84	335,993.63	2,313,409.47
1873	2,078,606.98	689,303.59	2,767,910.57
1874	1,588,832.95	616,016.40	2,204,849.35
1875	1,355,599.86	533,000.21	1,888,600.07
1876	1,089,037.18	445,772.95	1,534,810.13
1877	934,657.82	361,548.91	1,296,206.73
1878 (from Mar. 9, 1878)	768,918.47	294,572.05	1,063,490.52
1879	1,014,525.66	2,192,699.54	3,207,225.20
1880	790,710.39	2,658,058.14	3,448,768.53
1881	621,612.80	2,381,800.95	3,003,413.75
1882	478,274.85	2,024,207.63	2,502,482.48
1883	357,334.81	1,882,542.41	2,239,877.22
1884	278,888.85	1,686,302.09	1,965,190.94
1885	207,782.80	1,518,202.39	1,725,985.19
1886	144,389.59	1,458,896.44	1,603,286.03
1887	105,837.01	1,765,582.36	1,871,419.37
1888	73,659.48	1,596,604.96	1,670,264.44
1889	52,800.27	1,397,487.09	1,450,287.36
1890	38,847.09	1,263,239.37	1,302,086.46
1891	22,504.64	1,040,284.41	1,062,789.05
1892	11,908.93	827,080.53	838,989.46
1893	10,494.27	721,060.32	731,554.59
1894	5,312.20	645,297.46	650,609.66
1895	3,583.27	541,923.48	545,506.75
1896	1,972.27	456,847.61	458,819.88
1897	1,440.00	388,291.95	389,731.95
1898	791.06	347,070.15	347,861.21
1899	193.33	293,097.48	293,290.81
Total	14,018,487.72	30,363,295.50	44,381,783.22

WAR WITH MEXICO.

1887	$53,148.68	$2,458.08	$55,606.76
1888	1,861,756.07	583,056.28	2,444,812.35
1889	1,796,899.30	693,572.45	2,490,471.75
1890	1,728,027.54	695,054.90	2,423,082.44
1891	1,622,114.75	695,314.52	2,317,429.27
1892	1,425,258.18	686,733.57	2,111,991.75
1893	1,396,392.38	736,173.41	2,132,565.79
1894	1,388,707.07	803,345.91	2,192,052.98
1895	1,433,696.86	802,032.96	2,235,723.82
1896	1,368,685.95	814,096.14	2,182,782.09
1897	1,279,188.31	818,563.78	2,097,752.09
1898	1,213,508.63	846,560.26	2,060,068.89
1899	1,107,594.63	818,067.58	1,925,662.21
Total	17,674,972.35	8,995,029.84	26,670,002.19

IV. CIVIL WAR.

Total enlistments, 2,778,304; died in battle or of wounds, 349,944. On account of the tremendous magnitude of the civil war the pension disbursements resulting from that war have been enormous, amounting to over $2,300,000,000 since 1865, while the number of pensioners on the roll to-day is 991,519 (there were only 13,000 on the roll in 1850). Collectively there have been 2,271,705 claims filed, 1,616,391 allowed, leaving 655,314 rejected. Deducting 991,519 from 1,616,391, we find over 625,000 of those pensioned have passed over the dark river.

The following table shows number and class of pensions pending June 30, 1899:

Number of claims pending under the acts of July 14, 1862, and March 3, 1873.

Original invalid	26,468		
Reissue invalid	53,610		
Increase invalid	102,904		
		182,982	
Original widows	28,113		
Reissue widows	11,471		
Increase widows	642		
		40,226	
			223,208

Number of claims pending under the act of June 27, 1890.

Original invalid	59,739		
Additional invalid	29,534		
Increase invalid	83,903		
		173,176	
Original widows		38,740	
			211,916

War with Spain:		
Original invalid	14,905	
Increase invalid	14	
Original widows	2,416	
		17,335
Army nurses		268
Service prior to March 4, 1861		2,453
Accrued		22,059
Total		477,239

While this seems a great number, the decreases have exceeded the increases, as shown by the following table:

NET DECREASES.

