By Mr. STEELE: Petition of J. E. Larimer and 21 other internal-revenue gaugers, storekeepers, etc., of the Sixth Congressional district of Indiana, asking for an increase of pay—to the Committee on Ways and Means.

By Mr. SMITH of Kentucky (by request): Papers to accompany House bill granting a pension to Columbus B. Allen—to the Committee on Invalid Pensions.

By Mr. SNODGRASS: Papers to accompany House bill granting a pension to Dock Brackin—to the Committee on Invalid Pensions.

Also, paper to accompany House bill granting a pension to Hardy Shadwick, jr.—to the Committee on Invalid Pensions.

Also, paper to accompany House bill granting an increase of pension to Hezekiah E. Burchard—to the Committee on Invalid Pensions.

By Mr. SPRAGUE: Resolutions of the Boston Paper Trade Association, favoring reciprocal trade between United States and Canada—to the Committee on Ways and Means.

By Mr. STEVENS of Minnesota: Petition of Minneapolis Chamber of Commerce against the passage of House bill No. 1439, amending the act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. THOMAS of Iowa: Petition of citizens of Sheldon, Iowa, in favor of the passage of a service pension bill—to the Committee on Invalid Pensions.

By Mr. WEEKS: Petitions of George W. Plough life-saving crews of Thunder Bay Island, favoring bill to promote efficiency of Life-Saving Service—to the Committee on Merchant Marine and Fisheries.

By Mr. JAMES R. WILLIAMS: Paper to accompany House bill for the relief of Sarah A. Tanquary—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of Thomas Sheridan—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of Millia Williams—to the Committee on Invalid Pensions.

By Mr. ZIEGLER: Petition of citizens of the Nineteenth Congressional district of Pennsylvania, favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

SENATE.

TUESDAY, *January 8, 1901.*

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

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

ELECTORAL VOTES OF KENTUCKY AND MINNESOTA.

The PRESIDENT pro tempore laid before the Senate two communications from the Secretary of State, transmitting certified copies of the final ascertainment of the electors for President and Vice-President appointed in the States of Kentucky and Minnesota; which, with the accompanying papers, were ordered to lie on the table.

STATUS OF TENNESSEE ENROLLED MILITIA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of December 18, 1900, a report from the Chief of the Record and Pension Office relative to the claims of the officers and enlisted men of the First, Second, Third, Fourth, Fifth, Sixth, and Seventh regiments of the Enrolled Militia which constituted a part of the garrison of Memphis and of the western district of Tennessee, etc.; which, on motion of Mr. TURLEY, was, with the accompanying papers, ordered to lie on the table, and be printed.

THE PNEUMATIC-TUBE SERVICE.

The PRESIDENT pro tempore laid before the Senate a communication from the Postmaster-General, transmitting, pursuant to law, the results of the investigation into the pneumatic-tube service for the transmission of mail; which, with the accompanying papers, was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

FRANCHISES IN PORTO RICO.

The PRESIDENT pro tempore laid before the Senate a communication from the secretary of Porto Rico, transmitting copies of franchises granted by the executive council of Porto Rico to the Port America Company and to Ramon Valdes; which, with the accompanying papers, was referred to the Committee on the Pacific Islands and Porto Rico, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11820) to ratify and confirm an agreement with the Cherokee tribe of Indians, and for other purposes, and the bill (H. R. 11281) to ratify and confirm an agreement with the Muscogee or Creek tribe of Indians, and for other purposes; asks conferences with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERMAN, Mr. CURTIS, and Mr. LITTLE managers at the respective conferences on the part of the House.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 163) for the relief of Henry O. Morse; and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented petitions of the Woman's Christian Temperance Union of New York City, the congregations of the Methodist Episcopal and First Baptist churches of Wellsville, and of J. S. E. Erskine, of Thompson Ridge, all in the State of New York, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which were ordered to lie on the table.

He also presented petitions of the keepers and crews of the life-saving stations at Quogue and Tiana, in the State of New York, praying for the enactment of legislation to promote the efficiency of the Life-Saving Service and to encourage the saving of life from shipwreck; which were referred to the Committee on Commerce.

He also presented petitions of Laundry Workers' Union, No. 8682, of Berlin; of Federal Labor Union, No. 8271, of Amsterdam; of the Woodworkers' Union of Troy; of Brush Makers' Protective and Benevolent Association, No. 7394, of New York City; of Boiler Makers and Iron Shipbuilders Helpers and Heaters' Union, No. 8001, of Buffalo, and of Steel Cabinet Workers' Union, No. 7294, of Jamestown, all in the State of New York, praying for the enactment of legislation to regulate the hours of daily work of laborers and mechanics, and also to protect free labor from prison competition; which were referred to the Committee on Education and Labor.

He also presented petitions of Local Grange, No. 827, Patrons of Husbandry, of Arena; of sundry citizens of Delaware County; of C. H. Whitcomb, of West Somerset; of Local Grange, No. 693, Patrons of Husbandry, of Greig; of William G. Head, of Cherry Valley; of sundry citizens of North Franklin, Elmira, and Chautauqua County; of H. E. Anderson, of Frewsburg; James McCarthy, of Woodhull; W. E. Ward, of Albany; E. D. Green, of Chester; J. D. F. Woolston, of Cortland; of Local Grange, No. 235, Patrons of Husbandry, of Sheridan; of Local Grange, No. 311, Patrons of Husbandry, of Greece, and of Local Grange, No. 896, Patrons of Husbandry, of Rhinebeck, all in the State of New York, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of Cottage Grange, No. 829, Patrons of Husbandry, of West Perrysburg, N. Y., praying for the enactment of legislation to regulate the branding of cheese; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of Frederick D. Power, secretary of the Congressional Temperance Society and also of the Reform Bureau, praying for the enactment of legislation to prohibit the sale of intoxicating liquors to native races in Africa; which was referred to the Committee on Foreign Relations.

Mr. HARRIS presented a petition of sundry citizens of Kansas, praying for the repeal of the revenue tax on grain products; which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Kansas, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all the insular possessions of the United States; which was referred to the Committee on the Philippines.

He also presented sundry petitions of citizens of Chautauqua, and of Cowley and Chautauqua counties, all in the State of Kansas, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Live Stock Exchange of South St. Joseph, Mo., remonstrating against the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Michigan State Millers' Association, praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Great Atlantic and Pacific Tea Company and sundry other wholesale and retail grocers of the United States, praying for the repeal of the duty on tea; which was referred to the Committee on Finance.

Mr. KENNEY presented a petition of sundry citizens of Delaware, praying for the adoption of an amendment to the Constitution providing for the election of United States Senators by a direct vote of the people; for an appropriation providing for the extension of free rural mail delivery; for the establishment of

postal savings banks, etc.; which was referred to the Committee on the Judiciary.

Mr. PRITCHARD presented a petition of C. L. Ezell and 100 other citizens of Hawriver, N. C., praying for the enactment of legislation to regulate the hours of daily work of laborers and mechanics, and also to protect free labor from prison competition; which was referred to the Committee on Education and Labor.

Mr. NELSON presented a petition of sundry citizens of Minnesota, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. COCKRELL presented a memorial of the G. W. Taylor Dry Goods Company, of Huntsville, Mo., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. WARREN presented a petition of sundry retail druggists and business firms of Lander, Wyo., praying for the repeal of the stamp tax on medicinal proprietary articles and preparations; which was referred to the Committee on Finance.

Mr. McMILLAN presented a petition of the keeper and crew of the life-saving station of Ship Canal, Michigan, praying for the enactment of legislation to promote the efficiency of the Life-Saving Service and to encourage the saving of life from shipwreck; which was referred to the Committee on Commerce.

He also presented petitions of the Ship Carpenters' Union of West Bay City; of Federal Labor Union, No. 8527, of Railway Workmen, of Saginaw, and of the Central Labor Union of Saginaw, all in the State of Michigan, praying for the enactment of legislation to regulate the hours of daily work of laborers and mechanics, and also to protect free labor from prison competition; which were referred to the Committee on Education and Labor.

Mr. FAIRBANKS presented petitions of J. C. Perry & Co. and 23 other business firms of Indianapolis; Kramer & Sons and 7 other business firms of Laporte; the J. T. Elliott Company and the Stroyer & Uhl Company, of Logansport; E. Bierhaus & Sons and 23 other business firms of Vincennes; S. Kahn's Sons and 3 other business firms of Evansville; Joseph A. Goddard & Co. and 4 other business firms of Muncie, and of Campbell, Boyd & Co. and 4 other business firms of Columbus, all in the State of Indiana, praying for the adoption of an amendment to the present bankruptcy law; which were referred to the Committee on the Judiciary.

Mr. MASON presented a petition of Local Union No. 8584, American Federation of Labor, of Assumption, Ill., and a petition of Local Union No. 8657, American Federation of Labor, of Cobden, Ill., praying for the enactment of legislation to regulate the hours of daily work of laborers and mechanics, and also to protect free labor from prison competition; which were referred to the Committee on Education and Labor.

REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 5360) granting an increase of pension to Hiram I. Hoyt;

A bill (S. 5322) granting an increase of pension to Daniel W. Warren;

A bill (H. R. 11096) granting an increase of pension to Delia E. Stillman;

A bill (H. R. 3705) granting a pension to Almeda Brown;

A bill (H. R. 7495) granting an increase of pension to Richard Holloway;

A bill (H. R. 8535) granting an increase of pension to Andrew E. Dunham;

A bill (H, R. 10089) granting an increase of pension to Charles Forbes; and

A bill (H. R. 10784) granting an increase of pension to Oliva J. Baker.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 4985) granting an increase of pension to Dr. George C. Jarvis; and

A bill (S. 5187) granting a pension to Corinne Strickland.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 4531) granting a pension to Harriet S. Richards; and

A bill (S. 5074) granting an increase of pension to Sarah F. Bridges.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 753) granting a pension to John F. Scribner, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also (for Mr. KYLE), from the Committee on Pensions, to whom was referred the bill (S. 4938) granting an increase of pension to Esther Ann Grills, reported it with an amendment, and submitted a report thereon.

He also (for Mr. KYLE), from the same committee, to whom was referred the bill (S. 914) granting an increase of pension to Charles L. Summers, reported it with amendments, and submitted a report thereon.

He also (for Mr. KYLE), from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5007) granting an increase of pension to Smith Miner:

A bill (H. R. 4199) granting increase of pension to Gabriel M. Funk;

A bill (H. R. 8161) granting a pension to Annis Bean; and

A bill (H. R. 9840) granting an increase of pension to William Snider.

Mr. DEBOE, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3280) granting an increase of pension to Henry Keene; and

A bill (S. 1786) granting an increase of pension to Fielding Marsh.

Mr. DEBOE, from the Committee on Pensions, to whom was referred the bill (S. 3193) granting a pension to Charles H. Force, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2843) granting an increase of pension to John Johnson, reported it without amendment, and submitted a report thereon.

Mr. TALIAFERRO, from the Committee on Pensions, to whom was referred the bill (S. 5019) granting an increase of pension to Julia Crenshaw, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 3609) granting a pension to Agnes B. Hoffman, reported it without amendment, and submitted a report thereon.

Mr. McLAURIN, from the Committee on Claims, to whom was referred the bill (S. 1380) for the relief of Mary W. Kramer, reported it without amendment, and submitted a report thereon.

Mr. SHOUP, from the Committee on Pensions, to whom was referred the bill (S. 2709) granting a pension to Marietta Elizabeth Stanton, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2232) granting a pension to Frederick Sien; and

A bill (S. 2828) granting an increase of pension to Hippolyte Perrault.

Mr. PRITCHARD, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 5201) granting a pension to Samuel F. Radford; and

A bill (H. R. 9502) granting an increase of pension to Phebe A. La Mott.

Mr. PRITCHARD, from the Committee on Pensions, to whom was referred the bill (H. R. 10472) granting an increase of pension to Frank Blair, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 7621) granting a pension to William H. Chapman, reported it with an amendment, and submitted a report thereon.

Mr. KENNEY, from the Committee on Pensions, to whom was referred the bill (S. 413) granting a pension to Albert S. Cummings, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were reported the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 4069) granting a pension to Julia A. Kinkead;

A bill (H. R. 4887) granting an increase of pension to David R. Ellis; and

A bill (H. R. 6043) granting an increase of pension to John C. Sheuerman.

Mr. PERKINS, from the Committee on Fisheries, to whom was referred the bill (S. 5354) to establish a fish-hatching and fish station in the State of Idaho, reported it without amendment, and submitted a report thereon.

Mr. QUARLES, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 11516) granting an increase of pension to Samuel Ryan; and

A bill (H. R. 4356) granting an increase of pension to Henry G. Bigelow.

Mr. QUARLES, from the Committee on Pensions, to whom

were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 1602) granting an increase of pension to Morris B. Kimball;

A bill (S. 2153) granting an increase of pension to Jesse N. Dawley;

A bill (S. 5325) granting a pension to Michael Mullin; and

A bill (S. 5031) granting a pension to Margaret A. Potts.

Mr. QUARLES, from the Committee on Pensions, to whom was referred the bill (S. 4960) granting a pension to Minerva M. Helmer, reported it with an amendment, and submitted a report thereon.

Mr. ALLEN, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 11228) granting an increase of pension to Smith Thompson;

A bill (H. R. 3956) granting an increase of pension to George W. Plants;

A bill (H. R. 5189) granting an increase of pension to Alexander Boltin;

A bill (H. R. 11198) granting an increase of pension to Gorton Brown; and

A bill (S. 5233) granting an increase of pension to Philetus M. Axtell.

STATUTES OF THE DISTRICT OF COLUMBIA.

Mr. PLATT of New York. I am directed by the Committee on Printing to report a joint resolution providing for the distribution of Compiled Statutes of the District of Columbia to judges of United States courts, and to ask for its immediate consideration.

The joint resolution (S. R. 149) providing for the distribution of Compiled Statutes of the District of Columbia to judges of United States courts, was read the first time by its title and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to distribute from those in his custody one copy of the Compiled Statutes of the District of Columbia to each United States judge not already supplied with the work.

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

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

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

BILLS INTRODUCED.

Mr. HAWLEY introduced a bill (S. 5450) granting an increase of pension to Rachel J. B. Williams; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HANNA introduced a bill (S. 5451) granting an increase of pension to Mary M. Hyde; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5452) granting an increase of pension to William Wheeler; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 5453) to correct the military record of Denton Whipps; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PLATT of New York introduced a bill (S. 5454) for the relief of the estate of James Brown, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. MCMILLAN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (S. 5455) to authorize advances from the Treasury of the United States for the support of the government of the District of Columbia;

A bill (S. 5456) to provide for improvements in the office of the assessor for the District of Columbia;

A bill (S. 5457) regulating assessments for water mains in the District of Columbia; and

A bill (S. 5458) for the relief of holders and owners of certain District of Columbia special-tax scrip.

Mr. PRITCHARD introduced a bill (S. 5459) granting a pension to William Hensley; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5460) granting an increase of pension to Rudison Crawford; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5461) for the relief of Thomas Stanley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

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

A bill (S. 5462) granting a pension to Phœbe Lilly (with an accompanying paper);

A bill (S. 5463) granting a pension to Marie Josephine Detweller (with accompanying papers); and

A bill (S. 5464) granting an increase of pension to Campbell Ward (with accompanying papers).

Mr. DEBOE introduced a bill (S. 5465) to correct the military record of Lloyd Clark; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 5466) to correct the military record of James Loney, alias James Malone; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 5467) for the relief of James Obrien; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 5468) for the relief of Emil Mahlo; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 5469) for the relief of George W. Smith; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. TURLEY introduced a bill (S. 5470) for the relief of the legal representatives of Turner Smith, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 5471) for the relief of the estate of James F. Phillips, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. MONEY introduced a bill (S. 5472) for the relief of Alice G. Boogher, née Anna Newman, and Holmes, née Newman; which was read twice by its title, and referred to the Committee on Claims.

Mr. BARD introduced a bill (S. 5473) granting a pension to Annie Yates; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5474) granting an increase of pension to John Hamilton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5475) granting a pension to Zenobia J. Bueb; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MASON introduced a bill (S. 5476) to amend an act entitled "An act to confer jurisdiction on the Court of Claims to hear and determine the claim of the heir of Hugh Worthington, for his interest in the steamer *Eastport*," approved July 28, 1892; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. KENNEY introduced a bill (S. 5477) granting a pension to John A. Reilley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LODGE introduced a bill (S. 5478) for the relief of certain religious, charitable, and educational institutions; which was read twice by its title, and referred to the Committee on Claims.

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

A bill (S. 5479) granting an increase of pension to Matthias T. Hamilton; and

A bill (S. 5480) granting an increase of pension to William McFee.

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

A bill (S. 5481) granting an increase of pension to William W. King;

A bill (S. 5482) granting an increase of pension to Robert Hendry; and

A bill (S. 5483) granting an increase of pension to Lemuel Rossiter.

Mr. FRYE introduced a bill (S. 5484) to provide for subports of entry and delivery in the Territory of Hawaii; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 5485) to amend an act approved August 19, 1890, entitled "An act to adopt regulations for preventing collisions at sea;" which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 5486) to amend section 14 of an act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MASON introduced a bill (S. 5487) for the relief of the executrix of George W. Curtis, deceased; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SIMON submitted an amendment proposing to appropriate $11,000 for improvements at the Klamath Indian Agency, Oreg., intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. MASON submitted an amendment proposing to appropriate $2,000 for salary of one clerk, acting as chief clerk in the office of the Postmaster-General, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. McCUMBER submitted an amendment providing that steps be taken to prevent the spread of smallpox among the Turtle Mountain Band of Indians at Devils Lake Agency, N. Dak., intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

THE MILITARY ESTABLISHMENT.

Mr. KENNEY submitted an amendment intended to be proposed by him to the bill (S. 4300) to increase the efficiency of the military establishment of the United States; which was ordered to lie on the table, and be printed.

HEARINGS BEFORE COMMITTEE ON MILITARY AFFAIRS.

Mr. HAWLEY. I submit a resolution for printing additional copies of the hearings before the Committee on Military Affairs, and I ask for its immediate consideration. The original thousand is exhausted and there is quite a demand for it.

The resolution was considered by unanimous consent, and agreed to, as follows:

Ordered, That there be printed as a Senate document 3,000 copies of the hearings before the Committee on Military Affairs on Senate bill 4300.

BREAKWATER AT BURLINGTON, VT.

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

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to furnish Congress with a report showing the present condition of the breakwater at Burlington, Vt., with an estimate of cost for its proper repair and completion.

REGULAR OFFICERS AS OFFICERS OF VOLUNTEERS.

Mr. PETTIGREW. I offer a resolution and ask that it be read, printed, and lie over under the rule.

The resolution was read, as follows:

Resolved, That the Secretary of War be, and he is hereby, directed to furnish the Senate with the names of all officers of the Regular Army who were appointed to be officers of volunteers since May 1, 1898, the rank said officers held in the Regular Army when so appointed, the rank to which appointed in the volunteers, and the rank now held in the volunteers; whether any regular officers so appointed to volunteer regiments have been assigned to duty other than that of duty in the field with their regiments, the names of officers so detailed, with the date of the detail, the special duty to which assigned, and where such special duty has been and is now being performed.

The PRESIDENT pro tempore. The resolution will be printed, and it will lie over under the rule.

PAPER ON PARCELS POST.

Mr. PETTIGREW. I desire to have printed as a document an article on parcels posts, written by Mahlon H. White—an excellent contribution to the subject. I do not know that I am in favor of establishing at this time a parcels post, but I think that this valuable information ought to be printed for the benefit of the Senate. I ask, therefore, that it be printed as a document, and referred to the Committee on Post-Offices and Post-Roads.

Mr. SEWELL. Mr. President, I object to private contributions being printed at the expense of the Senate.

The PRESIDENT pro tempore. The Senator from New Jersey objects.

Mr. PETTIGREW. I ask the clerks, then, to please return the paper to me.

THE MILITARY ESTABLISHMENT.

Mr. HAWLEY. I ask unanimous consent that the Senate proceed to the consideration of the Army bill.

There being no objection, the Senate resumed the consideration of the bill (S. 4300) to increase the efficiency of the military establishment of the United States.

The PRESIDENT pro tempore. Committee amendments are still in order.

Mr. GALLINGER rose.

Mr. BATE. An amendment was under consideration yesterday evening, and I think we had better dispose of it first. It was laid over upon the request of the Senator from South Dakota [Mr. PETTIGREW].

The PRESIDENT pro tempore. A committee amendment?

Mr. BATE. Yes, sir; the committee have approved it.

Mr. GALLINGER. Mr. President, I rose to suggest that the so-called canteen amendment was laid over until this morning and that I am prepared to proceed with the consideration of that amendment. I have no objection to the amendment to which the attention of the Chair has been called being acted on first.

Mr. BATE. I thought it was acted on finally yesterday evening, but I see by the RECORD it was not. We had better finish it this morning.

The PRESIDENT pro tempore. The Senator from Tennessee offers, on behalf of the committee, an amendment which will be read.

The SECRETARY. On page 26, line 7, after the word "examination," insert the following:

Provided, That the Secretary of War be authorized to appoint in the Hospital Corps, in addition to the 200 hospital stewards now allowed by law, 100 hospital stewards: *Provided*, That men who have served as hospital stewards of volunteer regiments or acted in that capacity during and since the Spanish-American war for more than six months may be appointed hospital stewards in the Regular Army: *And provided further*, That all men so appointed shall be of good moral character and shall have passed a satisfactory mental and physical examination.

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

The amendment was agreed to.

The PRESIDENT pro tempore. The next amendment is what is known as the canteen amendment.

Mr. GALLINGER. Let the amendment be read.

The PRESIDENT pro tempore. It will be read to the Senate.

The Secretary read the provision inserted by the House, as follows:

The sale of or dealing in beer, wine, or any intoxicating liquors by any person in any post exchange or canteen or Army transport, or upon any premises used for military purposes by the United States, is hereby prohibited. The Secretary of War is hereby directed to carry the provisions of this section into full force and effect.

The PRESIDENT pro tempore. The amendment of the committee will be stated.

The SECRETARY. In line 4 strike out the word "beer," and in line 5, after the words "or any" strike out the words "intoxicating liquors" and insert in lieu thereof "distilled spirits," so as to read:

The sale of or dealing in wine or any distilled spirits by any person in any post exchange or canteen or Army transport or upon any premises used for military purposes by the United States is hereby prohibited. The Secretary of War is hereby directed to carry the provisions of this section into full force and effect.

Mr. GALLINGER. Mr. President, in the Army reorganization bill that became a law March 2, 1899, the following provision was inserted, being section 17 of the statute:

That no officer or private soldier shall be detailed to sell intoxicating drinks, as a bartender or otherwise, in any post exchange or canteen, nor shall any other person be required or allowed to sell such liquors in any encampment or fort or on any premises used for military purposes by the United States; and the Secretary of War is hereby directed to issue such general order as may be necessary to carry the provisions of this section into full force and effect.

Those of us who voted for that provision supposed that its adoption would terminate liquor selling in the Army. But it will be remembered that the Attorney-General made the remarkable discovery that it did not mean what it said, and as a consequence the canteen has continued as a part of the Army equipment.

The bill now under consideration as it came from the House of Representatives contained this clause:

The sale of or dealing in beer, wine, or any intoxicating liquors by any person in any post exchange or canteen or Army transport or upon any premises used for military purposes by the United States is hereby prohibited. The Secretary of War is hereby directed to carry the provisions of this section into full force and effect.

The Committee on Military Affairs of the Senate has changed that provision, and recommends that it shall be adopted after the word "beer" has been stricken out and the words "distilled spirits" substituted for the words "intoxicating liquors," thus permitting the sale of beer to be continued at Army posts.

Mr. President, the question as to whether or not we shall tolerate saloons in connection with our Army posts and encampments is again before the Senate for consideration. A few days ago the so-called Lodge resolution was adopted by the Senate, the purpose of which was to place our Government in unison with other great governments of the world in the matter of treaties to protect the aboriginal races from the effects of intoxicants. Notwithstanding that action on the part of the Senate—of which I approved—it is now proposed that our Government shall continue in the saloon business in connection with the military camps of the country, thus placing our soldier boys under constant temptation.

In other words, by passing the Lodge resolution we joined hands in protecting the savages from the evil effects of strong drink, and now we propose to favor the sale of strong drink to our soldiers, who above all classes of our people ought to be protected from the evil effects of intoxicants.

Mr. President, I am opposed on principle to the Government engaging in the liquor traffic, and for this reason, among others,

I favor the proposition that comes from the House of Representatives, and I am opposed to the amendment reported by the Committee on Military Affairs.

Mr. HAWLEY. I should like to correct the Senator.

Mr. GALLINGER. I should be glad to have any correction made.

Mr. HAWLEY. He says, as I understood him, that he does not wish the Government to engage in the sale of liquor. I do not know what his phrase was. There is no pretense to sell any strong liquors at all. The sale of beer under the strictest regulations is all that is contemplated here. Distilled spirits and even wine, and all that, are excluded.

Mr. GALLINGER. Well, Mr. President, if the distinguished chairman of the committee had restrained his impetuosity and had done me the honor to listen to me a little further he would have heard a discussion of the beer question. Beer is an intoxicating drink, as every physician in the entire world knows, a drink that does harm to every man who habitually uses it. The committee might just as well have recommended the use of wine as of beer; indeed, I think the drinking of wine is preferable to the drinking of beer, so far as health is concerned.

I notice that in the hearings before the committee it was suggested by the chairman that the name "canteen" is not the proper one, but that the regimental saloon should be known by the name of "post exchange." Well, Mr. President, it matters little what the name is so far as the business remains unchanged.

That which we call a rose
By any other name would smell as sweet.

And a saloon is a saloon wherever found or however named.

But it is said that the committee propose to have nothing in the way of liquor sold in the canteen but beer. Now, Mr. President, there is not an intelligent man or woman in the country who does not know that if the sale of beer is permitted in Army camps, stronger liquors will likewise be dispensed. That fact is so patent as not to require discussion. But even if beer is to be the only beverage sold, everybody knows that beer sold under the ægis of the Government will make men drunk just as surely as will wine or distilled spirits when sold by licensed or unlicensed private citizens.

I notice that in the hearing before the committee the Adjutant-General of the Army, in reply to a question, said:

We regard beer as a nonintoxicant.

Well, Mr. President, some years ago a court, I think in the city of New York, decided that beer was a nonintoxicant, and Artemus Ward concluded that he would put it to a practical test. So he drank freely of beer, and I wish I had the article that Artemus Ward wrote in reference to that matter to read to the Senate to-day.

The great humorist said that after drinking freely of beer he went out on Broadway and the pavement insisted upon flying up and striking him in the face, the lamp-posts were dancing jigs and changing corners, men were staggering around, and everything was in turmoil. His first thought was that he was drunk, but then he knew that that was not the fact, because the court had decided that beer did not intoxicate, and so he concluded that everything and everybody was drunk except Artemus Ward.

Mr. President, every physician in the land knows that beer is intoxicating, and the medical profession is quite united in the opinion that the continued use of it is more detrimental to health than almost any other form of intoxicating drink.

I have here a publication which is a reprint of articles from the Toledo Blade, which contains the testimony of some of the leading physicians of Ohio and elsewhere, some of whom were Army surgeons, in reference to the results of the continued use of beer. I do not propose to take the time of the Senate to read the testimony of these distinguished physicians on this subject, unless it is insisted upon, and if I can get consent to insert their testimony in my remarks without reading, as well as a couple of articles on the subject from the same newspaper, I shall be glad to save the time of the Senate by having the matter disposed of in that way.

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

The testimony referred to is as follows:

BEER AND THE BODY—TERRIBLE TESTIMONY OF PHYSICIANS AGAINST THIS MONSTROUS EVIL OF THE DAY.

[From the Toledo Blade.]

The alarming growth of the use of beer among our people, and especially the spreading delusion among many who consider themselves temperate and sober that the encouragement of beer drinking is an effective way of promoting the cause of temperance and of aiding to stamp out the demon rum, impelled the Blade to send a representative out to a number of the leading physicians of Toledo to obtain their opinions as to the real damage which indulgence in an appetite for malt liquors does the victim of that form of intemperance, and the dangers which threaten the whole community from a lack of restraint upon this terrible devastator of our people's lives and health, intellect, and bodily vigor, it being indeed a pestilence which literally stalks at noonday throughout the land wherever the poison-breeding breweries are allowed to distribute their broth of degradation and debasement through the community.

Every one is not only a gentleman of the highest personal character, but is a physician whose professional abilities have been severely tested, and have received the stamp of the highest indorsement by the public and their professional brethren. Abler and more skillful physicians are not to be found anywhere. Each has also practiced for many years in Toledo, the shortest time for anyone of them being more than twelve years, and this practice has been of a kind to make them accurately acquainted with the matters of which they speak.

The indictment they with one accord present against beer drinking is simply terrible. It is a curse for which there is no mitigation. The fearful devilfish crushing a fisherman in its long winding arms, and sucking his life blood from his mangled body and limbs, is not so frightful an assailant as this deadly but insidious enemy which fastens itself upon its victim, and daily becomes more and more the wretched man's master, clogging up his liver, rotting his kidneys, decaying his heart and arteries, stupefying and starving his brain, choking his lungs and bronchia, loading his body down with dropsical fluids and unwholesome fat, fastening upon him rheumatism, erysipelas, and all manner of painful and disgusting diseases, and finally dragging him down to the grave at a time when other men are in their prime of mental and bodily vigor. But we can not hope to tell the story so well as the physicians themselves, who speak out of the fullness of a rich experience. Here are their statements:

Dr. S. H. Burgen, a practitioner for over thirty-five years, twenty-eight of which have been in Toledo, says: "I think beer kills quicker than any other kind of liquor. My attention was first called to the insidious effects of beer drinking years ago, when I began examining for a life-insurance company. I passed as unusually good risks five Germans—young business men—who seemed to be in the best of health and to have superb constitutions. In a few years I was amazed to see the whole five drop off, one after another, with what ought to have been mild and easily curable attacks of diseases. On comparing my experience with that of other physicians I found that they were all having similar luck with confirmed beer drinkers, and the incidents of my practice since then have heaped up confirmation upon confirmation.

"The first organ to be attacked is the kidneys; the liver soon sympathizes with them, and then comes, most frequently, dropsy or Bright's disease, both of which are certain to end fatally. Any physician who cares to take the time will tell you that among the dreadful results of habitual beer drinking are lockjaw and erysipelas, and that the beer drinker seems incapable of recovering from the effects of mild disorders and injuries not usually regarded as of a grave character. Pneumonia, pleurisy, fevers, etc., seem to have a first mortgage on him, which they foreclose remorselessly at an early opportunity.

"The beer drinker is much worse off than the whisky drinker. The whisky drinker seems to have more elasticity and reserve power. A whisky drinker will even have delirium tremens and tear everything around him to pieces, but after the fit is gone you will sometimes find good material to work upon, and good management may bring him around all right. But when a beer drinker gets into trouble it seems almost as if you have to re-create the man before you can hope to do anything for him. I have talked this for years, and have already had an abundance of living and dead instances around me to support my opinions."

Dr. S. S. Thorn, a physician of an experience embracing a period of service in the Army, as well as some twenty years' practice in Toledo, said: "Adulterants are not the important thing in my estimation; it is the beer itself. It stupefies and retards his intellection, because it is a narcotic, and cumulative in its effects. For instance, mercurials are cumulative. They gather in the system. A dose of one-sixteenth or one thirty-second of a grain would have no appreciable effect upon the system; but a number of these small doses administered consecutively would soon produce salivation and other destructive results."

"So beer accumulates and gathers certain pernicious agencies in the system until they become very destructive. Every man who drinks beer in any quantity soon begins to load himself with soft, unhealthy fat. This is bad, because it is the result of interference with the natural elimination of deleterious substances. No man, no matter what his constitution, can go on long with his system full of the morbid and dead matter which the kidneys and liver are intended to work off. If you could drop into a little circle of doctors, when they are having a quiet, professional chat over matters and people in the range of their experience, you will hear enough in a few minutes to terrify you as to the work of beer.

"One will say, 'What's become of So-and-so? I haven't seen him around lately.' 'Oh, he's dead.' 'Dead! What was the matter?' 'Beer.' Another will say, 'I've just come from Blank's. I'm afraid it's about my last call on him, poor fellow.' 'What's the trouble?' 'Oh, he's been a regular beer drinker for years.' A third will remark how —— has just gone out like a candle in a draft of wind. 'Beer' is the reason given. And so on, until the half dozen physicians have mentioned perhaps fifty recent cases where apparently strong, hearty men, at a time of life when they should be in their prime, have suddenly dropped into the grave.

"To say they are habitual beer drinkers is a sufficient explanation to any physician. He never asks anything further as to causes. The first effect on the liver is to congest and enlarge it. Then follows a low grade of inflammation and subsequent contraction of the capsules, with the effect of producing what is known in the profession as 'hob-nailed liver' or 'drunkard's liver.' The surface of the organ becomes covered with little lumps that look like nail heads on the soles of shoes. This condition develops dropsy. The congestion of the liver clogs up all the springs of the body and makes all sorts of mental and physical exertion as difficult and labored as it would be to run a clock, the wheels of which were covered with dirt and gum. The life-insurance companies make a business of estimating men's lives and can only make money by making correct estimates of whatever influences life.

"Here is the table that they use in calculating how long a normal, healthy man will probably live after a given age:

Age.	Expectation.
20 years	41.5 years
30 years	34.4 years
40 years	28.3 years
50 years	20.2 years
60 years	13.8 years
65 years	11 years

"Now, they expect that a man otherwise healthy, who is addicted to beer drinking, will have his life shortened from 40 to 60 per cent. For instance, if he is 20 years old and does not drink beer he may reasonably expect to reach the age of 61. If he is a beer drinker, he will probably not live to be over 35, and so on. If he is 30 years old when he begins to drink beer, he will probably drop off somewhere between 40 and 45, instead of living to 64, as he should. There is no sentiment, prejudice, or assertion about these figures. They are simply cold-blooded business facts, derived from experience, and the companies invest their money upon them just the same as a man pays so many dollars for so many feet of ground or bushels of wheat.

"All beer drinkers have rheumatism, more or less, and no beer drinker can recover from rheumatism as long as he drinks beer. You will notice how a beer drinker walks about stiff on his heels, without any of the natural elasticity and spring from the toes and ball of the foot that a healthy man should

have. That is because the beer has the effect of increasing the lithia deposits—'chalk stones' they are sometimes called—about the smaller joints, which cause articular rheumatism. Beer drinkers are absolutely the most dangerous class of subjects that a surgeon can operate upon. Every surgeon dreads to have anything to do with them. They do not recover from the simplest hurts without a great deal of trouble and danger.

"Insignificant scratches and cuts are liable to develop a long train of dangerous troubles. The choking up of the sewers and absorbents of the body brings about blood poisoning and malignant running sores, and sometimes delirium tremens results from a small hurt. It is very dangerous for a beer drinker to even cut his finger. No wound ever heals by "first intention," as it does upon a healthy man, but takes a long course of suppuration, sometimes with very offensive discharges, and all sorts of complications are liable. All surgeons hesitate to perform operations on a beer drinker that they would undertake with the greatest confidence on anyone else. I have told you the frozen truth—cold, calm, scientific facts, such as the profession everywhere recognizes as absolute truths. I do not regard beer drinking as safe for anyone. It is a dangerous, aggressive evil that no one can tamper with with any safety to himself. There is only one safe course, and that is to let it alone entirely."

Dr. M. H. Parmalee, physician and surgeon of twelve years' practice in Toledo, says: "The majority of saloon keepers die from dropsy, arising from liver and kidney diseases, which are induced by their beer drinking. My experience has been that saloon keepers and the men working about breweries are very liable to these diseases. When one of these apparently stalwart, beery fellows is attacked by a disorder that would not be regarded as at all dangerous in a person of ordinary constitution, or even a delicate, weakly child or woman, he is liable to drop off like an overripe apple from a tree. You are never sure of him for a minute. He may not be dangerously sick to-day and to-morrow be in his shroud.

"All physicians think about alike on this subject, as their observations all lead them to similar conclusions. It is a matter so plain that there is hardly room for any other opinion. The most of them are like myself in another thing: I have come to dread being called upon to take charge of a case of sickness in a man who is an habitual beer drinker. Experience has taught me that in such persons it is impossible to predict the outcome. The form of Bright's disease known as the swollen or large white kidney is much more frequent among beer drinkers than any other class of people, and also that its prevalence seems to have kept pretty fair pace with the rapid increase in the consumption of beer in this country."

Dr. W. T. Ridenour served during the war as surgeon of the Twelfth Ohio Infantry, was medical inspector of the Department of West Virginia, has resided in Toledo for fourteen years, has served some years as health officer of the city, and has been lecturer on physiology in the Toledo medical schools for three years. The following is his testimony:

"The first effect of the habitual use of beer is upon the stomach, merely a physical one, and is to greatly distend it."

"In making a post-mortem examination a physician instantly recognized a beer drinker's stomach by its greatly increased dimensions. The liver is the great laboratory, the great workshop of the body. Any derangement of it means the immediate derangement of all the rest of the vital machinery. There can be no health anywhere when the liver is out of order. Beer drinking overloads it and clogs it up, producing congestion. The liver is composed of a number of little cells united together into what are called lobules. When the beer drinker begins to overload his liver, the first effort of nature is to enlarge it to do the extra work it is called upon to do. But this enlargement is mainly in the interstitial tissue, the tissue connecting the cells and lobules, which keeps on growing until the cells themselves are diminished in size by pressure, and less fitted for their office. This deranges and permanently cripples the organ.

"One of the functions of the liver is to separate from the blood excrementitious and effete substances that should be thrown off through the kidneys in the urine. Naturally, when the working capacity of the liver is crippled, this function of preparing the excrementitious matters for elimination by the kidneys is interfered with, the salts—urea and the urates—are imperfectly elaborated, and much of them is thrown into the blood and kidneys as uric acid, which is comparatively insoluble and very irritating to those organs, and produces a long train of harmful sequelæ. Later the kidneys are assailed. I have no doubt that the rapid spread of that terrible ailment, Bright's disease of the kidneys, is largely due to the great development of the beer-drinking habit in this country.

"I have always believed that Bayard Taylor fell a victim to the German beer that he praised so highly. He died of Bright's disease at 50, when he was comparatively young, and should have lived, with his constitution, to a green old age. He did not want to die, either. He was full of ambition, and had much work that he was eager to do before he passed away. But he went, just as habitual beer drinkers are going all the time and everywhere. My first patient was a saloon keeper on Cherry street, as fine a looking man physically as I had ever seen—tall, well built, about 35 years old, with clear eyes, florid complexion, and muscles well developed. He had an attack of pneumonia in the lower lobe of the right lung.

"It was a simple, well-defined case attack, which I regarded very hopefully. Doctors are confident of saving nineteen out of twenty of such cases. They will, in fact, usually cure themselves in a little while, if left alone, as the disease is regarded as a self-limited one, with tendency to recovery. I told my partner—Dr. Trembly—so, when we spoke of it in the evening. To my surprise he said quietly, 'He'll die.' I asked what made him think so. 'He's a beer-drinker,' answered Trembly, and he persisted in predicting a fatal termination of the case in spite of all my assertions to the contrary. My confidence seemed justified when my patient began to recover from the attack on the lower lobe. Suddenly I discovered that the disease had lighted up in the middle lobe.

"This did not go through the various stages of the disease toward convalescence, but passed into the third stage of pneumonia suppuration; then the upper lobe became involved, and finally it crossed over and attacked the other lung, and my patient succumbed. Beer drinkers are peculiarly liable to die of pneumonia. Their vital power, their power of resistance, their vis medicatrix naturæ, is so lowered by their habits that they are liable to drop off from any acute disease, such as fevers, pneumonia, etc. As a rule, when a confirmed beer drinker takes pneumonia he dies. They make bad patients.

"Beer drinking produces rheumatism by producing chronic congestion and ultimately degeneration of the liver, thus interfering with its functions, among others its metabolic function, by which the food is elaborated and fitted for the sustenance of the body; and by which function the refuse materials resulting from the nutrition and action of the tissues of the body are oxidized and made soluble for elimination by the kidneys, as before stated, thus forcing the retention in the body of the excrementitious and dead matters I have spoken of. The presence of uric acid and other insoluble effete matters in the blood and tissues is one of the main causes of rheumatism, and I have shown how beer drinking retains it in the system."

Dr. J. H. Curry, whose specialty is diseases of the eye and ear, and who is a successful practitioner of many years' standing, declined to discuss the general physiological effects of beer and other intoxicants. "I can not say that I know any strictly beer drinkers. No matter what they have begun upon, all the drinkers that I know now drink whisky about as regularly as they do beer, and also wine when they can afford it. They have all progressed pretty rapidly from beer to something stronger, which they alternate with beer. A man can go on a spree once a year, or once in six months or so, without doing himself any material injury, but a man who drinks what he calls 'moderately' every day lowers his vital powers very much by the practice.

"This is universally conceded by the profession. He is especially unable to stand any shock or strain to his system, and breaks down under what would not seriously affect nondrinkers. The habitual moderate drinker saturates his system, injures his bodily fiber, and loads it up with noxious matters that are very injurious. The fact of a man being an habitual drinker is always regarded as a very bad factor by every physician and surgeon in making a prognosis of his case. Medical men dread having such for patients. Oculists have to contend with a disease that has been named 'amblyopia potatorum,' or drunkard's blindness, which actually manifests itself as an atrophy of the optic nerve—a wasting away from want of nourishment. When this proceeds to a certain stage in the optic nerve the result is total and incurable blindness."

Soelberg Wells, one of the first authorities on eye diseases, says on amblyopia potatorum: "This toxic effect may be especially produced by alcohol, tobacco, lead, and quinine. The amblyopia met with in drunkards (amblyopia potatorum) generally commences with the appearance of a mist or cloud before the eyes, which more or less surrounds and shrouds the object, rendering it hazy and indistinct. In some cases the impairment of vision becomes very considerable, so that only the largest of print can be deciphered; but if progressive amblyopia sets in, the sight may be completely lost." "Stellwagen on the Eye," another author of the highest repute among physicians, says: "By the complete giving up of alcoholics the disease may be brought to a standstill and often cured. Of this we are certain—that amblyopia is observed in an extremely large percentage of habitual drinkers." "Noyes on the Eye," the largest publication in this specialty says: "In alcoholic amblyopia we usually find a dull red nerve, with swollen veins, rather hazy borders, and torpid circulation. Atrophy may subsequently ensue."