War 1812, survivors	2
War 1812, widows	409
Mexican war, survivors	808
Indian war, survivors	363
Indian war, widows	168
General law:	
Army invalids	10,246
Army widows	1,949
Army nurses	2
Navy invalids	112
Navy widows	7
Total	14,066

NET INCREASES.

Act June 27, 1890:	
Army invalids	6,621
Army widows	4,342
Navy invalids	382
Navy widows	195
War with Mexico:	
Widows	32
War with Spain:	
Army invalids	117
Army widows	165
Navy invalids	6
Navy widows	11
Total	11,871

While the decrease is only 2,195, it is nevertheless a decrease, and I believe we have, notwithstanding our Spanish and Philippine war claims, passed hight-water mark and are now on the ebb tide. I believe, too, from figures and from the average life of man, that in 1915 the pension roll, as it now is formed and exists, will amount to less than $80,000,000 per annum.

Many people think the nation's pension roll is heavy with fraud. Strange, indeed, would it be were there not some fraud; but, all in all, I believe that that roll is honest and almost without reproach. Take, if you please, and consider this report of criminal cases in the various Departments of the Government—possibly you have not noticed the last annual report of the Attorney-General. If not, get one, and look at the subhead "Criminal prosecutions," which shows convictions, acquittals, etc., on account of violation of different laws, as follows:

	Convictions.	Acquittals.	Nol. pros., etc.
Internal-revenue laws	4,021	825	1,698
Post-office laws	770	92	344
Customs laws	136	21	59
Pension laws	109	17	88

Of the prosecutions still pending July 1, 1899, 4,889 were for violation of internal-revenue laws, 755 post-office laws, 112 customs laws, and 196 pension laws.

It occurs to me that there is food for thought in the foregoing, in view of the fact that in the papers in Washington, surely, and, so far as I have observed, in the metropolitan press everywhere, there has been but little notice of the frauds, indictments, and prosecutions generally going on throughout the country except those relating to pensions. These have been regularly ground out from day to day and week to week, as you have doubtless all noticed.

I freely confess that before my election as Representative to Congress I believed in the "pension-fraud" cry. Since my admittance to this House my views have entirely changed, for such reports as those of the Attorney-General are bound to appeal to any fair-minded person. I believe the pension roll is in many, many ways a roll of honor, and one to be respected and not universally condemned. The cases of suffering relieved are many; the cases of fraud few.

Mr. Chairman, in conclusion, I realize that pension payments have been almost inconceivably stupendous, but the service performed has been equally great. Had it not been for the soldiers of the Revolution, we would have had no Republic; had it not been for the soldiers and sailors of 1812, we would not be to-day free upon the high seas; had it not been for the soldiers of the Mexican war, we would not have remained the great North American power; had it not been for the boys in blue of 1861-1865, we would have been a disunited Union, while the soldiers and sailors of 1898 established us firmly as a world power.

The pension roll has increased during the past seven years more largely from the fact that the soldiers of the 1861-1865 struggle, through advancing age, are less able to earn their daily sustenance by manual labor. In their days of strong young and middle manhood, when each succeeding day dawned upon continued ambition for old-age competency, their thoughts dwelt not upon pensions, but upon work. Old age has now overtaken many of them; the struggled for competency has not been poured into their coffers by Dame Fortune, and at last their thoughts have turned to Uncle Sam to make their declining years easier and a trifle happier.

Pensions are not a question of dollars alone. To carry out the letter and spirit of the pension laws should be one of the objects in their administration. Fairness, based on justice, ought to actuate the Interior Department in their execution. No worthy case should be passed over as unworthy; neither under any circumstances should an unworthy applicant be given consideration. There should be no petty quibbling and hairsplitting over minor details of no material importance, causing delay, annoyance, and bitterness.