Dr. S. S. Lungren, one of the leading homeopathic physicians and surgeons in the country, has been practicing in Toledo for nearly a quarter of a century: "It is difficult to find any part of a confirmed beer drinker's machinery that is doing its work as it should. This is the reason why their life cords snap off like glass rods when disease or accident gives them a little blow. Beer drinking shortens life. That is not a mere opinion, however; it is a well-settled, recognized fact. Physicians and insurance companies accept this as unquestioningly as they do any other undisputed fact of science. The great English physicians decide that the heart's action is increased 13 per cent in its efforts to throw off an alcoholic stimulant introduced into the circulation. The result of this is easily figured out.

"The natural pulsebeat is, say, 76 per minute. If we multiply this by 60 for the number of minutes in an hour, and by 24 for the hours in a day, and add 13 per cent to the sum total, we will find that the heart has been compelled to do an extra work during that time in throwing off the burden of a few drinks (4.8 ounces of alcohol) equal to 15½ tons lifted 1 foot high. The alcohol in the beer causes a dilation of the superficial blood vessels, as it does of all of them, in fact. This gives the ruddy look. But it is really an unhealthy congestion there and everywhere. Everywhere—heart, brain, stomach, lungs, liver, kidneys—it breaks down, weakens, enfeebles, invites attacks of disease, and makes recovery from any attack or injury precarious and difficult.

"The brain and its membranes suffer severely, and after irritation and inflammation come the well-known dullness and stupidity. There is no question in my mind that many brain diseases and many cases of insanity are produced by excessive beer drinking. But it is everywhere the same, everywhere it is degeneration; and this ruinous work is not confined to the notorious drinkers, but everyone must suffer just in proportion to the amount he or she drinks. No man who drinks much beer is the physical and mental equal of one who abstains. He diminishes his present powers, shortens his life, and wrecks himself by his indulgence in it."

Dr. J. T. Woods, three years in the United States service as surgeon in charge of important brigade and division hospitals, five years professor of physiology in the Cleveland Medical College, now chief surgeon of the Wabash system of railroads, has practiced in Toledo sixteen years. He says: "I have never had reason to think that any beneficial results came from the use of beer as a common drink, but, on the contrary, it is slowly but positively detrimental to the system. Its indiscriminate use as a beverage produces the most damaging effects, as other drugs would do. I can conceive of no greater fallacy than that any active medicine can, even in small quantities, be used with impunity. It does not follow because we can not measure results that there are none. That beer is foreign to nature's demand is plainly evident.

"The whole organism at once sets about its removal. Every channel through which it can be got rid of is brought into active play and does not cease its efforts until the last trace is gone. The reaching of a certain end depends only on the frequency of the repetitions. The whole is made up of the parts; each and every drink counts one. These 'ones' added together make the wreck, and to secure this result it is only necessary to make the single numbers sufficient. I do not see how to excuse anyone from its effects. In short, each leaves its footprint in one way or another, and the idea that because you stop before you stagger the system takes no note of the damaging material you put into it is a ruinous delusion.

"The condition of the habitual drinker is considered as an unnatural one, a portion of his diet having been such that vital organs are more or less impaired, the nervous system in a peculiarly unreliable condition, blood deranged in quality, and the reparative power below what it would naturally be. Treatment before and after any severe operative procedure is conducted with especial view to this unnatural or fictitious life, experience having long since taught this fact in the face of all contrary theory. That confirmed beer drinkers are especially unpromising patients all practical surgeons will agree. There can be no question about it."

Dr. C. A. Kirkley, in constant practice in Toledo for fifteen years, says: "I do not believe that the healthy organism needs an artificial prop to sustain it. Depression below the standard of health always follows just in proportion as the system is stimulated above that standard, and its effect upon nutrition, upon the nervous system, and upon the circulation must therefore be injurious. The organs directly affected are the stomach, liver, kidneys, heart, and brain. Stimulants are so quickly absorbed that their action is perhaps especially exercised upon, first, the vascular system, then the nervous system, and then upon the nutrition.

"What is called the portal vein conveys the stimulants through the liver, after it is absorbed, the function and structure of which is liable to suffer. This is also true of the kidneys, which naturally eliminate such extraneous matters. As is well known, there is no more fruitful source of Bright's disease. The heart and blood vessels are excited at first, then their tone is impaired, and then digestion and nutrition become impaired. The nervous system is of course especially liable to disorder. Every physician is familiar with cases in which nervous 'wear and tear' in an active life has been kept

up by stimulants without apparent loss of power for years; bodily and mental vigor, however, suddenly fail, mental exertion produces fatigue, there is depression, loss of appetite, enfeebled digestion, and all the symptoms consequent upon this condition.

"The individual has believed that he could keep up his strength for a longer time with the assistance of stimulants. He has been constantly overtaxed, but his delusion is to the contrary. The repeated application of the stimulus that the over-exertion might be prolonged has really expended the powers of the nervous system and prepared him for more complete prostration later in life. The temporary advantage gained was purchased at a great cost. The greater the expenditure of nervous power by the use of stimulants, the more complete the exhaustion.

"The tired brain, from habitual overwork, may feel the consequences less speedily when kept up by artificial stimulation to extraordinary activity, and the stomach may perhaps be less susceptible to the loss of its natural energy; but when the crisis comes there is poor repair of nervous matter, the nutritive powers are depressed, and the health slowly restored, if at all. On the other hand, the man who has abstained from the use of alcoholic beverages, having overtaxed his nervous system, only needs a short period of rest and change for the renovation of his system and the recovery of mental and bodily vigor. My experience is that sickness is always more complicated—more fatal—in beer drinkers, and that serious accidents are usually fatal with them. The rate of mortality among life-policy holders is much lower than among the average population, owing to the fact that those of intemperate habits are rejected.

"The effect of alcoholic and malt liquors in producing disease and predisposing to it is perhaps greatest in tropical countries. As a general rule, the more unhealthy the locality the more do the inhabitants indulge in stimulants, either from the mistaken notion that they can better withstand the effects of the climate or a disposition to make their short life a jolly one. Under its influence the mental powers are even more inactive than the physical. There is hardly a single cause that operates more powerfully in *the production of* insanity, and not only that, but it excites the action of other causes that may be present. Plutarch says that 'one drunkard begets another,' and Aristotle says that 'drunken women bring forth children like unto themselves.' A report was made to the legislature of Massachusetts some years ago, I think by Dr. Howe, on idiocy. He had learned the habits of the parents of 300 idiots, and 145—nearly half—are reported as known to be habitual drunkards, thus showing the enfeebled constitution of the children of drunkards.

"I have in mind an instance where children born to the mother, begotten when the father was intoxicated, and all died within eight months of their birth. They should have recovered and would have recovered had they not had the relaxed and enfeebled constitution inherited from their intemperate father. Instances are recorded where both parents were intoxicated at the time of conception, and the result was an idiot. There is not a doubt but that inebriety not only makes more destructive whatever taint may exist, but impairs the health and natural vigor for remote generations. I believe that forty-nine out of fifty cases of chronic Bright's disease are directly produced by it. I have never met with a case in which the patient has not been intemperate to a greater or less degree. The proportion may be too high, but that is certainly my experience. Mr. Christison, a celebrated author, states that three-fourths to four-fifths of the cases met with in Edinburgh were in habitual drunkenness."

Dr. W. C. Chapman served during the war as a surgeon in the Army of the Potomac, and since then has practiced in Toledo. He is professor of materia medica and therapeutics in the Northwestern Ohio Medical College. He says: "Alcohol is a cerebral sedative—that is, an agent which, having first stimulated the brain and nervous system to an abnormal degree, causes sedation, an exactly opposite condition. It matters not in what form the alcohol is taken, whether as whisky, brandy, wine, or beer, this physiological effect is always shown as the principal one.

"There are other results from its use, which, although perfectly well established and understood by the physiologist, remain unknown to the drinker, as the condensation of albumen, congestion of the stomach and liver, thus impairing digestion, and even causing structural changes in the various organs themselves; causing enlargements, followed by contractions of the liver, fatty degeneration of the blood, the blood vessels, heart, and kidneys, and the brain itself may be similarly affected. Of course, small doses, not frequently repeated, do not bring about all these results, but sooner or later, if drinking to moderation becomes a habit, many of these results will become apparent.

"I certainly do consider beer as harmful as the ardent spirits, if not more so. I can not see how anyone can drink from 10 to 20 glasses of beer a day, an amount quite low for a beer drinker, without producing pathological conditions fully as grave as those found in one who constantly drinks his brandy or whisky. I know that some good men consider beer is a food, and even alcohol, but I can not so look at it. The fact is, that after very many experiments it is supposed that about one and a half ounces of alcohol will be retained during twenty-four hours in the system, and that more than that will be excreted.

"Therefore within that limit alcohol acts as a food. Making allowance for collecting all the excreta during twenty-four or forty-eight hours, what a narrow limit do we find for its use as food. Hence, by the drinking of 1½ ounces of alcohol as much nourishment would be obtained as from 3 cents' worth of sugar candy. And even the most enthusiastic of its supporters as food say that no matter how much is taken during twenty-four hours only 1½ ounces is retained, and more than that is injurious. Just look at it. Pure beer is 91 per cent water, 5 per cent alcohol, and 4 per cent of malt extract, adulteration, hops, etc. Not as much nutriment in 10 pints of beer as in one slice of bread and butter."

Dr. G. A. Collamore, in practice about twenty-five years and formerly division surgeon of the Third Division, Twenty-second Army Corps, said:

"Beer contains from 3 to 5 per cent of alcohol and produces the well-known effects of that substance on the vital organs, especially the brain, stomach, liver, kidneys, and blood.

"The brain is kept in a hyperemic or congested condition, which prevents normal cerebration or the accurate use of the mental faculties.

"The stomach becomes catarrhal, inactive, and finally dilated.

"The liver is overburdened in disposing of the excess of hydrocarbon, is first congested, then contracted or cirrhotic, which condition partially stops the free circulation of blood through it and leads to abdominal dropsy.

"The kidneys are overworked to get rid of the superfluous water, and become first enlarged and then contracted (Bright's disease), a state of things which results in enlargement of the heart (hypertrophy), derangement of the circulation, and, eventually, general dropsy.

"The lungs have an extra amount of labor thrown upon them in burning up or oxidizing the alcohol, and are in a favorable condition for attacks of congestion, inflammation, or œdema (dropsy), which are very liable to prove fatal.

"Every physician and surgeon will testify that, other things being equal, the beer soaker has a much smaller chance of recovery, if overtaken by serious illness, accident, or the necessity of surgical interference, than the one who abstains. In this one particular effect beer is, in my judgment, more injurious than more concentrated forms of alcohol, which tend rather to local disorders."

Dr. Andrew McFarland writes thus: "It is your stout old hero, who goes to bed every night with liquor enough under his belt to fuddle the brains of a half dozen ordinary men, and yet lives out his threescore years and ten, that will be found at the head of the stock that pour into the world, generation after generation, such a crop of lunatics, epileptics, eccentrics, and inebriates as we often see. The impunity with which one so constituted will violate all physical law, gets its set-off in a succeeding generation, when the great harvest begins."

"That 'the iniquities of the fathers are visited upon the children;' that 'the fathers have eaten sour grapes and the children's teeth have been set on edge,' are truths that no Scripture is needed to teach. In other words, he who sins through physical excess does not do half the harm to himself that he does to the inheritors of his blood. The penalty must be paid as surely as there is a seedtime and a harvest."

The President of the Connecticut Mutual Life Insurance Company—one of the oldest in the country—has for years been investigating the relation of beer drinking to longevity. His object was that he might solve the problem whether beer promotes vitality or otherwise. In other words, to know whether beer drinkers are desirable risks to a life insurance company. We give his conclusions:

He declared, as the result of a series of observations carried on among a selected group of persons who were habitual drinkers of beer, that although for two or three years there was nothing remarkable, yet presently death began to strike, and then the mortality became astounding and uniform in its manifestations. There was no mistaking it; the history was almost invariable; robust, apparent health, full muscles, a fair outside, increasing weight, florid faces; then a touch of cold or a sniff of malaria, and instantly some acute disease, with almost invariable typhoid symptoms, was in violent action, and ten days or less ended it.

It was as if the system had been kept fair on the outside, while within it was eaten to a shell, and at the first touch of disease there was utter collapse, every fiber was poisoned and weak. And this in its main features, varying in degree, has been his observation in beer drinking everywhere. It is peculiarly deceptive at first; it is thoroughly destructive at the last.

THE LETTER OF AN INDIGNANT BREWER AND AN ANSWER THERETO.

THE BREWER TO THE BLADE.

MILWAUKEE, WIS., *January 29, 1884.*

To the Editor of the Toledo Blade:

I protest against your indiscriminate denunciation of the trade in liquors, more especially of those engaged in brewing. Brewing is as legitimate a business as any other, and is conducted upon precisely the same principles. There is a demand for beer, and we, the brewers, supply it. There are, of course, good men in the business and bad men. I have been in the business twenty years, and consider myself doing just as legitimate work as though I was selling flour or boots and shoes. No one need drink whisky or beer unless he wants to, any more than he is compelled to eat bread, against his will. This is a free country, but you and those like you would make us worse than slaves by dictating to the people what they shall eat and drink. My business is just as legitimate as yours.

A BREWER.

THE BLADE TO THE BREWER.

You are not the only brewer who has written us in this strain. Every brewer holds his business to be legitimate, and they all base the claim upon the assertion that a man may drink alcoholic stimulants or let them alone, as he elects, and that if any harm grows out of the traffic the fault lies with the consumer and not with the producer.

There never was a statement so utterly foundationless. You know that as the business is now conducted you are not uttering truth. Twenty years ago it would have been partly true, but not now. Twenty years ago the brewing of beer was in its infancy, and the beer shop existed only where there was a demand for beer. It was then a passive nuisance, not an aggressive evil. The snake was then lying quietly, waiting for people to come to be bitten. It was not skirmishing around searching for people to bite.

But when the enormous profits of brewing came to be known, when men hungering for money saw there was a net profit of from $1 to $2 on every barrel sold, capital and business capacity were put into it, and the style of conducting the business was changed entirely.

When you went into the business you did not wait for a demand for your stuff, but you set about creating a demand. And you went about your work cleverly. You established beer shops where there had never been a call for them, and you proceeded with an ingenuity that was devilish and a persistency that was infernal to make customers for your product. You laid traps for the people. You took houses and rooms everywhere and put into them men fitted by nature for the business, and made it to their profit to entice men and boys into your places to be taught to drink beer.

The number whose stomachs were already trained to the liquid were altogether too few for your purpose, and you began a regular systematic recruiting of the ranks of drunkards, which you have faithfully followed ever since, your success in this nefarious trade increasing with the money you make by it.

You understood enough of the make-up of the human system to know that when a boy was once accustomed to drink a stoppage was almost impossible, and that when his stomach was once sufficiently inflamed he would go on so long as he had energy enough to earn the price of a glass and the strength to lift it to his lips, giving you a mortgage upon him till the certain end came to him.

Basing your business upon this physical law, you used every device that cupidity could suggest to entice men and boys into your places. You encouraged the playing of games, the stakes being always beer, to the end that winner and loser should both drink, whether they wanted to or not. You encouraged the pernicious system of treating, that the man who came in intending to take one glass should take a dozen, provided enough of his friends were present, and you went so far as to set upon your counters free lunches, always of material that was thirst provoking, and prepared solely to keep the infernal stream running.

In short, instead of nursing an evil which people might come to, you have gone out to thrust it upon them. There being a profit so enormous on beer, you have lain awake nights to devise ways and means to sell the largest amount of it possible.

Yours is the cunningest scheme ever invented for the making of money. The youth once initiated into the habit is its bondslave forever, unless saved by a miracle. You can count your gains with a certainty by estimating the earnings of your customers. All you want to gain wealth is to have customers enough, and your principal business is to make customers. Once made, you need never look after them. They are as certain to come to you as the sun is to rise, and you and your guild are just as busy making customers as you are making the beer to supply them.

Do not try to escape the responsibility of this systematic drunkard making by claiming that it is the work of the beer seller and not the beer maker. That will not do. You own the fixtures in these saloons; you selected the fellow who stands behind the bar, and if he does not sell so much beer each day the place is taken from him. You have scores of such places in Milwaukee. You have established them in the same way all over the country, and you are looking for more. You not only splotched your own city all over with these hell holes, but you went out into the towns and villages of your own and other States to establish them. Wherever a beer shop was not, you planted one, each one a missionary of the devil. It is a part of the contract by which the poor devil holds his place that he shall make his canvass for drunkards thorough. Your hand does not strike the blow, but it guides the hand that does.

You are unwise to institute a comparison between the business of beer and flour. Your business is not as legitimate as dealing in flour, because it is not true, and never was, of you or any other man, that one can drink and let it alone as he chooses. You know, or ought to, that every drop of your stuff that goes into a man's stomach diseases it, and creates an irresistible craving for more. You know that every drop taken lessens the power to resist, and that this sapping of the will power goes on steadily and irresistibly till the victim of it is entirely incapable of turning from it; that he becomes so helpless in the grasp of the appetite that he will steal his baby's shoes to get the means to gratify it.

To commence is to continue, and you induce the commencing. Your comparison is very unfortunate. No man eats bread to the point of congesting his liver and enlarging his kidneys, nor can there be an appetite for bread which requires excess to satisfy it. Bread does not create a diseased stomach which can only be satisfied with bread, and even if it did the glutton can only injure himself. Men do not get crazy upon bread, nor do they commit murder under its effects. No man ever starved or froze his family to get bread for himself. Bread is strength; beer is weakness.

Any business that is based upon a canvass for drunkards, that has for its foundation not only the supply of drink to drunkards, but the conversion of sober men into drunkards, is not legitimate. Your business is not only not legitimate, but it is a curse to every business that is. Every dime you take from your victims is just that much robbed from the grocer, the shoemaker, the butcher, the baker, and the dry-goods merchant. It is that much taken from the wealth of the world and worse than wasted, for it not only goes for nothing, but it destroys the power of production in the man using it. It is a robbery of the community in a double sense. You are not only absorbing the proceeds of labor, but you are destroying labor itself. The drunkard not only does not consume, but, under your manipulation, he ceases to produce. Your use of him ends with his incapacity for labor; and after you have deprived him of the power to labor you turn him and those dependent upon him over to the general public to support, and look about for new paupers to take his place.

There are degrees in badness as in goodness, and there are, doubtless, honest men making and dealing in liquor. But you know very well that every prostitute in Milwaukee bases her business upon alcoholic stimulants. You know that beer is the one staple in every thieves' den in your city. You know that every gambler depends upon liquor as his mainstay. You know that wherever crime and degradation are, liquor is, and that it is always first in the procession. There may be liquor without crime, but there is no crime without liquor. It is father of murder, the twin brother of every species of crime, and the parent of every kind of evil. It stupefies the victim of the dives in your bad quarters and nerves the arm of the ruffian who kills him. It is the chief dependence of the pimp and prostitute and the invariable help of the gambler and thief.

You claim to be a respectable brewer. Do not your wagons stop regularly in front of these low dives? Do you not supply the gambling hells and houses of prostitution the same as you do the "respectable" places? Do not your agents canvass these places for business, and when one of them is established is it not a foot race between you and your competitors to secure the trade? And you know perfectly well to what uses your beer is to be put.

The business of manufacturing and selling anything in which there is absolutely no good and which is confessedly bad can not be properly counted as legitimate. Whoever embarks in such a business does it because he so loves the almighty dollar that he is willing to part with the respect of good men and women and for its sake set at defiance the opinion of the world. Every drop brewed is a curse, and no one on earth knows it better than you. You may drink it yourself, but we venture to say you do not do it to any greater extent than is necessary for the good of your trade. You would not have your son drink it, and you would not marry your daughter to a man addicted to it.

To say that the public, which has the legal right to kill mad dogs, and restrain criminality, and all that sort of thing, has not the right to bring you under the control of law, is absurdity itself. To say that the law, which has the power to restrain the criminal, shall not restrain the criminal maker is worse than absurd. The community has the right to protect itself, and we know of nothing that calls for more stringent work in the way of self-protection than the saving of men and boys from you and those in your business.

When the public conscience is sufficiently aroused, when the ghastly list of those who have gone down to death through you and your lieutenants is a little longer, your business will not be regulated and restrained, but utterly destroyed. This will be the first step the people will take.

BEER.

We devote much space in this issue to the statements of the best physicians and surgeons of Toledo as to the effect of beer upon the human system.

We ask for it a careful and critical perusal. The statements are of all classes of physicians. We have not selected those of known temperance principles, but have taken all. What they say of beer is not colored by any feeling for or against temperance. Their statements are the cold, bare experiences of men of science who know whereof they speak.

It should be borne in mind that Toledo is essentially a beer-drinking city. The German population is very large; there are five of the largest and most extensive breweries in the country here, and there is probably more beer drank, in proportion to the population, than in any city in the United States.

The practice of these physicians is, therefore, largely among the beer drinkers, and they have had abundant opportunities to know exactly its bearing upon health and disease.

Every one of them bears testimony to the fact that no man can drink beer safely, that it is an injury to anyone who uses it in any quantity, and that its effect upon the general health of the country has been even worse than that of whisky.

We know that it has been, for one reason, if for no other. It has entered the field of drunkard making under false pretenses. It was accepted by many as a safe substitute for whisky, and thousands favored its use on that ground, forgetting that it is an alcoholic beverage the same as whisky, and that whoever uses alcohol as a stimulant must have the amount of alcohol that is necessary to produce the effect desired, and, so far as effect is concerned, it does not make a particle of difference whether that alcohol is in the form of beer, wine, or whisky, because every drinking man will take what alcohol he wants into his system to produce the desired effect.

To reduce it to plain English, men drink to get whatever degree of drunkenness they desire. There is drunk in beer the same as any other liquor. Beer is from 8 to 12 per cent alcohol. If an ounce of alcohol is what is required to produce the desired effect upon a man, he may get it in four drinks of whisky, while it would require a gallon of beer to produce the same effect. If he craves the ounce of alcohol, and seeks for it in beer, he is going to drink the gallon, thus not only getting the same amount of alcohol, but loading his stomach with a gallon of fluid charged with all sorts of unhealthy principles. Thousands upon thousands of confirmed drunkards have been made by beer because it has been held that it could be indulged in safely.

There is no safety in alcohol. When a man says, "Oh, I drink nothing—I take a glass of beer now and then," that man is fairly on the road. Better for him the naked fact of undisguised whisky.

We especially call attention to another fact. Life-insurance companies have no sentiment. They are as cold-blooded as banks. They do business upon strictly business principles. Their business is one based purely upon experience, from which certain inexorable rules have been established. A life-insurance company will not insure the life of a confirmed beer drinker. Why? Because it is a certain fact, as certain as anything can be, that the beer drinker can not live long enough to make insurance profitable to them.

The "expectation" of life in a beer drinker is cut short by his appetite. No life-insurance company is going to take a risk upon a body into which is being poured every day the seeds of disease, any more than a marine insurance company is going to take a risk upon a rotten hulk. No life-insurance company is going to take a risk upon a man who is inviting Bright's disease of the kidneys, inflammatory rheumatism, congestion of the liver, and enlargement of the kidneys, all of which are as certain to come to him as he is to persevere in beer. And the beer drinker, as a rule, does persevere till death stops his contributions to brewers.

These institutions dread beer more than they do whisky, for its effect upon the system is even worse. A nonbeer drinker at 40 is considered a good risk—a beer drinker at that age can get no insurance at all. As we said, there is no sentiment in life insurance companies. They act entirely upon facts, which are the result of experience. Their figures never lie.

One other fact we desire to call attention to while we are about it. There are degrees in beer. Much more beer may be drank without death in Germany than in America, for one reason. In Germany the brewers are under government control, and here they are not. Beer in Germany has to be made of malt and hops only; here it may be made of anything that the brewer chooses. He may use any poison in it that his cupidity suggests. There is a very great percentage of them who would use strychnine if it would lessen the cost of beer.

Then, again, in Germany beer is kept till it is sound. It is not exposed for sale until it has undergone all its fermentation and is as harmless as any alcoholic liquor can be. It is not so in this country. The rate of interest makes it an object to turn beer into money as soon as possible, and, therefore, beer made Monday is sold Saturday, with the yeast not half worked off, and in a condition to undergo fermentation in the stomach of the drinker. Then beer made and sold in this country, were it pure, is altogether too new for even the confirmed beer drinker. It is bad enough at best; as we get it, it is worse than vile.

We especially ask every man who indulges in this most vile decoction to read most carefully what the best physicians and surgeons in the country say about it. They know, and their evidence is perfectly safe. It is science speaking through its devotees.

Mr. GALLINGER. The celebrated Dr. N. S. Davis, of Chicago, in a critical discussion of the influence of alcohol on the human system, has something to say concerning beer. Dr. Davis is doubtless well known by reputation to many members of this body. He is one of the most distinguished physicians in this country. I am not quite sure whether Dr. Davis is alive at the present time, but his writings on scientific subjects attracted the attention of the entire country, and especially of the medical profession. Dr. Davis says:

Accurate investigation will show that beer and wine drinkers consume more alcohol per man than spirit drinkers; and while they are not as often openly intoxicated, they suffer fully as much from disease and premature death in the aggregate as do those who use distilled spirits.

Again, the beer drinker drinks more nearly every day, and thereby keeps some alcohol in his blood more constantly, while a large percentage of spirit drinkers drink only periodically, leaving considerable intervals of abstinence, during which the tissues regain nearly their natural condition. The more constant and persistent is the presence of alcohol in the blood and the tissues, even in moderate quantity, the more certainly does it lead to perverted and degenerative changes in the tissues, ending in renal and hepatic dropsies, cardiac failures, gout, apoplexy, and paralysis.

The testimony that the use of any form of alcohol has a deleterious effect on armies as well as individuals is overwhelming. A recent publication by Dr. Winfield S. Hall, professor of physiology in the Northwestern University Medical School of Chicago, a graduate of the Leipsic University, completely disproves the argument that beer is a food, or that it in any way builds up and invigorates the system.

I have here a publication, the author of which is Henry T. Hewes, A. B., M. D. (Harvard), teacher in physiological and clinical chemistry, Harvard University Medical School, of Boston, in which Dr. Hewes, one of the most eminent scientists of New England, discusses the question as to the use of alcohol by soldiers and the effect it has upon them—not the temporary effect, not the effect for an hour or possibly a day, but the effect it has upon them as an army in the matter of their being able to endure the hardships that necessarily come to soldiers. I apprehended that the Senate might not patiently listen to the reading of an extract from this interesting book, but the Senator from Colorado suggests to me that there are some Senators who would listen to it, and for that reason I will venture to read one extract. Dr. Hewes says:

In the British army in Africa, for instance, the experiment was tried of testing how far the soldiers could march when taking daily what were considered moderate amounts of rum, and then how far they could march when taking no liquor, and comparing the records. So also in the Army of the Potomac, in the American civil war, the same experiment was tried with whisky. When the records are compared it is found that soldiers can endure longer

marches when taking no liquor than when allowed their daily portion. These and other experiments of the same nature thus demonstrate that alcohol has the effect of diminishing the capacity of a man for muscular work, even when the alcohol is taken in what are generally considered as moderate amounts. From these results we are justified in concluding that the drinking of alcoholic liquors, even in so-called moderation, is a bad practice for anyone who wishes to do hard work or endure sustained exertion.

This knowledge is a direct contradiction to the common idea that a glass of liquor increases the power to work. If the poor man were aware of this harmful effect of liquor, it would keep him in many instances from spending for a glass of beer or ale or whisky the money which should be spent for strength-giving foods, such as bread or meat.

In skill and accuracy, and in the direction and expenditure of energy, the man who has taken no alcohol has a great advantage over the man who has. He is more calm in an emergency, and can judge better how to make his strength most effective. This effect of alcohol was remarkably demonstrated in the naval battle off Santiago, in the recent Spanish-American war, in the incapacity of marksmanship shown by the Spanish gunners, who were given alcoholic drinks under the false idea that it would "fortify" them for their work.

I will now introduce two interesting extracts, one from the Journal of the American Medical Association, and the other from Dr. Bienfait, of Liege. The extracts are as follows:

The attention of the civilized world has been called to the conspicuous fact of the accuracy of the firing of the gunners on our battleships in the recent war with Spain. The contrast between the firing of the men of our Navy and that of Spain was due in part, no doubt, to the custom that prevails on the ships of the latter, where daily rations of grog are given at all times, and when an action is going on or anticipated double rations of grog are furnished to the men, while since 1862, when that custom was abolished by our Government, no rations of liquor are allowed at any time on board our ships. The custom just alluded to as followed by Spain is true of all the navies of the world but ours. Yet Great Britain has abandoned the double rations of grog when a fight is on, and then no liquor is allowed, but in place of it supplies of water and oatmeal are arranged all over the ship to satisfy the thirst resulting from the heat, exertion, and smoke, inseparable from a naval combat. (The Journal of the Amer. Med. Asso., January, 1899, p. 174.)

It is said that a desire to excel in athletic sport has led clubs of students at some of the German universities to give up their "morning drinking bout." They have learned that beer drinking stands in the way of their best physical development and the highest degree of athletic success. "For years sports have been in great favor. Some of these, such as contests between boatmen or between cyclists, require considerable energy and power of endurance. Evidently if alcohol increased strength these competitors would provide themselves with it and use it freely. But this is not the case. No true sportsman, either before or during the contest, touches a glass of spirits, experience having taught the harm he would thereby do to himself." (Dr. Bienfait, of Liege.)

Dr. Hewes discusses the question further in the following interesting manner:

Because these so-called hard liquors contain more alcohol than the fermented liquors, they are more harmful; but it is only a question of degree in regard to all alcoholic liquors, beer or cider, whisky or rum. The alcohol contained in any of these liquors is, when introduced into the body, capable of poisoning it. Those who have once seen men under the effect of this substance need no further evidence of its poisonous power. Its poisonous effects, however, are not confined to these cases where they are so marked as to be plain to every observer, cases where men lose their reason, their power of coordination and locomotion. A careful study of the effects of alcohol in the body reveals, as we shall see, that its action is often insidious, often for a long time giving no sign, even to the drinker himself, of the poisonous effect upon his health and strength that it is exerting.

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This evidence, which tends to show that the drinking of alcohol even in moderation is injurious, is best obtained in the investigation of the effect of this drinking in moderation upon two of the vital functions of the body, that of muscular work and that of maintaining the body heat.

The end and aim of all the body processes is to work. To accomplish this end the body must keep warm. The more perfectly the body can accomplish these conditions the more able is the possessor of that body to make his way in the world. Now, alcohol, taken even in what is considered moderation, lessens the power of the body to work and to maintain its heat supply.

This conclusion is based upon experiments conducted upon large numbers of men during long periods of time. The results in regard to the effect of alcohol upon the capacity for work were obtained from investigations in the large armies of the world during active campaigns. (See p. 80.) Those in regard to the effect upon the maintenance of the body heat were obtained in part from scientific investigations carried on by physiologists in all parts of the world, in part from investigations conducted among the members of companies of arctic explorers.

In the light of our present knowledge, then, it is evident that alcohol as a beverage lessens the usefulness of the body.

A certain amount of alcohol is undoubtedly oxidized, and can be utilized for the production of energy for the body; but in the ordinary conditions of labor and exposure to which man is subjected the benefit which the body can receive from it, in cases where enough alcohol to prove a practical factor in energy production is taken, is more than offset by the deleterious effect of the alcohol. The sum total of the effect is therefore harmful.

In addition to evidence obtained by physiological investigations, we have the evidence of statistics in regard to the health and mortality of people who use alcohol and of those who do not. These have been collected in England by the life-insurance companies. They indicate that the life of the abstainer is, on the average, longer than that of the drinker.

Also, it has been found that the hospitals get their inmates to a much greater extent from the drinkers than from the abstainers. The drinker is less able to resist infection, and the physicians of these hospitals all acknowledge that, once infected with a serious disease, the chances of the alcohol drinker are much less than those of the abstainer.

In regard to sunstroke, for instance, a condition which is so common in our great cities during the summer months, Osler, in his Practice of Medicine, makes the following statement: "In the larger cities of this country the cases (of sunstroke) are almost exclusively confined to workmen who are much exposed, and at the same time have been drinking beer and whisky."

In addition to what directly harmful effects alcohol may have upon the health through its action upon the tissues or body functions, its use has another possible effect, which has to be taken into account in any consideration of this use from a hygienic point of view. This effect is the formation of what is known as the alcohol habit. A description of this deplorable condition is given in the sections on alcohol and the alcohol habit in Chapter XI. It is sufficient merely to mention it here as one of the dangers attending the use of alcohol

The indulgence in any practice involving risk from the point of view of health or welfare is justifiable only in cases where the benefit to be derived from the practice is proportionate to the risk involved, and where the same benefit can not be obtained in some manner involving less or no risk. The danger of the use of alcoholic drinks and the harm which may follow this use are, in a general average, out of all proportion to the possible benefit which is or can be derived from it. This use is therefore unjustifiable, and should be condemned in all manuals of hygiene.

J. Sims Woodhead, M. D., professor of pathology in the University of Cambridge, England, writes as follows:

The sirdar, Sir Herbert Kitchener, and General Gatacre, in their advances up the Nile, have strictly forbidden the supply of alcoholic liquors to any of the troops under their command. We learn that they took this step on two grounds: First, on the ground that from long experience they were convinced that the physical condition of the troops would under these conditions be enormously improved, and the men would have much greater staying powers, while their dash, determination, and steadiness would also be increased. The second ground appears to have been that the mental and moral stamina of the troops would be preserved in a far greater degree than could possibly be the case if alcohol were served out. The result has been that the health, spirits, and conduct of the troops have been the admiration of all those who have had any dealings with them, and this experiment on a large scale has been an unqualified success.

Prof. William B. Carpenter, M. D., LL. D., F. R. S., author of Principles of Human Physiology, and other scientific works, calls attention to this subject in a very interesting way. Dr. Carpenter is an authority the world over, and he has discussed these questions with great lucidity and ability. In speaking of the different armies, and especially of different regiments in the British army, as to their ability to withstand forced marches and the hardships which necessarily come to soldiers, he says:

On the other hand, my late friend, Dr. Edmund Parkes—a man held in the highest esteem among us for the services he rendered to the hygiene of our army—informed me that having served in early life as assistant surgeon in India in an European regiment, of which about one-half were total abstainers and the other half very temperate men, this regiment enjoyed a remarkable immunity from cholera and fever when marching through a very pestilential country—

And, Mr. President, I will say parenthetically that it is a fact, established by the highest scientific authorities and never disputed, that in all epidemics of cholera and other diseases of that nature it is not the total abstainers or even the moderate drinkers who suffer to any considerable extent, but the men who habitually use alcoholic drinks. Dr. Carpenter continues—

whilst the regiment they were on their way to replace, while marching through the same country in the opposite direction, had a large number of men struck down. I was so impressed with this fact that I traced out the medical reports of Dr. Parkes's regiment for several consecutive years and found that its average of sickness and mortality was only about half of that of the other regiments in the Madras command, which was at that time the lowest of the three presidencies.

The London Lancet, the foremost medical journal in the world, says in its issue of April 1, 1899:

Any increased consumption of beer—

And I desire that the distinguished Senator from Connecticut [Mr. HAWLEY], the chairman of the Committee on Military Affairs, will listen to this authority. It has had some influence on my mind, and I trust it may have upon his—

Any increased consumption of beer, however good for the brewers and the national exchequer, will not conduce to sobriety or to a diminution of the disease and misery produced by alcoholism.

A recent issue of the Scientific American has the following:

Beer not only creates an appetite for something stronger, but its immediate influence and effect upon crime are more dangerous in the community than the stronger liquors, in this way: The excessive use of the stronger drinks is liable to make men drunk and helpless, unable to do much harm, while beer excites men to acts of violence, desperation, and crime.

The use of beer has been found to produce a species of degeneration of all the organs. In appearance the beer drinker may be the picture of health, but in reality he is most incapable of resisting disease.

Let me introduce a little more testimony on this point; testimony which goes to show conclusivaly that liquor drinking is not conducive to health or strength, but that it inevitably does harm to the individual, and equally so to great armies.

Dr. G. von Bunge, professor of physiological chemistry in the University of Basle, says:

In connection with the sanitation of armies, thousands of experiments upon large bodies of men have been made, and have led to the result that in peace and war, in every climate, in heat, cold, and rain, soldiers are better able to endure the fatigues of the most exhausting marches when they are not allowed any alcohol.

Dr. Adolf Fick, professor of physiology in the University of Würzburg, says:

It is quite beyond doubt that every dose of alcohol, even the most moderate, diminishes the strength.

In perfect harmony with the foregoing is the testimony of William B. Rochester, brigadier-general, United States Army (retired):

It has been shown over and over that those who endure the greatest fatigue and exposure are the men who do not drink.

The Journal of Inebriety, October, 1899, discusses the subject as follows:

By order of Field-Marshal Lord Wolseley, British commander in chief, careful and exhaustive experiments were made with a view to ascertaining the relative effects of alcohol and of total abstinence upon the physical endurance and staying qualities of the troops. One regiment was deprived of

every form of alcoholic drink, while another belonging to the same brigade was allowed to purchase, as usual, malt liquor at the canteen, and another would receive a daily ration of whisky.

In each instance the experiment showed that, whereas at the first the regiment which had received an allowance of grog surpassed the other in dash and impetuosity of attack, yet, after the third or fourth day its members began to show notable signs of lassitude and lack of spirit and endurance. The same manifestations, though in a minor and slower degree, were apparent in the regiment restricted to malt liquors, whereas the men who had been kept from every form of alcoholic drink increased in staying power, alertness, and vigor every day.

The results of these experiments led the British war department to decide, not on the ground of principle, but solely for the sake of maintaining the power of endurance of the troops now engaged in the Soudan campaign, not to permit a single drop of alcohol in camp save for hospital use.

Dr. Edward L. Fox, president of the British Medical Association, in his annual address before the sixty-second annual meeting of that association, remarked:

How important it is for a nation to know that any excess in muscular work, as in the forced marches of an army, is rendered far more difficult by the use of alcohol; that it not only fails in giving power in the work of the muscles of the heart, but acts distinctly as a depressant; that it never enhances the temperature of the body, and that in its pure state it is in no sense a food. All this knowledge has been gained by the observation of medical men.

Mr. President, well does Mrs. Mary H. Hunt, the devoted superintendent of the department of scientific temperance instruction of the National Woman's Christian Temperance Union, say:

The testimony of science shows beer to be by nature a dangerous drink; that intoxication from beer is even more demoralizing than from stronger liquors; that because of its inherent characteristics its use can be counted on to lower the moral, mental, and physical force of the users.

The disgraceful results of its use in our new possessions, which have made every true American blush for his nation's honor, have been just such as inevitably follow the drinking of a beverage whose inherent characteristics are those of beer, and show the weakness of the claim often advanced that the sale of beer in the army canteen will keep the soldier from the saloon.

The nature of beer is not at all changed by selling it in the canteen instead of in the saloon. The argument is most specious that it would be less temptation to the soldier if he were not obliged to go to the saloon outside, but could get beer within the camp, where it would be an ever-present invitation to the thirst induced by the tropical heat. The philosophy of the petition, "Lead us not into temptation," is thrown into contempt by this reasoning, and the United States is asked to provide the temptation to drunkenness for the valiant men who wear its uniform, and stand ready to defend its flag, if need be, with life itself.

The suggested Senate amendment assumes on the part of the people's representatives an ignorance of scientific facts about the nature of beer that are familiar to school children or else an indifference to the welfare of our Army and to our mission as the evangels of liberty to the nations of the earth. Such an amendment would misrepresent the intelligence and sincerity of purpose of the people of the United States concerning the undeveloped races which have providentially come under our care.

Mr. President, not only are we tolerating liquor selling in Army camps, but we have allowed our military officers to establish hundreds of American saloons in Manila, which is bringing wretchedness to the natives of Luzon and seriously reflecting upon the American Government.

On this question Professor Schurman, who was at the head of one of the commissions that went to the Philippine Islands, in speaking upon this subject—if he is correctly reported, and I think he is—has this to say:

I regret that the Americans allowed the saloon to get a foothold on the islands. That has hurt the Americans more than anything else, and the spectacle of Americans drunk awakens disgust in the Filipinos. We suppressed the cock fights there and permitted the taverns to flourish. One emphasized the Filipino frailty and the other the American vice. I have never seen a Filipino drunkard. The Filipinos have some excellent virtues. They are exceedingly cleanly and also exceedingly temperate.

Mr. John Foreman, who was summoned to Paris by the Peace Commission on the Philippine Islands, speaking of the Philippines, says:

Prior to the American occupation there was little beer used in the islands. Within a fortnight after the capitulation of Manila the drinking saloons had increased fourfold. According to the latest advices there are at least 20 to 1 existing in the time of the Spaniards. Drunkenness, with all its consequent evils, is rife all over the city among the new white population. The orgies of the newcomers, the incessant street brawls, the insults offered with impunity to natives of both sexes, were hardly calculated to arouse in the natives admiration for their new masters.

Now, Mr. President, I am not going to argue that the preponderance of opinion among Army officers is either for or against the Army canteen. Beyond a doubt opinions are divided, and it seems that some remarkable changes of opinion have taken place. As an illustration, the Adjutant-General of the Army is now in favor of the canteen, while in 1892, when he was assistant adjutant-general, he declared against the canteen, saying that "the saloon feature should be done away with without further experiment." He substantially repeated this opinion one year ago, and is quoted as saying that "the exchange, with an open saloon, would be a first-rate thing to recommend for adoption in the army of the enemy," a sentiment in which I cordially concur.

Many of our leading officers have pronounced against the canteen—men like General Howard, General Ludlow, General Shafter, General Wheeler, General Henry, General Carlin, Surgeon-General Sternberg, and others of equal note. Surgeon-General Sternberg is on record as follows:

I do not think much of the beer canteen. The theory that the soldier needs a beer canteen to keep him from going to outside saloons for something stronger is all wrong; there is nothing in it. On the contrary, a great many young soldiers who are not accustomed to drink contract drinking habits at these canteens and are ruined. There is no need whatever for intoxicating drinks at these canteens, and it will be a good thing for the Army if they are abolished.

It is proper that I should say that Surgeon-General Sternberg is now quoted on the other side; but even if he is, the above testimony is important.

Mr. President, I will ask permission to here introduce a partial list of the officers and the names of various volunteer regiments in the late war with Spain who have given testimony against the canteen, and who prohibited it so far as their regiments were concerned.

Colonels of following regiments which had no canteens: First, Third Nebraska (Col. W. J. Bryan); First Texas; First Wisconsin; Second, Fourth, Sixth, and Eighth Ohio; Fifth, Eighth, Twelfth, and Thirteenth Pennsylvania; Second and Fifth Missouri; Twenty-fifth Kansas; One hundred and fifty-seventh, One hundred and fifty-ninth, and One hundred and sixtieth Indiana; First, Third, Fourth, Fifth, Sixth, and Ninth Illinois; First, Second, Third, and Fourth Kentucky; District of Columbia regiment; First and Second Mississippi; First New Hampshire; Fifth and Eighth Massachusetts; First Washington; Fifteenth Minnesota; First and Second Arkansas; Forty-ninth, Fiftieth, and Fifty-second Iowa; First South Dakota; Second Virginia; Second South Carolina, and Second Louisiana.

To these add the following commissioned officers of lesser rank that have condemned the canteens:

Lieutenant-Colonels Trueman, North Dakota; Beck, Kansas.

Chaplains Sam Small, Third United States Engineers (no canteen); Crawford and Harbaugh, Ohio; House, Massachusetts; Hunter and Brady, Pennsylvania; White, Texas; Todd, Illinois; Phillips, Nebraska; Cook, Georgia; Stamper, Kentucky; Solomon, Missouri; Babcock, Arkansas; Kimball (regulars); Watts, Texas, and Lyman, Louisiana.

Surgeons Genella (regulars); Ward, Missouri; Penrose, Utah; Epler, Tennessee.

Adjutant Venable (United States Engineers).

Maj. Burton R. Ross, District of Columbia.

Capts. R. S. Woodson (expert on tropical diseases); Hunt, Battery D, Pennsylvania.

Lieut. A. K. Taylor (Regular Army), article in United Service Magazine.

No stronger presentation of the case has been made than by General Ludlow, who says:

It is a matter of general recognition that the use of intoxicating drinks of any kind in the Tropics conduces effectively to attack from disease. It is believed by this department that absolute prohibition is imperative. In almost every case of yellow fever developed thus far among American troops in Cuba it has been found that the patient was in the habit of drinking. It is particularly important, where a large proportion of the troops are recruits, that nothing be officially done to create in them the habit of using intoxicants. To establish canteens at the posts in the Tropics is to render the temptations of sociability and companionship practically irresistible, and the habit of drinking is readily acquired.

In alluding to General Ludlow's views, Harper's Bazaar of June 9, 1900, comments as follows:

At present 85 per cent of the United States Army is in the Tropics. Moreover, this is the keynote of the whole question, as General Ludlow puts it: "It is particularly important, where a large proportion of the troops are recruits, that nothing be officially done to create in them the habit of using intoxicants." Recruits form 75 per cent of the strength of the Army. These men have left home, family, business, all minor duties, to serve their country in time of war.

Shall this country repay them by officially establishing in their midst a temptation threatening them and the loved ones to whom they will return with the horror of the vice of drinking? If, as General Corbin says, these men, in the absence of post canteens, drink native liquors in the Tropics worse in effect than the beer or light wine the canteen would furnish, it is deplorable—a hideous individual sacrifice in the cause of civilization, which the United States has undertaken in the Philippine Islands. But for such consequences of individual human frailty, amid surroundings tempting to vice, the Government is not officially responsible.

It doubtless is morally responsible so long as it sustains war in the Philippines, but the volunteer who, having served his country three years in the Tropics and come home diseased, debauched by drink, can not accuse anyone but himself if he sought his doom outside the post to which the Government assigned him. If, however, by official act the Government tempted him to drink, he shall say in bitterness of heart which is a curse upon patriotism, "I answered the call of my country at the risk of all my earthly interests, and it called me to this—dishonor, depravity."

To abolish the canteen will not regenerate the Army. But the words of General Ludlow should be the text for Congressional action: "Nothing should be done officially to create in volunteer troops the habit of using intoxicants."

Great stress has been laid here and elsewhere upon the fact that some clergymen have given testimony in favor of the continuance of the canteen, and the testimony of Archbishop Ireland has been especially dwelt upon.

It can safely be said that the clergy as a whole are opposed to the canteen, and that the bishops of the country are no exception to this rule.

A little time ago it was my privilege to conduct an inquiry in the room of the Committee on the District of Columbia on a bill which is known popularly as the anti-vivisection bill. At that meeting, unannounced, a bishop of one of the churches of the United States appeared to give testimony in favor of vivisection. Immediately it was heralded to the country and the world that that great man—for he is a great man—had lent the authority of his name to the practice of unrestricted vivisection; but no one took the trouble to inquire how many bishops in this country had protested against the practice and had written me personally that they were in favor of the bill that was under consideration. At that very moment I had in my committee room more than twenty letters from distinguished bishops of the various religious

denominations in the United States, and hundreds of letters from distinguished clergymen, pleading for the passage of the bill which a single bishop had appeared to oppose.

One or two clergymen have appeared, possibly more; one Army chaplain, possibly more, has appeared in print in favor of the continuance of the canteen; but, Mr. President, it is a well-known fact that the petitions that have been presented to this body by the hundreds and the thousands since we assembled bear the signatures of the leading clergymen of the country in opposition to the continuance of the saloon feature of our Army camps and in favor of the passage of the bill as it came from the House of Representatives. A letter just received from Rev. John F. Hill, secretary of the General Assembly of the Presbyterian Church in the United States, says that that assembly, by almost unanimous vote, urges the banishment of beer from the Army. That church numbers 1,000,000 communicants and approximately 3,000,000 adherents, and what is true of that church is equally true of every other church in the country so far as the subject under discussion is concerned.

On this point I beg to say that I have in my hand an article recently written by a post chaplain to the editor of the Atlanta Journal, and, as it is of the greatest possible interest to every person who is interested in this question on one side or the other, as it states the proposition with great clearness and strength, and seems to clear away some of the cobwebs that have been thrust into this discussion by the friends of the Army canteen, I will ask permission, without reading it, to insert it as a part of my remarks.

The PRESIDING OFFICER (Mr. PLATT of Connecticut in the chair). Is there objection to the request of the Senator from New Hampshire? The Chair hears none, and it is so ordered.

The article referred to is as follows:

Editor of the Atlanta Journal:

Your editorial last Friday concerning the Army canteen indicates the confusion of mind obtaining generally as to what are the merits and demerits of that institution. As a chaplain in the Army I have my views and convictions, which I have formed after many years of observation, under favorable conditions, to satisfy myself as to its influence for good or evil. I take it that the public is entitled to a statement of these conclusions.

During the last thirteen years I have served at posts where canteens were in operation. Thirteen years ago they were experimental, most posts having post-traders' stores, which furnished beer to officers and men. When it was proposed to substitute cooperative canteens for traders' stores I lent my influence for the change, as it was argued that officers could control canteens more successfully than they could the stores. I hoped that a saloon could be controlled in the interests of a temperate use of intoxicating liquors. But after thirteen years of close observation, I have been forced to abandon all hope of regulation, and to become as much opposed to the canteen as I was then opposed to the traders.

The fact is, I have never seen the canteen regulated but once, and then for only a few weeks by one post commander in all this time. I have often heard of such canteens, but they were far away from where I served. One I have heard of was in New Mexico many years ago, where there seems to have been an ideal sergeant, who run an ideal canteen, and it has been the most pointed-out canteen in the history of the Army. What a close observation at the time might have revealed I do not know, but I have been forced to believe that it existed as an Army myth more than a reality.

My first experience with a canteen was at Fort Omaha. It was a pet institution of the post commander, and did more to set the gait for the Army than any other except, perhaps, one at Vancouver barracks, where the experiment was first tried. It paid dividends at the rate of from $7,000 to possibly $10,000 a year, if my memory serves me correctly. This was in a command of 400 men. I have frequently gone into it when the noise of the boisterous, drunken mob that filled it to overflowing was so great that no ordinary conversation could be carried on in it. Sitting around tables were maudlin, cursing soldiers, while others were filling the air with curses as they surged around in the crowd. Such a saloon could not exist in Atlanta an hour. But this was a regulated canteen, according to the views of the post commander, whose reports were quoted in Congress in those days.

The officer in charge was drunk almost daily, until his wife went to the regimental commander over and over again, pleading to have him relieved, and finally came to me almost distracted, and urged me to go to the commanding officer to recommend that he be relieved, which I could not do, as no suggestion from me concerning that caldron would be tolerated. Her only satisfaction was the assurance that the captain could manage the canteen more successfully than any other officer in the regiment. At one time I attempted to bring the attention of the War Department to the condition of matters in my monthly report, but my report was returned to me with peremptory orders to make my report without referring to anything relating to post administration.

My second experience was at Fort Niobrara, Nebr., where I served seven years with four different regiments, comprising infantry and cavalry, which gave me opportunity to observe the administration of the canteen under different managements. The chapel and post schools were within 100 feet of the canteen, and as chaplain I had charge of both schools and chapel services, the latter usually two and often more than two evenings in the week besides Sundays. I therefore had excellent opportunities to observe the kind of regulation it had. I regret to say that the saloon was run wide open and for all the money there was in it. The command usually consisted of about 450 to 500 men. The usual consumption of beer per month was three carloads, but I have known it to reach four carloads. The noise of this saloon could be heard to the remotest parts of the garrison.

The religious services have been so disturbed at times as to make it exceedingly embarrassing, the howling crowd taking up our religious songs and repeating them in the saloon along with their blasphemous curses. In conversation with one officer who had charge of the canteen he said to me: "I keep just as far from the thing as I can." Under one officer the peculations by the civilians who conducted the sales consumed all the profits. The officer could not reconcile himself to go there and manage the miserable business, and it simply run itself.

On one occasion a soldier drank heavily at the canteen and killed a comrade, for which he was hung. While conducting the funeral services of the murdered man, I dwelt on the two forces operating in every community for good and evil; that the forces for righteousness are represented by the churches, and the forces for ruin are represented by the saloon; that at this post the chapel stands for instruction in righteousness, and the canteen for the destruction of men, and each soldier must choose with which to keep company.

Just at that juncture the officer who had charge of the funeral, of whose company both the murderer and murdered man were members, stepped up to the platform and said, "It is time to close these services," though I had not been speaking more than ten minutes when he did so. I replied that I had charge of this part of the ceremony, and proceeded with my address. At the close of the service I asked him what he meant, and he replied that when a chaplain inveighs against the canteen as I was doing, and especially in the presence of the commanding officer, it was time some one should call him down.

At another time a soldier was on an extended spree, drinking at the canteen, and becoming crazed with drink seized his rifle and shot down one soldier, killing him instantly, and then began shooting at everyone he saw, and in turn was shot down and mortally wounded by command of an officer who happened near at hand and who was in imminent danger himself.

On another occasion I heard the tumult at the canteen, being at my own quarters, a quarter of a mile distant, and knew that trouble was brewing. I hurried to the officer in charge, who went with me as fast as we could go, and arrived just as the quarrels culminated in a general fight and the throwing of beer mugs, in which one soldier was almost fatally cut in the head and neck, from which he bled most profusely, and was carried to the hospital.

At my present post I have had little occasion to observe the canteen. It is situated quite apart from where my duties lead me, and I can give little information concerning it. It is commonly known that under the administration of one officer in its charge a large sum, amounting to $2,000 or more, was squandered or embezzled or otherwise gotten away with by a civilian steward, to whom the management was committed by the officer. The noncommissioned officer now in charge and successor to the embezzling steward is a worthy Christian gentleman. Since he has had charge there has been only a small command and the business is insignificant.

I cite the above facts in order to expose the fiction that Army canteens are "regulated." Army officers, according to my observation, and I have served with 10 different regiments, which had canteens, will not demean themselves by remaining at canteens to regulate the conduct and the quantity of beer to be given drinking soldiers. It is below their dignity to do so, and contrary to their good sense and breeding. They are compelled, therefore, to commit this disagreeable duty to soldiers.

The soldier almost invariably selected is of the saloon keepers' class. Of course, that is so. It need hardly be stated. A man intolerant of the racket and rows of drinking men, who, with a strong hand, would restrict sales, would defeat the objects in view, namely, to make money, first and foremost, and second, to keep the men from going to cutside drinking places. My observation is that the least regulated saloons are Army canteens. There may be exceptions, but the rule is to do all the business possible and let the boys have "a good time."

Regulation is theoretical, not practical. It is the ideal canteen that is being exploited. The actual thing is altogether a different thing. We hear among the friends of the canteen much about "young men's club," but it is a young men's club run so as to satisfy the young men, not what every father and mother would create for their sons. It is the debauching, ruining menace to every young man who enters the Army. It is a cooperative saloon, created by the Government, fostered by it, and commended to the young man just from the restraining influences of home, at the weakest period in his life, as his club. Here are the games, the amusements, all attractions, including reading room and library, to draw him to it and place him under its influence.

Where is such an institution to be found in civil life? To propose such a scheme for young men in the communities from which recruits are drawn would call out the universal protest of all good people; but that is what is created by the Government at all Army posts. It is based, too, upon the doctrine that the temperance homes of the country, from which the Government prefers to draw its recruits, the churches, the young people's societies, such as the Young Men's Christian Association, the Young People's Society of Christian Endeavor, the Woman's Christian Temperance Union, and other temperance societies to which the country owes so much for existing temperance sentiment, and the public schools which inculcate the doctrines of total abstinence on grounds of health, upon the doctrine, I say, that all these instrumentalities, working together for total abstinence, have been in error, and that the right way to treat the subject of temperance with young men is to establish young men's clubs to be run so as to keep the young men in their own saloons rather than take the risk of their going to ruin in some other saloon. What community would consider such a proposition for a moment? The dread of city parents is the young men's clubs.

The Government canteen idea lowers the conscience standard of both officers and men. It inculcates the idea of tolerance of the vice of drinking. It holds up the idea of a temperate use of drink as against the idea of total abstinence. The ideals are utterly opposed to the ideals of the best moral forces of society. I cite another circumstance in proof. At Fort Niobrara I was holding my usual temperance meeting one evening (I hold a total abstinence meeting every Tuesday night when the command is large enough to enable me to do so and other conditions permit, and at these meetings I have taken somewhere between 1,500 and 2,000 total-abstinence pledges within the last five years).

In my address I stated what I believed to be true—that every officer of the command would rejoice to have every man in the command take a total abstinence pledge and keep it. I stated this as an argument to persuade the men to take pledges, that in doing so they would please their company commanders. The next morning an orderly came to my quarters with the compliments of the commanding officer, the colonel of a regiment, stating that he desired to see me at headquarters. I went at once, when the question was asked whether I was correctly reported as saying that the officers of the regiment would be glad if all the men would take total abstinence pledges and keep them.

I stated that I had been correctly reported. The officer asked on whose authority I had made this statement. I stated that it was on no one's authority, but that I believed it to be so from my general knowledge of the officers. He replied that it was not the wish of the officers of his regiment that the men should take total abstinence pledges, and that he desired me not to so represent them; that they preferred them to be taught the temperate use of beer.

At first many officers were opposed to the cooperative saloon; but the War Department forced it upon such officers, even going so far as to send officers to posts to organize canteens where officers did not organize them. Many officers refused to have charge of saloons, it being a violation of their scruples, and some barely escaped court-martial for disobedience of orders; but the canteen finally won. The effect of this policy has been to constrain officers to accept the institution. I know that many officers abhor the saloon, but it is the solution that seems to be accepted; as they see no better way to solve this serious and difficult question, they almost unanimously recommend it.

The only way I can account for the interruption at the funeral, and my being corrected as to the wishes of the officers concerning the men taking total abstinence pledges, and the late recommendations of officers in favor of the

canteens, is that this canteen theory of existing legislation modifies the views of officers, as well as men, and produces a toleration of, rather than a repugnance for, the wicked business. In my opinion this Government canteen doctrine is a dangerous one to inculcate in the minds of hundreds of thousands of young men of this country who are destined to military service to be returned to citizenship, and to be fathers of children of the future Republic and the heads of households and pillars of churches. It will result in an undoing of the best work of these days.

It is true, as you state, that officers of the Army almost unanimously recommend the canteen, but it should be remembered that these officers have been in a Government process of training for the last thirteen years, preparing them to hold this opinion, and that it was foreknown what views were held, where the policy of the Army is shaped, as to what is regarded as the best solution of the problem, and I ask what answer might be reasonably expected under such circumstances. Furthermore the business success of the canteens gains adherence of many who do not consider so seriously as many of us do the moral influences radiating from the saloon.

The sound policy for the Government on this moral question, in my opinion, is not to put itself athwart the doctrines of the churches and the homes, and undo the cherished work of parents and Christian workers, but to buttress in every way possible the teachings of these best citizens and institutions of the Republic, and endeavor to return their sons to society as solidly temperate as when they enlisted.

This is possible. If all drink were outlawed to soldiers, and if recruiting officers were instructed to explain this fully to recruits; if then company commanders, commanders, and noncommissioned officers in charge of squads were charged to restrain the men, as far as possible, from going to drinking places and using intoxicating liquors; and if penalties, such as discharge in distant colonies without honor and with forfeiture of pay and return passage with a few months at hard labor on public improvements, as the restraining motives to self-regulation, there is no reasonable doubt that the question would be settled satisfactorily to the Army and to the people. I do not think any policy will bring ideal results, but I am sure of this, that past policies have so far disappointed the American public that the time has come for a new one to have a fair trial.

I well remember when President Hayes issued his order against selling spirituous liquors to soldiers, and what a cry of impracticability went up from the Army and friends of the liquor traffic, and President Harrison abolished Sunday morning inspections and Sunday evening dress parades, how the old-timers regarded it as a kind of Sunday school affair, but it would be difficult to find an advocate of the old régime now anywhere. So it will be when the anti-canteen people at last win the day, which they are bound to do, the old régime will be looked upon as unworthy the later and better way.

ORVILLE J. NAVE,
Post Chaplain, United States Army.

Mr. GALLINGER. Mr. President, our army is in Cuba, in China, and in the Philippines, exposed to the dangers and diseases of a tropical climate. It is our duty to do what we can to preserve the health of our soldiers, and to that end we are in duty bound to protect them as far as possible from the evil effects of strong drink. This we surely will not do if we legalize in their midst places where intoxicants can be obtained, whether wine, whisky, rum, or beer. In this respect we ought to set a good example to the people of Cuba and the Philippines. But are we doing so? Let the following editorial from the Habana Post of July 6, 1900, headed "A disgraceful occasion," give answer:

A DISGRACEFUL OCCASION.

It was a source of genuine disappointment to the large assemblage of American citizens who gathered to witness the Vedado field sports of the soldiers belonging to the batteries stationed there that a feature not down on the programme, but made one of the most notable of the day, should have been brought prominently to their attention. The permitting of the Army canteen on the ground to the right and in front of the grand stand gave the visitors, American and Cuban, an enforced opportunity of witnessing the disgraceful spectacle of perhaps a hundred drunken soldiers, many of whom were violently disorderly, even to engaging in fist fights and general brawls in the presence and ostensibly under the supervision of the officers of the batteries.

It is doubtful if such a disgusting and disgraceful spectacle has ever before been offered the people of Cuba upon the occasion of a public celebration. Certainly not within the experience of a large proportion of the civilian visitors who went to the exercises expecting to see high-class sports, conducted in an orderly and truly American manner, has there ever been witnessed such scenes of drunkenness, disorderliness, and general confusion.

The Fourth of July was disgraced by the debauchery which prevailed, but it was even worse prostituted by officers who gave their consent to the establishing of a drinking tent in the place of public amusement, to which the public had been invited, and whose money was taken for what was supposed to be a respectably conducted exercise.

So noticeable was the debauchery for a time that some one in authority closed the place for at least two hours, giving the boys this much time in which to sober up, but it was reopened at 1 o'clock, and from that hour until the exercises were over was the rendezvous for all the Army toughs the batteries and visiting companies contained; fight after fight following as men lost their heads under the influence of liquor in the rays of a broiling tropical sun. It was a repulsive sight for the ladies, hundreds of whom were forced to view it from their grand-stand seats, and equally disgusting to the sterner sex, who love their natal day and would have been glad to have seen it observed in decency and order.

Someone is to blame for the disgrace which was brought to the United States and its flag Wednesday. How can we consistently censure ill-tempered Spaniards and Cubans from displaying it upside down when we admit to our public places of amusement disorderly conducted canteens to turn our soldiers upside down, make them lose their self-control, and indulge in rowdyism that belonged to the Bowery of other days. The canteen did not locate itself in a conspicuous part of the grounds, nor did it license itself to sell liquor to soldiers in all stages of intoxication. If it was thought necessary for the pleasure of the boys in blue that they should have their beer upon such an occasion, the canteen should have at least been put under guard and, at the worst, have been conducted decently.

Furthermore, it should have been located where visitors would not have been made to see its rowdyism and debauchery. Every self-respecting American must have felt like hiding his head in shame over the disgusting exhibition given him at the Vedado field sports on Wednesday. Small wonder it is that the Cuban ladies who were present, to whom such scenes are altogether unknown, should have shown the revulsion of feeling that many of them manifested, and small wonder is it that American ladies in the grand stand blushed with mortification at the indecencies of the day. The 4th of July was sorely disgraced in our own house.

Mr. COCKRELL. Where was that?

Mr. GALLINGER. It is published in the Habana Post of July 6, 1900.

Mr. COCKRELL. What officer was in command?

Mr. GALLINGER. I do not know.

Mr. President, it will not do for those who are advocating the continuance of the canteen to charge that its opponents are acting in conjunction with the saloon interests of the country, as a distinguished Army officer has asserted. Nothing is further from the truth, and it is not to the credit of any man to make that assertion.

The opponents of the canteen want to see the Army free from liquor selling, as is the Navy to-day. They conscientiously believe that harm is being wrought to our soldiers by the establishment of saloons in Army camps, and they appeal to Congress to wipe out liquor selling entirely in connection with the Army. In this contention they have my entire concurrence, and, while I am not oversanguine as to the result, I venture to express the hope that the Senate will reject the amendment proposed by the committee and let the bill stand precisely as it came from the other House.

This, in my judgment, will be a triumph for sobriety and justice, and will result in incalculable benefit to the brave men who are fighting the battles of the country amid the climatic dangers of a tropical land, where life and health can only be preserved by strict observance of physiological laws and the avoidance of artificial stimulants in all forms.

Mr. President, I will ask to have inserted as a part of my remarks a series of resolutions adopted by the American Anti-Saloon League Convention, without reading, if there be no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire? The Chair hears none.

The resolutions referred to are as follows:

Resolutions of the American Anti-Saloon League Convention.

Resolved, That we are unalterably opposed to the sale of intoxicating liquors in the Army which represents the power and sovereignty of the nation at home and abroad.

The soldier is not simply the hireling of the Department; he typifies the will and might of the people, and every citizen ought to be interested in his physical, mental, and moral welfare, and has the right to demand the same freedom from drinking and drunkenness in the Army that the railroad companies and many large corporations are wisely exacting of their employees, in order that the highest degree of efficiency may be attained and maintained.

We claim the scientific experiments conducted by the British army during recent years under Lord Roberts and General White in India, and the successful march in the deadly climate of the Sudan of a total-abstinence army under Lord Kitchener, abundantly disprove the statement that "soldiers must have drink."

Resolved, That we are specially opposed to that feature of the canteen system which relies upon the profits of liquor selling to improve the mess and hospital service, believing that the Government is abundantly able to and should amply provide for all the needs of the enlisted men. This feature affords a constant and menacing inducement to drink, as few men care to share regularly in the advantage of a fund they are not helping to create.

Resolved, That the two arguments for the beer canteen are unsupported by facts abundantly at hand; first, that if the lighter liquors are supplied within the canteen, men will not go outside and secure stronger drinks, and secondly, drunkenness and disorder disappear under the military supervision afforded in the canteen. The recent experience with Trooper Davis, at Fort Myer, almost within the shadow of the Capitol, the cashiering and dismissal by General Otis of four high officials in the Philippines for drunkenness and unsoldierly conduct and other similar cases either prove that the men can and do get drunk on liquors sold in the canteen or else do go outside and get stronger liquors notwithstanding the canteen, or both, either fact of which destroys the validity of the argument for the present system. Further, the present law, approved March 2, 1899, even as liberally construed by the Attorney-General, forbids the assignment or detail of any officer or private soldier to participate in the sale of liquor in the canteen as bartender or otherwise, and if this law is respected and obeyed by the War Department, the military supervision of liquor selling in the canteen is an impossibility, and unless absolutely forbidden, the Army is at the mercy of civilian bartenders, who by the misinterpretation of the law by the Attorney-General are now permitted to sell.

Resolved, That we indorse the statement in his official report in 1892 of then Assistant Adjutant-General Corbin, and which he said, February 9, 1899, still represented his views: "A cause of restlessness (in the Army) *is traced* to the excesses of the exchange, the saloon feature of which is not productive of good, and should be done away without further experiment. The sale of beer, superintended by a commissioned officer and served by noncommissioned officers and soldiers, is not conducive to discipline, nor is it a picture that can be submitted to the people for their approval. The men who drink spend the greater portion of their money for beer. The credit system brings them to the pay table with little or no money due. This takes all heart out of them, and makes them quite ready to ask their discharge and try some other calling," and affirm that these facts and conditions remain under the same canteen system as true to-day as in 1892.

Resolved, That after thus stating our position on the canteen we nevertheless refuse to transfer the issue to the expediency or nonexpediency of anti-canteen legislation. The people intelligently asked Congress to prohibit liquor selling in the Army, and the legislative branch responded with the Johnson-Hansbrough amendment to the act of March 2, 1899, which was held by the Judge-Advocate-General, the legal adviser of the War Department, as it was confessedly intended, to close the Army saloon.

The Attorney-General was then appealed to, and rendered an opinion foreshadowed by the then Secretary of War, Alger, which nullified the law and defeated the will of the people, against which we vehemently protest.

Mr. GALLINGER. Mr. President, it would have been a pleasure to me to have gone into this matter more thoroughly had I not felt that I had not the right to unnecessarily consume the time of the Senate when the Army bill is pending. I want to see the bill passed at the first possible opportunity, although I am of

opinion—and in that I know that some of the most prominent Army officers in this country concur—that the bill is far from being a perfect measure, and that it contains many provisions in addition to the one that we are now considering that might profitably be amended.

It will not do for those who are contending for the continuance of beer selling in our camps to rely upon certain testimony that has been presented to the effect that desertions have decreased of late years, and that the Army canteen is largely responsible for that fact. Nobody who gives the matter any serious thought will believe that. It is well known that the quality of our soldiers has been greatly improved. That is the concurrent testimony of our military officers, and I think it can easily be shown that it is not quite so desirable a thing for a soldier to desert in the Philippines and take his chances among the savages of those islands, where most of our Army is, as it would be for him to desert in the United States.

Mr. President, I close with the suggestion that the concurrent testimony of the leaders of the medical profession the world over sustain the view I have so imperfectly stated, that great armies, as well as individuals, are better off, so far as their health and strength are concerned, when they entirely avoid intoxicating drinks, or at least when they do not use them day by day, as our soldiers will be tempted to do if the Army canteen in any form is continued in connection with our military service.

I will venture to repeat that I hope the Senate will reject the proposed amendment by the committee and will stand by the provision as it came from the House of Representatives.

Mr. BURROWS. Before the Senator sits down I should like to ask him a question. In the course of his remarks he alluded to the practice in the Navy, and said he could see no reason why the same practice should not prevail in the Army. Is the Senator so familiar with the question as to be able to state what are the law and the practice in the Navy?

Mr. GALLINGER. All I know about it is that under the administration of Secretary Long the use of spirituous drinks, including beer, has been entirely prohibited in the Navy of the United States. The Secretary issued an order to that effect, which I regret I have not at hand.

Mr. SEWELL. Let me say to the Senator that for several years the issue of liquor has been stopped. It used to be in the Navy that liquor was issued by the Government, but that has been stopped for several years.

Mr. GALLINGER. Yes; that is so. That practice was abandoned in 1862, I believe. We have no saloons in connection with the navy-yards of the country. We might as properly have them in connection with navy-yards as with an Army post, but I think nobody would stand here and defend a proposition to establish saloons in connection with our navy-yards.

Mr. BURROWS. As I understand it, there is nothing in the Navy or in the navy-yards that is analogous to the canteen?

Mr. HAWLEY. No, sir.

Mr. GALLINGER. That is the way I understand it, and I am very glad indeed that it is so.

Mr. HAWLEY. Mr. President, I expected to address the Senate at some length at this stage of the proceeding, but it occurs to me that perhaps I had better yield to my colleague on the committee, the Senator from New Jersey [Mr. SEWELL]. He is an eminent soldier, of experience during the whole time of the war for the Union, and by reason of his membership for several years on the Board of Managers of Soldiers' Homes, of which board he is now the president, he is perhaps better qualified, certainly than any other man in the Senate, perhaps than any other man in the country, to address the Senate on this question. I give way to the Senator from New Jersey.

Mr. SEWELL. Mr. President——

Mr. GALLINGER. Will the Senator from New Jersey permit an observation?

Mr. SEWELL. Certainly.

Mr. GALLINGER. The inquiry was made of me a little while ago as to the custom prevailing in the Navy, and I quoted Secretary Long as having announced his opposition to the use of liquor on the part of our naval heroes. It has been suggested to me that the issuance of what are called grog rations was abolished in the Navy during the civil war and it has never been restored. I think that probably is the fact.

Mr. SEWELL. Mr. President, I have been interested in this subject for a number of years. I am one of the Board of Managers of the Soldiers' Homes. I devote a great deal of my time to carrying out the wishes of Congress in that respect. Those managers are elected by Congress. It is to me one of the most honorable positions there is in this country, because I am endeavoring to conserve what I consider the best interests of the men who fought in the war, my comrades as it were, men whom I desire to help in every reasonable way. I do not mean by that that I am a pension grabber, but that it is my desire and aim to protect and conserve the interests of the old soldier of the Republic, who is unable to take care of himself, and who should be taken care of through the beneficence of the Government; and I am one of the dispensers of that beneficence.

I have studied the question of the canteen—a misnomer so far as the Government is concerned. In the Soldiers' Homes a few years ago we started an experiment, in order to keep our men within the lines of camp, of selling at one or two of the Homes beer, and nothing more. We found at the Homes where that experiment was tried that the men became satisfied. I will say a large part of the men did, because you can not satisfy all of them. A large part of the men in the Homes were willing to take their glass of beer, probably two, but under restrictions that they should not get any more, rather than to go out to the low groggeries that surround every institution of this kind in the United States. We gradually extended that.

After we found that the reports and the results at the guardhouse were favorable, after we found that the surgeon recommended it, that there were fewer men in hospital, after we found that the men themselves were contented, we extended it to all the Homes except one, I think, but practically to all the Homes in the United States. So to-day the experience of the managers of the Soldiers' Homes is to the effect that a glass or two of beer dispensed in the Homes prevents the men from going out and drinking rum and being trundled back in a wheelbarrow, with all their money gone, about pension time, and more than that, practically sometimes almost subjects for the hospital.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER (Mr. PLATT of Connecticut in the chair). Does the Senator from New Jersey yield to the Senator from New Hampshire?

Mr. SEWELL. Certainly.

Mr. GALLINGER. I should like to ask the distinguished Senator from New Jersey, to whom I shall listen with the greatest possible attention, whether he does not think there is a great difference between giving a little beer under restriction—he says not more than two glasses a day, which this proposed amendment does not accomplish so far as the soldiers are concerned—to old men who have gone through one or two wars and who are nearing the end of their pilgrimage and placing it before my boys, and the boys of other fathers in this country who leave their rural homes, enter the Army total abstinence boys, and find at the Army headquarters a place inviting them to form the habit of drinking beer, which invariably leads to the use of the stronger drinks?

Mr. SEWELL. I will say to the Senator from New Hampshire that while I shall discuss that question further on, I admit his proposition. The old soldier is a different man from the young soldier, but I became interested for the old soldier primarily. I became interested in this as a temperance measure, absolutely. I visit the Home at Hampton, Va., three or four times a year, and before the adoption of the canteen, during the time of the payment of their pensions, old soldiers were brought in drunk by the hundreds from the saloons outside. We have used every effort to stop the saloons, but they are there. The State of Virginia refuses to stop them.

Mr. HANSBROUGH. Mr. President——

The PRESIDING OFFICER (Mr. BURROWS in the chair). Does the Senator from New Jersey yield to the Senator from North Dakota?

Mr. SEWELL. Certainly.

Mr. HANSBROUGH. I desire to ask the Senator from New Jersey if he thinks that Soldiers' Homes would come under the operation of this provision in case the committee amendment is voted down?

Mr. SEWELL. I want to say to the Senator that I would oppose any such extension if it were voted down. At the same time, the Soldiers' Homes of this country are supported by the Government, and it may be so construed.

Mr. HANSBROUGH. Let me ask the Senator a question. Does he believe that a Soldiers' Home is an institution that might be termed a place used for military purposes?

Mr. SEWELL. I can not say that I do. I should use that argument in case this were extended to Soldiers' Homes. I should, as one of the managers of the Soldiers' Homes, refuse to come under this law if it were passed. At the same time, it is a Government institution. It is supported by Congress, and may be considered to be an Army post.

Mr. GALLINGER. But I think the Senator will agree that it is a fact that the sale of beer, which he says is permitted in the Soldiers' Homes, is not legalized by the Government. Is not that a fact?

Mr. SEWELL. There is no law on the subject——

Mr. GALLINGER. No law.

Mr. SEWELL. Because the Soldiers' Homes are managed by a corporation——

Mr. GALLINGER. Precisely.

Mr. SEWELL. Which is authorized under the Government, although we are all elected by Congress as members of that corporation.

Mr. President, I wish to present some communications in relation to the matter before the Senate at the present time. The first one is from a distinguished professor of Princeton College, whose efforts in this matter prevented the Synod of New Jersey from voting against the canteen. I ask to have it read.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

34 MERCER STREET, PRINCETON, N. J.,
December 14, 1900.

DEAR SIR: You will probably not recall me, although I have been connected with Princeton for many years and am a very earnest Republican.

Permit me to refer you to my friend, the Attorney-General, for my general standing, and to my Presbyterian minister for my position in the church.

By virtue of your position on the Committee on Military Affairs, I venture to write you in reference to a very important matter in the Army bill now under consideration by your committee.

I am a pretty good temperance man, using neither beer, nor liquors, nor tobacco, and advising others to abstain; and although I am a doctor of divinity and might be supposed to have the prejudices of my class and my temperance practice, strange to say, I am earnestly in favor of retaining the canteen in the Army.

The object of this letter is to urge you to oppose the feature of the Army bill which excludes the canteen from the military posts. Strange to say, for several years I have been singularly connected with this matter, and am the one prominent minister in our church (the Presbyterian) who openly and earnestly defends the President and the Attorney-General in their course and advocates the canteen. In our Synod of New Jersey, in 1899, I took that position; also at our Presbytery. I was a commissioner to our general assembly at St. Louis last May, 1900. I again made a very earnest, if not eloquent, speech in defense of the President and the Attorney-General, and at the close that grave body broke out in very hearty applause. Much to my surprise, a dispatch in reference to the matter went all over the land on the Sunday before the Republican convention renominated that great President who is to rank with Washington and Lincoln.

These things induced me to study the canteen question thoroughly by a visit to Fort Myer and the perusal of all the testimony and replies from the commanding officers, commissioned and noncommissioned, of the whole Regular Army, save one regiment, to General Corbin. You are of course familiar with the report. I also had his excellent letter to you and data in reference to the Philippines.

Thus prepared and armed with "dynamite," I attended the meeting of the synod at Atlantic City in October. As soon as the temperance report was presented (it was of the usual character, but fortunately did not attack the President) I secured the floor, and in a speech that fairly exhausted the subject I presented the matter as earnestly, clearly, and forcibly as I could. When I had finished, and before the chairman and others had advocated the report and its resolutions, I was told "Your speech has carried the synod."

And so it was. To the astonishment of both sides the synod, by a vote of 99 to 41, recommitted the report and directed that everything in reference to the canteen and in criticism of the Government should be struck out. Now, if a grave religious body like the Presbyterian Synod of New Jersey could by a simple but earnest presentation of the facts be induced to reverse what had been its previous action, ought not the National Congress see that the retention of the canteen on its present lines (of course it is not perfect, and may be susceptible of improvement) is the best arrangement in every respect for the Army? Ninety-six per cent of the testimony was in favor of the canteen and against its abolition, and only 4 per cent was against it and in favor of its abolition. And the remarkable thing is that the strongest testimony in favor of the canteen was given by men and officers who were themselves abstainers.

This crusade against the canteen is an excellent illustration of the proverb that "extremes meet." Those who wish the canteen abolished are the extreme, but badly informed (as to this subject), advocates of temperance and the well-informed (as to their interests) saloon keepers just around the posts.

The Woman's Christian Temperance Union associations and other overzealous advocates of temperance, and the keepers of the vilest saloons, are the persons who are working together to overthrow an institution which does more to promote good order, discipline, temperance, and morality in the Army than anything that could be devised. To abolish the canteen in the Army, so far from being of any benefit to the soldiers, would be an overwhelming calamity. I trust, therefore, that the Military Committee, of which you are chairman, will prevent the Senate from agreeing with the House in its action.

Pardon the personal character of certain portions of this letter. They were necessary to explain how I became interested in the question. Omitting them, if you think what I have written can in any way promote a good cause, you can use it at least as a straw in favor of what is right.

With high regard, yours, truly,

HENRY CLAY CAMERON.

Hon. WILLIAM J. SEWELL, *United States Senate.*

Mr. SEWELL. That letter is from a distinguished gentleman, a member of the Synod of New Jersey, a doctor of divinity. I wish to say in this connection that the word "canteen" is a misnomer. The term is "post exchange." "Canteen" comes from the English. It comes originally from the French also. It is the carrying around of liquor to the troops in action by the vivandière. It is the dispensing of liquor by the English on the march. But, as I say, it is a misnomer in our arrangement. The post exchange is instituted under the Department, and it is thus constituted. A new post is established to-day, say, with four or five companies—cavalry, artillery, infantry. There is a necessity for something outside of the Army ration. The commanding officer has the control. He need not establish a post exchange if he does not want it; but he does, as a rule. The post exchange consists of a store where you can buy anything—needles, gloves, handkerchiefs, or anything else you choose—and where the officers and their wives trade—buy things—for they can not get them at any other place.

Mr. GALLINGER. If it will not disturb the Senator, who is very courteous, I should like to make an observation. The Senator, of course, would not convey the impression that if the sale of all forms of spirituous liquors was prohibited at the so-called Army canteen or post exchange, the post exchange would not continue to accommodate the wives and daughters of the soldiers in buying their ribbons and other knicknacks.

Mr. SEWELL. I should say it would not continue.

Mr. GALLINGER. That is a new construction. I have never before heard it suggested.

Mr. SEWELL. There is not sufficient profit in that portion of it to keep up the post exchange.

Mr. GALLINGER. It may be that they have to run a saloon to keep up the exchange, but I hardly think so.

Mr. SEWELL. That is my opinion, based on experience. The officer commanding appoints a junior officer as post exchange officer.

He calls the captains of the four or five troops that may be there—batteries, infantry companies—and asks them if they desire to establish a post exchange at that post. It is not an order of the Government. The Senator from New Hampshire would convey the idea that the Government is in this business. It is not.

The post exchange is established under the commander of the post, through an exchange officer appointed by him, who supervises its accounts, sees that everything goes right. He calls together the captains of the companies and asks them if they want a post exchange. They call their noncommissioned officers together, and they agree between them that a post exchange should be established, not by the Government, not by the money of the Government, not by the credit of the Government, but by the officers and men serving under the Government.

The post exchange is established. How? The members of the different companies take their post company funds and advance to the exchange officer $200 or $250 apiece. Say there are four companies. They advance a thousand dollars to buy the stock. The noncommissioned officers are called together. They say what they want sold in the exchange, all the little details, and everything that the men want. The officer who has charge appoints a civilian steward, any civilian employee that is necessary for the store and for what may be termed the canteen, which may be in a separate building or in a separate room. But he makes the appointment.

At the end of every month the accounts are cast up and a declaration of a dividend is made to each company. Usually in a four-company post it is a hundred dollars a month for each company, or a hundred and twenty-five dollars, and that goes to the captain of the company to purchase necessary articles for the enjoyment of his men—eggs, butter, poultry, which are not served in the Army rations. The money is used in that way.

Now, the ordinary idea is that the Government is in the rum business. A great many good people write to me every day—people whom I appreciate fully; people for whom I have great respect and admiration, men and women—"Are you going to aid the Government in this business? Are you going to sell rum and ruin all our boys?" That is all they know about it. They do not know that a man like me acts from a temperance standpoint. I have visited posts of the Army. My experience has been varied for a number of years. I know that young men will have stimulants, and there are very few exceptions to the rule. The best thing to do is to give them a gentle, mild stimulant, and keep them within the Army post. There is not a post of the Army that has not a cordon of saloons in its near vicinity, and the Government seems to be unable to stop it. My experience has been that if you will give these young men, if they want it, a drink of beer, it will satisfy them, and it does not lead to anything else, either. But if you do not do it, they will go out and get the vilest stuff in the world, and more than that, they will be allured to still worse things outside of the Army post.