If the case is just, grant it; if unjust, reject it. Through lapse of years, the death of comrades, or a weakened mental or physical condition the applicant for pension frequently finds it impossible to furnish all the proof required by the Department and his claim is rejected. Construe the laws fairly for the benefit of the soldier and the United States alike and no one complains; construe them differently and press, people, and soldier shout aloud their denunciation of the pension laws. [Loud applause.]

The CHAIRMAN. If there be no objection, the formal amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

SENATE.

For compensation of Senators, $450,000.

Mr. FITZGERALD of Massachusetts. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts [Mr. FITZGERALD] is recognized for five minutes on the pro forma amendment.

Mr. FITZGERALD of Massachusetts. I wish to say a word regarding the statement which was made here a moment ago, coming from the gentleman in charge of the bill before the House [Mr. HEMENWAY], regarding the certification of persons for different positions in the United States Government.

I have never heard of any such experience as the gentleman has related, and I do not think any such thing has occurred in our section of the country. He stated that a head of Department asked for an engineer, and a Methodist minister—and a negro, at that—was certified. I can not understand how any gentleman who may be a Methodist preacher could pass an examination as an engineer if the examination for engineer in the particular section of country that this gentleman came from is of the same sort as is required in the New England States. I am a firm believer in the civil-service law as far as this law applies to positions above the grade of mechanics and laborers.

As I stated a few moments ago, Mr. Chairman, in answer to the statements made by the gentleman from Ohio [Mr. GROSVENOR], I have seen it repeatedly stated in the public press and in the reports of the Post-Office Department that the efficiency of the Railway Mail Service has increased greatly since this department came under the civil-service law; a very small fraction of 1 per cent of mistakes are made by the clerks employed in that service compared to the large percentage of mistakes that were made before the operation of a civil-service law. I wish at this time to indicate to the members of this House how the civil-service law is carried on for positions in the United States Government departments in the city of Boston.

In the post-office department there every man who takes an examination for a position in the post-office, whether it is for the position of letter carrier or clerk or for any other position, is given his appointment in the order of the percentage that he receives.

Beginning with the administration of General Corse, under Mr. Cleveland when he served his first term, the man who passed the best examination for letter carrier and clerk was appointed.

There is a list exposed in the post-office, and if five men, for instance, have been appointed within the last few months, it will be found that the names of those five men are the names of those who are first on the list. It is the same way in the matter of the appointment of clerks. The same practice was followed by the gentleman who succeeded General Corse, Hon. Thomas M. Hart, who is now the mayor of Boston.

His course was followed by the Democratic postmaster who succeeded him, and he in turn by the Republican postmaster, so that in the appointments in the Boston post-office service—and I think the same thing obtains in the Boston custom-house—the poor boy has as much chance as the boy with political influence, if he shows

from his examination his capacity and his ability to meet the requirements of the position.

I think this condition of affairs reflects the sentiments of the people of our section of the country on this question, as the different postmasters in taking this action felt undoubtedly that the people of Boston demanded that the civil-service law should be enforced in letter as well as in spirit.

Mr. Chairman, I say that I believe in that practice. In these days, when trusts are getting control of private businesses and thousands of men are thrown out of employment, it is a gratifying, and, I say, a wise arrangement, and a necessary and proper precaution, that the Government takes in giving out and apportioning the places within its gift to exact a civil-service examination for the place.

It is proper to exact an educational test and then appoint the men in the order of their merit and fitness for the position as shown in their examination.

In this way the boy and girl who, through the advantage they obtain in the great public-school systems of our country, become proficient in education and learning and fit themselves for positions of trust and responsibility in the Government service are enabled to secure positions on fitness and merit rather than through favoritism or political consideration.

The Clerk read as follows:

CONGRESSIONAL DIRECTORY.

For expenses of compiling, preparing, and indexing the Congressional Directory, to be expended under the direction of the Joint Committee on Printing, $1,200.

Mr. HEMENWAY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 10, line 20, after the word "the," insert the word "present."

The amendment was agreed to.