I wish to say a word in response to the Senator who has just spoken in reference to his idea that strong drink will be issued in case beer is allowed. I want to go back to the period of the post trader, the sutler in the Army, when everything was allowed, practically. But ever since the restriction to beer and light wines has been made under the order of the Secretary of War there has been no such thing as strong drinking within the limits of Army posts, and why? The ordinary trader, the ordinary saloon keeper, will take the chances of violating the law, but the commissioned officer never will. His commission is at stake. His honor is at stake. The orders of his superior are such that he never will violate the law. I have said, I think, in answer to the Senator's remarks, that the Government is not engaged in the liquor traffic.

Mr. GALLINGER. Mr. President, just there, if the Senator will permit me, has the Senator, or can he furnish the Senate with a copy of the order of instructions from the War Department in reference to the sale of spirituous liquors under the present law, which the Attorney-General ruled upon?

Mr. SEWELL. I can not now. It is a matter of some years ago, and I have not got it; but it is carried out to the fullest extent. I say no officer of the Army will violate an order from the War Department: his commission is at stake.

Mr. GALLINGER. In reading the testimony before the committee, if I remember correctly, and I think I do, it was stated

that no soldier is under existing conditions permitted to act as a bartender; that they are outside parties always. Is the Senator quite sure——

Mr. SEWELL. Perfectly sure.

Mr. GALLINGER. Is the Senator quite sure——

Mr. SEWELL. Perfectly.

Mr. GALLINGER. That those outside parties will not take some chances and give the soldiers something else than beer?

Mr. SEWELL. I am very sure.

Mr. GALLINGER. Human nature has changed then, Mr. President.

Mr. SEWELL. Well, it is not so.

Mr. GALLINGER. It has changed.

Mr. SEWELL. The people who dispense this beer in the Army are the employees of the post, the employees of the enlisted men, not of the Government, but they are under the supervision of an officer who will not allow anything of that kind, and his superior, the commander of the post, will not allow it. My service in the Army confirms me in the opinion that officers of the Army, as a rule, are honorable men; that they will not do what they are restricted by law from doing.

Mr. BUTLER. Before the Senator leaves that subject, will he allow me?

The PRESIDING OFFICER (Mr. PLATT of Connecticut in the chair). Does the Senator from New Jersey yield to the Senator from North Carolina?

Mr. SEWELL. Certainly.

Mr. BUTLER. I should like to inquire why the Senator thinks that the Government of the United States is powerless to protect the Army posts from the low dives which he says will infest them if we do not sell beer in the Army canteen.

Mr. SEWELL. Simply because they are within the limits of States that will not do it.

Mr. BUTLER. Is not the Government able to move the posts from those States if the States will not act?

Mr. SEWELL. We have not been able to reach that point. In the State of Virginia around the Soldiers' Home there are sixty to eighty saloons, and I have earnestly labored to endeavor to get the Virginia legislature to abolish those saloons. They will not do it.

Mr. BUTLER. Then, would not the Senator favor moving the posts to North Carolina——

Mr. SEWELL. I would be very glad to send them several hundred miles off, if necessary.

Mr. BUTLER. Where we have a dispensary, and where we have control of this business pretty well?

Mr. SEWELL. I should have no objection at all to their being moved.

Mr. BUTLER. When a State does not control it within its borders and the Government can not control it, it might go to a State that could. I will remark in this connection that that infection, as it is called, is growing in my State. We have quite a number of counties that have adopted that system, and if we shall get the Army posts from Virginia down to those counties they will be protected. It would be a small matter for the Government to move them from Virginia over to North Carolina into one of those counties that would protect them.

Mr. SEWELL. There might be a change of mind on the part of North Carolina after they got there.

Mr. BUTLER. We could give them a pretty good guaranty about that in certain counties.

Mr. SEWELL. Still, that is a matter which I do not desire to take up at the present time. I wish to refer to the remarks of the Senator from New Hampshire in relation to the scene that occurred in Cuba a short time ago—on the 4th of July—which he may attribute to the canteen. I do not know of any law or regulation which would move a canteen to a public gathering outside of the canteen building. If such was done, I should think it was very singular, and I would doubt the authority entirely. I have very grave doubts, unless the Senator believes it himself, whether I shall believe his statement. Whatever he believes I will take as granted.

Mr. GALLINGER. Mr. President, what statement does the Senator refer to?

Mr. SEWELL. That in Habana at some meeting the canteen was moved out on the grounds.

Mr. GALLINGER. No, Mr. President, that is not the statement.

Mr. SEWELL. Well?

Mr. GALLINGER. The Habana newspaper suggested that in common decency it ought to have been so moved, but it was not. It was right in the face and eyes of everybody.

Mr. SEWELL. In a city like Habana, where everybody drinks, where there is a saloon at every corner, you can not charge the canteen with getting men who are at liberty drunk. They go to places where they are under no restrictions in the world. In the canteen they are all restricted, but when they get out into a city there are no restrictions. So it is unfair to charge the canteen with anything like that.

Mr. President, I should like to present a letter of General Otis on this subject, written to a gentleman in Washington. I ask to have it read and become a part of my remarks.

The PRESIDING OFFICER. Does the Senator desire to have it printed in the RECORD without reading?

Mr. SEWELL. I think I should like to have that letter read.

The PRESIDING OFFICER. It will be read by the Secretary.

The Secretary read as follows:

ROCHESTER, N. Y., *October 6, 1900.*

Mr. WM. EDGAR ROGERS,
Counselor at Law, Washington, D. C.

DEAR SIR: I am in receipt of your letter of the 3d instant, and reply as follows:

The canteen system of the Army was introduced gradually. It made its first appearance in companies of regiments by a concert of action between company officers and men. They established a little store, stocked it with necessary articles which soldiers were obliged to obtain, and, purchasing in quantity, furnished the men with the necessary articles cheaper than they could procure them if unassisted. It finally grew into a post establishment, officers and men uniting to stock it, and it was in the nature of a department store. It was not officially recognized until the Army Regulations of 1886 were issued. It then took the place of the former trading establishment.

As a member of the board which codified those Army Regulations I opposed the canteen system, for the reason that I believed officers and soldiers should not engage in store enterprises, and advocated the retention of the trading establishment under strict measures of control. Later, after I had seen the working of the canteen system at many posts of the Army, I advocated its retention, as it was an improvement on the former trading establishment. The post canteen at large posts, when fully developed, became a sort of variety store, which kept articles for sale to officers and men and received their orders for articles which they wished to obtain. The exchange purchased them at wholesale prices and delivered them to persons ordering them at reduced rates. Hence it limited expenditures and was the means of saving the soldiers' pay. No liquors were allowed to be sold in these canteens with the exception of light wine and beer. The profits accrued mostly from the sale of beer and cigars and lunches furnished at its restaurants. These profits at the end of the month were divided among the company organizations of the post, and were expended for the soldiers' table fare. Hence all profits or surplus money obtained by the exchange went for the purchase of subsistence in company messes.

Troops sent abroad organized what might be termed a regimental exchange, which I do not think has ever been officially recognized. Regiments leaving San Francisco purchased quite heavily, and with the goods purchased set up exchange stores abroad, which soldiers patronized to purchase necessaries and as places for social gatherings. No doubt they consumed in those places large quantities of beer, but not to their detriment, however, but it is believed for their benefit, as it restrained them from the purchase of "vino" and other vile native drinks.

The exchange system is very popular with the soldier, for, as the Irishman expressed it, "You first drinks and smokes your money and then you ate it." The soldier of Saxon descent will drink intoxicating liquor the same as those of southern Europe, but, unlike those of southern Europe, they want it very strong, and the stronger the better. The tendency can not be wholly repressed, and all we can do is to labor to repress it as much as possible. The beer and light wine given to the soldiers through the exchange keep many of them from indulging in strong drink.

You say that you would like to know some facts about the "manacle" business. I know nothing of it. It is a pure invention of the newspapers of the United States. It is on a par with the charge of the newpaper man who wrote from the Philippines that my personal staff attended horse races on Sunday and that their names appeared as the patrons of a business which indulged in Sunday betting and gambling. Not one of them ever attended a horse race on Sunday. The Manila Racing Corporation, unbidden, placed their names in their printed schedule as officers, to which they never paid any attention.

Very truly, yours, E. S. OTIS.

Mr. SEWELL. I desire to have read a letter from myself to the Adjutant-General of the Army, giving my views on this subject. It proceeds on the general idea that the sale of beer is an absolute temperance measure.

The PRESIDENT pro tempore. The Secretary will read as indicated.

The Secretary read as follows:

THE NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS,
Washington, D. C., May 2, 1900

GENERAL: I beg to acknowledge the receipt of your reference of H. R. bill No. 8752, to prevent the selling of beer, etc., upon any premises used for military purposes by the United States.

As one of the Board of Managers of the National Home for Disabled Volunteer Soldiers I have given considerable attention to the question of the sale of liquors on the grounds of the Home. We found surrounding this institution, a few years ago, a cordon of the vilest places, engaged in selling rum to the soldiers, to their physical and mental detriment, and it became absolutely necessary that something should be done to counteract it.

The sale of light beer was started in one of the Homes as an experiment, under the supervision of reliable noncommissioned officers, who were instructed to limit the amount sold to any one man. It took some time, of course, to develop what there was in this experiment, but it did develop to the satisfaction of the officers of the Home and to the Board of Managers. It was then extended to the different Homes, and the result has been even beyond our anticipation. The men, largely, are satisfied with a drink of beer, which seems to suppress their desire for a drink of whisky that they had before the sale of beer was inaugurated. The saloons referred to have, to a considerable extent, dropped off in the immediate vicinity of the Homes, the guardhouse is denuded to a great extent, and the health of the men largely improved.

Officers connected with the management of the Home who had grave doubts about the sale of beer in this way have become convinced that it is the most practical temperance measure that can be inaugurated in connection with these institutions, and would apply with equal force to all Army posts.

Personally, I am decidedly of the opinion that the abolishment of the canteen would be a great calamity, which would inevitably result in our going back to the deplorable condition of drunkenness that was so appalling. The men are happy and contented now, and the profit derived from the sale of

beer is utilized in the way of comforts and luxuries that the Government does not provide, in the same manner as the canteen does for the different companies at an Army post.

I am, very respectfully, yours,

W. J. SEWELL, *First Vice-President.*

Brig. Gen. H. C. CORBIN,
Adjutant-General U. S. A., Washington, D. C.

Mr. SEWELL. Mr. President, that conveyed my idea then from an experience of thirty years—forty, probably—and I have not changed my opinion one iota. I believe to-day that the sale of beer in Army posts, confined to beer as it will be—which it is to-day except in the case of light wines—is a temperance measure and is satisfactory to the Army, and will help the discipline and the health of every man in the service.

I find, on investigating it, that since beer has been sold under the canteen system and since there has been a restriction as to stronger liquors, the courts-martial are very much less than they were; that the desertions have gone down 40 per cent; that the inmates of hospitals are reduced 40 per cent; that the men in every way are in better condition; that the young soldier who can go to the post exchange and sit down and read the magazines, who is furnished with paper to write to his friends, his mother, and his sisters, is in very much better condition than he ever was before. When the post exchange did not exist that young man, after his military duties were over, had no place to go but his bunk or to the saloon outside. As a rule he chose the latter, and there he was not alone open to the great curse of drinking bad rum, but he was induced to do, probably, what was worse for him and his health in addition.

The canteen, as you may term it, that part of the post exchange, is entirely separate from the store. It may be in a room adjoining, it may be in the next building, but the wives of officers and men go to the store and trade freely, and buy the little items that they can not get elsewhere. They never complain of the canteen. They never complain of the fact that in the next room some man may be taking a drink of beer. But even that is disassociated from the reading room, so as not to allow any inducement to lead young men astray. They walk into the reading room and they write to their wives, their sisters, and mothers, etc., and they pick up a magazine. They are not asked to take a glass of beer, because there is no reason why they should be. They are a part of the proprietors of that as they are of the exchange. They are the owners of it. It is their institution. It is not the institution of the Government of the United States. The Government of the United States has not a dollar invested in it, but these men have.

Are you going to deprive them, under those circumstances, of the privilege of taking a glass of a mild stimulant? Are you going to drive them to the miserable saloons outside? Now, that is the alternative. If you do not give them one, they go to the other. I advocate, as a purely temperance measure, the propriety of furnishing them with the mild stimulants inside, which they are the owners of themselves, rather than to drive them to the outside.

Mr. President, I do not wish to occupy the time of the Senate long on this subject, but I should like to have included in my remarks the letter from the Adjutant-General of August 29, 1900. I will not ask that it be read at the present time.

The PRESIDENT pro tempore. Without objection, it will be printed as a part of the Senator's remarks.

The letter is as follows:

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, August 29, 1900.

DEAR SENATOR: Replying to your several inquiries concerning the post exchange or "Army canteen," I have the honor to inform you—

First. That the sale of all spirituous liquors by the canteen is and has always been absolutely prohibited.

Second. Only beer and light wines are sold to either officers or men, and these only when the commanding officer "is satisfied that giving to the troops the opportunity of obtaining such beverage within the post limits will prevent them from resorting for strong intoxicants to places without such limits, and tends to promote temperance and discipline among them."

Third. The "canteen" was established and has been maintained in the interests of temperance and betterment of discipline, with most satisfactory results. This is shown in fewer trials by courts-martial, in the decreased number of desertions, and in the improved health of the men.

Fourth. The exchange is a cooperative store where supplies are sold at cost, or as nearly so as possible, for the benefit of officers and men of the Army. The canteen is a department of the exchange constituting an enlisted men's club. Rooms in or near the soldiers' quarters are set apart for this special purpose, furnished with reading matter, billiard tables and other games, but where every form of gambling is absolutely forbidden. It is where the men write their letters home and read the newspapers and magazines. The Government has no financial interest whatever in either the exchange or canteen, the funds being supplied by the soldiers themselves. Almost every company commander has reported in favor of the exchange and canteen as an effective temperance measure. One thousand and nineteen commissioned officers have made special reports to this effect. It may be proper for me to add that in the beginning I opposed the canteen, but was brought to its support by the overwhelming evidence of its beneficent result upon the morals, health, and contentment of the service.

As set forth in the report of Assistant Surgeon Munson, United States Army, who, under instructions of the War Department, made a careful investigation into the effect of the canteen upon the health of enlisted men, the result more than met the expectations of those most interested in the promotion of temperance in the military service. He further finds that the percentage of desertion has been continually reduced since the introduction of the canteen. Prior to its introduction desertions averaged from 10 per cent to 11 per cent annually. Since its establishment these have decreased as follows: First year to 7.7, the next year to 5.7, the next to 5.7, then 6.3, the next to 3.6, then 5.3, the next to 3.4, and, finally, to 2.9. Further, the number of trials and convictions for drunkenness and offenses originating therefrom for the six years preceding the canteen was 372.5. These decreased during the following six years of its establishment to 160.6. Further, that for the seven years preceding the establishment of the canteen the average number of men who deposited their savings with the Government was 7,273. For the seven years following its introduction the average had increased to 8,382.

It has been stated in the public press that "the receipts of the exchange are nearly all for drink." To meet this statement I have to inform you that the official reports of the Department show that the receipts from sales of beer and light wines are and have been less than one-third of gross receipts—being in 1898 five-seventeenths and in 1899 six-seventeenths. Taking the amount of gross receipts on account of sale of beer and dividing it by the total number of officers and men shows that each officer and enlisted man for the year 1898 expended on account of beer only 20 cents a month—equivalent to four glasses of beer per month, or less than one glass a week apiece for each officer and man in the military service.

In 1899 the expenditure on the part of each officer and man reached an average of 58 cents per month, or but 1.9 cents a day. These facts make it clear that in comparison with all other citizens the Army of to-day is the most abstemious body in our own country. There is no community of which we have any report or knowledge that will show so small a consumption of drink per capita. This average should, in fact, appear much lower for the reason that citizen employees, of which we have taken no account, have the privilege of purchase from the canteen. The number of clerks, mechanics, and teamsters employed with an army in the field is, as you know, very large. This number, however, is not obtainable, but, you will agree, would very materially reduce the average of 20 and 58 cents a month.

If there is any further information that you desire from the records on this subject, the Department will be only too glad to furnish it. You must admit that the anxiety of temperance people outside the service about the Army is unwarranted. As compared with those existing twenty and thirty years ago—as we knew it then—or with any community at the present time anywhere in civil life, the Army is a model temperance society—a practical one; one where reasonable abstinence is the rule and where excesses are the exceptions; a society whose precepts, no less than its example, could be followed by all people in safety and sobriety.

With great respect, sincerely yours,

H. C. CORBIN,
Adjutant-General, Major-General, United States Army.

Hon. WM. J. SEWELL,
Military Committee, United States Senate.

Mr. SEWELL. I will also ask to have included in my remarks a report from one of the most distinguished soldiers in the Army of the Potomac, Gen. M. R. Patrick, who became one of the Board of Managers of the Soldiers' Homes and governor of the Home at Dayton, where he had 5,000 men, and who was a great temperance man, who did not want to adopt beer selling. We finally induced him to experiment on it, and the experiment was so successful in relation to his hospital and his guardhouse that he has written a very strong report about it. I ask to have it printed in the RECORD without reading.

The PRESIDENT pro tempore. Without objection, it will be printed in the RECORD as a part of the Senator's remarks.

The paper referred to is as follows:

[Extract from annual report of Central Branch, National Home for Disabled Volunteer Soldiers, for the year ending June 30, 1887.]

CENTRAL BRANCH, NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS,
August 1, 1887.

GENERAL: I have the honor to submit the following report of this Branch for the year ending June 30, 1887:

* * * * * * *

DISCIPLINE.

Soon after the commencement of this last financal year (July 12) a beer hall was opened here in the Home for the benefit of its members.

As is well known to the Board, it was a matter that had been under discussion for years. In the Army it has been the usage to sell beer certainly for more than half a century, and for several years (I know not how many) at the other Branches of the National Home.

For some reason, I know not what, a terrible outcry was made through the press, through the mails, and by personal appeals to the governor for the redress of this outrage upon the members of the Central Branch and upon the interest of good order, good morals, and religion generally.

Possibly the fact that the governor had been known for more than fifty years as an active temperance man, both in military and civil life, may have had something to do with this onslaught upon him as a renegade. It is very true that the governor would gladly close every saloon in the land if it were in his power, but inasmuch as this central branch is hedged in on all sides by saloons, dives, and hells of the vilest character to entrap our men the moment they are outside of the gates it seemed wise to choose the less of two evils, either to furnish them with the best article of beer that can be purchased in the Home at a cheap rate, and retain our men under our own control, or suffer them to go outside, get drunk on the vilest drinks of every kind, get robbed of their money and kicked into the streets, or secreted in the infamous dives that surround us until their money is exhausted and they are turned out penniless.

The statistics and records of this Branch for the past year speak for themselves:

The official report of Hon. Ira Crawford, mayor of Dayton, gives the number of arrests of our members from July 12, 1885, to July 1, 1886, as 486, while for the same length of time, after the beer hall was opened (July 12, 1886, to July 1, 1887), as 274, a difference of 212.

The surgeon reports that the small number treated for alcoholism this year, 14, as compared with 38 in 1886 and 35 in 1885, is, without doubt, in his opinion, to be credited to the less number of members who are given to protracted debauches and bad liquor since the opening of the beer hall. Only such cases as can not with safety be treated out of hospital are brought to hospital for treatment after a spree, and those treated in camp, especially at the guardhouse, are not one-fifth as many this year as in former years.

That a large number of our men will drink to excess when they have the opportunity is true, and notwithstanding the watchfulness of our employees in the beer hall these shrewd old topers will manage to get tight; but on leaving the beer hall, if they show intoxication, they are at once sent up to the guardhouse, to remain until the next morning, without having had an opportunity to kick up a row in town, or on their way home, or along the avenues of the Home.

Still another result: The beer we furnish is of the very best, and the man who gets intoxicated on it to-day is fit to be turned out to-morrow morning at 8 o'clock, with a clear head and ready for duty, whereas a town drunk renders a man unfit for duty two, three, and four days.

Once more: The cry that less money would be sent by the pensioners and employees to their families is disposed of by the showing of treasurer's report and that of the postmaster.

The discipline and good order of the Home have never been as good as now within the last six or seven years at least, nor have the men been as contented.

I am happy to say that candid men and women of the most intense prohibition proclivities, who have been here at the Home and in Dayton making investigation fairly on the spot, have decided that under the circumstances it is best to leave the Home authorities to the exercise of their own judgment in this matter.

It is only theorists and fanatics at a distance, who know nothing of the circumstances, who keep up the cry, "Down with the beer saloon at the Soldiers' Home!" There are those who for their own purposes make statements to the effect that the men of the Home are induced to patronize the beer hall for the pecuniary benefit of somebody, presumably the Home authorities. It is true that the Home authorities and all connected with the Home are benefited by the expenditure of money in the Home instead of outside, the profits accruing from the sale of beer within the Home going to the post fund, which, as seen by the treasurer's report, has been very largely increased, thereby enabling the council of administration, of which the governor is chairman, to greatly increase the band, to afford more frequent amusements and of a higher class, to replenish library, reading room, etc., and, in general terms, to expend a large sum of money during the last year with the sole object of giving pleasure, comfort, and enjoyment to the men beyond what is provided for by Congressional appropriations.

It is not to be supposed that it is our object to make money, even for these purposes, at the expense of the health or morals of the men.

As we find it necessary we place restrictions upon hundreds of our men, some being entirely barred from the beer hall, and others being limited to one or two glasses, according to their physical, mental, or moral condition.

It is the opinion of every officer of the Home, whether prohibitionist or otherwise, that under existing circumstances the beer hall has reduced vice, crime, debauchery, sickness, and the waste of money that should go to the families of members in a very marked degree.

Very respectfully,

M. R. PATRICK, *Governor.*

CENTRAL BRANCH, NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS,
National Military Home, Ohio, May 20, 1886.

GENERAL: I have your letter of the 17th instant in relation to the beer question. To the first question, "Can it be legally done?" I answer, "It is the opinion of our best counselors that it can." I also assume that it can be done under the ninth section of our law, inasmuch as the soldiery in the service of the United States have the right to the purchase of beer on their own reservation and of the post trader, without any reference to State or local laws; and this (ninth) section gives to our men the same rights "as if they were in the Army of the United States." To the question, "Will it be for the best interests of the Home?" if I did not think it would be, I certainly would not be writing this note.

As you ask my views on this question, I will say, as a long-time company commander in garrison where strong beer or ale was on tap at the sutler's, I used my influence with my men, so far as moral suasion would go, to let it alone, because it made their brain muddy and used up their money. If they let it alone, they were less inclined to have bickerings amongst themselves, and saved money against the time of discharge. The beer of to-day is a very much lighter article—not heady, as heavy beer—and if the article is of good quality has less evil results. If I were autocrat in this part of the land, where I could control the use of intoxicants of every kind, I would banish them, but placed as we are here, our men will have beer, whisky, or something of that character, and it is utterly impossible to prevent it, every year bringing the saloons closer and closer around us, hemming us in in such wise that our men can not leave the Home without running the gantlet, and are dosed with as vile stuff as was ever brewed, to say nothing of the drugging and robbing connected with it.

I therefore accept the situation and ask myself, What is the least of the evils under the circumstances? In my own mind there is scarcely a doubt that I can so control the quality and the use of the article within the Home as to guard the men from most of the evils that grow out of their drinking habits outside. At all events, I am willing, so far as I am concerned, to make the experiment, as the result can not be worse than the present usage.

So far as the moral responsibility is concerned, I am prepared to meet it. As I announced at a gathering here in the fall, and again in the winter, in a very public manner, that if the outside "saints" and "crusading ladies" could not control those hells at our gates in self-defense we should be compelled to adopt the issue of drinks ourselves, and that I should go into it this season unless some steps were taken by the outside community for our protection.

Some of the leading clergy in town hold that my point is well taken, and that from my standpoint they do not well see how I can do otherwise. I have simply said that, as is well known, I have in the past been utterly opposed to anything of the kind. I would not make the experiment now without an intimation from the president of the board and the local manager that they were in full agreement with my views. Colonel Thomas, who was as much opposed to it as myself, has within the last year and a half or two years changed ground entirely. Colonel Harris has somewhat unwillingly, as he says, come to the same conclusion. Dr. Patton, who is a very clear-headed man in all these matters, is decidedly in favor of it. In fact, the views of all the Home staff are in favor of the experiment. All I have to say is, if you say so, I will try it.

It is not thought by any of us that the substitution in any way of beer instead of coffee would be acceptable or practicable.

Very respectfully,

M. R. PATRICK, *Governor.*

Gen. W. B. FRANKLIN,
President Board of Managers,
National Home for Disabled Volunteer Soldiers.

MEMORANDUM.

The beer hall is the property of the United States and can not be taxed. It is entirely under the control of the council of administration of the post fund, under the laws of Congress and Articles of War, subject to the law which governs post traders and sutlers of the Army. Section 9 of the law of March 3, 1865, incorporating the Home, places all inmates under the rules and Articles of War in the same manner as if they were in the Army of the United States.

This fund is in no sense a source of profit to any individual, company, or corporation, but is used for the benefit of the men of the Home exclusively. Moreover, every man in this Home is under the supervision of the chief surgeon, and it may be regarded, and in fact really is, a great hospital, the chief surgeon deciding what men would be benefited by the use of beer and who would not be benefited, a large number of men outside the hospital, as well as in, being prohibited from entering the beer hall and others limited to a single glass or, perhaps, two. Further, it is not a source of income to the post fund from sales to citizens, men of the Home only being allowed to drink or purchase beer within these grounds. This matter has been settled in the other States—Virginia, Maine, Wisconsin, and Kansas—where beer halls have been running for years at the Branches established in these States. The status of this Home is precisely the same as that of Columbus Barracks, at Columbus, in this State.

It should also be added that it was solely as a matter of safety to the members of the Home that beer was furnished within the grounds, to prevent the horrible drunkenness, robbery, and crime committed in connection with the sale of beer and other intoxicants to the members of the Home, the governor and authorities of the Central Branch having been hostile to its introduction until compelled to open the beer hall in self-defense.

Mr. SEWELL. I have also a letter here detailing the late experience of Col. Isaac Clements, a manager of the Danville, Ill., Branch of the National Home, which I should like to have inserted.

The PRESIDENT pro tempore. The letter will be inserted, without objection.

NATIONAL HOME, *Danville, Ill., December 7, 1900.*

GENERAL: I trust you will pardon me for writing you this letter, but I feel that my interest in good government and sobriety in the Soldiers' Home warrants me in addressing you. I see that the "anti-canteen amendment" has passed the House, and of course goes to the Senate for its action. I do not know whether it includes the National Home for Disabled Volunteer Soldiers. If it does not, then I have nothing to say. If it does, then I have something to say. I came to this Home as governor strongly prejudiced against the idea of the sale of any kind of liquor on the Home grounds. My principles and my feelings were all against it, and I could scarcely discuss the matter in a dispassionate manner.

After one or two pension payments, however, the very necessities in the case forced a change in my views. At first I could not bear the idea of having the canteen operated on the Home grounds, and nothing but what seemed to me to be the most urgent necessity ever induced me to change my views. Whatever may be the facts in regard to the canteen at Army posts, there are certain facts in regard to the Soldiers' Home that should not be overlooked in Congressional legislation.

First. The members of the Soldiers' Home are advanced in years; their habits of life are formed. There are very few possibilities of any change in them. Those of them who are in the habit of drinking will continue to drink if the opportunity is offered them.

Now, right or wrong, this fact exists, and can not be ignored. As much as it may be regretted, the drink habit does exist in a portion, at least, of the members of the Home, and it will remain there while life lasts. This may be an unpleasant fact, but it is one that the administration of the Home has to deal with. These drinking men may have been the very best soldiers. In some instances the habit may have been acquired in service; in others it is used to relieve pain of rheumatic or other character. Certain it is that it exists, whatever the cause of it, and they have a right to be in the Home.

Second. Now, the various branches of the Home are located near cities of greater or less size. In those cities liquor is always to be obtained at saloons, and that, as you are aware, is frequently of the most villainous character, and those members of the Home who drink liquor will patronize them if they can not do better. Many of these dives are of such a character that men are drugged, robbed, and thrown into the streets, and the question that presents itself to the management of the Home is, "How can the evil be avoided; if not avoided, then lessened?" These facts are especially true: First, the habits of life are formed; and, second, the Homes are so situated that the opportunities can not be denied them.

Now, if by allowing them beer under proper management and control they can be kept from visiting dives and drinking the villainous stuff that they too often do drink, and from being robbed, it is certainly a wise and moral thing to do. The canteen is not the complete remedy against the evil. There are those who will patronize these dens and dives in the city in any event, but very many others who would visit them are restrained from doing so by allowing them the light drinks on the Home grounds. Again, it is two or three miles from every Home to the places in the cities where these liquors are sold. The man going into them realizes that it is not possible to get anything after leaving the saloon, and he will drink to excess, taking "just one more," which he would not do if he knew that he could get a glass of beer on returning to the Home grounds. So that the sale of beer on the Home grounds not only meets the requirements of the better class of men and prevents them from visiting the saloons in the cities, but it is some inducement to the other class not to drink to excess.

Were these Homes situated at remote points where there were no means of obtaining liquor outside, the argument might be different, but, situated as they are with all the facilities for drinking and all the inducements and temptations held out to them, wisdom most certainly dictates that some inducements be held out to them to not visit those places. I desire to state positively and unreservedly that the results of permitting the sale of beer upon the Home grounds at this Branch have been in the interests of morality and sobriety in that it has kept many of the members from visiting saloons in the town. I make no reference in this letter to the fact that the proceeds for the sale of beer goes to keep up the bands, pay for lectures, theatrical and other entertainments and amusements at the Home. I desire to place what I have to say on a higher ground, that of temperance, sobriety, and morality in the Home.

Very respectfully,

I. CLEMENTS,
Governor.

Gen. WILLIAM J. SEWELL,
United States Senator, Washington, D. C.

Mr. SEWELL. In the hearing before the Military Committee several distinguished officers delivered themselves on this subject—the Secretary of War, the General of the Army, all the heads of the departments, Colonel Guenther, United States Army, commandant United States Artillery School and colonel Fourth Artillery, Fortress Monroe, and Archbishop Ireland, who voluntarily came before the committee. I should like to have the remarks of General Breckinridge, General Guenther, and Archbishop Ireland put in the RECORD at the same time without reading.

The PRESIDENT pro tempore. The Chair hears no objection. The matter referred to is as follows:

Brig. Gen. Joseph C. Breckinridge, Inspector-General United States Army, appeared before the committee.

Senator SEWELL. The question of the post exchange has, I presume, come

under your observation a great deal. How does it strike you, as compared with the old sutlers and post traders?

General BRECKINRIDGE. Oh, it is by far the best thing we have ever had in the Army of that type.

Senator SEWELL. That is, the present condition is conducive to the good of the men?

General BRECKINRIDGE. And nothing but good that I know of. It may be occasionally there is some man injured—a man may be injured by a banana peel—but on the whole it is beneficial.

Senator SEWELL. The question is whether there is a great deal more of this drinking, and whether there are not more houses of prostitution around the camp if you abolish the canteen.

General BRECKINRIDGE. I do not think there is any doubt of that. All the tendencies of the canteen are reformatory, all beneficial. I will not say it is always reformatory, because men come to us with a fair moral character, and they go away with a fair moral character There is not a trade in the United States, I believe, that has a more sober set of men than the Army. Of course when they are separated from home influences some of them may be reckless, like other humans.

The CHAIRMAN. Like college boys.

General BRECKINRIDGE. Yes, like college boys; but the canteen is a very useful institution for their benefit. There is a little light in there that has not come to the surface that I believe, possibly, is entitled to some consideration.

The CHAIRMAN. In the canteen business?

General BRECKINRIDGE. Yes. A man who is a little hungry is more apt to be badly influenced by drink than a man who is not, and almost pari passu with the establishment of the canteen the soldier has more food, and the fact is that that is beneficial in the way of preventing them from going to excess in the way of drink. They do not care for the same amount of drink they did without the canteen, and this small amount of alcohol they get in the canteen satisfies their taste and they can not get it as easy by any means nor under such restricted influences as they get it through the canteen, because the man who sells it to them is not under any personal influence.

The CHAIRMAN. And the man who sells it to them may be restricted in selling it?

General BRECKINRIDGE. Yes.

The CHAIRMAN (continuing). To one glass per day to some men, or perhaps cut the allowance of some others off entirely.

General BRECKINRIDGE. Yes.

The CHAIRMAN. And then they take that profit to purchase luxuries for the men's mess?

General BRECKINRIDGE. Yes. If there is any way of making so weak a drink endurable they are surrounded by every possible consideration. There have been very good men who have paid a great deal of attention to it.

The CHAIRMAN. We are obliged to you for your suggestions and opinion and are glad to have you say a word about the canteen. I think that is the best thing in the Army in that line.

Senator BATE. Have you any suggestions to make about its influence on young men?

The CHAIRMAN. The Adjutant General wished us to hear Dr. Munson on the canteen in the Army.

Col. Francis L. Guenther, U. S. A., colonel Fourth Artillery, Fortress Monroe, appeared before the committee.

Senator SEWELL. A good deal of talk is going on now about the post exchange, and many good people of the country, especially women, are trying to abolish it. What is your impression of it, as to its effect upon the men?

Colonel GUENTHER. I have been in the Army a great many years. I entered the Army in 1854 as a cadet and have been a commissioned officer since 1859, and while I was originally opposed to the post exchange or canteen, I will say that I now think it is one of the best things that has ever been done for the enlisted men in the Army. It has increased the contentment of the men in every way, reduced drunkenness, and we have less dissatisfaction among the enlisted men. It has reduced the number of trials by court-martial and reduced the number of desertions to a great extent. I think to abolish the canteen or exchange—the exchange and the beer feature, nothing else is sold except beer—would be almost criminal.

Senator SEWELL. It is practically a temperance measure?

Colonel GUENTHER. It is practically a temperance measure.

Senator PROCTOR. In the first place, do you think it was a mistake to abolish the post traders and sutlers—that is, prevent the sale of liquor by them?

Colonel GUENTHER. I do not think they ought to be allowed to sell liquor. My experience has been with the post traders or sutlers and the men at the Western posts before the civil war, and my first impression was that the canteen would be the same thing as the old sutler's store.

Senator PROCTOR. You believe that it was right to do away with them?

Colonel GUENTHER. Yes.

Senator PROCTOR. And you were afraid this would be as bad?

Colonel GUENTHER. Yes.

Senator PROCTOR. But experience has changed your view?

Colonel GUENTHER. My experience over many years in different posts, in California and in the East also, has been that the canteen is very beneficial.

Senator PROCTOR. Disorder and overindulgence at the post exchange are rare, are they not?

Colonel GUENTHER. I do not think it has ever occurred at Fort Monroe. I have been there over eighteen months, and I have never known any disorder resulting from the exchange. A man can not be prevented from drinking entirely; he can be restrained, but he can not be prevented from drinking anything. If you abolish the exchanges at military posts the grog shops will flourish again in the neighborhood. Take the post at Fort Monroe. I think the saloon keepers of the little town of Phœbus, which adjoins us, and the town of Hampton, right beyond, would be glad to see the post exchange abolished. I have not any doubt but what they would contribute liberally to effect it.

Senator SEWELL. And we have a Soldiers' Home in between there with good men. I have the management of that Home, and I should feel like resigning the position if the law were abolished.

The CHAIRMAN. In naming the good things of the exchange, one officer said that the deposits of money by the men had increased under that.

Colonel GUENTHER. I think so. That is one of the results of the canteen or post exchange.

Senator WARREN. I want to ask the Colonel something we will have to consider, perhaps. This section 40 of this bill reads:

"The sale of or dealing in beer, wine, or any intoxicating liquors by any person in any post exchange or canteen or Army transport or upon any premises used for military purposes by the United States is hereby prohibited. The Secretary of War is hereby directed to carry the provisions of this section into full force and effect."

You will notice that it says dealing in beer, wine, or any intoxicating liquors. The testimony before this committee has been that nothing but beer is sold. I want to ask whether it will endanger the usefulness of the exchange or really change existing conditions to simply take the word "beer" out and let it read: "Dealing in wine or any intoxicating liquors." There is really nothing but the sale of beer?

Colonel GUENTHER. That is correct.

Senator WARREN. I think we would do away with the opposition, or nearly all the opposition to the canteen would be done away with, if we took out the word "beer."

The CHAIRMAN. You think if you took out the word "beer" that would do away with the opposition?

Senator WARREN. Yes, sir. To people who do not understand it the idea of wine means an orgy of wickedness and drunkenness, and while it is simply imaginary, it is something very terrible to them. I have been thinking all the way through that if we could arrive at some middle ground there and really give the post all they require and yet have what we contend in the line of sobriety we would effect better legislation than this is.

The CHAIRMAN. They will say beer is intoxicating.

Senator PETTUS. A man has to work hard to get drunk on beer.

Senator WARREN. What evidence we have had has all been that nothing has been sold except beer.

The CHAIRMAN. Somebody said that they sold Rhine wines.

Senator COCKRELL. General Corbin said that was put in because there were some Germans who wanted Rhine wines, but he substantially agreed with Colonel Guenther here that nothing but beer was used, as a matter of fact. So if that language was modified so as to read, "no wines or liquors except beer," it would practically let the existing conditions of the exchange stand.

Colonel GUENTHER. I think that would be all right, so we could have beer for the men and exclude everything else.

Senator BURROWS. There is a difference, as I understand it, between what is denominated the canteen and the exchange.

The CHAIRMAN. There is no canteen in law.

Senator BURROWS. The Secretary of War says differently, and they make a different thing of the canteen. They say, in one place, the canteen shall not be in the exchange, but shall be separated from it. How is that in your post?

Colonel GUENTHER. As I understand it, what we know as the canteen is the beer feature of the exchange.

Senator BURROWS. That is what I understand. Is this separate from the post exchange?

Colonel GUENTHER. Yes; in different rooms.

Senator PROCTOR. As far as money is concerned, it is all the same; it is part of the exchange.

Senator BURROWS. That is not material, because what I want to get at is how they are kept. I want to know about the buildings themselves. You have the canteen where beer is sold separated from the exchange entirely?

Colonel GUENTHER. Yes.

Senator BURROWS. You have the exchange, which is a place where the men can meet, and read and write, and have conveniences there, which is a most excellent thing?

Colonel GUENTHER. Yes; they have an opportunity to write there, and it is an excellent thing.

Senator BURROWS. Where is your canteen located with reference to that?

Colonel GUENTHER. At Fort Monroe at present it is in one of the casemates adjoining the exchange, but with a separate entrance.

Senator BURROWS. Is there any communication between the two?

Colonel GUENTHER. No communication except through the front door.

Senator BURROWS. So, as a matter of fact, this talk about the temptation to drink in the post exchange is not true; the temptation is not there?

Colonel GUENTHER. No, sir.

Senator BURROWS. That has not been brought out, and I am very glad to be advised about it.

Senator PROCTOR. I think, so far as I know, in all posts that attempt is made—to keep them entirely distinct.

Senator BURROWS. That is a most excellent feature, because the exchange is superb if the selling of beer is taken away from them. The boys can go there and play a game of whist or read or write——

Senator PROCTOR. The orders in regard to that were issued years ago. I found that in reading last night. Yesterday the impression seemed to prevail that they were one and the same thing. There is no law on the subject; it is merely established by order.

Senator BURROWS. But under the orders they have done the wise thing to separate it from the exchange entirely. Now, one other thing. You were in charge of a post before the canteen was established?

Colonel GUENTHER. Yes.

Senator BURROWS. Drunkenness has fallen off since the establishment of the canteen?

Colonel GUENTHER. Very greatly.

Senator BURROWS. Men satisfied their thirst for drink without going outside the post?

Colonel GUENTHER. Yes.

Senator BURROWS. I want to call your attention to this: Whether from your experience, your knowledge of these matters, young men who go into the Army not addicted to the use of intoxicants are apt to acquire the habit of drink with the canteen separated from the exchange?

Colonel GUENTHER. I think the cases are very rare.

Senator BURROWS. But you think there are cases?

Colonel GUENTHER. I do not think there are any cases where the influence of the exchange is for the bad. Of course some men who join the Army acquire the habit of drinking, but they acquire that habit outside generally rather than inside the Army. I think the influence of the post is in favor of temperance.

Senator BURROWS. I think that fact, that the canteen is not in the same room, and soldiers going into the exchange to read or write or converse are not in the room where beer is sold, is an important fact.

Senator WARREN. One question along that line. Where the post is so constructed that a separate building is impossible I have noticed that it is then put in another room and usually is isolated from the balance, if possible. So it bears the same relation to the post exchange that the bar does to one of our hotels—the Arlington here or the Fifth Avenue in New York?

Colonel GUENTHER. As much separated as that; yes.

Senator WARREN. So those who seek it can, of course, find it, but the gentlemen and ladies who are patrons of the hotel never need know that there is a bar connected with it. And that is the idea, is it not, of the post exchange and canteen features?

Colonel GUENTHER. Yes, sir.

Senator BURROWS. I think that is very important and that the country ought to know it—that the young man going into the Army without the habit of drink is not exposed to temptation to drink in the exchange proper.

Colonel GUENTHER. No; he is not exposed to temptation.

Senator BURROWS. Who has charge of this canteen—is it a civilian or a member of the regiment?

Colonel GUENTHER. The canteen is managed under the direction of the post commander. He appoints the post-exchange officer; he is simply a controlling influence; he makes purchases, superintends the funds, and everything of that kind, and makes the disbursements, and buys the produce, and all that.

Senator BURROWS. What I want to get at is this: The person in immediate charge of the canteen, who deals out the beer?

Colonel GUENTHER. He is a civilian. There is no man in uniform doing that at all.

Senator BURROWS. And that must be so?

Colonel GUENTHER. Yes, sir.

Senator BURROWS. You can not detail a soldier for that work?

Colonel GUENTHER. No, sir. It is only done temporarily, sometimes, when we lose our civilian and have to wait a short time to replace him; but no soldier is employed for that purpose.

Senator CARTER. This civilian is paid out of the post-exchange fund and is not charged to the Government?

Colonel GUENTHER. Exactly; out of the post-exchange fund. The Government has no pecuniary interest in the matter at all.

Senator BURROWS. This charge, so often made, that the soldiers are employed as bartenders, is not true, then?

Colonel GUENTHER. No, sir; there is no truth in that whatever.

[Colonel Guenther withdrew.]

Archbishop Ireland appeared before the committee.

The CHAIRMAN. The committee understands that you desire to say something on the canteen question.

Archbishop IRELAND. Yes.

The CHAIRMAN. We will be glad to hear you.

Archbishop IRELAND. What I wish to say is based, first, on my general knowledge of the manner of treating the liquor question with any class of people, and, secondly, from what I have heard and observed regarding the working of the canteen at Fort Snelling, Minn.

So far as the general method of dealing with the liquor question is concerned, it has been my experience that it is useless to try to prohibit absolutely the use of liquor, and the world, made as it is, men having the tastes they have, if we are too severe and try to do away altogether with the use of liquor, men will find it in ways illegal and ways more harmful than they otherwise would do. And, so far as I speak of the question of the Army canteen, I have observed myself and have heard it said that the soldiers at Fort Snelling go far more seldom to St. Paul to visit saloons in St. Paul and the saloons immediately bordering on the military reservations now that the canteen is established than they did formerly when there was no canteen. They find in the camp, in the establishment, that they can have beer and wine under reasonable conditions, and they are not tempted to sneak out, as they say themselves, and get drunk.

It was well known formerly that they would go into St. Paul, and particularly so after pay day, and the result would be the following day a large number of them would turn up in the police courts. And then I know that along the military reservation it was the custom of three or four miserable saloons to establish themselves expressly and exclusively for the purpose of furnishing liquor to the soldiers—liquor of the worst kind—and not only furnishing liquor, but furnishing everything that makes for iniquity. The soldiers, when under the influence of liquor, are considered a prey for every vice and every iniquity, and much of the immorality to which some of them may be exposed comes from the use of liquor outside the forts, outside the camp grounds. Even if they were to take a little too much within the forts, they are protected against other evils—evils against which there is no protection for them when they are outside.

I know some time ago, some years ago, in the vicinity of Fort Snelling, houses of the most infamous kind were established in the name of saloons to attract the soldiers. Now there is far less chance for anything of that kind, far less chance for drunkenness, and still further less opportunity for immoralities of a more serious character. And I think for the soldiers it would be better if they were allowed a little beer. There is no use in thinking that they will become total abstainers. Very few of them will become total abstainers. What those in charge of their morals should do is to eliminate danger and reduce their drinking to moderate temperance. I say this, although all my life I have been a total abstainer, and have worked for the last thirty years in the cause of temperance, and have induced people by moral suasion in many cases to take the total abstinence pledge, and have induced thousands and thousands to do that. But when I am dealing with the people at large I am convinced that the only satisfactory and successful way is to eliminate dangers as far as possible, and to reduce the drinking to a minimum.

I have advocated high license, gentlemen, in St. Paul and Minneapolis, instead of prohibition, and I have succeeded in reducing the consumption of alcoholic liquors by that policy. I am sure the same plan would work better among the soldiers.

As to Fort Snelling, from what I have heard and observed, drunkenness has been reduced a great deal, and immorality of a worse kind has been reduced yet more, because the soldiers have been kept at home. If they get a glass of beer there, they will stay there, and if they are not able to get a glass of beer there they will sneak out, as they themselves say, and become intoxicated. I understand the canteen regulations are very good, and they can be made even more stringent in the discretion of the Secretary of War.

The trouble with the soldiers has been that there has been no recreation in their camps or in the forts. After drills the soldier is tired and dull, and if he can go into the post exchange and sit down and talk and take a glass of beer right there, it is far better than to have him go out and take it in a place where there is no object in view but to rob him.

The CHAIRMAN. We had an officer here who has stated that the savings of the men since the canteen has been established have been very considerable, and that from the fund created they are enabled to give the men magazines and newspapers, and so on?

Archbishop IRELAND. Yes; that is true. Bishop Goldrick, of Duluth, has always worked in the temperance cause. He is here with me to-day. He is a total abstainer himself, and I would like you to hear what he has to say on the subject of the canteen or post exchange.

Senator HARRIS. You spoke of a certain class of vile houses around the Fort Snelling Reservation.

Archbishop IRELAND. Yes, sir.

Senator HARRIS. Has the number of those houses been diminished since the establishment of the canteen, or otherwise?

Archbishop IRELAND. I could not answer that directly. The only answer I can give is from the men and officers, who have told me that since the establishment of the post exchange conditions are infinitely better; that the number of such houses has been diminished to a great extent. Of course, the exact number I could not myself say. Formerly I was around the fort and I knew about those things. I knew that, while they were ostensibly saloons, those houses were in reality houses of prostitution, and that the object was to get the soldiers there and get them drunk and get their money. And so I say that the canteen is far better for the soldiers and that there is far less immorality under this system.

Senator BURROWS. Just one question, if you please. Some excellent people make this objection, and I would like you to answer it: That the young man who has never been in the habit of drinking at all is tempted to drink by the canteen and led to the curse of drunkenness later on. What do you say about that?

Archbishop IRELAND. My answer is that that man in the Army is rather a rare article.

Senator BURROWS. I wanted your statement to go to the country.

Archbishop IRELAND. And, secondly, if the rare article does turn up, as it may, and he has been able to resist the temptations of the saloon in ordinary life, I think he will resist the temptations of the canteen.

Mr. SEWELL. I also should like to have the remarks of a retired officer of the Army who aided in establishing a good many of these canteens, Capt. Henry Romeyn, put in the RECORD.

The PRESIDENT pro tempore. The paper will be printed without objection.

The paper referred to is as follows:

Capt. Henry Romeyn, U. S. A., retired, appeared before the committee.

The CHAIRMAN. You are an officer of how many years' experience?

Captain ROMEYN. Thirty-five years' active service and seven years' experience with canteens at post exchanges.

Senator SEWELL. Have you had experience to any extent with the post exchange as at present conducted?

Captain ROMEYN. Yes, sir; I have served at Fort Ringgold, Tex.; Jackson Barracks; Mount Vernon Barracks, north of Mobile, Ala., and at Fort McPherson, Ga.

Senator SEWELL. You were also in the service at the time of the old sutlers and post traders?

Captain ROMEYN. Yes, sir; I have seen the different systems and how they work.

Senator SEWELL. What are you prepared to say as to the difference between the situation of affairs to-day and what it was originally under the post-trader and sutler system; and what effect has the post exchange had on the post and on the men?

Captain ROMEYN. I have had thirty-five years' experience in the regular and volunteer service as an officer on the active list, and in that time have seen all sorts of administration—all kinds of administration—in regard to this matter. I have seen the attempt of total prohibition in posts, and I have seen free liquor in posts. I have seen the attempt to regulate the sale of liquor—so many drinks a day and no more—and none of them conduce so well to discipline as the post exchange as at present conducted.

If I may be allowed to detail my experience, perhaps it would be as good a way as any other. I was at Fort Ringgold, Tex., on the Rio Grande River, near the little town of Riogrande City, when the canteen was established there. When the vote was taken for the establishment of the canteen I voted against it. I was not a drinking man and not in the habit of using intoxicating liquor, and I had taken my men to the Keeley cure in some cases to get them cured of the drink habit. The commanding officer, after my objection, came to me—this was after it was established—and said to me, "Will you take care of it?" I did so. In the town of Riogrande City there was almost everything that was low and vile. It was the only place the soldiers had to go for amusement outside the garrison, and it was almost universal on the part of the people in Riogrande to get the soldiers drunk. They would endeavor to get them drunk, and after the soldiers became intoxicated they would get in trouble and be robbed, and they would often wind up in the police court.

I have had my men made drunk and stripped stark naked and thrown out into the street. Two months after the canteen was established all this was stopped. The men do not drink in the post to become intoxicated, and I want to say here that I have never yet seen in all my experience a soldier who has gotten drunk in the canteen—who has gotten drunk on liquor furnished him in the canteen.

Senator WARREN. Regarding beer, is that because it is impossible to get drunk on beer or is it because the management of the so-called canteen, or exchange, does not give the men enough to get them drunk?

Captain ROMEYN. A man is not allowed to drink enough to get drunk.

The CHAIRMAN. I understand that when he has had a reasonable quantity he is not allowed to purchase any more?

Captain ROMEYN. That is correct.

The CHAIRMAN. And sometimes he is not allowed to have any? If he abuses his privilege, he is not allowed to have any?

Captain ROMEYN. Yes; if a man abuses his privileges he is not allowed to have any; that is, in the posts where I have been. The soldiers save more money and the amount deposited at Fort Ringgold was nearly 300 per cent greater than before the canteen was established, showing that the men saved their money.

Senator CARTER. Will you kindly state the difficulties you encountered in connection with the attempt of prohibiting it entirely at posts?

Captain ROMEYN. The men would go outside to vile grogshops and get whisky. When they go outside it is impossible to prohibit the men from getting drunk, and the desire of the men outside who furnish the liquor to the soldiers is that they should drink as much as they will. Their object is to get their money.

Senator CARTER. You think the canteen system is better than the strict prohibition within the limits of the post?

Captain ROMEYN. Yes, sir; because you can not enforce the prohibition system and you can enforce the canteen. In addition to the money that was deposited with the paymaster, we saved money that went to the improvement of the men's mess.

My company moved from Fort Ringgold to Mount Vernon Barracks, Ala., about eighteen months after the canteen was established, and after making one or two distributions the company took out as the company fund, as savings from the canteen, $266.

At Jackson Barracks I bought a beer table for my company, took two or three daily papers, as many magazines, and put from $60 to $75 per month on the company table, and had no drunken men. At Mount Vernon Barracks it was about the same way. There we had the Apache Indians who had been sent from Arizona, about 500 souls in all—men, women, and children. Under the law we were forbidden to sell intoxicating liquors to the Indians. I had occasion to convene a summary court-martial, and we tried 22 Indians in one day for being drunk. They got the liquor at the foot of the hill in the reservation. My recollection is I never tried more than two white men for being drunk while we were there.

At Fort McPherson there were 8 companies of the Fifth Infantry, aggregating 750 men. Fort McPherson is 4 miles from Atlanta, Ga. First we had no canteen, we had no building in which to establish it, and we were bothered with men going off the reservation and getting whisky and staying out over time or coming home drunk. The companies clubbed together and built a building at their own expense, costing about $1,600.

We stocked it with a store with such articles as men would be liable to want, and we put on a table all the illustrated weeklies, monthlies, and daily papers published in cities extending from Boston to San Francisco. We bought a baseball outfit, a basketball outfit, and an outdoor gymnasium, costing $200 to $300, and the discipline of the post was enhanced 300 per cent. With all those men in that garrison it was very unusual to have more than three or four men in the guardhouse, and I had no trouble to amount to anything while I was there with the men.

In conversation the other day my daughter said she had frequently gone over to the ice-cream saloon in the canteen, separated from the beer room by

a partition, and she had never heard an unbecoming word uttered in the canteen while she was there, showing it was an orderly place. We were enabled to make an addition of from $250 to $400 a month to buy luxuries for the men's table. That furnished them butter and eggs and things that they did not get as part of their rations.

Senator BURROWS. In all your experience with this canteen you have found that the canteen is separated from what we call the exchange?

Captain ROMEYN. That is in a separate room, sir. A man can go to the reading room, as quiet as this room, and he does not have to go to the barroom to get to the reading room.

Senator BURROWS. Then a man who is not in the habit of drinking, who does not even take a glass of beer, does not have to go where the beer is dealt out?

Captain ROMEYN. No, sir.

Senator BURROWS. Do you sell from the canteen to civilians?

Captain ROMEYN. No, sir.

Senator BURROWS. Only to the soldiers?

Captain ROMEYN. Yes.

Senator HARRIS. And the habit of treating is prohibited?

Captain ROMEYN. Yes, sir.

Senator HARRIS. Each man buys his own drink?

Captain ROMEYN. Yes, sir.

Senator HARRIS. That rule is enforced, do you think?

Captain ROMEYN. So far as I know, sir. I have not been in the barroom all the time.

Senator HARRIS. But your impression is that it is generally enforced and carried out?

Captain ROMEYN. Yes, sir.

The CHAIRMAN. It is subject to supervision and inspection; somebody walks through there?

Captain ROMEYN. The officer who is in charge of the canteen is supposed to see to it.

The CHAIRMAN. And the officer of the day would naturally look around?

Captain ROMEYN. Yes, sir.

Senator CARTER. What have you to say with reference to the opposition of the liquor dealers to the canteen system?

Captain ROMEYN. It takes away their profits.

The CHAIRMAN. And they are all on the so-called temperance side?

Captain ROMEYN. It is a curious fact that they and the very strong temperance people are all working for the same object—the destruction of the canteen.

Senator HARRIS. There is one additional question I would like to ask. Have you ever had any experience in total prohibition States? I believe in total prohibition States the canteen is not allowed.

Captain ROMEYN. They are not allowed to sell to people outside.

Senator WARREN. You can not control them on the reservation?

Senator PROCTOR. I do not think they are allowed to sell to anybody in prohibition States.

Captain ROMEYN. I have never had any experience of that kind. Georgia is said to be a dry State, but Georgia is not a dry State by any means.

Senator HARRIS. I want to find out how this bootlicking outside was conducted. In the report of the Secretary of War was an extract from an act of Congress approved June 30, 1890, as follows:

"No alcoholic liquors, beer, or wine shall be sold or supplied to the enlisted men in any canteen (exchange) or post-trader's store, or in any room or building at any garrison or military post in any State or Territory in which the sale of alcoholic liquors, beer, or wine is prohibited by law."

So it applies to the enlisted man; he is not allowed to have it. What I was getting at is how the men can get the liquor from the outside.

Senator PROCTOR. I was very sure that was the law in prohibition States.

Senator HARRIS. There is this grogery business surrounding military reservations.

Captain ROMEYN. I have never yet been in a place where men, if they chose, could not get whisky. I have been at a post in southern Colorado where there was no town within 30 miles, and yet the men could get whisky, and they got drunk, too. Some Mexicans would come along and take their place outside the camp, and you would see a little fire on the hill at night, and the next day some of the men would be drunk. They got the whisky out there from the Mexicans.

Senator WARREN. I want to ask one question explaining that matter as to soldiers not being allowed to solicit or treat each other. To what extent is that carried? If two soldiers come in together and order beer and one pays for it, I suppose that would be considered all right; but prohibition or the inhibition is that there shall be no teasing, no soliciting, or threatening, if you please, on the part of one soldier to get another to drink?

Captain ROMEYN. It would be difficult for an officer to answer that, because if an officer was in the room they would not urge a man.

Senator HARRIS. As I understand the regulation, it would prohibit one man paying for the two drinks. That is the regulation clear enough.

Captain ROMEYN. There is another regulation from the War Department, that a man is not allowed credit to the amount of more than one-fifth of his pay. Of course, after he has been paid the money is his own and he can do what he pleases with it; but a man can not get credit to a greater amount than one-fifth of his pay.

The CHAIRMAN. What does that amount to?

Captain ROMEYN. I used to give my men $3 a month credit. No man was ever forced to give checks.

Senator BURROWS. Is whisky ever kept on sale at the canteen?

Captain ROMEYN. No, sir.

Senator BURROWS. That law is strictly enforced?

Captain ROMEYN. Yes, sir.

Senator BURROWS. And gambling is prohibited?

Captain ROMEYN. Yes, sir.

Senator BURROWS. You do not think, however, that the temperance people and saloon keepers are actuated by the same motive?

Captain ROMEYN. No, sir.

Senator SEWELL. It has the same result, though.

Mr. SEWELL. Mr. President, I do not desire to detain the attention of the Senate any longer except to impress upon its members the idea that the American soldier does not want and ought not to be condemned to a reformatory. In my opinion you can not recruit the Army of the United States if you pass this provision as it came to us, advocated as it is by a great many good men and good women. It is against our Constitution to be tied down in that way. A young American will not volunteer if he is going, as I say, to a reformatory institution.

Archbishop Ireland was asked by a distinguished member of the Senate in relation to the protection of a young man who had just left his mother and had gone into the Army, who might be induced by the canteen to get into other extravagances. He replied that the canteen is a protection to him. Every young man 20 or 25 years of age has taken a glass of beer, as a rule. Archbishop Ireland said that after he had passed the ordeal of the saloons of a large city the canteen would be a protection for him instead of alluring him to anything else.

Mr. HAWLEY. Mr. President, it is not an easy or agreeable task to argue against the very respectable ladies and men who, under the grossest of mistakes, have been making this bitter war upon the post canteen while nine-tenths of the intelligent men who are thoroughly familiar with it, officers and citizens in the vicinity, say it is a great promoter of temperance and good order and that without it the Army would return to its old days of occasional severe drinking and disorder, and all that. It appears clearly from the statistics that everything bad is diminished where the exchange is and that everything good is increased.

My eye catches one item only in a statement here. I have visited the Soldiers' Home at Dayton. I have gone over it and examined it, and under the guiding eye and the hand of Colonel Patrick, who is a stanch prohibitionist and an advocate of the canteen. He is a teetotaler and a prohibitionist. He was provost-marshal-general of the Army of the Potomac. He has been for several years the commanding officer at the Soldiers' Home at Dayton. I was told there about the condition of that Home before the post exchange was established, and I made some slight observation. I was told, by the way, that it was a common thing to find a drunken soldier in a fence corner on certain occasions more particularly.

Now, the report of Hon. Ira Crawford, mayor of Dayton, gives the number of arrests. The number, says General Patrick, from July 5, 1885, to July 1, 1886, was 484, while for the same time, after the beer hall was opened in 1886–87, the number was 274, a difference of 210, or nearly one-half.

The report upon desertions is remarkable. From 1885 to 1891, before the canteen was established, there was an average of 9.18 cases of desertion. For the six years of the canteen ending in 1897 the average of desertions was 4.53, about 4½ per cent of desertions, as against 9.18 per cent in the six years previous to the establishment of the canteen.

Here is a table showing the total number of convictions in the Army for drunkenness since the establishment of the canteen, taken from the reports of the Judge-Advocate-General:

Year.	Total number of trials and convictions in the Army.	Number of trials and convictions for drunkenness and conditions arising therefrom.
1886	1,640	342
1887	1,730	289
1888	1,999	357
1889	1,752	423
1890	1,907	407
1891	2,000	417
1892	2,198	228
1893	2,189	163
1894	1,728	120
1895	1,486	142
1896	1,384	168
1897	1,245	143
Average for the 6 years 1886–1891	1,838	372.5
Average for the 6 years 1892–1897	1,605	160.6

From this it will be seen that the average for the six years from 1886 to 1891, inclusive, of convictions for drunkenness was 1,838; that the average for the six years from 1892 to 1897, inclusive, was 1,605, and the number of trials and convictions for drunkenness and conditions arising therefrom ran down from 372.5, which was the average for the six years prior to the establishment of the canteen, to 160.6, which was the average for the six years from 1892 to 1897, inclusive, after the canteen system was thoroughly established.

There are some interesting statistics here concerning alcoholism.

Mr. GALLINGER. Will the Senator kindly restate the last figures he gave?

Mr. HAWLEY. The average trials and convictions in the whole Army during the period I have named, between 1886 and 1891, was 1,838.

Mr. GALLINGER. The whole number?

Mr. HAWLEY. The number of trials and convictions for drunkenness and conditions arising therefrom was 372.5 from 1886 to 1891, inclusive, six years, and 160.6 for the six years from 1892 to 1897, inclusive, a reduction of more than one-half for the six years during the existence of the canteen.

The canteen is greatly misunderstood, though I should think the public would begin to learn what it is by this time.

Mr. GALLINGER. Will the Senator permit me a moment?

Mr. HAWLEY. I would a great deal rather not. I am not on the witness stand for cross-examination.

Mr. GALLINGER. Of course the Senator is not on the witness stand. I have no right to interrupt him without his consent, and he can use his pleasure. I merely wanted to call his attention to a matter that I thought of importance.

Mr. HAWLEY. I shall be glad to hear from the Senator after I finish the remarks I have in mind. The quantity of matter is such and it is so irregularly scattered that it is vexatious to try to find it.

I have stated the fact that desertions went down from 9.18 per cent, which was the average before the canteen system was established, to 4.53 after it was established. The Adjutant-General made an elaborate report in December last giving the constitution, organization, rules, laws, and everything relating to the exchange. He says:

The post exchange was established in 1889 as a substitute for the traders' store system, which the Department had determined to abolish.

That used to be a country store, containing almost everything, rum included, and it was simply a curse, but it was legally established by the Government, and it was thought a great thing by some men to get the right to run one of those traders' stores in the vicinity of the great forts. The establishment of the post exchange made a change in all that.

Its features were: (*a*) A well-stocked general store, in which such goods are kept as are usually required at military posts and were formerly supplied by the trader; (*b*) a well-kept lunch counter, where such articles as tea, coffee, cocoa, nonalcoholic drinks, soup, fish, sandwiches, pastries, etc., are always on sale; (*c*) reading and recreation rooms, supplied with books, periodicals, and other reading matter, paper and envelopes, where men can write letters to their friends; billiard and pool tables, bowling alley, and facilities for other proper indoor games, as well as apparatus for outdoor sports and exercises, such as cricket, football, baseball, tennis, etc.; (*d*) a well-equipped gymnasium, and, incidentally, (*e*) a room used for no other purpose in which the sale of beer and light wines was permitted whenever the commanding officer "is satisfied that giving to the troops the opportunity of obtaining such beverage within the post limits will prevent them from resorting for strong intoxicants to places without such limits and tends to promote temperance and discipline among them."

No spirituous liquors, such as whisky, brandy, gin, and high wines, have ever been sold in the canteen, their sale being positively prohibited; the sale of beer limited to week days and must be consumed upon the premises; the practice of treating and every form of gambling absolutely forbidden. The sale of beer was authorized for two reasons. First, as above cited, to keep the men away from the drinking saloons and low dens of vice that fringe every large military post, and second, that through the profits the soldier's ration could be supplemented by such extras as milk, eggs, butter, lard, ice, and such other articles regarded as indispensable by the poorest family in civil life, but which, for obvious reasons, are not a part of the army ration. The establishment, in a few words, embodies the features of a cooperative store and an enlisted man's club.

Following the year 1889, the development of the exchange was gradual and always progressive. In the beginning a great many officers were opposed to it, but this opposition, as is shown by official records during the four or five following years, almost entirely disappeared, so that by the beginning of the year 1895 there were exchanges at every military post, and the result of the experiment was so fully demonstrated that it was recognized everywhere as a most important feature of army administration. No complaints of any consequence were made against it, and every report from commanding officers and department commanders was highly commendatory.

Some changes have been made in the system, all of them profitable in the way of laying up money for the benefit of the soldiers, diminishing drunkenness, and increasing the moneys deposited for them and their families.

They have resulted in driving away from the vicinity of the posts the saloons and dens of vice which formerly surrounded them, and by their profits they have enabled the soldier to supplement his ration with such extra articles as give him the best table fare accorded the soldiers of any nation in the world; and the abolition of the exchange, which would be the natural result from prohibiting the sale of beer, if we are to judge from the practically unanimous sentiment of the Army, would prove a most serious detriment not alone to military discipline, but to the well-being and contentment of the enlisted men.

The Secretary of War made a very careful canvass of the Army about a year ago for the purpose of informing himself on the question. He says:

Every commanding officer of regiments, battalions, troops, batteries, and companies, and the noncommissioned officers of longest service were called upon for their opinions. The opinions of general officers were not called for, for the reason that their views on the question were already of record. The views of staff officers were not required, for the reason that very few of them were serving with troops; nor of lieutenants, for the reason that the greater number of them had entered the service since the exchange system was introduced, and obviously had no knowledge of earlier conditions.

The result of this canvass, together with the information already in possession of the Department, shows that the advocates and supporters of the canteen system embraced every general officer except two, every colonel of cavalry, every colonel of artillery, every colonel of infantry but one, 504 of the 516 commanding officers of organizations, and fully 95 per cent of the noncommissioned officers of oldest service. The practical unanimity of sentiment was so apparent as to leave no room whatever for doubt. It developed the fact that 908 commanding officers and noncommissioned officers out of the 1,019, whose opinions were received, said that it has improved the discipline of the Army; 739 that it has decreased desertion; 825 that it has lessened the number of trials by court-martial for petty offenses; 909 that it has lessened drunkenness; 980 that the selling of beer at the post prevents the men from going outside to procure whisky and other strong intoxicants.

It was further developed by a careful investigation made by Assistant Surgeon Munson, United States Army—

An eminent surgeon and physician—

that the effect of the canteen system upon the sick rate has been so marked as to have attracted the attention of medical experts; that the percentage of cases of hospital treatment for alcoholism and its direct results, which for the ten years preceding the introduction of the canteen system averaged 64.28 per thousand, had gradually decreased during the ten years following the introduction of the canteen to 44, 46, 44, 44, 41, 37, 34, 32, 31, 30; that cases of delirium tremens had been reduced 31 per cent, and that the cases of insanity due to intoxicants had been reduced 31.7 per cent.

In the face of this testimony of the men who are in direct contact with the system, and of expert investigation, it is safe to presume that the prohibition of the sale of beer in the post exchange means an increase of whisky drinking and drunkenness, and the consequent necessity for medical treatment, an increase of the horrors of delirium tremens and insanity, an increased number of courts-martial and punishments, and of desertions, to the scandal of the service, no less than a decrease in discipline, health, and morals, and the consequent diminution of contentment, self-esteem, and self-reliance upon the part of the enlisted men, to say nothing about its effects on the surrounding communities.

These are the results accepted by the men who are thoroughly capable of judging of the situation, and having no motive whatever for anything but a correct statement. The commanding officers, of course, take great pride in the condition of their men. Much drunkenness in the camp is a great vexation; it takes the time of the officers and destroys the time of the men.

In the face of all this testimony to the beneficent influence of the canteen as an aid to morality, health, and discipline, it may be easily understood why the Army views with a feeling of dismay any action of Congress looking to its abolition. This overwhelming majority of officers, who are responsible to the Government for the lives and well being of their men and dependable upon their good conduct, contentment, and efficiency for the correct performance of the duties enjoined upon them, reasonably feel that they are better judges of what is best for their men than outsiders, who, however praiseworthy their motives in the abstract, can have no possible knowledge of the concrete.

Here, for example, are some pages of reports from scattered posts in the Philippines. I will read two or three of them, and will state that the remainder have the same general tendency.

The commanding officer at Malolos remarks:

Although this exchange was organized less than two months ago (May 8), the good effects upon the men in added contentment and sobriety is noticeable. There has not been a case of drunkenness since its establishment, while the drinking of vino has been greatly lessened, and I believe through the sale of beer the habit of drinking it (vino) will be broken up. If no other result could be claimed for the post exchange, the continuance of that institution would be amply justified.

The commanding officer at Florida Blanca says:

Although this exchange has been in operation but two months, it has proven a satisfactory venture in every particular. The men, now that they can secure a bottle of American beer when so inclined, no longer indulge to any extent, or at all, in the poisonous native drinks which are to be had at a small sum for an unlimited quantity and which it is next to impossible to control the sale thereof.

The commanding officer at Bulacan, the commanding officer at Lubao, the commanding officer at Pampanga, the commanding officer at San Mateo, the commanding officer at San Fernando del Union, and the commanding officer at Lingayen testify to the same effect.

The commanding officer of the Third United States Cavalry at Vigan, Luzon, says:

A post exchange, when properly conducted, is a source of comfort to the soldiers, and its influence upon the welfare of a command is always salutary. It promotes discipline, temperance, and morality, and its abolition would be indeed a calamity for the Army, but a veritable godsend for the saloon keeper.

Mr. PETTIGREW. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from South Dakota?

Mr. HAWLEY. Yes.

Mr. PETTIGREW. I should like to ask the Senator whether there is any testimony which shows that the use of intoxicants at the post exchange is a benefit to the soldiers who use them?

Mr. HAWLEY. I am not speaking of intoxicants. I leave out of consideration all the stronger liquors because it is well known that they are not sold.

Mr. PETTIGREW. Is there testimony in regard to the effect of these intoxicants upon the soldiers who use them, whether it is to their advantage and for the benefit of their morals?

Mr. HAWLEY. There is not, for intoxicants are not used. So it is impossible to show what the influence would be, unless we go back to the days before the establishment of the canteen or post exchange; and then we can find plenty of statements as to the effect of the use of strong drink upon the soldiers.

Mr. PETTIGREW. Is it not a fact that at the post exchange everything is now excluded but beer?

Mr. HAWLEY. Under the law as it now stands wines are admitted; that is, light wines, of course; but that is to be dropped out by the amendment proposed by the Senate committee.

Mr. PETTIGREW. Was there any testimony on the part of the Army officers showing why wine should be excluded?

Mr. HAWLEY. Yes; the opinion was that it had better be excluded because it would be rather difficult to draw the line between the light Rhenish wines and some of the stronger wines that are easily intoxicants; and so it was thought best to prohibit the sale of wine entirely.

Mr. PETTIGREW. Did any of the testimony show that wine had an injurious effect upon the soldiers?

Mr. HAWLEY. There is no testimony to that effect at all, but

I gave you the reason, which is that the difference between the light wine and the strong wine is so difficult to establish that the use of wine at all is liable to lead to the drinking of the stronger kinds.

Mr. PETTIGREW. Then there was no testimony to show that the effect of the wine was injurious to the soldiers?

Mr. HAWLEY. There is the opinion of General Miles and others that wine should be omitted. I think the Secretary of War favored the striking out of the word "wine."

Mr. PETTIGREW. Was any reason given for that?

Mr. HAWLEY. I decline to answer the Senator further. His questions are so inconsequential that I decline to answer another one.

Mr. PETTIGREW. Of course, I will not annoy the Senator, as I am well aware of his inability to answer any question.

Mr. HAWLEY. Oh, what does the Senator mean by that kind of a low-down insult? Has he been to a saloon outside of the post exchange?

Brig. Gen. John M. Wilson, Chief of Engineers, United States Army, says:

I will simply state that, in the first place, I am a total abstainer; I am a thorough, absolute, and unqualified believer in the canteen as it now exists. I introduced it at the Military Academy. It reduced venereal diseases, it reduced the drunks; instead of running after lewd women and drinking whisky they stayed at home, and at the end of the first year $1,800 was turned in, which was added to the fund for mess expenses.

Among those who appeared before us was Col. Francis L. Guenther, commandant United States Artillery School and colonel Fourth Artillery at Fortress Monroe, a man who has been thirty-five years in the Army and seven years, he told us, at places where there were post exchanges. He says:

I entered the Army in 1854 as a cadet and have been a commissioned officer since 1859, and while I was originally opposed to the post exchange or canteen, I will say that I now think it is one of the best things that has ever been done for the enlisted men in the Army. It has increased the contentment of the men in every way, reduced drunkenness, and we have less dissatisfaction among the enlisted men. It has reduced the number of trials by court-martial and reduced the number of desertions to a great extent. I think to abolish the canteen or exchange would be almost criminal.

Brig. Gen. Joseph C. Breckinridge, Inspector-General United States Army, says very much the same. I quote a portion of his statement, as follows:

It is by far the best thing we have ever had in the Army of that type. All the tendencies of the canteen are reformatory, all beneficial. I will not say it is always reformatory, because men come to us with a fair moral character, and they go away with a fair moral character. There is not a trade in the United States, I believe, that has a more sober set of men than the Army. Of course, when they are separated from home influences some of them may be reckless, like other humans.

A man who is a little hungry is more apt to be badly influenced by drink than a man who is not, and almost pari passu with the establishment of the canteen the soldier has more food, and the fact is that that is beneficial in the way of preventing them from going to excess in the way of drink. They do not care for the same amount of drink they did without the canteen, and this small amount of alcohol they get in the canteen satisfies their taste, and they can not get it as easy by any means, nor under such restricted influences, as they get it through the canteen, because the man who sells it to them is not under any personal influence.

Archbishop Ireland, a very abstinent man, who lived many years in the vicinity of the post at Fort Snelling, and who has studied the workings of the canteen, says:

So far as the general method of dealing with the liquor question is concerned, it has been my experience that it is useless to try to prohibit absolutely the use of liquor, and the world, made as it is, men having the tastes they have, if we are too severe and try to do away altogether with the use of liquor, men will find it in ways illegal and ways more harmful than they otherwise would do. And, so far as I speak of the question of the Army canteen, I have observed myself and have heard it said that the soldiers at Fort Snelling go far more seldom to St. Paul to visit saloons in St. Paul and the saloons immediately bordering on the military reservations, now that the canteen is established, than they did formerly, when there was no canteen. They find in the camp, in the establishment, that they can have beer and wine under reasonable conditions, and they are not tempted to sneak out, as they say themselves, and get drunk.

It was well known formerly they would go into St. Paul, and particularly so after pay day, and the result would be the following day a large number of them would turn up in the police courts. And then I know that along the military reservation it was the custom of three or four miserable saloons to establish themselves expressly and exclusively for the purpose of furnishing liquor to the soldiers—liquor of the worst kind—and not only furnishing liquor, but furnishing everything that makes for iniquity. The soldiers, when under the influence of liquor, are considered a prey for every vice and every iniquity, and much of the immorality to which some of them may be exposed comes from the use of liquor outside the forts, outside the camp grounds. Even if they were to take a little too much within the forts, they are protected against other evils—evils against which there is no protection for them when they are outside.

I know some time ago, some years ago, in the vicinity of Fort Snelling, houses of the most infamous kind were established in the name of saloons to attract the soldiers. Now there is far less chance for anything of that kind, far less chance for drunkenness, and still further less opportunity for immoralities of a more serious character. And I think for the soldiers it would be better if they were allowed a little beer. There is no use in thinking that they will become total abstainers. Very few of them will become total abstainers. What those in charge of their morals should do is to eliminate danger and reduce their drinking to moderate temperance.

I say this, although all my life I have been a total abstainer, and have worked for the last thirty years in the cause of temperance, and have induced people by moral suasion in many cases to take the total-abstinence pledge, and have induced thousands and thousands to do that. But when I am dealing with the people at large I am convinced that the only satisfactory and successful way is to eliminate dangers, as far as possible, and to reduce the drinking to a minimum.

I have advocated high license, gentlemen, in St. Paul and Minneapolis, instead of prohibition, and I have succeeded in reducing the consumption of alcoholic liquors by that policy. I am sure the same plan would work better among the soldiers.

In another place Bishop McGoldrick testifies in very much the same way.

The Secretary of War, Hon. Elihu Root, says:

May I call your attention to the collection of military testimony which is annexed to my report of last year? In that report I have set out the existing statutes and the regulations on the subject of the canteen, and I want to add one thing to this testimony. Not only is the canteen a great means of increasing the morality and health and discipline of the soldiers, but it is the one thing that makes it possible to make the camp, the military post, an agreeable place for the soldiers. We can talk about it just as much as we please—total-abstinence clubs are not successes. And the post exchange is a club, and the men get together there and they play dominoes and checkers and billiards, and they read and talk and smoke, and they drink their glass of beer, and it is an agreeable place and the men do not go away.

If you pass the provision which the House has put in, prohibiting the sale of beer and light wines in the canteen, you break that up, and the result is going to be as soon as it gets around it will stop our enlistments. That is a matter of serious practical consequence. The men are not going to enlist when they understand that they are going to be confined in the reform school.

Then he proceeds to make some comment about the vile diseases that were contracted, and the vile people who gathered around under the old system.

Rev. Oliver C. Miller, chaplain, voluntarily attached to the Fourth United States Cavalry, stated:

In conclusion, I would say that such men as Chaplains Freeland and Pierce and others who have examined conditions in the Philippines are in favor of the canteen and the present Army regulation; and just as I left, in August, the Ministerial Association of the City of Manila, which comprises the pastors of the Protestant churches there, the workers of the Young Men's Christian Association (the secretaries), and the chaplains had a meeting. At that meeting the post exchange was discussed, and the result was that after a fair discussion the ministers were unanimous, except two, that it would be a great hurt at the present time to abolish the canteen system in the Philippines, and those two clergymen were in doubt as to which way they would vote.

The Secretary of War, in his report for 1899, said:

It is recognized that alcoholism and insanity are closely related through the direct influence exerted by intoxicants in the production of mental aberration. Hence, it is not surprising to find that the average number of cases annually coming under treatment was 35.1 per cent for the seven-year period from 1885 to 1891, prior to the establishment of the canteen system, and only 24 as an annual average for the six subsequent years, 1892-1897. These figures show a reduction in insanity amounting to 31.7 per cent. As to the number of days in the service lost annually from insanity the improvement since the institution of the canteen is even more marked. Figures for the years 1885 and 1886 are not available, but for the five-year period 1887-1891 the average number of days lost was 1,563, while for the six years 1892-1897 the service annually lost to the Government from this cause amounted to only 924.5 days, a decrease of 40.9 per cent.

He said further:

During the year ending June 30, 1898, the aggregate receipts of the exchanges in operation in the Army amounted to $1,621,308.67, and there was received as money on deposit $189,258.81, making the total amount of money received $1,810,657.48. There was expended for merchandise purchased, rent, fixtures, and repairs, and expenses of operation $1,297,737.16, which, less deposit, gives a profit of $323,661.51. From this amount there was donated to the funds of the several regimental bands $9,154.51; to the maintenance of post gardens, $1,559.17; to post libraries, $640.06; to gymnasiums, $2,913.75; as prizes for the encouragement of athletic sports, $3,338.41, and after setting aside the sum of $80,877.58 as a reserve fund to meet anticipated expenses for at least one month, there was returned to the members in the form of dividends the sum of $254,890.93.

I wanted to find a statement apropos of what has been said as to the number of officers who were reported as opposing the canteen at a prior date. During the campaign the following officers were quoted as against the canteen:

Generals Miles, Shafter, Wheeler, Corbin, Sternberg (Surgeon-General), Howard, Henry, Boynton, Wilcox, Stanley, Rochester, Harries, Carr, Carlin, Graham, Bliss, Lee (Assistant Quartermaster-General). Of this number, General Shafter is the only officer on record as unalterably opposed to the canteen system. That General Miles is not opposed to the canteen system will be seen from his printed report on page 7 of House Report No. 1701, Fifty-sixth Congress, first session, as also from his General Orders, No. 87, July 2, 1898, published on page 6, in which he remarks that—

"Commanding officers of all grades and officers of the medical staff will carefully note the effect of the use of such light beverages—wines and beer—as are permitted to be sold at the post and camp exchanges, and the commanders of all independent commands are enjoined to restrict, or to entirely prohibit the sale of such beverages, if the welfare of the troops or the interests of the service require such action."

This language is almost identical with that of the exchange regulations (paragraph 10). If General Wheeler is opposed to the canteen system, there is nothing of record in the War Department to show it. General Corbin and Surgeon-General Sternberg, who were originally opposed to the exchange, have both very frequently, in published statements, announced the reason for their change of opinion and their conviction that the canteen system has been most beneficial to the Army.

General Howard was originally an opponent of the canteen, but he left the service before he had had the opportunity to witness its workings. General Henry was not an opponent of the canteen; on the contrary, there are many reports on file in the War Department in which he testifies to the beneficial effects of the canteen experiment. General Boynton, as well as Assistant Quartermaster-General Lee, were witnesses of the scandalous conduct of canteens at Chickamauga Park in 1898, as conducted by volunteer organizations in violation of canteen regulations—

I suppose that has reference to the orgies to which the Senator from New Hampshire [Mr. GALLINGER] alluded—

and which were promptly suppressed as soon as brought to the attention of the War Department. General Wilcox left the Army before the canteen system was inaugurated. General Stanley and General Carr were both retired

from active service before the canteen was fairly in operation, and if opposed to the canteen there is nothing on record in the War Department to show it. General Rochester left the service before the canteen system was inaugurated.

It is true that General Harries, while colonel of the First District of Columbia Volunteer Infantry, forbade the starting of a canteen in that regiment; but inasmuch as he has permitted a canteen to exist at the several encampments of the District of Columbia militia, of which he is the head, it is not thought that his opinion is of much weight in this connection.

General Carlin was strongly opposed to the breaking up of the post-trader system, the suppression of which resulted in the post exchange, but he left the service before the experiment was fairly under way. Neither General Graham nor General Bliss was opposed to the canteen system. Both of them are on record to the contrary. On the other hand, reference to House Report No. 1701, Fifty-sixth Congress, first session, will show that the three senior general officers of the Army—Generals Miles, Merritt, and Brooke—are advocates of the canteen system.

Major-General Otis is one of the strongest advocates of the canteen, as is also General Wood, General Merriam, General MacArthur, General Chaffee, General Bates, General Wheaton, General Wilson, General Davis, General Schwan, General Hall, General Hughes, General Kobbe, Gen. J. Franklin Bell, Gen. James M. Bell, General Randall, General Hare, Gen. Fitzhugh Lee, General Funston, General Grant; in fact, of the general officers now in the service the only ones known to be opposed to the canteen system are General Shafter and General Ludlow.

To this are to be added all of the 10 colonels of cavalry, all of the 7 colonels of artillery, all of the 49 colonels of infantry except 1, and 504 of the 516 commanding officers of batteries, troops, and companies.

I will read a short note from General Sternberg:

WAR DEPARTMENT, SURGEON-GENERAL'S OFFICE,
Washington, October 1, 1900.

SIR: My attention has been called to a published statement, attributed to me, opposing the army canteen. I presume this statement as published is practically what I said some years since when interviewed upon the subject, although I do not at present remember to whom it was given. I did not at first look with favor upon the proposition to sell beer to soldiers at army canteens. That opinion was not based upon personal observation, as I had not been stationed at a military post since the canteen was established.

Owing to the general consensus of opinion among line officers and medical officers of the Army, who have had ample opportunity to observe the effect of the army canteen upon the habits of our soldiers, I am obliged to admit that, from a practical point of view, it seems to have accomplished very desirable results in reducing the amount of drunkenness in the Army and the disposition on the part of the soldiers to leave their stations for the purpose of obtaining spirituous liquors.