The Clerk read as follows:

Under Architect of the Capitol: For chief engineer, $1,700; 2 assistant engineers, at $1,200 each; 4 conductors of elevators, at $1,100 each, who shall be under the supervision and direction of the Architect of the Capitol; laborer, $820; 5 firemen, at $900 each; electrician, $1,200; laborer, $1,000; laborer to clean Statuary Hall and watch statuary therein, $660; in all, $16,680.

Mr. HEMENWAY. Mr. Chairman, I ask unanimous consent to return to page 12 and offer the following amendment.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to return to page 12. Is there objection? [After a pause.] The Chair hears none.

Mr. HEMENWAY. I offer the following amendment.

The Clerk read as follows:

On page 12, after the word "each," in line 6, insert: "Document and bill clerk under resolution of February 2, 1900, $1,600;" and in line 18 strike out "eighty-six thousand seven" and insert "eighty-eight thousand three."

The amendment was agreed to.

The Clerk read as follows:

Clerks and messengers to committees: For clerk to the Committee on Ways and Means, $3,000; assistant clerk, $1,600; messenger, $1,200; janitor, $720; clerk to the Committee on Appropriations, $3,000; assistant clerk and stenographer, $2,000; messenger and assistant clerk, $1,200; clerks to Committees on Accounts, Agriculture, Banking and Currency, Claims, District of Columbia, Elections, Foreign Affairs, Interstate and Foreign Commerce, Indian Affairs, Invalid Pensions, Judiciary, Merchant Marine and Fisheries, Military Affairs, Naval Affairs, Post-Office and Post-Roads, Public Buildings and Grounds, Public Lands, Rivers and Harbors, War Claims, and clerk to continue Digest of Claims under resolution of March 7, 1888, at $2,000 each; and for assistant clerk to the Committee on War Claims, $1,200; in all, $53,920.

Mr. HEMENWAY. I offer the following amendment, Mr. Chairman.

The Clerk read as follows:

On page 13, at the end of line 19, insert "pensions;" and in line 24 strike out "fifty-three" and insert "fifty-five."

The amendment was agreed to.

The Clerk read as follows:

For 18 clerks to committees at $6 each per day during the session, $13,068.

Mr. HEMENWAY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 13, line 25, strike out "eighteen" and insert in lieu thereof "seventeen;" and on page 14, in line 1, strike out "$13,068" and insert "$13,342."

The amendment was agreed to.

The Clerk read as follows:

For furniture, including partitions, screens, and shelving, $30,000.

Mr. HEMENWAY. Mr. Chairman, I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN, 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. 8347 and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. GAMBLE, for three days, on account of important business.

To Mr. WHITE, for Friday and Saturday, on account of important business.

CHANGE OF REFERENCE.

The Committee on War Claims was discharged from the consideration of Executive Document No. 432, being letter from the Acting Secretary of the Treasury, transmitting communications from certain officials of the Treasury relating to claims of employees for work done overtime during the war with Spain, and the same was referred to the Committee on Appropriations.

CONTESTED-ELECTION CASE—PEARSON AGAINST CRAWFORD.

Mr. MIERS of Indiana. Mr. Speaker, in accordance with the resolution that was adopted at the time of filing the majority report in the matter of the contested-election case of Pearson against Crawford, giving the minority of the committee ten days within which to file their views, I desire to file the views of the minority, and ask that they be printed.

The SPEAKER. The gentleman from Indiana submits the following privileged report, pursuant to order of the House, which the Clerk will read.

The Clerk read as follows:

Case of Pearson against Crawford.

The SPEAKER. The views of the minority will be ordered printed and referred to the House Calendar.

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

The motion was agreed to; and accordingly (at 5 o'clock p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting a letter from the Paymaster-General and draft of a bill relating to relief of Paymaster F. S. Dodge—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a draft of proposed legislation relating to the estates of American citizens dying abroad—to the Committee on Foreign Affairs, 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. SHELDEN, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 7740) to amend section 8 of the act of Congress entitled "An act to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek nations, in the Indian Territory, and for other purposes," reported the same without amendment, accompanied by a report (No. 337); which said bill and report were referred to the House Calendar.

Mr. FLYNN, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 2931) to provide for submitting to the Court of Claims for determination the rights of the Delaware Indians in the Cherokee Nation, the Mississippi Choctaws in the Choctaw Nation, the Chickasaw freedmen in the Chickasaw Nation, and intermarried persons in the Choctaw, Chickasaw, and Cherokee nations, and for other purposes, reported the same with amendment, accompanied by a report (No. 340); which said bill and report were referred to the House Calendar.

Mr. STEPHENS of Texas, from the Committee on Indian Affairs, to which was referred House bills 5024 and 905, reported in lieu thereof a bill (H. R. 8590) to ratify and confirm an agreement with the Comanche, Kiowa, and Apache tribes of Indians in Oklahoma Territory, and to open their reservations for settlement, accompanied by a report (No. 342); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DOLLIVER, from the Committee on Ways and Means, to which was referred House bill 4727, reported in lieu thereof a bill (H. R. 8620) amendatory of sections 3339 and 3341 of the Revised Statutes of the United States, relative to internal-revenue tax on fermented liquors, accompanied by a report (No. 343); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7322) granting an increase of pension to Frederick E. Vance, of Clay Center, Kans., late of Company A, First Minnesota Cavalry, reported the same with amendment, accompanied by a report (No. 341); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

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

By Mr. WATERS: A bill (H. R. 8585) to amend chapter 313 of the United States Statutes at Large, entitled "An act to prevent forest fires on the public domain"—to the Committee on the Public Lands.

By Mr. GILBERT: A bill (H. R. 8586) for the erection of a public building at Lawrenceburg, Ky.—to the Committee on Public Buildings and Grounds.

By Mr. LATIMER (by request): A bill (H. R. 8587) to abolish the office of register of wills, and for other purposes—to the Committee on the District of Columbia.

By Mr. ALLEN of Maine: A bill (H. R. 8588) for the extension of Eighth street NE. (West Railroad avenue, Brookland, D. C.)—to the Committee on the District of Columbia.

By Mr. JONES of Washington: A bill (H. R. 8589) giving the Secretary of the Interior discretionary power to extend the time for making final proof in desert-land entries—to the Committee on the Public Lands.

By Mr. STEPHENS of Texas, from the Committee on Indian Affairs: A bill (H. R. 8590) to ratify and confirm an agreement with the Comanche, Kiowa, and Apache tribes of Indians in Oklahoma Territory, and to open their reservation for settlement—to the Union Calendar.

By Mr. DOLLIVER, from the Committee on Ways and Means: A bill (H. R. 8620) amendatory of sections 3339 and 3341 of the Revised Statutes of the United States, relative to internal-revenue tax on fermented liquors—to the Union Calendar.

By Mr. DE VRIES: A joint resolution (H. J. Res. 175) providing for the authorization of the Secretary of War to purchase lands necessary for and to proceed with the works recommended by the California Débris Commission—to the Committee on Rivers and Harbors.

By Mr. KLUTTZ: A joint resolution (H. J. Res. 176) to amend the Constitution of the United States relating to direct taxes—to the Committee on the Judiciary.

By Mr. JONES of Washington: A concurrent resolution (H. C. Res. 18) providing for a preliminary survey for a canal from Puget Sound to Grays Harbor—to the Committee on Rivers and Harbors.

By Mr. WHEELER of Kentucky: A resolution (H. Res. 149) calling on the Secretary of State for certain information—to the Committee on Foreign Affairs.

By Mr. RICHARDSON: A resolution (H. Res. 150) relating to accounts in the War Department—to the Committee on Rules.

Also, a resolution (H. Res. 151) relating to accounts in the Treasury Department—to the Committee on Rules.

By Mr. LESTER: A resolution (H. Res. 153) for examination of Savannah Harbor—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

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

By Mr. BROUSSARD: A bill (H. R. 8591) for the relief of the estate of Raphael Segura, deceased, late of Iberia Parish, La.—to the Committee on War Claims.