Very respectfully,
GEO. M. STERNBERG,
Surgeon-General United States Army.

The ADJUTANT-GENERAL OF THE ARMY.

There is an abundance of other matter here, but I will not burden the RECORD or weary Senators.

The motive of the people who are saying so much to us is unquestionably good, but I do hope that sentiment will not be allowed to run away with what I consider the common sense of the affair. Now, here is a letter from a clergyman, which I should like to read.

I inclose an appeal that has come to me from the Woman's Temperance Union of Connecticut, and it stirs me up to write to you that the testimony from my own young men in the Army during the Spanish war—one a member of my church, another of my Sunday school—is to the effect that your substitute to section 40 of the Army bill allowing the sale of beer in the post exchange is a good thing. I hope it will pass instead of the House amendment. I presume you will be deluged with letters as a result of this appeal from the women, but are they entitled to much weight in face of the testimony of those who have been in the Army, who know how the post exchange has worked for temperance? I hope to see the Senate vote on that matter according to its judgment, and not overcome by the clamor of people who don't know what they are talking about.

Here [exhibiting] is another statement of a similar character, but it is from a prominent business man, and not from a clergyman.

No, I hope sincerely and earnestly that the Senate will not so vote as to add 20 or 30 per cent to all the crimes and misfortunes among our troops. I have the firmest belief that the return to the old-fashioned way would, in a single year, be regarded as an unspeakable calamity.

Mr. MONEY. Mr. President, I shall vote to support the amendment of the committee, and because I shall do that I have thought it proper to give some reasons to the country, or rather to my own constituents, why I do so. I do not expect to change any votes, but I do intend to give what I consider good, sound reasons why the canteen should not be abolished.

In the first place, I will say that I can speak with great freedom upon this question, because I have never myself been addicted to the use of any kinds of spirits, either distilled, vinous, or malt. I do not chew tobacco or smoke. I have no artificial wants, and therefore have never felt the need of a drink. I will say also that I am not only a temperate man, but I have always been a temperance man.

In my State, when retail groceries had to be established by petition I never signed one. When the law was changed and localities were permitted to establish them or not, I always voted the dry ticket; and I am here speaking for the canteen amendment because it promotes temperance, because it promotes good health, because it promotes morals, because it promotes discipline, and comfort, and contentment among our soldiers. I say this upon the overwhelming testimony of the officers, from the distinguished Lieutenant-General of the Army down to the corporals who were interrogated by the circular letter asking information upon the several questions involved. I speak also upon a comparison of the record, from the Secretary of War, from the Judge-Advocate-General, from the surgeons, from the hospital reports upon this question for the six years preceding and the six years subsequent to the establishment of the canteen.

My friend the distinguished Senator from New Hampshire [Mr. GALLINGER] said that the lack of desertions could not be claimed to the credit of the canteen, because a man could not conveniently desert in Luzon or Cuba, but he neglected to note the fact that this comparison ceased in the year 1897, before there was any war in the Philippines or in Cuba. Consequently, he failed on that point.

He also made the point, which I will now notice for fear I forget it, that we forbid the use of spirits on board ship. That is very good, because a man can not step overboard into the sea and get a drink. He has to stay within the ship, and it is feasible to deny him the use of any sort of spirits or any sort of liquor. But it is not a question here whether the soldier has joined a temperance society when he joins the Army or whether by law he shall be compelled to be temperate. The question is whether he shall drink beer under certain circumstances favorable to temperance or whether he shall drink bad whisky on the outside of the compound. It is not at all a question of legislating upon the temperance of the soldier, because he can drink. If the Senator or the opposition to this measure can so arrange it that there will be no low whisky shops, with their annexes of brothels and gambling hells, right convenient to every post, then I might go with them and vote against the amendment.

The people who have been sending me petitions are all of one sort. They are against the canteen. They are church people, belonging to the most powerful and influential body of people in my State; a church that I love and respect. The petitions are from the Woman's Christian Temperance Union, and no man on earth can have higher deference and respect for them and their wishes than I do; but there is such a thing, and there is nothing more dangerous, than zeal without knowledge. These good people have a fervent desire in their heart to promote the cause of temperance, and I wish them godspeed and am willing to join them whenever they can show me the way. I want to promote the cause of temperance in any way, but the ways and means that appear best to them do not appear best to me, and as they have no responsibility and as I have a very great one, I am compelled to follow the record which shows that the canteen does promote temperance, morality, discipline, and comfort in the Army.

It is unnecessary to go outside of the public record. My learned friend the Senator from New Hampshire quoted the London Lancet and other authorities of the medical profession. I recollect a good many years ago (his quoting the Lancet brought it to my mind) an editorial in the Lancet that said that the workingman of Great Britain was not such a fool after all for spending part of his earnings in beer, because it is said beer built up the fiber tissue wasted by work quicker than any other form of food. I do not know whether or not that is true, but that is what the Lancet said at that time. But at any rate we have here the Lieutenant-General of the Army, the Adjutant-General of the Army, commanders of every grade before the committee testifying all one way, so far as I am informed.

Do these good people who want temperance—these good people who petition their Senators (and I want to say a great many of the Senators are more likely to vote their opinion about it than their judgment; I find no fault with them, but I think it is the fact) know what a canteen or a post exchange is? Here is what the Army Regulations say it is:

The post exchange will combine the features of reading and recreation rooms, a cooperative store, and a restaurant. Its primary purpose is to supply the troops at reasonable prices with the articles of ordinary use, wear, and consumption not supplied by the Government, and to afford the means of rational recreation and amusement.

Its secondary purpose is through exchange profits to provide the means for improving the messes.

* * * * * * *

An exchange doing its full work should embrace the following sections: (*a*) A well-stocked general store, in which such goods are kept as are usually required at military posts, and as extensive in number and variety as conditions will justify; (*b*) a well-kept lunch counter, supplied with as great a variety of viands as circumstances permit, such as tea, coffee, cocoa, non-alcoholic drinks, soup, fish, cooked and canned meats, sandwiches, pastries, etc.; (*c*) a canteen, at which, under the conditions hereinafter set forth, beer and light wines by the drink, and tobaccos, may be sold; (*d*) reading and recreation rooms, supplied with books, periodicals, and other reading ma ter, billiard and pool tables, bowling alley, and facilities for other proper indoor games, as well as apparatus for outdoor sports and exercises, such as cricket, football, baseball, tennis, etc.; a well-equipped gymnasium, possessing also the requisite paraphernalia for outdoor athletics.

At small posts it may be impracticable to maintain all of these sections, but at every exchange there should be no less than two departments—the refreshment, embracing store, lunch counter, and canteen, and the recreation, which includes all the other branches.

10. Sale of liquors prohibited.—The sale or use of ardent spirits in any branch of the exchange and in any encampment or fort or on any premises used for military purposes by the United States, is strictly prohibited; but on the recommendation of the exchange council the commanding officer may permit beer and light wines—

In other words, it is not mandatory upon any post or any commander anywhere to have the exchange or canteen, but it is left

to the council, advising the commandant, whoever he may be, and he makes the decision. No officer and no soldier is permitted to sell beer or wine or to serve in the canteen. All the money belongs to the soldier, and in two years the net profits accruing to the soldiers was nearly $600,000, which went to the improvement of the mess, in the language of the regulations. The bartender is a civilian, and he has a salary which is fixed.

There is no inducement for him to ask any soldier to take another drink. It does not increase his profits, but, on the contrary, if he keeps selling to a man until he is drunk he imperils his position and may lose it, because the soldiers themselves are interested in promoting sobriety in order that the comforts of the exchange may be maintained and not withdrawn by the commandant of the post on account of drunkenness and disorderly conduct.

Mr. GALLINGER. Will the Senator kindly restate the profit to the exchange, concerning which he has just made a statement?

Mr. MONEY. Yes, sir; I will do it with pleasure.

The aggregate receipts of the post exchanges therefore during the past two years has been $3,420,149.81, and the dividends $530,471.67. The net value of these exchanges—that is to say, the balance of their combined assets over their liabilities—was on June 30, 1899, $253,792.26.

That is what the report says. I wish to state that I am going entirely by the official report. I do not have any outside information whatever.

Mr. GALLINGER. That is the profit of the entire exchange?

Mr. MONEY. I said the exchange.

Mr. GALLINGER. Not for the liquor?

Mr. MONEY. I used the language "post exchange." I shall be very precise in my language, and it will not be misunderstood, I think.

Mr. GALLINGER. I simply wanted to ask the Senator—I am sorry to interrupt him, but I should like the information——

Mr. MONEY. That is all right. I do not mind the interruption at all.

Mr. GALLINGER. I wish to inquire if there is any statement anywhere that he is aware of giving the profits of the liquor department of the post exchange?

Mr. MONEY. There is none that I know of segregated from the other, but I think the Senator will agree with me that the profits on beer are greater than on dry goods or canned meats or anything of that kind.

Mr. GALLINGER. I should think that is likely, although I have never been in the business.

Mr. MONEY. None of the money goes to the Government. I will say now that the Government is not in the business of selling whisky, as the Senator stated in his speech. The United States does not sell anything to the soldier at all, but it permits, under certain wise regulations, in my opinion, beer and light wines to be sold, if the council and the commandant approve of it, and under no other circumstances.

Now, to proceed to what I consider the reasons which justify me in my vote, and not only justify me, but tell me to vote. I stand here responsible, so far as my vote carries me, and so does every other Senator, not only for the sobriety and the temperance, but the good health and the morale and the comfort of all the soldiers of the Army. I do not care how many churches and how many good people telegraph you to vote one way or the other, it does not relieve you in the least of your share of responsibility as to what may come upon the soldiers. I will show in a few minutes, by reading the record of six years before and six years after the establishment of the canteen, what the result has been. We can not dodge responsibility here. We may think we are doing it, but we do not. So far as I am concerned, I shall never try. I shall vote as I think right, and if the consequences are ill to me it does not hurt anybody else. The report goes on to say:

The practical question to be considered is not whether soldiers should drink or not—

That is it—

The practical question to be considered is not whether soldiers should drink or not drink, but whether they should be permitted to drink beer in the camp, surrounded by the restraining influences of discipline and good association, or whether they should be driven to drink bad whisky in the vile resorts which cluster around the limits of every military post and camp, and especially around those in which prohibition is maintained. I have no doubt that the present regulation furnishes the wise answer to this question.

That is very well said, in my opinion. I may be mistaken about it.

In order that the Secretary of War might be fully informed as to the effect, whether good or bad, upon the soldier of the establishment of the canteen a great many letters were sent to both commissioned and noncommissioned officers throughout the posts of the United States everywhere—in the Philippines, in Cuba, and everywhere else—and to those circulars of inquiry a thousand replies have been received. I will read now the questions which were asked of the commissioned and noncommissioned officers and their replies, to show the opinions of those who are on the ground, who are more interested in maintaining sobriety and discipline and good health in the Army than anybody else possibly can be, except the mothers and the relatives of the private soldiers themselves. Here are the questions:

What opportunity, if any, have you had to observe the workings of the canteen feature of the exchange system?

What, in your opinion, has been its effect upon the morality of the enlisted men?

What upon the discipline?

So far as your observation has gone, have desertions increased or lessened since its introduction?

Are trials by courts-martial more or less frequent?

I desire to pause right here to say that under the old system, as I am informed by Army officers, a man went outside to get a drink. They gave him one, and as long as he had a dollar in his pocket he was kept drinking, and then, reporting back for duty unconscious of the lapse of time, he was charged with desertion and sent to the penitentiary for anywhere from two to three or four to five years. That has been almost entirely done away with by the canteen.

Has drunkenness increased or lessened?

In your opinion, does the opportunity to procure beer on the post or in camps have any effect upon the efforts of enlisted men to procure intoxicants outside?

It has been asserted here that it induced men to go outside for intoxicants. We are going to hear what the officers, who are presumed to know, say upon that subject. There is no guesswork about it.

Are you in favor of such prohibition, or are you in favor of the exchange as conducted at present, and with a view to its continual improvement along the same lines?

They say they have had a thousand replies to the question.

What, in your opinion, has been the effect of the canteen feature of the exchange system upon the morality of the enlisted men?

That is about the most important point there is in it—the morality of the enlisted man.

By the bye, the hospital reports can tell a very interesting story about that feature of it:

Five hundred and eighty-two commissioned officers and 483 noncommissioned officers have replied. Of this number, 477 commissioned officers and 415 noncommissioned officers (892) have remarked that in their opinion its effect has been beneficial.

Eight hundred and ninety-two pronounce in favor of the canteen as improving the morality of the enlisted man. Then, on the other side, 17 commissioned officers and 18 noncommissioned officers say it is detrimental. That is 892 to 35, by officers, commissioned and noncommissioned, who see the men and who are presumed, if anybody can be, to be fully informed. Now, the next question:

What, in your opinion, has been its effect upon the discipline of the enlisted men?

I am not going into details, but I will give the total. Nine hundred and eight said it had been very beneficial; "resulted in improvement of the discipline," is the language here; and 19 commissioned officers and 21 noncommissioned officers said it had been detrimental. There is 908 to 40 in favor of the good effect of the canteen in the mere matter of discipline. Now the question:

Are trials by courts-martial more or less frequent since the introduction of the canteen feature of the exchange system?

Eight hundred and twenty-five have replied that they are less frequent to 20 that they are more frequent. That is the testimony as to courts-martial. Then the question:

Has drunkenness increased or lessened since the introduction of the canteen feature of the exchange system?

Nine hundred and nine have declared that it has decreased, while 20 have declared that it has increased; 909 to 20 in favor of the canteen putting down drunkenness in the Army. Then we get to the question:

In your opinion, does the opportunity to procure beer on the post or in camps have any effect upon the efforts of enlisted men to procure intoxicants outside?

It has been claimed over and over again that when a man got a drink inside, he had to go outside to finish up with some intoxicant. What is that? "Nine hundred and eighty have replied that it lessens such efforts," and eleven that it did not lessen such efforts. Nine hundred and eighty to eleven that the use of beer in the canteen lessened the desire and the attempt to get whisky on the outside of the compound or the encampment. Then the question:

What, in your opinion, would be the effect of an absolute prohibition of the sale of beer in the Army?

That is a very searching question. That is the one we are going to vote on now. Also the question:

Are you in favor of such prohibition, or are you in favor of the exchange as conducted at present, and with a view to its continual improvement along the same lines?

Nine hundred and eighty-one out of the 1,000 have replied in favor of the canteen, and 17 commissioned officers and 19 noncommissioned officers, a total of 36, in favor of prohibition.

Now, gentlemen, here is the testimony of men who are answering an official inquiry from the head of the Army. These are the men who are responsible for the conduct of the Army, for the condition of the men, for their morality and their sobriety, for their discipline and their good conduct, less riotous conduct than when they go outside and get a drink of mean whisky, with other attachments. That is a pretty strong case, I think.

But I want to refer to the Judge-Advocate-General where he talks about desertions. I do not know that I shall be able to find it, because I can not find it unless it is marked. I want to state what it is. I recollect it substantially and not literally. It is that a man going outside of the post to get whisky generally gets too much whisky and he gets drunk; he is oblivious to the passage of time; he gets into a brawl, and either hurts a comrade and is tried for it and sent to the penitentiary or outlives his leave of absence and comes back not knowing how long he has been gone, charged with desertion, is tried for it, and put in the penitentiary; and a young fellow, a new recruit, perhaps, who is not accustomed to the allurements or the environments of the post, falls an easy victim to these fiends outside who set up these different traps to lead him down to hell. Consequently, before he knows it, perhaps as honest a man as ever lived, he is in the penitentiary upon the charge of desertion, when he never dreamt of any such thing. That has been lessened by the canteen, as I have shown.

Here are letters without number which I could read in favor of this, but I will not stop to read them. But I want to read what the official report says. I am going to read from a reply to these questions by Capt. Edward L. Munson, assistant surgeon, United States Army, Washington Barracks, D. C. I take this because he is right here, I presume, and can be interrogated as to whether or not this is his real opinion. I presume it is. It is said to be a portion of a book upon this subject, and I hope the book will be extensively read.

We all know very well that you are not going to make a man a temperance man by denying him what he wants when he can go over the line and get it in another place. Take, for example, the Senate. The sale of whisky and everything of that kind is forbidden in the Senate restaurant. What does it produce; temperance? No; an occasional spell of hard "cussing" from some thirsty man who wants a drink of whisky. That is all. He can take a two minutes' walk and get all he wants. It has never made a temperance man of a Senator yet because we have rules that he can not get a drink in the Senate restaurant. I think myself, without being hypercritical, that it is about as silly a rule as I ever heard of in my life. If we have not arrived at the years of discretion, we should resign and go home and let somebody else be sent here in our places.

Here is what the doctor says. I want to say that these comparisons were made of the six years preceding the establishment of the canteen in 1891 with the six years subsequent, and do not include any period of the war. It was the old Regular Army. The volunteers were not in. This regulation does not include the volunteers, either. We are providing a bill which is only for the Regular Army and not for the volunteers. Gentlemen, I do not believe there is a man in this Hall who more sincerely desires that not only soldiers, but everybody else, would quit drinking whisky, or anything else that does not do him good, than I do, and it is because I feel so much about it that I take the liberty of advocating the use of the canteen according to the report of the committee. This gentleman says:

The purpose of the canteen—

This is now the surgeon—

The purpose of the canteen, as officially announced, is to supply troops with goods at a low rate of profit and to afford rational recreation and amusement to all enlisted men. The sale of ardent spirts is strictly prohibited therein.

* * * * * * *

The effects of the introduction of the canteen system upon sick rates were prompt and marked.

I want you to note that language. Here is a scientific man who is accustomed to use the language of precision, and he says the "effects of the introduction of the canteen system upon sick rates were prompt and marked;" no gradual decrease, but immediate.

For the decade 1878-1887 the average number of admissions for alcoholism and its direct results amounted to 64.28 per thousand of white troops. This rate diminished during the next ten years in proportion as canteens were gradually established at various posts, omitting fractions, in the following ratio: 44, 46, 44, 44, 41, 37, 34, 32, 31, 30. On observing the admissions for alcoholism for the seven years, 1885-1891, which immediately preceded the general establishment of the canteen system upon a satisfactory basis, it is found that a yearly average of 1,214.8 men found it necessary to apply for treatment from this cause; while for the six years, 1892-1897, after canteens had been instituted throughout the Army, an average of only 928.4 men required attention for this reason—a reduction amounting to 23.6 per cent.

Now, that part of the record tells the story as to drunkenness and alcoholism—

In 1890 there were 17 posts at which the admission rate for alcoholism exceeded 10 per cent of the strength—

Just think of it, over 10 per cent of the command at 17 posts were treated for alcoholism. Their conveniences must have been very great—

In 1891 the number of such posts had decreased to 11, and in the six subsequent years diminished at the following rate—

Now, note this—

10, 7, 4, 5, 2, 2.

That shows what the canteen has done for alcoholism.

This favorable showing for the Army at large was duplicated in the case of each individual post, the introduction of the canteen in no instance failing to be promptly followed by a diminution of alcoholism. For certain stations this improvement was extraordinary. In 1889 Willets Point had an admission rate for alcoholism of 222.97 per 1,000. For 1890, the year when the canteen was established at that post, it fell to 157.50, and in the next year amounted to only 70.46. At Fort Spokane the amount of sickness resulting from intoxicants was reported by the surgeon as having diminished 50 per cent during the six months following the institution of the canteen.

In six months there was a diminution of 50 per cent, and he suggests further on in the report that there was a continual progression on this line of improvement.

At Fort Douglas in 1888 and 1889 the total number of admissions attributed to alcohol amounted to about 85 per 1,000 strength, while during 1892-1894 this rate fell to 52.95 per 1,000 strength, and such instances might be multiplied many fold.

It is the surgeon speaking. He is a man who is responsible for the health of the Army, and of course he uses all appliances and appurtenances which, in his opinion, will conduce to good results. Then he goes on to talk about the advantage of beer in the tropics, and gives some quotations from Manila, and so on. Then he says:

The cases of delirium tremens will be accepted by all as furnishing reliable data by which the gravity of the admissions for alcoholism may be determined. It is therefore of interest to observe that for the seven-year period above noted, prior to the complete adoption of the canteen system, the average annual admissions for this cause—actual numbers—was 23.8; while for the six-year period of peace following the establishment of this system the average number of men admitted yearly for delirium tremens was 16.6—a reduction of 31.3 per cent in this serious class of cases. It can scarcely be doubted that this remarkable decrease was chiefly influenced by the substitution of beer, a milder beverage—which rarely produces such effects—for the distilled liquors whose free use is well known to result in great mental excitement and nervous exhaustion.

It is recognized that alcoholism and insanity are closely related through the direct influence exerted by intoxicants in the production of mental aberration. Hence it is not surprising to find that the average number of cases annually coming under treatment was 35.1 for the seven-year period, 1885-1891, prior to the complete establishment of the canteen system, and only 24 as an annual average for the six subsequent years, 1892-1897.

Now, gentlemen, do not these figures, which no man in his senses can dispute, tell the whole story? Which is better for the soldier? I ask Senators, are you going to vote against this beneficent system, on which the health, and the temperance, and the morality, and the comfort of the soldier depend, because somebody at home who does not know what the record shows has requested you to vote against selling anything that is intoxicating to the soldier, even such a thing as beer. Some people think buttermilk will make you drunk if you drink enough of it.

Mr. GALLINGER. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Mississippi yield to the Senator from New Hampshire?

Mr. MONEY. Certainly.

Mr. GALLINGER. I will say to the Senator that at the proper time I think I shall be able to disprove some of the statistics he has quoted or that certain other Senators have quoted. But I want now to call his attention to the fact that those of us who are against this proposed amendment are not arguing that we ought to go back to the old condition of things, which the Senator says was so much worse than the present, but we want to take a step forward and eliminate it altogether. I should like to have the Senator address himself to that phase of the question, whether he, as a temperance man, does not think that if we went one step forward we might still further decrease the number of soldiers going to hospitals and those suffering from alcoholism, insanity, and other unfortunate conditions.

Mr. MONEY. I think not, because we have the testimony as to the condition when there was no canteen, and that is exactly what I have been reading to the Senate.

Mr. GALLINGER. But there was a post trader, a sutler, in connection with the Army at that time.

Mr. MONEY. He was prohibited from selling whisky. He could not sell ardent spirits.

Mr. GALLINGER. But he did.

Mr. MONEY. That is a question which has got to be proved.

Mr. GALLINGER. Well, there is no doubt about it.

Mr. MONEY. A mere statement will not go down, because the Senator can not possibly know it of his own knowledge. We can only take the official papers on which to make a statement here, and I will not make a statement that is not backed up by the record of the Army.

Now, I ask Senators if we can not accept the statement here of the General of the Army, or the Secretary of War, or the Adjutant-General, or the surgeons of the Army, then I want to know to what quarter we will turn for information?

Mr. GALLINGER. If the Senator will permit me, I will state

that the General in Command of the Army, the Surgeon-General of the Army, and the Adjutant-General of the Army have testified on both sides of this question, and the Senator must know it.

Mr. MONEY. Excuse me; I did not know it. I accept it as a matter of information that is quite interesting; but nevertheless I understand that the very last thing they did say was in favor of the canteen. Here is the printed record at least, and I am going by the printed record.

Mr. CARTER. Will the Senator permit me one moment?

Mr. MONEY. Certainly.

Mr. CARTER. I will suggest that the testimony of the Surgeon-General of the Army, the testimony of the General of the Army, who, by the way, initiated the movement for the abolition of the old tradership, and the testimony of the Adjutant-General all happened to be given against the canteen before it was instituted. In the light of experience they have changed their views, and they have so stated.

Mr. MONEY. That is exactly the remark I was about to make, that they were talking before taking and after taking.

Mr. GALLINGER. If the Senator will permit me, the canteen was established in 1889, and the Adjutant-General of the Army gave his opinion in 1899 against it.

Mr. MONEY. In 1891.

Mr. GALLINGER. In 1892 and again in 1899.

Mr. MONEY. The canteen was established in 1891, according to the official document here.

Mr. GALLINGER. That was in 1899.

Mr. MONEY. Now we get down to what the surgeon says about good order:

The canteen, for the maintenance of good order in which a commissioned officer is held responsible, is an aid to discipline as well as to the health and morals of troops. It provides a resort which, while under thorough military control, offers inducements to the men to remain at home and spend their idle time within the limits of the post; this condition obviously being far preferable to the one formerly existing, when the nearest and generally patronized places of amusement and refreshment were the grogshops, usually with brothel annexes, which marked the limits of each military reservation.

Now, that is before taking. That is what the surgeon says, speaking from his experience, his personal observation, and his treatment of the men in the character of a physician. He has tried it both ways. He is the man I am quoting here, and he seems to be a man of such reputation for ability that he is now writing a book on this question. What I read is simply an extract from his forthcoming book, but it is also an answer to the inquiry made by the Adjutant-General.

Except with the most dissolute class of men the soldier is well satisfied to patronize the canteen to the exclusion of outside saloons, knowing as he does that he receives good value for his money in articles of excellent quality, and fully appreciating that the profits of the institution ultimately accrue entirely to his benefit, and are not, as with the case of outside tradesmen, diverted to the advantage of others. Besides the congenial resort which it furnishes, the influence of the profits of the canteen in promoting contentment among troops can scarcely be overestimated, contributing as they do to improvement of the food, the attainment of wholesome amusement, and the provision of much by which the soldier's life is made less irksome and he himself rendered more efficient in the performance of his military duties.

That is as far as that goes.

Now, I am going to come to the percentage of desertions from the Army. Desertion from the Army is one of those offenses that carries with it a certain moral obloquy. No man ever looked with patience upon a deserter from the Army. I do not care what his record had been, whenever he deserted he wiped out all the glories of his past achievements and stamped himself upon the minds of his contemporaries as a man of moral turpitude, at least, if not worse. Now, what were the desertions up to the canteen establishment? Here is the table giving the percentages:

Year.	Average strength.	Deserted.	Per cent.
1885	24,816	2,626	10.6
1886	24,365	2,012	8.3
1887	24,438	2,525	10
1888	24,790	2,678	11
1889	25,564	2,730	11
1890	24,930	1,922	7.7
1891	24,525	1,398	5.7
Average for 7 years before canteen system was thoroughly established			9.18
1892	24,869	1,410	5.7
1893	25,670	1,632	6.3
1894	25,661	926	3.6
1895	25,209	1,341	5.3
1896	25,143	858	3.4
1897	25,300	726	2.9
Average for 6 years after canteen system was thoroughly established			4.53

That is as to desertions. So the canteen has certainly helped that matter.

From the above table it is observed that during the first year after the canteen system was authorized the rate of desertions fell 26 per cent—

A pretty good decrease for the first year—

while in the next year the rate was further reduced to 49 per cent.

So we certainly improved the Army in that respect.

For the five years previous to the establishment of the first officially recognized canteen the number of men annually deserting from the service, per thousand strength, amounted to 101—

Just think of it, an Army loses 101 men by desertions out of every thousand every year.

While for the eight years immediately subsequent to the institution of this system the annual number of desertions was reduced to 50 per thousand strength. The decrease since noted has been practically progressive—

That is, the desertions are getting less and less frequent.

and for the two years immediately prior to the war with Spain scarcely one-fourth the number of men, as compared with the three years immediately prior to the introduction of the canteen system, found the military service so uncongenial as to desire to escape from completing their terms of enlistment. These results are certainly most gratifying—

No, they are not; they are not gratifying to very many people who are sorry that the canteen has not resulted in general drunkenness.

These results are certainly most gratifying, and there is no reason for believing that with the development of the canteen along its legitimate lines of growth a still further decrease in the present small rate of desertions may not be confidently anticipated.

Well, I confidently anticipate it. I confidently anticipate the improvement of the morals of the Army in all the particulars to which these questions are directed, and the reason for my confidence is found in the reports which I am reading now. I will place these official reports of the men, and the only men, who can know anything about it, the men who are most concerned about it, against every humanitarian theory that was ever held in the world by persons who want to do right, who want to promote temperance. I want to give them credit for everything, and I want to say that I am in no respect half as good as any of the good women who have asked for this legislation. I think I am a great deal better than most of the men, but I give them credit for wanting what I want.

Drunkenness is certainly prevented by the constant military supervision to which the canteen is subjected. The men themselves are usually careful not to indulge alcoholics to the point of inebriety, while such few individuals as are inclined to be forgetful of the dangers of excess will usually be restrained by companions, or by those connected with the canteen, from passing the bounds of actual intoxication.

Why? Because the soldier who enjoys the canteen soberly knows that he will be deprived of its comforts, and its facilities, and its congenial companionship if it gets a bad name for drunkenness. Therefore, he will not permit a comrade to take a drink too much, and the civilian who sells the drink, who has no sort of share in the profits of the concern, who gets a fixed salary, knows he will lose his job if he gets a man drunk. Then the whole thing is conducted under the eye of an officer, who goes around occasionally and says, "Boys, how are you getting on? Is everything going on right here? Is everything comfortable? I'm glad to see you all;" and so on.

Hence brawls and disturbances, with resulting court-martial, have, since the introduction of the canteen system, become relatively infrequent—

Now, that is a good point—

Hence brawls and disturbances, with resulting court-martial, have, since the introduction of the canteen system, become relatively infrequent, and pay day, formerly synonymous with debauchery and riotous disturbance, is now scarcely to be distinguished by its effects from any other day.

That is what your canteen has effected for the post.

As illustrating the marked reduction of convictions for drunkenness, or complications arising therefrom, since the establishment of the canteen, the following figures, from the reports of the Judge-Advocate-General, are of interest:

Perhaps the Judge-Advocate-General has changed his opinion, but whether he has or not, here is the report he makes to the Secretary of War, and we have got to take it as meaning all that he says. Then he goes on through certain years here:

Year.	Total number of trials and convictions in the Army.	Number of trials and convictions for drunkenness and conditions arising therefrom.
1886	1,640	342
1887	1,730	289
1888	1,999	357
1889	1,752	423
1890	1,907	407
1891	2,000	417
1892	2,198	228
1893	2,189	163
1894	1,728	120
1895	1,486	142
1896	1,384	168
1897	1,245	143

Now, this is an important point—

Average for the 6 years 1886-1891	1,838	372.5
Average for the 6 years 1892-1897	1,605	160.6

I read further:

From the above figures it is evident that, coincident with the thorough establishment of the canteen system, there has occurred a decrease amounting to considerably more than one-half the drunkenness, which formerly tended to the impairment of discipline, the demoralization of individuals, and to the occurrence of assaults, injuries, and deaths. It is idle to deny that this excellent result has not been largely due to the attraction furnished by the canteen, combined with the military discipline which prevails in that institution and which reduces to a minimum the possibility of dangerous excesses.

The influence of this institution in promoting order and contentment is less directly, though none the less positively, shown by the number of soldiers making savings deposits with Army paymasters.

Then it goes on:

It is claimed—

Now, I ask the attention of the Senator from New Hampshire, if he will oblige me, to this one sentence in the remarks of the surgeon—

It is claimed by the advocates of total abstinence that by the sale of beer in the canteen the health and morals of the soldiers are impaired; that such tacit encouragement on the part of the Government favors indulgence in alcoholics and that drinking habits are thus formed by those who might otherwise have remained sober men. These objections are purely theoretical and and are at variance with facts as observed since the establishment of the canteen. The sale of beer, under suitable restrictions, undoubtedly results in good rather than evil to the troops at large and may properly be looked upon as a safety valve for those accustomed to look upon the use of a certain amount of liquor as both harmless and proper.

* * * * * * *

That beer drinking, viewed in the abstract, is unproductive of good will be admitted by all—

I say so, as well as the Senator from New Hampshire, and the best women of the Woman's Christian Temperance Union, as well as the best of divines who ever entered the pulpit. I say to drink anything is bad, and I do not drink, and I do not want anyone to drink unless he feels like it; and if he does, I do not intend to prevent him. Here is what the surgeon says:

That beer drinking, viewed in the abstract, is unproductive of good will be admitted by all: that, when properly controlled, its sale in canteens, rather than its prohibition, redounds to the general health, morals, and military efficiency few, if any, who are conversant with the subject would attempt to deny.

The trouble is it is denied by those who are not conversant with the subject, by people who have good theories of religion, people who lead Christian lives and pure lives, who come to us with a theory that suits them, but it does not suit the soldier. The soldier does not join the temperance society. He is simply one of the body politic who goes out of civil life and enrolls himself under the flag; that is all. He is simply a human being, and he has the same appetite when he gets into camp that he had in the village or farm or the workshop or whatever it may be that he has just left. He is just the same man, and he is to be treated as a responsible creature; and when we find that total prohibition encourages drunkenness and has all other sorts of demoralizing results, and that the sale of beer in the canteen promotes good results, it is our business to vote for it, in my opinion, and I shall take the liberty to do it anyway.

It is certainly unfortunate that the temperance element in civil life—

Now, here is coming home—

It is certainly unfortunate that the temperance element in civil life, which is so constantly endeavoring to enact legislation against the sale of alcoholics of any character in the military service, can not be brought to regard the matter from the practical rather than the sentimental aspect, and thus assist in controlling and largely curtailing an evil which it is powerless to prevent and which, if its efforts toward restrictive legislation should be successful, would undoubtedly be greatly increased.

Now, that is what the learned doctor says about that. It is an extract from the book, which he is willing to submit to the literary criticism of the world and to the criticism also of his professional friends; a man who must be careful in what he says, because he must take criticism, and a good deal of it, both from a literary and from a professional standpoint, but he submits this as the best thought in him after his long personal observation and treatment of soldiers from the effect of whisky.

Now, Mr. President, that is the case as I make it from official records. I have nothing in the world outside. I have not taken the good wishes of the dreamer; I have simply gone for facts, and that is where every lawyer ought to go, upon which to base an argument. As I said at the beginning, this argument is not intended to convince anyone, but it is intended to show the people whom I have the honor to represent a good and substantial reason for the vote I shall cast here that I desire exactly what they desire, but that the ways and means which they tell me to pursue are not those that my judgment says are the best.

Therefore, Mr. President, believing that the canteen is a good thing for the soldier, believing that its abolition would increase drunkenness, alcoholism, mental aberration, insanity, disease, discomfort, inconvenience, lack of discipline, loss of days in the service of the country, and general degradation of the individual, I shall stand here and speak for the soldier and vote for him, for he is first to be considered. It makes no difference to me who is pleased or who is displeased. Are we responsible for the well-being of the soldier or not? You can not shake off the reins of responsibility and get behind a lot of telegrams and letters sent to you by somebody who has no responsibility whatever in the matter.

It is well enough to say that you want to please your constituents. Every Senator wants to do that. I want to please my constituents. But I am never going to sacrifice my sense of duty to please anyone, I do not care who it is. I am going to do just exactly as I think is right. I have pursued that course for a long time and I have never yet been called to account for doing it, even by those who had been against me and whose requests I was compelled to deny. No man here in the Senate or in the House, which passed this bill by such an overwhelming majority, has higher respect for the church or for the influence of the women of the country.

I know that the women are the great corrective principle in human society, and without them and their influence we would become a lot of savages. I have been a soldier; I have been in mining camps; I have been amongst sailors, and wherever woman is excluded the man rises very little above the brute. I understand all that, and I understand that women, with their strong subjective minds, very rarely make a mistake on moral questions. They do not reason, as men do, to an end. The emotions all belong to the subjective mind, and it is the objective mind that reasons from given facts to certain conclusions that must control. You will find that painters, musicians, orators, the great architects, all classes of genius who get their inspiration from the subjective mind, from the emotions, have led very irregular lives. History teaches us that. The objective mind is not strong enough in its reasoning faculties to control the appetites or the suggestions of the subjective mind.

Mr. President, I shall have something more to say about this bill before we get through with it, but this is one of the amendments of the committee to which I can give my hearty concurrence. From the bottom of my soul I believe, if it is stricken out and the bill remains as sent here by the other House, I would—I will not say what I was about to say, as it might be considered disrespectful to that honorable body; but I say if we strike this out, in my opinion, we shall very soon be regretting it, and while you have heard from a great many to-day in favor of this thing, you will hear from ten times as many in five or six years if you do not vote for it.

Mr. GALLINGER. Mr. President, I shall occupy the time of the Senate but a very few minutes in the further discussion of this amendment.

It was not necessary for the amiable and distinguished Senator from Mississippi [Mr. MONEY] to tell the Senate that he is entirely sincere in the advocacy of the amendment; neither is it necessary for us on the other side of the question to assure the Senate that we are equally sincere. It was not necessary for the Senator from Mississippi to even suggest that those of us who are opposed to this amendment are being influenced by outside parties or outside considerations, and that——

Mr. MONEY. Will the Senator permit me?

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from New Hampshire yield to the Senator from Mississippi?

Mr. GALLINGER. Certainly.

Mr. MONEY. I hope the Senator has not so poor an opinion of me as to suppose that I intended to reflect upon the sincerity of the Senators who take the other side of this question.

Mr. GALLINGER. Of course, I know the Senator would not intentionally have done so, and I very gladly acquit him of any such purpose; and yet when the Senator reads his remarks in the RECORD, I feel sure he will observe that I had entire warrant in calling the attention of the Senate to some utterances that fell from his lips.

Mr. MONEY. Mr. President, of course in what I said I only intended to say that some of my friends had told me that they were yielding to public sentiment at home upon this question.

Mr. GALLINGER. Then we meet on common ground so far as the matter of sincerity is concerned. We are discussing a great question upon a ground upon which all honest and right-minded men can stand, whatever their convictions or opinions may be.

Two or three matters have been mentioned in the debate to which I shall very briefly call attention. In the first place, it has been asserted vehemently, and with apparent authority, that since the canteen was established desertions in the Army have been 40 per cent less than they were previous to that time, and that the number of soldiers treated in hospitals has been 40 per cent less than previous to that time. I will in a moment call attention to the fallacy of that reasoning.

The Senator from New Jersey [Mr. SEWELL] said that American soldiers should not be put in a reformatory, that young Americans would not volunteer under such conditions. Well, Mr. President, that is precisely the condition that exists in the Navy to-day; and, in answer to the distinguished Senator from Mississippi, when he says that sailors can not step off the ship on the ocean to go to a grogshop and get drink, I want to say that our ships are in port

a much larger portion of the time than they are sailing on the broad seas. So that argument has not very much force.

I was interrogated about this naval order and was not at the time very well prepared to answer. I have now the data. It was during the civil war that the time-honored grog ration of the Navy was abolished. The custom of serving drink to sailors and of issuing extra grog rations before battle is as old as the naval history of the Anglo-Saxon race, but in July, 1862, Congress passed a law abolishing that custom in the American Navy. The language of the act was:

That from and after the 1st day of September, 1862, the spirit ration in the Navy of the United States shall forever cease, and thereafter no distilled spirituous liquors shall be admitted on board of vessels of war except as medical stores and upon the order and under the control of the medical officers of such vessels, and to be used only for medical purposes.

From and after the 1st day of September next there shall be allowed and paid to each person in the Navy now entitled to the spirit ration 5 cents per day in commutation and lieu thereof, which shall be in addition to the present pay.

A very wise provision; and if we give our soldiers 5 cents per day in addition to their present pay, as is given to the sailors under this law, it seems to me that it would make up the profits that they are now getting from the sale of spirituous liquors in the canteens.

In addition to this, Secretary Long, who is a well-known temperance man, under date of February 3, 1899, issued General Orders, No. 508, which reads:

GENERAL ORDERS, No. 508.

NAVY DEPARTMENT, *Washington, February 3, 1899.*

After mature deliberation the Department has decided that it is for the best interest of the service that the sale or issue to enlisted men of malt or other alcoholic liquors on board ships of the Navy, or within the limits of naval stations, be prohibited.

Therefore, after the receipt of this order, commanding officers and commandants are forbidden to allow any malt or other alcoholic liquor to be sold to, or issued to, enlisted men, either on board ship, or within the limits of navy-yards, naval stations, or marine barracks, except in the medical department.

JOHN D. LONG, *Secretary.*

Mr. President, it seems to me that no trouble has come from this prohibition. There has been no difficulty about enlistments in the Navy so far as I know, and it seems to me that what is good for the sailor may be good for the soldier.

There is a good deal of testimony that might be cited on the part of prominent naval officers in favor of total abstinence in the Navy. Rear-Admiral Sampson is on record as saying:

I think there is but one opinion among officers of the Navy about grog, and it is that alcoholic liquors have no place in the Navy of the United States except as a medicine. Intoxicating liquors of all sorts should be abolished.

Commodore Gibbs gives very emphatic testimony. He says:

In my opinion there can be no question that the public good would be greatly enhanced by the exclusion of alcoholic drink, as a beverage, from both Army and Navy circles. The man who needs the stimulus of alcoholic liquor to enable him to perform his duty is not to be trusted in any capacity. In my experience of nearly fifty years as an officer in the United States Navy I think I can safely say that 90 per cent of all punishments inflicted on board ship that have come under my observation can be traced directly to rum.

Rear-Admiral Kimberly, a very distinguished naval officer, says:

I should say, as a naval man, that alcoholic liquor could be dispensed with with advantage, except for medical purposes.

In the Navy the grog ration has been abolished for years and coffee substituted in the early morning before any work is done. I look upon alcoholic drinks as medicine, and they should only be used as such.

The Senator from Connecticut [Mr. HAWLEY] quoted Colonel Patrick, of the Dayton Soldiers' Home, who, he says, is a strong prohibitionist, but who, notwithstanding, believes in the canteen. Mr. President, whenever I hear of a strong prohibitionist who believes in liquor selling it reminds me of that old man down in Maine who said he was "for a prohibitory law, but agin its enforcement." That seems to be about the situation that Colonel Patrick is in. He is a prohibitionist who does not believe in the sale or use of intoxicating drinks, but believes in the canteen, where intoxicating liquors are sold. His testimony is not very important.