By Mr. BERRY: A bill (H. R. 8592) granting a pension to Elizabeth J. Fields—to the Committee on Invalid Pensions.

By Mr. BAKER: A bill (H. R. 8593) for the relief of the heirs of C. C. Spaulding, deceased—to the Committee on War Claims.

By Mr. BULL: A bill (H. R. 8594) granting a pension to Matilda Rapp—to the Committee on Invalid Pensions.

By Mr. BROSIUS: A bill (H. R. 8595) for the relief of the legal owners of the Columbia Bridge, at Columbia, Pa.—to the Committee on War Claims.

By Mr. BELLAMY: A bill (H. R. 8596) to appropriate $10,000 to inclose and beautify the grounds and repair the monument on the Moores Creek battlefield, North Carolina—to the Committee on the Library.

By Mr. CARMACK: A bill (H. R. 8597) for the relief of Patrick G. Meath—to the Committee on Claims.

By Mr. CATCHINGS: A bill (H. R. 8598) for the relief of Eugenia M. Allen, née Rossman—to the Committee on War Claims.

By Mr. COOPER of Wisconsin: A bill (H. R. 8599) granting a pension to Ellen J. Williams—to the Committee on Invalid Pensions.

By Mr. CRUMP: A bill (H. R. 8600) granting a pension to Edward S. Dickinson—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 8601) for the relief of the trustees of the Methodist Protestant Church of Middleway, Jefferson County, W. Va.—to the Committee on War Claims.

By Mr. ELLIOTT (by request): A bill (H. R. 8602) for the relief of Theophilus Fisk Mills—to the Committee on the Library.

By Mr. FITZGERALD of Massachusetts: A bill (H. R. 8603) authorizing the Secretary of War to place upon the retired list of the Army Sergt. Patrick S. Cleary—to the Committee on Military Affairs.

By Mr. FLEMING: A bill (H. R. 8604) for the relief of Eli Frasuer, of Wilkinson County, Ga.—to the Committee on War Claims.

By Mr. HEDGE: A bill (H. R. 8605) granting a pension to Joseph Champlin Stone—to the Committee on Invalid Pensions.

By Mr. HENRY of Mississippi: A bill (H. R. 8606) for the relief of the estate of Jesse Mabry, deceased, late of Rankin County, Miss.—to the Committee on War Claims.

By Mr. HAMILTON: A bill (H. R. 8607) granting an increase of pension to Chancy J. Poore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8608) for the relief of David A. Cornell—to the Committee on Military Affairs.

Also, a bill (H. R. 8609) granting bounty to William H. Southwell—to the Committee on Claims.

By Mr. JONES of Washington: A bill (H. R. 8610) granting a pension of $50 per month to Abner S. Crawford—to the Committee on Invalid Pensions.

By Mr. KNOX: A bill (H. R. 8611) for the relief of Joseph S. Gillon—to the Committee on War Claims.

By Mr. LESTER: A bill (H. R. 8612) for the relief of Mary A. Bell, of Emanuel County, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 8613) for the relief of the Chatham Artillery—to the Committee on War Claims.

By Mr. LACEY: A bill (H. R. 8614) to muster Franklin V. Ayres—to the Committee on Military Affairs.

Also, a bill (H. R. 8615) granting a pension to Ettie E. House—to the Committee on Invalid Pensions.

By Mr. NAPHEN: A bill (H. R. 8616) to place on the pension roll the name of Mrs. L. L. Johnson—to the Committee on Pensions.

By Mr. SHOWALTER: A bill (H. R. 8617) granting a pension to James W. Wick—to the Committee on Invalid Pensions.

By Mr. TERRY (by request): A bill (H. R. 8618) granting a pension to Clarence E. Haney—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 8619) granting a pension to James B. Mahan—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 8621) granting an increase of pension to Beckwith A. McNemar—to the Committee on Invalid Pensions.

By Mr. PEREA (by request): A bill (H. R. 8622) for the payment to Bart. A. Nymeyer of the balance due him for surveying public lands—to the Committee on Claims.

By Mr. JAMES R. WILLIAMS: A bill (H. R. 8623) granting a pension to Florence Tate—to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 8624) for the relief of Frank Gammon—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. ADAMS: Letter of the secretary of the New York Board of Trade and Transportation, in relation to the consular service—to the Committee on Foreign Affairs.

By Mr. BARTLETT: Petition of George D. Case and other druggists, of Milledgeville, Ga., for the repeal of the stamp tax on medicines, etc.—to the Committee on Ways and Means.

Also, resolution of the National Building Trades Council of America, against the passage of the bill prohibiting ticket brokerage—to the Committee on Interstate and Foreign Commerce.

By Mr. BELL: Resolution of the National Live Stock Association, held at Fort Worth, Tex., in favor of the passage of House bill No. 3988, to reorganize the Weather Bureau—to the Committee on Agriculture.

Also, Boulder Branch, No. 642, Letter Carriers' National Association, favoring the passage of House bill No. 4911, to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. BELLAMY: Petition of J. B. Mercer, D. L. Gove, and

other citizens of Brunswick and New Hanover counties, N. C., including the Chamber of Commerce and Produce Exchange of Wilmington, N. C., for an appropriation for the improvement of Lockwoods Folly River, North Carolina, to accompany joint resolution No. 12—to the Committee on Rivers and Harbors.

By Mr. BOWERSOCK: Petition of R. P. Kelley, of Eureka, Kans., asking that the Government continue the manufacture and distribution of blackleg vaccine—to the Committee on Agriculture.

By Mr. BURKE of South Dakota: Remonstrance of John P. Tenold and other citizens of Flandreau, S. Dak., against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. CATCHINGS: Papers to accompany House bill relating to the claim of Eugenia M. Allen—to the Committee on War Claims.

By Mr. CUMMINGS: Papers to accompany House bill No. 8316, granting a pension to Harry E. Fillmore—to the Committee on Invalid Pensions.

By Mr. DOLLIVER: Resolution of McPherson Post, No. 33, Department of Iowa, Grand Army of the Republic, for the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DOVENER: Papers to accompany House bill No. 1782, for the relief of D. B. Clark—to the Committee on Invalid Pensions.

Also, affidavits of Dr. J. W. Ramsey and others, to accompany House bill to increase the pension of Beckwith A. McNemar—to the Committee on Invalid Pensions.

By Mr. ESCH: Resolutions of Racine (Wis.) Trades and Labor Council, protesting against the passage of House bill No. 5067, concerning the boarding of vessels—to the Committee on the Merchant Marine and Fisheries.

By Mr. GAMBLE: Petition of John P. Tenold and other citizens of Flandreau, S. Dak., protesting against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. KNOX: Paper to accompany House bill relating to the claim of Joseph S. Gillow—to the Committee on War Claims.

By Mr. LACEY: Resolution of General Hancock Post, No. 22, Department of Iowa, Grand Army of the Republic, urging the passage of House bill No. 2583, giving veterans preference in employment—to the Committee on Reform in the Civil Service.

By Mr. LATIMER: Resolution of the Young Men's Business League of Charleston, S. C., in favor of an amendment to the interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

By Mr. MEEKISON: Papers to accompany House bill No. 7704, granting a pension to Maggie M. Myers—to the Committee on Invalid Pensions.

By Mr. MERCER: Resolution of the Farmers' Institute of Nebraska, protesting against any change in the present tariff law with regard to products of Puerto Rico and other tropical islands—to the Committee on Ways and Means.

By Mr. MIERS of Indiana: Paper to accompany House bill No. 4673, for the relief of Josiah Standley—to the Committee on Invalid Pensions.

Also, paper to accompany House bill No. 7170, granting a pension to Samuel Setzer—to the Committee on Invalid Pensions.

By Mr. NEVILLE: Papers to accompany House bill No. 4827, granting a pension to Emily M. Gillespie—to the Committee on Invalid Pensions.