Mr. President, great stress has been laid upon certain so-called statistics in the discussion of this question by the Senator from New Jersey [Mr. SEWELL], the Senator from Connecticut [Mr. HAWLEY], and the Senator from Mississippi [Mr. MONEY]. It has been asserted over and over again that crime has decreased 40 per cent since the canteen was established and that the number of persons in hospital has decreased 40 per cent. I turn to the hearings before the Committee on Military Affairs, from which copious extracts have been made, and on page 40 I find the table the Senator from Connecticut used to illustrate what he said were facts, and what do I find? Let it be borne in mind that the canteen was established in 1890. I turn to this table, and I find under one caption, "Total number of trials and convictions in the Army," that in 1886 there were 1,640; in 1887, 1,730; in 1888, 1,999; in 1889, 1,752; making a total of 7,121 trials and convictions in the Army during the four years previous to the establishment of the canteen. Now, we take 1890, and there were 1,907; in 1891, 2,000; in 1892, 2,198; in 1893, 2,189, or a total of 8,294.

So that there was an increase of "trials and convictions" during the first four years after the canteen was established of 1,173, being an increase of about 16 per cent in the "trials and convictions" during the four years that the canteen was established, as compared with the four years prior to its establishment, instead of a decrease of 40 per cent.

It is true that under the head of "number of trials and convictions for drunkenness and conditions arising therefrom," a very elastic suggestion, there was a slight decrease. In 1886 there were 342; in 1887, 289; in 1888, 357, and in 1889, 423, while in 1890 there were 407; in 1891, 417; in 1892, 228, and in 1893, 163. The first table shows a total of 1,411 and the second table of 1,215, showing that there was an increase of about 15 per cent of "trials and convictions for drunkenness and conditions arising therefrom," while there was an increase of the total number of "trials and convictions in the Army."

I submit, Mr. President, that this does not sustain the contention that there was a decrease of 40 per cent after the canteen had been established, there being an increase of the total number of "trials and convictions" and a slight decrease in the "trials and convictions for drunkenness and conditions arising therefrom."

I think, Mr. President, that is all I care to say about this matter. There are some other points that might well be considered, but other Senators will doubtless take them up. I wish to say, however, that I am extremely gratified that this debate is proceeding along the lines it is. I am glad that Senators are thoughtfully addressing themselves to this question, whether they agree with me or not.

The debate will go out to the country; it will be read by the men and women of this nation, who are thoughtful people, whether they are moved by sentiment or by conviction, and it will have an educating effect upon them. It will lead them to investigate this matter for themselves; and I trust it may direct their attention to the physiological, economic, and scientific aspects of the case, and that they may the better prepare themselves for good citizenship by carefully scanning the expressions of Senators who have given some little thought to this question.

Whatever the outcome may be, Mr. President, I shall have no regrets that it was my privilege to participate in the discussion, and that I have had an opportunity once more in the Senate of the United States of putting myself on record as against the sale and use of intoxicating drinks in all forms.

Mr. HANSBROUGH. Mr. President, I do not suppose that any amount of discussion on this subject would result in the change of a single vote one way or the other. Men's minds are pretty well made up on propositions of this kind, and I do not regard a lengthy debate here as necessary in reaching a final conclusion. It does seem to me, however, as if there should be some slight reference made to the legislative history of this case.

Two years ago, or nearly so, this question came up in the House of Representatives, and a provision was inserted in the Army bill of 1898 prohibiting what is known as the canteen. The bill came to the Senate and was referred in regular order to the Committee on Military Affairs, where, after due consideration, the House provision was stricken out. When the bill was reported to the Senate I had the honor to offer as an amendment the House provision, with some slight changes, and it was adopted by the Senate without discussion or division.

When the present measure came up in the other House last month the same anti-canteen clause, with a few changes intended to meet the objections that were found by the Attorney-General to the original anti-canteen legislation, was proposed, and was there adopted by a very large majority. The bill then came to the Senate, and the Senate Committee on Military Affairs has reported an amendment which admits of the sale of beer, which, of course, puts continued life into the institution known as the canteen. So much for the legislative history of the matter.

Something has been said here in regard to the vital statistics in the Army as influenced by the liquor that is allowed to be sold to the soldier. I have here some figures which, it seems to me, should go into this debate, because they are both pertinent and important. These statistics show that from May 1, 1898, to June 30, 1899, the average military strength of the regular soldiers in the Army was 56,218, and the average military strength of the volunteers was 112,041, there being nearly twice as many volunteers as regulars.

I refer to this by way of illustrating the fact, as it seems to me, that the volunteers, being drawn from the homes throughout the country and being under the influence of the reforms that are practiced in those homes, are not perhaps as susceptible to disease, insanity, etc., as are the regulars in the Army who are under the constant influence of the canteen. I think that is the logical conclusion to be drawn from these figures.

Between the above dates—that is, between May 1, 1898, and June 30, 1899—among the regulars 1 officer and 32 enlisted men committed suicide; and among the volunteers, with more than double the number, 1 officer and 20 enlisted men committed sui-

cide. Among 56,000 regulars 26 soldiers died from murder or homicide, and among the 112,000 volunteers the same number, 26, died from murder or homicide. Among the regulars 924 men were dishonorably discharged by sentence of general court-martial, and 508 amongst twice as many volunteers. Amongst 56,218 regulars, in the above period, 3,036 deserted, while out of twice as many volunteers only 2,736 deserted.

Reference has been made here this afternoon to the position taken by various army officers on this subject, and it has been alleged that the Adjutant-General of the Army has been both for and against the institution of the canteen. That, I believe, is not denied; but it is alleged that the Adjutant-General was against the canteen prior to its inauguration as an institution in the Army, and that he is now in favor of it after having seen the workings thereof. I think it well that General Corbin should be accurately quoted on that point.

The canteen existed in 1892, and was at that time rapidly succeeding what was known as the trader's store of the army post. Every Western Senator understands what the post trader's store was in the army posts of the West. The post trader's store, or some building that was attached thereto, coming within the supervision of the post trader, it is well understood was merely a liquor saloon, where liquor was dispensed freely and without restraint. I have been in those Western military posts, and know whereof I speak.

The canteen succeeded the military post trader's liquor saloon of the early days. I have no doubt that it was an improvement over the post trader's store, perhaps a considerable improvement, but certainly the Adjutant-General of the Army knew of the influence and effect of the post trader's store when he spoke in 1892 of the canteen and said:

A cause of restlessness (in the Army) is traced to the excesses of the exchange, the saloon feature of which is not productive of good and should be done away with without further experiment. The sale of beer superintended by a commissioned officer and served by noncommissioned officers and soldiers is not conducive to discipline, nor is it a picture that can be submitted to the people for their approval. The men who drink spend the greater portion of their money for beer. The credit system brings them to the pay table with little or no money due. This takes all heart out of them and makes them quite ready to ask their discharge and try some other calling.

This was the evidence of the present Adjutant-General in 1892, and I am informed that he held to that opinion up to about the time that the unfortunate construction placed upon the law of 1898 was issued, when he is said to have changed and to have come over to a belief in the canteen system.

Mr. President, I want to call attention to the fact—and not in a spirit of criticism—that the Committee on Military Affairs, in their report to this body, has placed in that report about everything that came before that committee in favor of this amendment; in other words, in favor of the sale of beer or in favor of the canteen; but I find very little material in the report of the committee on the side of those who do not believe in the canteen.

It is a somewhat remarkable fact, it seems to me, that in Report No. 1771 we find the evidence of the Secretary of War, the letter of the Adjutant-General, and the testimony of various commanding officers in the Philippine Islands in favor of the canteen, but we do not find in the same report anything from those who declared against the canteen; and, on this account, I was led to believe that perhaps all the Army officers had come over to the side of liquor.

It was such a remarkable condition of things that I looked it up, and I find upon investigation that quite a number of Army officers reported to the Secretary of War against the canteen, but their statements were not put in the report of the Committee on Military Affairs. I do not think it was exactly fair to the Senate, and for that reason I propose to insert in my remarks and to read from many of the statements made by Army officers who are opposed to the canteen.

Mr. TELLER. I should like to ask the Senator a question?

Mr. HANSBROUGH. Certainly.

Mr. TELLER. Were any of the officers who reported against the canteen heard before the committee?

Mr. HANSBROUGH. I do not know as to that.

Mr. HAWLEY. May I make a remark?

Mr. HANSBROUGH. Certainly.

Mr. HAWLEY. All the talk about the canteen is in one pamphlet. The Senator will find on page 37 of the pamphlet a list of officers who favor it.

Mr. HANSBROUGH. There are two reports, it seems, from the Military Committee, one of them embracing the hearings on the canteen question, and that report contains the testimony on both sides of the question. The other report, the one to which I called attention a while ago, Report No. 1771, does not contain anything derogatory to the canteen, but does embrace about everything there is in favor of it. That is what I referred to. I do not criticise the committee. I am referring to it as a fact, and it makes it rather awkward for Senators who desire to read both sides of the question.

Mr. BUTLER. The Senator certainly must be satisfied with the large amount of the committee report that is devoted to the canteen. About nine-tenths of it is on the canteen question. I suppose the Senator's objection is that they did not give more on the canteen question.

Mr. HANSBROUGH. My objection is that in the regular report of the committee everything that is there on the canteen question is in favor of it.

Mr. BUTLER. That is nine times as much as there is about anything else.

Mr. HANSBROUGH. I make no objection to the amount on the subject that may be found in the report.

Mr. BUTLER. The Senator, then, would not object to having these hearings, that give both sides, printed, together with the other part of the hearings, so that persons who want to read both sides can get it when they write to us?

Mr. HANSBROUGH. You would be obliged to get both reports to do that.

Mr. BUTLER. The Senator knows the trouble of furnishing them when they are not printed together, and especially when one is not printed as a Senate document. If the Senator will not object, at this point I should like to offer a concurrent resolution, to be printed and lie on the table, to be called up in the morning, providing for the printing of them together.

The PRESIDING OFFICER. Does the Senator ask to have it read?

Mr. BUTLER. Yes; let it be read.

Mr. HANSBROUGH. I yield for that purpose.

The PRESIDING OFFICER. The resolution will be read.

The Secretary read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed as a Senate document 15,000 copies of the hearings before the Committee on Military Affairs on Army bill (S. 4300), of which 5,000 copies shall be for the use of the Senate and 10,000 copies for the use of the House of Representatives.

Mr. ALLISON. That covers the whole thing?

Mr. BUTLER. That is all there is.

Mr. ALLISON. It is not.

The PRESIDING OFFICER. The resolution will be referred to the Committee on Printing.

Mr. BUTLER. It is part of the hearing, is it not? The resolution calls for the printing in one document of the hearings before the committee.

Mr. GALLINGER. If it is a concurrent resolution, I suggest to the Senator that he add the hearings before the House committee, if they had any.

Mr. BUTLER. I do not object to that.

Mr. GALLINGER. The resolution will go to the House.

Mr. BUTLER. I should be glad to have it amended.

Mr. GALLINGER. I suggest that amendment, if it is a concurrent resolution.

Mr. BUTLER. I accept the amendment.

Mr. GALLINGER. Say before the committees of both Houses of Congress.

Mr. BUTLER. I will amend the resolution so as to call for the printing in one document of all the hearings before the Senate committee and all the hearings before the House committee on this subject.

Mr. HANSBROUGH. I hope this discussion will not proceed at great length. I desire to finish.

The PRESIDING OFFICER. The Senator from North Dakota is entitled to the floor. The Chair understood him to yield for this purpose.

Mr. HANSBROUGH. Do I understand that the Senator from North Carolina has concluded?

Mr. BUTLER. The clerks are perfecting the resolution.

The PRESIDING OFFICER. The Senator from North Carolina wishes to have the resolution modified. As modified it will be read.

The Secretary read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed as a Senate document 15,000 copies of the hearings before the Committee on Military Affairs of the Senate and the House on Army bill (S. 4300), of which 5,000 copies shall be for the use of the Senate and 10,000 copies for the use of the House of Representatives.

Mr. BUTLER. I think the resolution is plain enough, but I wish to have it understood that it calls for the printing in one document of the hearings before both committees, the committee of the House and the committee of the Senate.

The PRESIDING OFFICER. The resolution will be printed and referred to the Committee on Printing.

Mr. BUTLER. If the Senator does not object, I will ask for unanimous consent that it may be passed now.

Mr. HANSBROUGH. I think it had better go to the Committee on Printing.

The PRESIDING OFFICER. Without objection, it will be referred to the Committee on Printing.

Mr. HAWLEY. I offered a resolution, by instruction of the committee, to have 3,000 copies of the report printed. I think I

ought to move to reconsider the vote by which that resolution was passed, because you are proposing to print everything in one volume. Is that it?

Mr. BUTLER. Yes.

Mr. ALLISON. Let that motion rest.

Mr. HAWLEY. Let that motion rest.

Mr. HANSBROUGH. Mr. President, I was calling attention to the scattered condition of the testimony that has been given on this subject. I desire to say, however, that the testimony is not all one-sided. What I shall now read is taken from the report of the Secretary of War for 1899, and in answer to the question, "What, in your opinion, would be the effect of an absolute prohibition of the sale of beer in the Army? Are you in favor of such prohibition, or are you in favor of the exchange as conducted at present?"

I will say that this interrogatory was sent out by the Secretary of War after the canteen had become a very live topic of debate in this country, after the passage of the act of 1898. I suppose that all the Army officers to whom this inquiry was sent replied. I find quite a number of the replies in the report of the Committee on Military Affairs, and I find a great number of replies in the report of the Secretary of War. I propose to read briefly from some of those replies, and I will ask that they be inserted in full in my remarks. The first of these replies is from Capt. William F. Stewart, commanding Battery E, and he says:

Beneficial. I am in favor of abolishing the exchange.

The next is from First Lieut. Ira A. Haynes, commanding Battery G. He says:

There would probably be more trials for absence without leave, and more deserting for a while, but I believe on the whole the effect would be good. No man can predict with certainty. I am in favor of giving such prohibition a fair trial. I have served three terms (each of several months) as exchange officer, two at Washington, D. C., and one at Fort McPherson, Ga. I have also served for several years in posts where canteens were in existence.

Suitable buildings should, I think, be erected and kept in thorough repair by the Government. The steward should be paid sufficient salary to procure the services of a thoroughly good man. This also applies in some degree to the attendants, but is especially important in the case of the steward. The matter of dividend to the organizations sharing in the exchange should not be considered. I believe that the ration should be made such as to obviate the necessity for this means of increasing the company fund.

Mr. President, much stress has been laid upon the fact that the chief purpose of the canteen is to raise a fund out of which the soldiers might purchase the necessary luxuries of their Army life, and which are not issued as rations. In one instance, I believe, referred to by the Senator from New Jersey, it is shown that something like $1,800 was raised as the result of the operation of the canteen or post exchange.

I think this was at the Military Academy. Of course, if it is a question of luxuries for the soldiers, the luxuries can be measured only by the amount of beer they may drink. I have no doubt if the canteen should succeed, if it should receive sufficient encouragement, that after a while the soldiers might be taught to drink a sufficient amount of beer to pay the entire expenses of their sustenance.

Mr. GALLINGER. If they did not spend their money for beer, they could buy the luxuries.

Mr. HANSBROUGH. It seemed to me that that would be the inference. I thought it unnecessary to refer to it directly. Senators can see for themselves that if the soldiers saved their money instead of spending it for beer they might buy something more than the necessary luxuries. They might be able to send a little of the money they earn back to their parents or to their poor relatives.

Then we have the testimony of Second Lieut. Edward Kimmel, commanding Battery G. He says:

To a certain considerable extent would lessen the use of beverage and to that extent the effect would be beneficial. Am in favor of the prohibition. In my opinion, there is no good to be derived from the use of beer. On the other hand, it has a degrading influence on the soldier physically, intellectually, and morally. The soldier may obtain beer in some other way, but the Government should not counteract its own efforts toward the making of a good soldier by supplying that which will impair his efficiency.

It seems to me that the argument of those who advocate the prohibition of the canteen is contained in a nutshell in that statement.

Capt. E. H. Catlin, commanding Battery I, says:

I have been stationed at posts where canteens existed for ten years. It seems to me contrary to good morals to give official sanction to the sale of alcoholic drinks to soldiers, especially to recruits, some of whom in the canteen acquire the taste for drink that ruins them, a taste that they would not acquire elsewhere. The fact that it is considered inexpedient for soldiers to sell beer is enough to condemn its sale by civilians. To myself personally it is repugnant to have any connection with the management of the beer feature of the exchange, which is a catering to men's lower tendencies.

Then there is the statement of Capt. William Stanton, commanding Troop C, to the same effect:

There would be less drunkenness at the post, and, I think, no more in the town or other places near the post. I am in favor of such prohibition. The canteen at a post is a temptation to many who would not take the trouble to go outside the post for a drink. This is especially the case with young men who have not formed the habit of drinking; even men of intemperate habits might often be prevented from getting drunk if intoxicants were not so conveniently placed within their reach.

The plea that you can limit the amount of beer sold to a man in the canteen is fallacious. The bartender who will refuse a man beer when he thinks he has had enough will, I suspect, be hard to find. I believe that the exchange without the canteen can not be maintained, and in consequence the profit now enjoyed by the companies must cease, and it is to this fact I attribute much of the support which the canteen receives from officers of the Army.

Here is the statement of Capt. F. Wheeler, commanding Troop E. He says:

I have observed the workings of the canteen feature of the exchange system while serving as canteen officer for six months and on canteen council frequently, being in the service and on duty at post all but nine months since canteen was started in 1890. I have no objection to the moderate use of liquor, but its sale by the Government is not, in my opinion, advantageous to the discipline or morals of a command, particularly when sold on credit. The detail of soldiers in the post exchange is demoralizing to them. Many men who would not pay cash for liquor will take that or anything else on credit.

In the statement of Capt. G. H. Paddock, commanding Troop F, I find the following:

A good effect, especially in this hot climate, where drinking is so injurious. The only excuse, in my opinion, for the canteen was to improve the mess. Now that the ration is good and sufficient, I am in favor of the total prohibition of the sale of intoxicants of all kinds. Have observed for several years the workings of the canteen at several different posts. I have been a successful exchange officer at several posts, as the records will show, and I have done everything in the power of an officer to make the system a success. Yet it is my deliberate opinion that the ease with which intoxicants can be obtained at a post exchange has a tendency to make men, especially young soldiers, drink who would not do so otherwise.

In the best-managed exchanges the part where beer is sold is frequented and occupied by the "old soaks" of the command, whose blear eyes and profane ribald jests have nothing but an injurious effect upon the decent (always the large) element of a regular command. When no exchange is at a station, none but the worst element of a troop will frequent the public saloons, or, if they do, will do so very seldom; but the exchange saloon or portion of the exchange where beer is sold, being authorized by law and to that extent made respectable, is more frequented. The argument usually made that men will have their drink is absurd. Our men join us quite young, and if no liquor is in sight they do not think of it. The few old soaks of the Army are of more use in the guardhouse than in line. I do not think that their appetite for liquor should be considered.

Also:

In my opinion the effect of absolute prohibition of the sale of beer in the Army can not be otherwise than salutary and beneficial to all, especially to the younger men. I am in favor of absolute prohibition of the sale of all intoxicants of every nature upon any military post.

W. A. MARYE,
Lieutenant-Colonel of Ordnance.

U. S. ARSENAL, *Fort Monroe, Va., May 19, 1899.*

Lieut. Col. H. W. Wessells, jr., commanding regiment: It would help the decency of the service. I am unalterably opposed to saloons and saloon keepers. I never can or will believe in saloons or saloon keepers, call them by what euphemistic names you please.

Then we have the statement of Capt. Luigi Lomia, commanding Battery H. He says:

I think it would be a good thing. I am in favor of the post exchange with the canteen feature in it eliminated. Billiards, coffee, soda water, ice cream, lunches, etc., might be sold the men with profit. I have observed the workings of the canteen feature of the exchange more especially since promoted to captain (1894, February 3).

As battery commander I have been informed many times that many of the young men who come in the service would let beer and all other intoxicants alone were it not for the fear of being considered "mean"—that is, the old soldier in some way or other gets the younger soldier to spend money on them, although "treating" is prohibited. Thus young men acquire the taste for drink that if the opportunity were not afforded might never acquire such a taste. In my opinion drink in ninety cases out of one hundred is at the bottom of all of a soldier's trouble.

Also:

Capt. W. C. Brown, commanding Troop E: The number of cases of men being violently drunk would probably be increased somewhat, particularly in localities where there are rum shops immediately outside the limits of military reservations. The prohibition of the sale of beer would not be regretted by me, although I am just now opening the canteen at the post and selling beer in the evenings under restrictions. As to whether more harm than good is done thereby is problematical.

I have observed the workings of the canteen feature of the exchange system during about seven years' service at posts of Forts Assinniboine, Grant, San Carlos, Sill, Washakie; and camps at Lakeland, Fla., and Chickamauga, Ga. While fully realizing the fact that the canteen tends to reduce drunkenness in this, that a drinking place is established in the garrison under restrictions which certainly lessen the desire of men to go outside for stronger intoxicants, such as whisky, rum, etc., yet the fact remains that when the War Department goes into the saloon business it can not but detract, in the mind of the soldier, from those high conceptions of the functions of the Government which he should constantly have before him.

The recruit, upon arrival at his post and finding a beer saloon (canteen) in operation under the auspices of the Government, which he is told by the advocates of the canteen is established to improve the morals of the enlisted man, is certainly tempted to improve (?) his own morals by patronizing it; and yet if he but take a glass too much (and there are few men capable of accurately gauging their capacities in such matters), he is court-martialed for patronizing too liberally a Government institution. There seems something incongruous in all this, and years of experience at posts where canteens have been in operation have not served to eradicate the impression.

It may be said that all this is mere sentiment, but sentiment plays so important a part in human affairs, both in the Army and out of it, that it is not to be lightly disregarded. In my experience the most difficult thing in the management of the canteen is to enforce orders restricting men to proper limits in beer drinking. On May 23 I caused the canteen (which had been closed for about six weeks) to be opened, hoping in that way to prevent the introduction of whisky, which had been smuggled into the post. The canteen was ordered kept open from after supper until 9 p. m., and stringent

orders given that no man should have more than one bottle of bottled beer or, in lieu thereof, three glasses of draft beer.

The first two evenings twice this quantity was sold, and men became drunk, though there was whisky in the post at the same time which assisted to cause the trouble mentioned in the accompanying press dispatch, which, though inaccurate, is unfortunately truthful in this respect—that the canteen was opened on the night in question and several men evidently secured there more beer than my instructions authorized, and became drunk.

[Press dispatch referred to.]

TRIED TO KILL HIS CAPTAIN—SOLDIER AT FORT WASHAKIE CRAZED WITH LIQUOR—FILLED UP ON CANTEEN BEER AND THEN SOUGHT TO AVENGE HIMSELF FOR SOME IMAGINARY WRONG.

"LANDERS, WYO., *May 24.*

"Last evening James E. Workman, a private belonging to Troop E, First Cavalry, stationed at Fort Washakie, made an attempt to kill his commanding officer, Captain Brown. The post canteen, which had been closed for a time, was opened yesterday, and Workman filled himself up on beer, and for some imaginary grievance made the attack. He was discovered by the guard and disarmed and put in the guardhouse. He has been suffering today from an attack of the delirium tremens."

Capt. Clarence Deems, commanding Battery C: Highly beneficial to the health and discipline of the Army. Am in favor of such prohibition.

Capt. George E. Sage, commanding Battery E: Benefit the moral tone of the men and improve the discipline of the service. I am in favor of such prohibition.

Capt. J. A. Lundeen, commanding Battery A: I think the ultimate effect would be beneficial to the service. It would be very difficult to prevent men that crave stimulants from obtaining them. I am in favor of prohibition where it really prohibits the men from getting intoxicants.

It would result in much improvement in the tone of the Army. The authorizing of the sale of an intoxicant by the Army is looked upon as a licensing of this evil by enlisted men. The absolute prohibition of the sale of intoxicants within 1 or 2 miles of a post or camp would, in my opinion, result in much benefit to the service, along with strict regulations against inebriety. Less encouragement to post exchanges and more to post libraries would, in my opinion, tend to increase the moral tone and afford a means of counter attraction.

STUART G. GIBBANEY,
Hospital Steward, U. S. A.

MATANZAS, CUBA, *June 14, 1899.*

Gradually the tone of morality would become stronger among the enlisted men.

LUTHER THOMPSON,
Hospital Steward, U. S. A.

FORT KEOGH, MONT., *June 15, 1899.*

A benefit to all concerned.

EDWARD A. BROWN,
Post Quartermaster-Sergeant, U. S. A.

FORT BAYARD, N. MEX., *June 14, 1899.*

Better morals, better discipline, better soldiers. It would take off the so-called respectability. As it is now said, the United States Government fosters the traffic, and thereby a curse to all mankind is made respectable.

SAMUEL A. TRASK,
Post Quartermaster Sergeant, U. S. A.

FORT MEADE, S. DAK., *June 12, 1899.*

Capt. James T. Kerr, commanding Company K: "Much discontent on account of loss to revenue of messes. Prohibition, if provision is made for replacing the revenue lost thereby to messes, say 1½ cents per man per day. It is not the use of beer, but its abuse, that is objectionable. I have never yet seen a canteen that a self-respecting soldier could find pleasure in entering for a few days after pay day, as there are always men who drink more than is good for them. In the rush and jam of pay day it is impracticable to single out these and prevent them from getting more, and the only way to regulate in such case is to close the canteen, whose raison d'etre is that the use of beer may be really regulated."

The natural tendency of the canteen is to encourage the drinking of beer, especially since the profits go to the improvement of the mess, and in these days of short enlistments, comparatively few reenlistments, and generally young recruits the disadvantages of the canteen seem to me to outweigh the advantages. A sort of local option in the matter, leaving it to the regimental commander to decide, he being responsible for the discipline of his command, would perhaps be better than prohibition. If Congress does put on a prohibition, it should at least provide a fund of 1½ cents per man per day in cash for improvement of mess.

I firmly believe, although not classing myself a total abstainer, and admitting that I indulge occasionally in a glass of beer, but never in liquor, that the absolute prohibition of the sale of beer in the Army would be a benefit to the soldiers and would improve the efficiency of the Army, both from a standpoint of morality and discipline.

ROBERT VON DER GOLTZ,
Post Quartermaster-Sergeant, U. S. A.

FORT THOMAS, KY., *June 12, 1899.*

Organization messes would not live so highly, so far as table fare is concerned, but the ordinary enlisted man would be benefited otherwise.

EDGAR C. GRAHAM,
Post Quartermaster-Sergeant, U. S. A.

BENICIA BARRACKS, CAL., *June 15, 1899.*

Capt. A. R. Paxton, commanding Company I: Good, if supplemented by a careful recruiting service.

I believe it would be beneficial to the greatest number.

HOWARD IRVING,
Post Quartermaster-Sergeant, U. S. A.

FORT APACHE, ARIZ., *June 13, 1899.*

In the main, it would have a beneficial effect.

PHILIP ROTH,
Commissary-Sergeant, U. S. A.

FORT YELLOWSTONE, WYO., *June 16, 1899.*

If the question is meant to imply within the military reservation or camps, I think the effect would be for the better.

MARTIN DAHL,
Ordnance-Sergeant, U. S. A.

FORT MORGAN, ALA., *June 14, 1899.*

Those who are addicted to the drinking habit will seek it wherever it can be got. It would restrain a great many from its use, especially among recruits and young soldiers.

THOMAS CONNOLLY,
Post Quartermaster-Sergeant, U. S. A.

FORT SCHUYLER, N. Y.

Excellent.

R. O. R. BERGATH,
Ordnance Sergeant, U. S. A.

FORT PORTER, N. Y., *June 12, 1899.*

In my opinion the effect would be good.

AUGUST KURLMANN,
Post Quartermaster-Sergeant, U. S. A.

FORT MOTT, N. J., *June 17, 1899.*

Capt. W. H. W. James, commanding Company C: In my opinion the effect of an absolute prohibition of the sale of beer in the Army would be a wonderful benefit and advantage to the Army. I am most emphatically in favor of an absolute prohibition of the sale of beer in the Army. I have commanded a company where an exchange was in operation for about three years. In my opinion the way for a man to keep from drinking immoderately is for him not to drink intoxicating liquors at all. By not drinking intoxicating liquors at all a man does not cultivate a taste and liking for intoxicating liquors.

If a man drinks at all, he is, in my opinion, liable to form a taste and liking for it, the taste and liking for which may be the cause of his ruin. In my opinion, very often the moderate drinker becomes a drunkard. I have seen a statement in print to the following effect, that Sir Garnet Wolseley, the commander in chief of the British army, stated that two young officers of the army starting out, supposing them to be equal in all respects except that one was a total abstainer from the use of intoxicating liquor and the other was a moderate drinker, that the total abstainer had a great advantage over the other officer, a moderate drinker of intoxicating liquors.

I believe his statement is true, and I believe that the same will apply to two soldiers, supposing them to be equal in all respects except that one is a total abstainer from the use of intoxicating drinks and the other a moderate drinker of intoxicating liquor. I believe that the one who is a total abstainer from the use of intoxicating liquor has a wonderful advantage over the one who is a moderate drinker. I believe the argument in favor of the sale of beer in the exchange is that it is the lesser of two evils—that is, that if not sold in the exchange more intoxicating and worse intoxicating liquor would be obtained outside of the post or camp.

I say, why take either evil? I am myself a total abstainer from the use of intoxicating liquor except when necessary as a medicine, which is exceedingly seldom. I believe it is wonderfully better for me to be a total abstainer from the use of intoxicating liquor except when necessary as a medicine, and I believe it would be wonderfully better for the enlisted man to be a total abstainer from the use of intoxicating liquor. I believe the sale of beer in the exchange, under official sanction, is likely to produce the impression in the mind of the soldier that as it is sold with official sanction that it is not so bad, after all, to drink beer.

In my opinion the effect would be good.

JOHN NOEL,
Ordnance Sergeant, U. S. A.

FORT MOTT, N. J., *June 17, 1899.*

Mr. President, there is other testimony which it seems to me belongs to this debate. Here is an article from the Denver Evening Post on the work of the canteen. It refers to an officer of the Army whose unfortunate fate caused many a pang among his friends. The article is as follows:

[Denver Evening Post, September 15, 1899.]

The suicide of poor Harry McDowell, of Company M, took place last December. Repeated attempts have been made to conceal the real facts. A stigma was put upon the memory of this man to which he was not entitled. McDowell had been out of the hospital only two days. He was homesick. He got drunk on liquor bought in the regimental saloon on credit, and had not the canteen records been burned they would prove it. He was thrown into the guardhouse. This consisted of two rooms aggregating 16 by 32 feet in size, with a low ceiling, and situated on the ground floor, a part of a Manila house that no Filipino will sleep in because of the deadly fever.

This guardhouse had one small window and one door, which was kept closed by McCoy's (McCoy was colonel of the regiment) express orders. The thermometer was then nearly 100° in the shade every day, and the days and nights were rendered terrible by the odors and mosquitoes in the prison. There were 23 men there the day McDowell died. He had passed a sleepless night; he was in the condition any man just from the hospital and sick from intoxication would be in, and he reported to Major Kemble for relief. Because McDowell took no bottle to the dispensary he got no medicine. He returned to the guardhouse. The door still being shut, he tried to get relief by using a small fan. About noon he remarked: "I can't stand this any longer," and taking a knife cut his throat. After this the guardhouse door was kept open. There is blood on the canteen profits and its promoters.

Mr. President, I have here an article from a Habana newspaper, the Habana Post, dated July 6, 1900.

Mr. GALLINGER. I read that.

Mr. HANSBROUGH. The Senator from New Hampshire advises me that he read it and had it inserted in his remarks this morning. Therefore I shall not read it. I shall ask, however, that it may be inserted in what I have said on this subject.

[From the Habana Post, July 6, 1900.]

A DISGRACED OCCASION.

It was a source of genuine disappointment to the large assemblage of American citizens who gathered to witness the Vedado field sports of the soldiers belonging to the batteries stationed there that a feature not down on the programme, but made one of the most notable of the day, should have been brought prominently to their attention. The permitting of the Army canteen on the ground to the right and in front of the grand stand gave the visitors, American and Cuban, an enforced opportunity of witnessing the disgraceful spectacle of perhaps a hundred drunken soldiers, many of whom were violently disorderly, even to engaging in fist fights and general brawls in the presence and ostensibly under the supervision of the officers of the batteries.

It is doubtful if such a disgusting and disgraceful spectacle has ever before been offered the people of Cuba upon the occasion of a public celebration. Certainly not within the experience of a large proportion of the civilian visitors who went to the exercises expecting to see high-class sports conducted in an orderly and truly American manner has there ever been witnessed such scenes of drunkenness, disorderliness, and general confusion.

The Fourth of July was disgraced by the debauchery which prevailed, but it was even worse prostituted by officers who gave their consent to the

establishing of a drinking tent in the place of public amusement, to which the public had been invited and whose money was taken for what was supposed to be a respectably conducted exercise. So noticeable was the debauchery for a time that some one in authority closed the place for at least two hours, giving the boys this much time in which to sober up, but it was reopened at 1 o'clock and from that hour until the exercises were over was the rendezvous for all the Army toughs the batteries and visiting companies contained, fight after fight following as men lost their heads under the influence of liquor, in the rays of a broiling tropical sun. It was a repulsive sight for the ladies, hundreds of whom were forced to view it from their grandstand seats, and equally disgusting to the sterner sex, who love their natal day and would have been glad to have seen it observed in decency and order.

Some one is to blame for the disgrace which was brought to the United States and its flag Wednesday. How can we consistently censure ill-tempered Spaniards and Cubans from displaying it upside down when we admit to our public places of amusement disorderly conducted canteens to turn our soldiers upside down, make them lose their self-control, and indulge in rowdyism that belonged to the Bowery of other days. The canteen did not locate itself in a conspicuous part of the grounds, nor did it license itself to sell liquor to soldiers in all stages of intoxication. If it was thought necessary for the pleasure of the boys in blue that they should have their beer upon such an occasion, the canteen should have at least been put under guard, and at the worst have been conducted decently.

Furthermore, it should have been located where visitors would not have been made to see its rowdyism and debauchery. Every self-respecting American must have felt like hiding his head in shame over the disgusting exhibition given him at the Vedado field sports on Wednesday. Small wonder is it that the Cuban ladies who were present, to whom such scenes are altogether unknown, should have shown the revulsion of feeling that many of them manifested, and small wonder is it that American ladies in the grand stand blushed with mortification at the indecencies of the day. The Fourth of July was sorely disgraced in our own house.

The purport of the article is that in some sort of a fiesta in Habana, only a few months ago, the canteen was established on the fair grounds, or wherever the celebration was being held, and it there became the principal object of attraction, much to the disgust of our Cuban friends, who criticised the liquor system of the United States in some respects almost unmercifully. If we are going abroad to civilize other people, it seems to me that we want to take there the best morals we have, and keep at home those institutions that are not proper. Therefore I am opposed to sending the institution of the saloon into the Philippines. I prefer to keep it at home, if it is to continue to survive.

Mr. BUTLER. Do I understand the Senator to say that the article from the Habana Post is to the effect that the canteen system increased the consumption of intoxicating liquors in Cuba?

Mr. HANSBROUGH. No; the Senator did not understand me thoroughly. I said the purport of the article was that the canteen was established on the fair grounds, where the celebration was held, and many of the soldiers and private citizens came under the influence of liquor as a result of the canteen's presence there. I said nothing about the increased sale of liquor in Cuba.

Mr. BUTLER. The canteen sold only beer and light wines. Did the canteen sell whisky?

Mr. GALLINGER. They got gloriously drunk, according to the report.

Mr. HANSBROUGH. I think it is a notorious fact that people get drunk on beer. It is not necessary to drink whisky in order to become intoxicated.

Mr. BUTLER. The Cubans drink very freely of light wines. They do not drink whisky much. In the Philippines and in Cuba we taught them to drink whisky, but they did not drink it much before we went there. The canteen proposes to furnish the soldiers with about the kind of drinks that those simple natives indulged in, more or less harmlessly, before we went there, as I understand it. So I was a little curious to know just what effect the establishment of the canteen that sold only beer and light wines would have on a people who confined their drink almost exclusively to light wines before we carried civilization to them.

Mr. HANSBROUGH. I can speak only for myself when I say that I do not believe the introduction of liquor of any character, whether it be beer, whisky, or wine, into any community is conducive to civilization. That is my own personal opinion. I think it is an opinion entirely aside from party politics. It is held by a great many good Democrats and good Populists, and a very large number of good Republicans.

Mr. BUTLER. That statement is very sound.

Mr. HANSBROUGH. On this subject I wish to read briefly from the official record of the deaths in the Army and Navy from April 7, 1898, to February 20, 1899, during the war with Spain, because it furnishes an exposition of the methods of the War Department that can not be answered by investigating commissions or courts of inquiry. In that time in the Army there were killed in action 329 men; died of wounds, 125; died of diseases, 5,277. That was in the Army, when the canteen was in vogue and was encouraged, where light wines and beer and perhaps much stronger liquor were sold or dispensed freely. As to the Navy, here are the facts: In the same time there were killed in action in the Navy, 17; died of wounds, 1; died of diseases, 0. I will say that in the Navy the canteen has found no place, and if it ever did, it has been abolished. I wish to furnish the testimony of the present Secretary of the Navy as to that phase of the question. Secretary Long was accused by the press of having allowed his Department to be dictated to by outsiders, and in an interview in Boston, February 19, 1898, he said:

It is not true that any society outside the service caused the issuing of the order.

That was the order against the sale of beer or any other kind of liquor in the Navy.

It was done at the solicitation of naval officers themselves, who were actuated by a sense of duty to the service. The sale of beer on shipboard was regarded by many of them as an evil, and they sought to abate it. * * * The matter was first suggested to the Department by Captain Folger, of the cruiser *New Orleans*. After his return from the war he wrote a letter in which he fully explained the evils which, in his judgment, resulted from permitting the sale of liquor on shipboard.

This letter I referred to a number of other captains. Among them were Captains Barker, Higginson, Crowninshield, and Bradford. After a careful consideration of the matter they reported, the majority of them favoring the absolute prohibition of beer and liquor on board. Then it was that the order was issued. The Department felt that its duty to the boys and men in the service required such an order.

And there is no canteen in the Navy.

Mr. President, it seems to me that the protests against this proposed liquor legislation, the respectful protests that are made by hundreds of thousands of good people in this country, are deserving of some consideration, and that the dignified petitions of numerous temperance organizations should be heeded here and now.

We should not turn, it seems to me, a deaf ear to the prayerful supplications of the parents of the young men who are serving in the Army of the United States, especially to the mothers of those boys. Whatever we may think of the private individual who engages in the liquor business, who opens a saloon and sells these poisonous concoctions to his fellow-men, I think there can be but one mind as to whether it is morally right for the Government of the United States to engage in the saloon business.

So, Mr. President, it seems to me that at the beginning of this the twentieth century the American Congress can honor itself and add new glory to our republican institutions by wiping out the official saloon. For these reasons I hope, Mr. President, that the amendment reported by the Committee on Military Affairs will be defeated.

AGREEMENT WITH THE CHEROKEES.

Mr. THURSTON. Mr. President, there are two House bills on the table which I ask to have laid before the Senate in order that conferees may be appointed.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11820) to ratify and confirm an agreement with the Cherokee tribe of Indians, and for other purposes, and requesting a conference on the disagreeing votes of the two Houses thereon.

Mr. THURSTON. I move that the Senate insist upon its amendments and grant the conference asked for by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. THURSTON, Mr. PLATT of Connecticut, and Mr. JONES of Arkansas were appointed.

AGREEMENT WITH CREEK INDIANS.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11821) to ratify and confirm an agreement with the Muscogee or Creek tribe of Indians, and for other purposes, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. THURSTON. I move that the Senate insist upon its amendments and agree to the conference asked for by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. THURSTON, Mr. PLATT of Connecticut, and Mr. JONES of Arkansas were appointed.

GEORGE G. KEMP.

Mr. GALLINGER. Mr. President, I submit a concurrent resolution, and as it will take but a moment to pass it, I ask for its immediate consideration. It is to recall a bill from the hands of the President that it is important to come back to the Senate.

The concurrent resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill of the Senate No. 1226, granting an increase of pension to George G. Kemp.

THOMAS WHITE.

Mr. GALLINGER. Mr. President, as no Senator has taken the floor on the Army bill, I ask leave to report a House pension bill that an absent Senator is very desirous of having passed.

The PRESIDENT pro tempore. Is there objection to receiving the report at this time? The Chair hears none.

Mr. GALLINGER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 10785) granting a pension to Thomas White, to report it without amendment, and I ask for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Thomas White, late sergeant of Company F, Ninetieth Regiment Illinois Volunteer Infantry, and of the Signal Corps, United States Army, and to pay him a pension at the rate of $24 per month.

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

GEORGE K. BOWEN.

Mr. PENROSE. I ask unanimous consent for the present consideration of the bill (S. 4208) for the relief of George K. Bowen. There will be no opposition to it. I ask that it be read. There is an amendment reported by the committee.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, directed and authorized to revoke the order dismissing George K. Bowen from the service as lieutenant-colonel, who was assigned to the command of the One hundred and eighty-eighth Regiment Pennsylvania Volunteer Infantry. (Said regiment was attached to the Eighteenth Army Corps.) Said applicant while in command of said regiment above cited and on the march to enter Richmond, Va., received an order from the War Department dismissing him from the service. Said officer was ignorant of charges having been preferred, and had no opportunity to refute said charges.

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

Mr. PLATT of Connecticut. I should like to hear the committee amendment read. It may improve the bill somewhat.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. The Committee on Military Affairs report to add to the bill the following proviso:

Provided, That no pay or allowance shall accrue by reason of the passage of this act.

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

Mr. HOAR. I must object if it is proposed to pass the bill in its present form, reciting certain history, making facts that occurred in the country the law of the land.

Mr. SEWELL. Will the Senator allow me?

The PRESIDENT pro tempore. Objection is made.

Mr. SEWELL. I beg pardon.

Mr. PENROSE. The Senator from New Jersey [Mr. SEWELL] reported the bill.

Mr. HOAR. The bill can be amended.

Mr. SEWELL. The report was made by me, and I thoroughly investigated the matter. The bill is a very meritorious measure.