By Mr. NORTON of Ohio: Papers to accompany House bill No. 7794, in the matter of granting a pension to John Conter, of Tiffin, Ohio—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petition of the United Brotherhood of Carpenters and Joiners of Elwood, Ind., in relation to the reclamation and settlement of public land—to the Committee on the Public Lands.

By Mr. SHOWALTER: Papers to accompany House bill No. 5938, granting a pension to James W. Wick—to the Committee on Invalid Pensions.

By Mr. SPALDING: Petition of the Congregational Church of Oriska, N. Dak., for the passage of a bill limiting absolute divorce in the District of Columbia—to the Committee on the District of Columbia.

Also, petition of Hans L. Ugland and 184 other citizens of the State of North Dakota, in favor of the Pettigrew amendment to the homestead law—to the Committee on the Public Lands.

By Mr. SPERRY: Resolutions of the State prison directors of Connecticut, against the bills restricting or forbidding the interstate transportation of prison-made products—to the Committee on Labor.

By Mr. TERRY: Papers to accompany House bill granting a pension to James B. Mahan—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting a pension to Clarence E. Haney—to the Committee on Invalid Pensions.

By Mr. UNDERHILL: Petition of Louis F. Haffen and other citizens of New York, to authorize the Secretary of War to contract with Charles Stoughton for the construction of the Harlem Kills Canal, etc.—to the Committee on Rivers and Harbors.

By Mr. YOUNG of Pennsylvania: Petition of the Link-Belt Engineering Company, of Philadelphia, Pa., in favor of Senate bill No. 1159, for improved facilities in the Patent Office—to the Committee on Patents.

Also, petition of Schandein & Lind, Philadelphia, Pa., for the repeal of the stamp tax on proprietary medicines, perfumery, etc.—to the Committee on Ways and Means.

Also, petition of John Rhoads Company, in relation to the revenue tax on warehouse receipts—to the Committee on Ways and Means.

Also, petition of the Dorsey Printing Company, of Dallas, Tex., for the improvement of Trinity River from the Gulf of Mexico to the city of Dallas, Tex.—to the Committee on Rivers and Harbors.

Also, resolution of the Firemen's Association of the State of Pennsylvania, opposing the passage of Senate bill No. 1743, establishing a division for the regulation of insurance among the several States—to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, *February 16, 1900.*

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

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

PUBLIC RECEIPTS AND EXPENDITURES IN CUBA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 17th ultimo, a statement showing the receipts from customs, postal service, internal revenue, and miscellaneous sources from the date of the occupation of Cuba by the military forces of the Government, January 1, 1899, to December 31, 1899, etc.; which, with the accompanying papers, was referred to the Committee on Relations with Cuba, and ordered to be printed.

ADJOURNMENT TO MONDAY.

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

Mr. NELSON. I hope that motion will not be adopted. We have so many important matters that we ought to be in session to-morrow.

The PRESIDENT pro tempore. It is not open to debate. The question is on the motion of the Senator from Maine.

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 a bill (H. R. 4006) to authorize the Union Railroad Company to construct and maintain a bridge across the Monongahela River; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 5288) relating to lights on steam pilot vessels; and

A bill (H. R. 7739) to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved March 3, 1899.

THE PHILIPPINE ISLANDS.

Mr. LODGE. Mr. President, I desire to give notice that on Wednesday next, immediately after the routine morning business, I shall ask the leave of the Senate to submit some remarks upon the various bills and resolutions relating to the Philippine Islands.

PETITIONS AND MEMORIALS.

Mr. FOSTER presented a petition of the Sunday school of the First Christian Church, of Olympia, Wash., praying for the enactment of legislation to prohibit the manufacture and sale of alcoholic liquor in the Hawaiian Islands; which was referred to the Committee on Pacific Islands and Puerto Rico.

He also presented the petition of Mrs. Homer Hill, president, and Miss M. E. Pike, secretary, on behalf of the Woman Suffrage Association of Washington, praying for the adoption of a sixteenth amendment to the Constitution prohibiting the disfranchisement of United States citizens on account of sex, and remonstrating against the insertion of the word "male" in the