Mr. PLATT of Connecticut. The bill ought to be changed in its form.

Mr. ALLISON. Let it lie over.

Mr. HOAR. I do not object to its consideration if the narrative part of the bill is stricken out.

Mr. SPOONER. Why was the officer dismissed?

Mr. SEWELL. He was dismissed by reason of the fact that his command, which contained a lot of new troops which had been assigned to the regiment, got loose at Norfolk and there was some drunkenness among them. The officer was not to blame for it. I investigated the case thoroughly and I have submitted the report, which is here. I think anyone who will read the report will be satisfied that the bill is correct.

Mr. SPOONER. It seems that he was dismissed because somebody else got drunk.

Mr. HOAR. I make no objection to the bill. I merely want to have the narrative part of it stricken out.

Mr. DANIEL. Let the report be read.

Mr. PENROSE. I move to strike out the narrative part of the bill, and I ask for a vote on it as amended.

The PRESIDENT pro tempore. The Chair desires to know whether the Senate consents to the consideration of the bill. Is there objection?

Mr. ALLISON. I suggest that the bill be withdrawn for the present, so that there may be leisure to make the necessary amendment. It can be called up again.

Mr. PENROSE. Does the Senator from Iowa mean that it can be called up this afternoon?

Mr. ALLISON. I shall have no objection to calling it up at any time.

The PRESIDENT pro tempore. Objection is made.

THE MILITARY ESTABLISHMENT.

Mr. ALLISON. I infer from the situation of the Army bill that the Senate is not prepared to go on with it any further this evening, and I ask unanimous consent to call up the legislative, executive, and judicial appropriation bill, so that the Senate may make some progress with the bill this evening. There will be no controverted questions raised during the evening.

Mr. HAWLEY. Will the Senator kindly permit me to finish what I began this morning?

Mr. ALLISON. I yield to the Senator from Connecticut.

Mr. HAWLEY. I move to reconsider the vote by which a resolution for printing 3,000 copies of the committee hearing on the Army bill was passed, because another resolution, which provides for printing 15,000 copies, is pending and has gone to the Committee on Printing. I should therefore like to recall the resolution which proposes to print 3,000 copies.

The PRESIDENT pro tempore. The Senator from Connecticut moves to reconsider the vote by which the Senate agreed to the resolution offered by him this morning to print 3,000 copies of the report of the hearings before the Committee on Military Affairs. Is there objection? The Chair hears none, and it is so ordered.

Mr. SEWELL. If the Senator from Iowa will allow me, I was out of the Chamber for a few moments. I do not know what has been done since I left. I wish to secure a vote on the canteen matter.

Mr. ALLISON. I understood that the Senator from Connecticut did not propose to go on any further with the bill this afternoon.

Mr. SEWELL. If the Senator from Connecticut will allow me, I should like to have a vote on that question. The most important thing before the country to-day is this Army bill.

Mr. ALLISON. Very well; I withdraw my suggestion.

Mr. SEWELL. I should like to have unanimous consent that the Senate shall vote on the canteen question to-morrow at 2 o'clock.

Mr. TELLER. Mr. President, I will object to that.

The PRESIDENT pro tempore. Objection is made.

Mr. TELLER. I wish to say that, as far as I am concerned, I do not intend to delay a vote on the canteen question or anything else connected with the bill, but I object to putting it down for to morrow at a fixed hour.

Mr. SEWELL. I will say to the Senator from Colorado that he must certainly recognize the necessity of passing the Army bill immediately, and we can not do it if we are going to spend our time on side issues like the canteen question. Can you not agree to a time when we shall take a vote on the canteen amendment?

Mr. TELLER. I know that several Senators want to say something on the canteen question, and a good many of them are away. The attendance in the Senate is rather light just now. There has not been any disposition here to delay the bill at all.

Mr. SEWELL. That would indefinitely postpone the consideration of the bill itself.

Mr. TELLER. What would?

Mr. SEWELL. To postpone a vote on the canteen amendment.

Mr. TELLER. I do not ask you to postpone the canteen amendment.

Mr. SEWELL. I do not ask for a vote on the bill. I ask for a vote on the canteen amendment to-morrow at 2 o'clock.

Mr. TELLER. I have stated to the Senator that I object to that. The Senator has no right to infer that because I object to it I want any delay on this bill. I think it is an infamous bill, but I expect that it will pass. I have no objection to its being voted on. I object to its passage, but I do not object to its being voted on.

Mr. SEWELL. Will the Senator not agree to fix a time for a vote——

Mr. TELLER. I realize that if the bill is to be passed it ought to be passed at an early date. I agree to that.

Mr. SEWELL. Will the Senator not agree to fix a time for a vote on the canteen amendment?

Mr. TELLER. I have not any right to do that. I want to make some remarks on the subject, and I know some other Senators do. I will agree, so far as my remarks are concerned, that they shall be brief, and they are not intended for delay; but at this hour I am not willing that an agreement shall be made.

GEORGE K. BOWEN.

Mr. PENROSE. Mr. President, I have stricken out the narrative part of the bill (S. 4208) for the relief of George K. Bowen, and I ask the Senate to consider it and put it on its passage.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks for the present consideration of a bill which will be read.

Mr. GALLINGER. The Senator moves to amend it.

Mr. SPOONER. When the bill was presented to the Senate the Senator from Connecticut [Mr. PLATT] objected. He is not present now. I do not know what the ground of his objection was, or whether it is eliminated by the amendment or not. I think, perhaps, the Senator ought not to call it up in his absence under the circumstances.

Mr. PENROSE. I understood that the Senator's objection was to the narration of facts in the body of the bill.

Mr. SPOONER. I do not know what objection the Senator from Connecticut had to it. He made the objection.

The PRESIDENT pro tempore. Objection is made to the request of the Senator from Pennsylvania.

Mr. HAWLEY. It was not I who made any objection. The bill has been before the Military Committee and has been reported favorably.

Mr. SEWELL. It has been reported favorably. I myself made the report.

Mr. HAWLEY. I recollect it. I know the committee very cheerfully voted for it.

Mr. PENROSE. I ask that the bill be read as I have proposed to amend it.

Mr. SPOONER. I do not wish to be understood as objecting to it. I merely made the suggestion.

The PRESIDENT pro tempore. The bill will be read in the form it will be providing the amendment which is now offered by the Senator from Pennsylvania is agreed to by the Senate.

The Secretary read as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to revoke the order dismissing George K. Bowen from the service as lieutenant-colonel, who was assigned to the command of the One hundred and eighty-eighth Regiment Pennsylvania Volunteer Infantry: *Provided*, That no pay or allowances shall accrue by reason of the passage of this act.

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

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

The PRESIDENT pro tempore. The Senator from Pennsylvania offers an amendment, which will be read.

The SECRETARY. Strike out after the word "Infantry," in line 7, the words:

Said regiment was attached to the Eighteenth Army Corps. Said applicant, while in command of said regiment above cited and on the march to enter Richmond, Va., received an order from the War Department dismissing him from the service. Said officer was ignorant of charges having been preferred, and had no opportunity to refute said charges.

The PRESIDENT pro tempore. Without objection, the amendment will be agreed to. There is another amendment, a committee amendment, which will be read.

The SECRETARY. It is proposed to add to the bill the following proviso:

Provided, That no pay or allowances shall accrue by reason of the passage of this act.

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

The amendment was agreed to.

Mr. SPOONER. The last provision is in twice, is it not?

Mr. COCKRELL. I wish to suggest to the Senator in charge of the bill that as it now reads it does not do what he desires to accomplish. What the Senator wants to do, evidently, is to authorize the President of the United States to revoke and set aside the special order dismissing this officer and then to issue to him an honorable discharge, neither of which is done in the bill.

Mr. SEWELL. I think the bill in its present form will cover the whole thing. This officer was discharged summarily by the Secretary of War.

Mr. COCKRELL. Oh, no; by the President. Your own report shows it.

Mr. SEWELL. It was done by the Secretary of War, practically, on a report from Fortress Monroe in relation to the action of a certain body of troops under Colonel Bowen's command.

Mr. COCKRELL. It was Special Order 147.

Mr. SEWELL. He was discharged without a hearing by a court-martial. All he desires is to be reinstated in his position honorably, in the sense that he is not to be dismissed. He asks for nothing. The bill provides that he shall get nothing. Therefore I see no objection to it.

Mr. DANIEL. I ask that the report be read.

The PRESIDENT pro tempore. The report will be read.

The Secretary proceeded to read the report submitted by Mr. SEWELL June 1, 1900; which is as follows:

The Committee on Military Affairs, to whom was referred the bill (S. 4208) for the relief of George K. Bowen, beg to submit the following statement from the Record and Pension Office of the War Department, followed by this officer's personal statement as to the matter stated in the bill:

Case of George K. Bowen, late lieutenant-colonel One hundred and eighty-eighth Regiment Pennsylvania Volunteer Infantry.

It is shown by the records that George K. Bowen was enrolled April 18, 1861, as a private in Company F, First Regiment Pennsylvania Artillery Volunteers (the designation of which was changed to Company F, Seventeenth Pennsylvania Infantry Volunteers), to serve three months, and that he was mustered out with the company as a private August 3, 1861.

He was again mustered into service for the term of three years November 13, 1862, at Philadelphia, as captain of a company in Roberts's Independent Battalion Pennsylvania Volunteers, the designation of which became in November or December, 1862, Company C, Independent Battalion Pennsylvania Artillery, and in March or April, 1863, Company C, Third Regiment Pennsylvania Heavy Artillery. This regiment appears to have been organized for garrison duty at Fort Monroe, Va. There, early in 1864, he took part in the organization of a new regiment, the One hundred and eighty-eighth Pennsylvania Infantry, composed principally of surplus recruits for the Third Pennsylvania Heavy Artillery, and was mustered in as lieutenant-colonel One hundred and eighty-eighth Pennsylvania, to date April 1, 1864.

From April 1, 1864, to March 27, 1865, he was the senior officer of the regiment, and for most of the time in command of it, during which period it served in the Army of the James in the operations along the James River and before Petersburg, first in the Eighteenth Corps, and later, upon the reorganization of the Army of the James, as a part of the Third Brigade, commanded by Col. S. H. Roberts, Third Division, Twenty-fourth Corps.

In August, 1864, he was sent to hospital at Fort Monroe, where a leave of absence for twenty days was granted him about September 18, with permission to visit his home at Germantown, Pa. By reason of his having overstayed this leave, on account of prolonged illness, an order was issued from the War Department, Adjutant-General's Office, November 2, 1864, honorably discharging him on account of physical disability. Meantime he had reported for duty on October 31, and on his application, supported by the recommendation of his superior officers, another order was issued from the Adjutant-General's Office on November 12, 1864, revoking the order discharging him, whereupon he resumed command of his regiment.

A military commission, appointed November 5, 1864, to examine into the cause and authority of his prolonged absence, reported on the 11th of that month that a sufficient cause existed for his absence from his regiment for a longer period than was granted in his original leave of absence.

He was arraigned and tried before a general court-martial of which Brig. Gen. George H. Gordon was president, convened at Fort Monroe, Va., in December, 1864, on the charge of conduct prejudicial to good order and military discipline, conduct unbecoming an officer and a gentleman, and absence without leave, and found "not guilty" on each of the charges and specifications and acquitted and restored to duty.

About March 5, 1865, Col. S. H. Roberts, commanding the Third Brigade, under special instructions from General Grant, set out from Fort Harrison, Va., with a picked force, including the One hundred and eighty-eighth Pennsylvania, under Lieutenant-Colonel Bowen, on an expedition up the Rappahannock River to Fredericksburg, Va., via Fort Monroe, for the purpose of breaking up illicit trade, principally in tobacco, and destroying the Fredericksburg Railroad. The force returned from the expedition to Fort Monroe on the evening of March 8, with a large quantity of tobacco and other articles contraband of war. From Fort Monroe it appears the One hundred and eighty-eighth Pennsylvania, under Lieutenant-Colonel Bowen, was, on the afternoon of March 9, 1865, sent over to Portsmouth on the steam transport *Matilda* for the purpose of coaling, where, the regiment having disembarked, a disturbance occurred, in which its members took part, and which resulted in Lieutenant-Colonel Bowen's dismissal from service, the circumstances of which will appear from the following correspondence:

HEADQUARTERS NORFOLK, PORTSMOUTH, AND DEFENSES,
Portsmouth, Va., March 12, 1865.

MAJOR: I herewith submit reports of the conduct of the One hundred and eighty-eighth Pennsylvania Volunteers. In addition, I would state that at 1 p. m. I left for Suffolk and returned to Portsmouth at 9.15 p. m. On my arrival I found the city virtually in the hands of an armed mob. On sending for the commanding officer of the One hundred and eighty-eighth he could not be found, and my aid reported that there was only one officer with the troops. I directed immediately after the concentration of all disposable forces in order to put down the riot, which, in my opinion, might soon be converted into a mutiny. The arrival of these troops was not reported to me.

No permission was given them to land. They were allowed to wander about the streets, with arms—were drunk and endangering the safety of the town, and all Government supplies stored here. When the colonel did at length repair to my quarters, I perceived that he had been drinking to intoxication. As far as I can learn, but little or no effort was made to preserve order or discipline. The crew of the vessel was permitted to leave her, so that when she was required to be brought to the dock to embark the troops she could not be moved.

The statement of James Wingate shows that, so far from the officers endeavoring to control their men, one of them took forcible possession of private property, liquor, and served it out to his men.

Colonel Bowen was not only intoxicated, but was evidently grossly ignorant of his duty. He did not appear to be aware that it was his duty to report his arrival at headquarters. He thought that the order of the quartermaster at Fort Monroe, or the master of the vessel, was all that was necessary for his being brought into dock and the troops landed. The master of the vessel permitted his crew to leave the vessel without authority. I think that an example should be made of Colonel Bowen and the master of the vessel for their gross neglect of duty.

I was given to understand that the troops constituted a part of an expedition on foot. I did not detain the vessel long enough to thoroughly investigate the case so far as to report the names of the officers drunk. I learned from Colonel Bowen that the man creating the principal riot is Sergeant Beatty. All of his comrades that came under my own inspection did not manifest the least disposition to stop him, but, on the contrary, gave tokens of their willingness to aid and abet him.

I am, Major, very respectfully, your obedient servant,

J. VOGDES, *Brigadier-General.*

Maj. WICKHAM HOFFMAN,
Assistant Adjutant-General.

(The recommendation of General Vogdes is based in part on the reports of several of the subordinate officers on duty at Portsmouth and the statement of one James Wingate, a citizen of that place.)

HEADQUARTERS DISTRICT OF EASTERN VIRGINIA,
Norfolk, Va., March 14, 1865.

COLONEL: I have the honor to forward the inclosed reports for the consideration of the commanding general.

I have the honor to recommend that Lieutenant-Colonel Bowen, commanding the One hundred and eighty-eighth Pennsylvania Volunteers, be summarily dismissed the service for intoxication, gross ignorance of his duty, and allowing a total want of discipline to exist in his regiment.

I would also recommend that a board of inquiry be ordered to investigate and report the names of the officers who neglected their duty and to inquire into and report the facts, with reference especially to the two who, according to the testimony of Wingate, were fighting with each other.

This board should also report upon the conduct of that officer who refused to arrest any but his own men, of all who were prominent in the mutiny, or who neglected their manifest duty to put it down.

I am, Colonel, most respectfully, your obedient servant,

GEO. H. GORDON,
Brigadier-General, Commanding.

Lieut. Col. ED. W. SMITH,
Acting Adjutant-General, Department of Virginia.

[Indorsement.]

HEADQUARTERS DEPARTMENT OF VIRGINIA,
March 18, 1865.

This officer has been before a court-martial on a former occasion for similar offenses and escaped only through a belief that there was a disposition to give him credit for nothing, so it is privately stated by the president of the court. I recommend that he be dismissed the service, or if so authorized will dismiss him and forward the order for approval.

E. O. C. ORD,
Major-General, Commanding.

ADJUTANT-GENERAL UNITED STATES ARMY.

The recommendation of General Ord was approved, and Lieutenant-Colonel Bowen dismissed in Special Orders, No. 147, paragraph 57, War Department, Adjutant-General's Office, dated March 27, 1865, the text of which is as follows:

"By direction of the President, Lieut. Col. George K. Bowen, One hundred and eighty-eighth Pennsylvania Volunteers, is hereby dishonorably dismissed the service of the United States for intoxication, gross ignorance of his duties, and allowing a total want of discipline to exist in his regiment."

Upon the return of the One hundred and eighty-eighth Pennsylvania from Fort Monroe after the disturbance at Portsmouth it took part, under Lieutenant-Colonel Bowen's command, in several other expeditions from that point, and about the 25th of March returned to its former camp at Harrison, Va., from whence, on April 3, 1865, about the time the officer received notice of his dismissal, it moved to occupy Richmond, being at the time a part of the Third Brigade, Third Division, Twenty-fourth Corps.

Immediately upon receipt by Lieutenant-Colonel Bowen of the discharge order a petition, signed by the major and 12 other officers of the regiment, was, on April 3, 1865, prepared and forwarded to the War Department, urging his reinstatement, the text of the petition being as follows:

"We, the undersigned commissioned officers of the One hundred and eighty-eighth Pennsylvania Volunteers, having learned with regret that Lieut. Col. George K. Bowen, of this regiment, has been dishonorably discharged the United States service, do respectfully request that the sentence of dismissal be changed so as to accept his resignation.

"In our opinion the much to be regretted proceedings at Portsmouth were not attributable to any delinquency on the part of Colonel Bowen, nor do we consider that he was at all intoxicated or disqualified for performing his duties.

"Colonel Bowen has been with us through all the campaign of last summer, and in several engagements has shown both his courage and efficiency, and after a faithful service of now nearly three years is well entitled to an honorable discharge."

On April 5 the following petition, signed by the respective commanders of the Fifty-eighth Pennsylvania, Second New Hampshire, Twenty-first Connecticut, Fortieth Massachusetts, and One hundred and eighty-eighth Pennsylvania, was also forwarded:

"We, the undersigned, the field officers of regiments composing the Third Brigade, Third Division, Twenty-fourth Army Corps, have heard with regret the severe sentence pronounced on Lieut. Col. George K. Bowen, of the One hundred and eighty-eighth Pennsylvania Volunteers, and are of the opinion that an investigation of his conduct would have led to more lenient treatment, since from our previous knowledge of this officer we can testify to his good conduct in action as well as in the ordinary routine of camp duty. The charge of intoxication we conceive to have been made under an imperfect knowledge of all circumstances of the case.

"The discipline maintained by Lieutenant-Colonel Bowen has been good, and the disturbance on which the allegation of want of discipline was founded was a temporary matter, occasioned mostly by 300 men, unassigned recruits of the Third Pennsylvania Heavy Artillery, unwillingly assigned to the One hundred and eighty-eighth Pennsylvania Infantry for duty. We have no doubt Lieutenant-Colonel Bowen used all the means at his disposal to suppress anything like insubordination.

"We think Lieutenant-Colonel Bowen's knowledge of his duties fully equal to that of many more fortunate officers now in the service, and we therefore most respectfully ask that his resignation may be accepted, or that if he be considered unworthy of his position as an officer a proper investigation of his conduct may be had."

Under date of May 2, 1865, Mr. Bowen addressed General Ord a lengthy statement in explanation and extenuation of the affair at Portsmouth, which statement was forwarded to the War Department, with a copy of the order of discharge, indorsed as follows:

HEADQUARTERS DEPARTMENT,
Richmond, Va., May 9, 1865.

Respectfully forwarded for the consideration of the Secretary of War.

When this order was issued there was necessity for several prompt dismissals and changes, and Colonel Bowen's case came up indorsed by General Gordon and reported by General Vogdes as one calling for the immediate and summary action which it received. I had my doubts as to the propriety of acting on General Vogdes's report, but think the dismissal had a good effect on the command, even if it were not deserved. Colonel Bowen's report is in good taste—bears the evidence of an officer who had a good reputation—and now that the service can afford to be kind and considerate, which it could not then, to officers negligent or unsuccessful, I recommend that this order be rescinded, and, if the vacancy has been filled, Colonel Bowen be allowed to resign.

E. O. C. ORD,
Major-General, Commanding.

On May 24, 1865, the late officer applied to the Secretary of War for reinstatement in a letter, the text of which is as follows:

"I beg respectfully to lay before you the following facts which led to charges against me and the sentence of a dishonorable dismissal from the military service of the United States, promulgated in Special Orders, No. 147, paragraph 57, March 27, 1865, Adjutant-General's Office.

"On the 9th of March, after returning from an expedition to Fredericksburg, Va., in which the brigade to which my regiment was attached had been engaged, I was ordered by Brig. Gen. S. H. Roberts, commanding the expedition, to proceed to Portsmouth to obtain coal for the transport on which we were embarked, and also to cook rations.

"I was not aware that the headquarters of the brigadier-general commanding were at Portsmouth, so did not report immediately on arrival, and the captain of the transport being in haste to coal, which could not conveniently be done with the troops on board, I landed them in a large inclosed coal yard, taking all the precautions I deemed requisite to retain them there, and provided fuel from the Quartermaster's Department for cooking, in accordance with the orders received from Brevet Brigadier-General Roberts, against which I had received no contrary orders whatever.

"During a short absence to the provost-marshal's office, rendered necessary by a slight disturbance which had previously occurred, a large quatity of liquor was smuggled into the yard by inhabitants of the town in exchange for tobacco, of which the men had a large supply, captured and distributed to them at Fredericksburg.

"About 35 or 40 men became intoxicated and, eluding the guards, escaped into the town and produced the disorder charged.

"I had in my regiment 500 unassigned recruits of the Third Pennsylvania Artillery, whose discontent and insubordination had been frequently reported to your office.

"These were the men who on this occasion created all the disturbance.

"Both the men and officers of my old regiment assisted by all means in their power to preserve order, as, indeed, did many of the recruits, but one exception to the contrary occurring. Captain Jackson, of Company E of the regiment, became intoxicated and attempted to interfere with the guards posted, on which he was immediatedly arrested and removed under guard to the boat, and on our return to camp, on a renewal of misconduct, was recommended for dismissal, which was lately carried into effect.

"I was not under the influence of liquor, nor have I ever been addicted to intemperance, as is certified by the inclosed letter. I would also refer for my general good conduct and the discipline of my regiment to Brig. Gen. Charles Devins, commanding Third Division, Twenty-fourth Army Corps, and to Bvt. Brig. Gen. S. H. Roberts, commanding Third Brigade, Third Division, Twenty-fourth Army Corps; also to the inclosed petitions of my former comrades.

"Upon the first call for troops by our late lamented President, I served in the ninety-days volunteers, with two of my brothers, one of which, subsequently a lieutenant of the Seventy-fifth Pennsylvania Volunteers, fell mortally wounded in the second battle of Bull Run. The other is now major of the One hundred and fourteenth Pennsylvania Volunteers.

"In October of 1862 I was appointed a captain in the Roberts Independent Battalion of Heavy Artillery, afterwards the Third Artillery, and through my personal influence and exertions raised the only full battery of 147 men that left the State for that organization. In March, 1864, I obtained leave to raise a regiment of infantry from the surplus men of the Third Pennsylvania Artillery.

"Entirely by my own influence and character as an officer I led out from Fort Monroe nearly 900 men, most of whom were old members of the Third Artillery and comfortably located on garrison duty.

"With that regiment, in the same brigade and division, I have served through the entire campaign, now so successfully ended, and participated in every action, excepting only Fort Harrison, from which I was absent, ill of disease contracted in the pits before Petersburg.

"In view of these facts I pray that the sentence of dishonorable dismissal, together with the charge of intoxication, remaining as a blot and stigma upon my character, may be removed and an honorable discharge granted to me."

This application and the other papers in the case were referred to the Bureau of Military Justice for review and recommendation, and that Bureau reported adversely under date of June 7, 1865, concluding as follows:

"The conclusion is arrived at in this case that no sufficient grounds have as yet been shown for revoking the action heretofore taken by the War Department upon the positive and convincing testimony of General Vogdes and other officers.

"If Lieutenant-Colonel Bowen deems himself to have been, in the language of the act of March 3, 1865,' wrongfully and unjustly dismissed,' it is open to him, upon presenting his affidavit to that effect, to obtain a trial by court-martial on the charges upon which his dismissal was founded.

"In view of the character of the witnesses and of their testimony, it is believed that this case is not one in which the clemency of the pardoning power can properly—especially at this early date—be invoked, and the opinion is therefore entertained that he should be remitted to his statute remedy as the only one which may suitably be pursued by him under the circumstances."

Thereupon, by direction of the Secretary of War, Lieutenant-Colonel Bowen was informed by letter, dated June 12, 1865, that no sufficient grounds were perceived to warrant interference in his behalf.

Respectfully submitted.

F. C. AINSWORTH,
Chief Record and Pension Office.

RECORD AND PENSION OFFICE,
War Department, May 2, 1900.

The SECRETARY OF WAR.

Statement of George K. Bowen, late lieutenant-colonel, commanding One hundred and eighty-eighth Pennsylvania Volunteers.

I entered the service of the United States Volunteers at the beginning of the civil war, in April, 1861, as a private, enlisting in Company F, Seventeenth Pennsylvania Infantry, and served during the three months' campaign, at the end of which I was honorably discharged.

During the year 1862 I accepted a commission as captain in the Third Pennsylvania Heavy Artillery, and recruited two batteries for that regiment, and was mustered in as captain of Company C and stationed at Fort Monroe.

The Third Pennsylvania Artillery overrecruited, and, at Gen. B. F. Butler's request, I took command of this surplus (on their volunteering for active service) as lieutenant-colonel of the One hundred and eighty-eighth Pennsylvania Volunteers. A colonel was commissoned by Governor Curtin, of Pennsylvania. Before the colonel could join the regiment we were reduced in action at Drewrys Bluff and Cold Harbor below the number required to muster a colonel.

Soon after the battle of Cold Harbor I received a commission as colonel of the One hundred and eighty-eighth Pennsylvania Volunteers, unsolicited by me. I was not mustered in on that commission for want of sufficient number of men.

During the campaign in front of Petersburg my regiment was further reduced to 300 enlisted men, with hardly officers to command them. I also received another draft of 700 overplus recruits from the Third Pennsylvania Heavy Artillery, who were sent to me from Fort Monroe without their consent having been obtained. I also received orders to carry them as unassigned recruits. These men were dissatisfied and restless, both at being forced into active service and at being carried as unassigned recruits.

Upon returning from Whitehouse with General Sheridan's command, my regiment was placed on a transport and ordered to Portsmouth, Va., to coal as rapidly as possible and follow the rest of the brigade up the James River. The men had plenty of money, and the 700 unassigned recruits, while in a Government inclosure at Portsmouth, unloaded to allow the coaling of the vessel.

During my temporary absence by order of general commanding at Portsmouth they obtained liquor, got drunk, and raised a row. My 300 men of the One hundred and eighty-eighth remained firm, and with their aid order was soon restored, the men reloaded on the transport, and we proceeded up the James River.

Shortly after, while riding at the head of my regiment entering Richmond, I was handed an order of the War Department dishonorably dismissing me from the service for "gross intoxication, total ignorance of duties, and total absence of discipline in regiment."

No trial by court-martial was had and no opportunity given to defend

myself or explain the circumstances of the trouble. I was crushed and utterly disheartened, and at once left the Army.

I received an intimation that the total ignorance of duty was in not haivng applied for permission to remove my men to the shore at Portsmouth. I had supposed this to have been arranged with my orders to proceed to Portsmouth to coal. My orders were rush orders; 1,000 men crowded the transport, and the captain of the vessel declared he could not coal with the men on board.

I was not intoxicated then, nor at any other time during my service in the Army.

The facts as stated in the above documents appeal strongly to the sense of justice which, in military as well as civil law, should temper the enforcement of discipline or punishment to its true and proper end. Hasty legal decisions based on evidence which the accused is not allowed to hear, or summary dismissals without even an opportunity given to the accused to defend himself (which privilege is as old as human government) can only be justified during military operations by the commission of an offense, so heinous in character as to demand immediate conviction, without trial, for the best interests of the service. That such a case is here presented is extremely doubtful. This officer, with a regiment consisting of 300 members and 700 recruits whose assignment to it was very unsatisfactory to them, is placed on a transport ordered to Portsmouth, Va., to coal; on the arrival there of the transport it was found necessary to unload these men, as, otherwise, coal could not have been put in this vessel.

The unloading of these men this officer understood to be a part of the orders he had already received, but his doing so is construed as a total ignorance of duty, because he failed to apply for permission to the brigade commander, whose headquarters were at Portsmouth and of which he was unaware. These men were placed in a Government inclosure at this point and the requisite precautions taken to keep them in order. During this officer's absence liquor was smuggled to them by the citizens of the place, and a number of the men, becoming intoxicated, eluded the guard and created a disturbance, which was suppressed by the old members of the regiment, which is evidently true, as the men were soon reloaded on the transport and proceeded up the James River. It is difficult to see where a total want of discipline occurs, which is another of the charges on which this officer was dismissed. The remaining charge, that of intoxication, is denied.

So highly was this officer esteemed by his comrades that a petition was forwarded by the officers of his regiment for the revocation of the order of dismissal; also a petition of a similar character from the field officers of his brigade. Attention is specially called to the indorsement of Major-General Ord, forwarding these petitions, that he had doubts as to the propriety of acting on General Vodges's report, etc.

It is respectfully submitted that while there may have been ground for censure or even the punishment of this officer for his conduct on this occasion, the facts as presented did not warrant a summary dismissal, but that he should have been granted a trial by court-martial, in order that he might defend himself; that the failure to do this constituted a great injustice, which, taken into consideration with his long and faithful service and good character, as sustained by the indorsement of his comrades in the field, in the opinion of your committee justifies the passage of this bill, which is respectfully recommended with the following amendment:

"That no pay or allowances shall accrue by reason of the passage of this act."

During the reading of the report,

Mr. SEWELL. The report is quite long, and I should like to have read now the summary of the committee. I understand the Senator from Missouri [Mr. COCKRELL] has an amendment to offer to the bill.

Mr. CARTER. I suggest that the further reading of the report be dispensed with.

Mr. SEWELL. Very well; let it be printed in the RECORD without further reading.

The PRESIDENT pro tempore. Without objection, the further reading of the report will be dispensed with.

Mr. COCKRELL. I move to amend the bill by striking out all after the enacting clause and inserting what I send to the desk, which will make the bill conform to all the precedents which have been followed by the Committee on Military Affairs for many years.

The PRESIDING OFFICER. The amendment submitted by the Senator from Missouri will be read.

The SECRETARY. It is proposed to strike out all after the enacting clause of the bill and to insert:

That the President be, and hereby is, authorized and empowered to revoke and set aside Special Orders, No. 147, paragraph 57, War Department, Adjutant-General's Office, dated March 27, 1865, dismissing George K. Bowen, lieutenant-colonel One hundred and eighty-eighth Regiment Pennsylvania Volunteer Infantry, and to cause to be issued to him an honorable discharge as of date March 27, 1865: *Provided*, That no bounty, pay, or allowance shall accrue by virtue hereof.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed as a substitute by the Senator from Missouri [Mr. COCKRELL].

The amendment was agreed to.

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

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

Mr. ALLISON. Mr. President, I had intended to ask the Senate to consider for a brief time the legislative, executive, and judicial appropriation bill, but so much time has been occupied by this other matter that I will not do so this afternoon. I wish to give notice, however, that at every opportunity possible I shall ask the Senate to consider that bill, interfering at no time with the consideration of the Army bill, when it is ready for consideration. I move that the Senate do now adjourn.

The motion was agreed to; and (at 5 o'clock and 12 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 9, 1901, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 8, 1901.*

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.

HENRY O. MORSE.

The SPEAKER announced his signature to the bill (H. R. 163) for the relief of Henry O. Morse.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. CUMMINGS, indefinitely, on account of a broken leg.

EIGHTH DISTRICT OF ALABAMA.

The SPEAKER. The Chair desires to have read the following communication from the Sergeant-at-Arms.

The Clerk read as follows:

OFFICE OF SERGEANT-AT-ARMS,
UNITED STATES HOUSE OF REPRESENTATIVES,
Washington, D. C., January 5, 1901.

SIR: A question has arisen in regard to the payment of Hon. WILLIAM RICHARDSON, member from the Eighth district of Alabama, who was elected on August 6, 1900, to succeed Hon. Joseph Wheeler. As I am informed, Mr. Wheeler has notified you, under date of August 17, 1900, that he resigned, the resignation to take effect August 6, 1900, while the governor of Alabama has certified to you that the resignation of Mr. Wheeler, bearing date April 20, 1900, was received on April 23 at the executive department of Alabama, and unconditionally accepted on that date. Mr. Wheeler has not demanded or received pay since March 4, 1899, the date of the beginning of the Fifty-sixth Congress.

The question which arises is as to the date at which the compensation of Mr. RICHARDSON should begin.

In view of the somewhat complicated legal question involved, I should like to have further advice before making the payment.

Respectfully,

HENRY CASSON,
Sergeant-at-Arms, House of Representatives.

Hon. DAVID B. HENDERSON,
Speaker of the House of Representatives.

The SPEAKER. The Chair desires to state that inasmuch as this involves, as the Chair thinks, an entirely new question, for which no precedent can be found, and a large sum of money is involved, the Chair, without objection, will refer this communication to the Committee on the Judiciary, with authority on the part of that committee to report back at any time on the facts and the law. The Chair hears no objection, and this reference will be made.

Mr. HOPKINS. Mr. Speaker, I now call up the bill H. R. 12740.

Mr. SHERMAN. I hope the gentleman will withdraw that for a moment.

Mr. HOPKINS. I withdraw the demand for a moment, and yield to the gentleman from New York.

HOUSE BILLS WITH SENATE AMENDMENTS.

Mr. SHERMAN. Mr. Speaker, I would like to move on the bills H. R. 11280 and 11281, which are on the Speaker's table, with Senate amendments, that the Senate amendments be nonconcurred in and that a conference be asked.

The SPEAKER. The request of the gentleman from New York is in respect to bills which the Clerk will report by their titles.

The Clerk read as follows:

A bill (H. R. 11820) to ratify and confirm an agreement with the Cherokee tribe of Indians, and for other purposes.

A bill (H. R. 11821) to ratify and confirm an agreement with the Muscogee or Creek tribe of Indians, and for other purposes.

The SPEAKER. The question is on nonconcurrence in the Senate amendments to both bills.

The Senate amendments were nonconcurred in.

The SPEAKER. The Chair announces the following conferees on the part of the House on each bill: Mr. SHERMAN, Mr. CURTIS, and Mr. LITTLE.

REAPPORTIONMENT.

The SPEAKER. The gentleman from Illinois calls up the regular order, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 12740) making an apportionment of Representatives in Congress among the several States under the Twelfth Census.

Mr. HOPKINS. Mr. Speaker, I now yield to the gentleman from Pennsylvania [Mr. DALZELL] one hour.

Mr. DALZELL. Mr. Speaker, the Constitution of the United States provides that Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. In order to arrive at the constitutional population, a further provision is made that at the end of each decennial period a census shall be taken of the inhabitants. Given such a census, the first question is, How shall the apportionment be made; in accordance with what rule?

It seems that from the inception of the Government down to 1840 the method of proceeding was to start with an arbitrary ratio, to divide this ratio into the constitutional population, and

obtain as a result the number of Representatives to be apportioned among the various States. Since 1840, however, a period of sixty years, another method has been pursued; and that is to assume, arbitrarily in the first place, a number of Representatives; to divide this number of Representatives into the constitutional population, and obtain as a result a given ratio, which, applied to the various States in their turn, will give the number of Representatives to which, respectively, they are entitled.

There are pending before this House now two bills, each of which, it is claimed, has been drawn in accordance with this second method; that is to say, by the selection in the first place of an arbitrary number of Representatives, a division of that number into the constitutional population, obtaining a ratio for the distribution of Representatives in accordance therewith throughout the various States. The first bill, the bill of the majority, started with 357 Representatives, and, taking the figures reported by the Director of the Census, made a report apportioning the Representatives in the various States, recognizing in that apportionment certain fractions and disregarding others.

That is to say, it was found in this case, as it has been found in other cases, that the ratio assumed will not divide evenly into the constitutional population; that necessarily there will be fractions; and it was determined sixty years ago that the proper method of disposing of those fractions was to give to each majority fraction a Representative. That rule the majority bill follows until it arrives at 357 Representatives, and it then ceases to recognize this majority fraction. That leaves a majority fraction in the case of Florida, of Colorado, and of North Dakota.

In my judgment the majority bill would be as near a perfect bill as could be framed if there were added to it 3 more Representatives, making 360 in all, and apportioning those 3 Representatives, 1 each, to Florida, North Dakota, and Colorado. The minority bill, on the other hand, starts with 384 Representatives, and, taking the tables returned by the Director of the Census, it finds that after 384 are provided for there will be two majority fractions, one representing Nebraska and the other representing Virginia. The minority bill, therefore, adds to 384, with which it originally started, these 2, making 386 in all.

Now, it will be perfectly apparent to anyone who undertakes to examine the figures, that upon either basis exact justice has not been done and can not be done to all the States in their relation to each other. The gentleman from Maine [Mr. LITTLEFIELD] who addressed the House on Saturday last, put into the RECORD a table, of which I avail myself. It is on page 659 of the RECORD, and shows the difference between the lowest ratio of apportionment and the highest ratio of apportionment in the majority bill, and the lowest ratio of apportionment and the highest ratio in the minority bill. It will be observed that in the one case there is a difference of 34,000 and in the other a difference of over 97,000. But not content with that analysis, for my own satisfaction I undertook to make an analysis of the figures of the majority bill. That bill gives to Maine 4 Representatives, and I refer to Maine, not because I have any antipathy to Maine or to any citizen of Maine, but simply because her case furnishes the best basis upon which to make an analysis of this bill.

Upon the population of Maine, giving her 4 Representatives, the ratio appears to be 173,616. That is to say, for every 173,616 of her inhabitants a member of Congress is given. If, now, this Maine ratio be applied to the various States in their turn, it will be found that the following States have been fairly dealt with: Colorado, Connecticut, Florida, Kansas, Mississippi, Nebraska, New Hampshire, North Dakota, Oregon, Rhode Island, South Dakota, Vermont, Washington, and Wisconsin; in all, with Maine, 15 States.

It will be found, however, that the following States have not been fairly dealt with upon that basis. Instead of having 9 Representatives Alabama should have 11. Instead of having 7 Representatives Arkansas should have 8. Instead of 8 Representatives California should have 9. Instead of 11 Representatives Georgia should have 13. Instead of having 25 Representatives Illinois should have 28, and so on down.

Mr. FITZGERALD of Massachusetts. How many Representatives should Massachusetts have?

Mr. DALZELL. I will go through the entire list, because it is apparent that every gentleman is interested in his own State. Instead of having 13 Representatives Indiana should have 14. Instead of having 11 Representatives Iowa should have 13. Instead of having 11 Representatives Kentucky should have 12. Instead of 7 Louisiana should have 8. Instead of 6 Maryland should have 7. Instead of 14 Representatives Massachusetts should have 16. Instead of 12 Representatives Michigan should have 14. Instead of 9 Representatives Minnesota should have 10. Instead of 16 Representatives Missouri should have 18. Instead of 10 Representatives New Jersey should have 11. Instead of 37 Representatives New York should have 41. Instead of 10 Representatives North Carolina should have 11. Instead of 21 Representatives Ohio should have 24. Instead of 32 Representatives Pennsylvania should have 36. Instead of 7 Representatives South Carolina should have 8. Instead of 10 Representatives Tennessee should have 12. Instead of 16 Representatives Texas should have 18. Instead of 1 Representative Utah should have 2. Instead of 10 Representatives Virginia should have 11. Instead of 5 Representatives West Virginia should have 6.

Mr. LACEY. What is the total increase?

Mr. DALZELL. Twenty-four States have lost according to this apportionment, upon the basis of the other 15 States, 49 Representatives, which added, as they ought to be, to the minority bill would make the representation in this House 429. The deprivation in the 24 States of the representation to which they are entitled upon the basis of the minority bill disfranchises in the 45 States of the United States 7,465,488 persons.

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

Mr. DALZELL. Certainly.

Mr. LONG. Has the gentleman made a computation on the same basis to find out what it would be under the majority bill?

Mr. DALZELL. I will come to that. I do not propose to do an injustice to either bill.

Mr. LONG. Very well.

Mr. DALZELL. Now, it is manifest that equal and exact justice can not be done under this bill to the various States in the Union, and that a large proportion of the citizens of the United States are virtually disfranchised. Going to the other bill, for I say to my friend from Kansas I have no desire to do injustice to either, nor to advocate the cause of one bill as against the other by ignoring the inaccuracies, inequalities, or injustices of either, I would say that I undertook to make an analysis of the majority bill upon the same basis that I made the analysis of the minority bill.

I did not follow that analysis to its conclusion, because I found that so far as this matter was concerned there was very little, if any, difference between the two bills; and I came to the conclusion, as I think every gentleman will who gives any examination at all to this subject, that upon neither of the methods suggested by the Director of the Census can equal and exact justice be done to all the States of this Union in their relation to each other.

It does seem to me, however, that with the addition I have made to the majority bill—the recognition of all the majority fractions, the inclusion of the States of Florida, North Dakota, and Colorado—justice will be attained by the majority bill as nearly as justice can be attained in the making of an apportionment by any of the methods available to us under the Constitution.

The result, however, at which I have arrived is, as I have said, that justice can not be done to all the States by either of these methods; and therefore it seems to me wise to abandon figures and come to what is the only real question in this case; and that question is, not whether this House should be increased in numbers, but whether it is not already large enough, if not too large.

Mr. LONG. Will the gentleman allow me a question?

Mr. DALZELL. Certainly.

Mr. LONG. The gentleman heard the objections made to the minority bill on the ground that it included representation for majority fractions for the States of Nebraska and Virginia, making a House of 386. It was claimed that that would do injustice to the States of New York and Pennsylvania, because on the basis of 386 the States I have mentioned would get a Representative each. Now, if the majority bill be amended by providing representation for the three fractions unrepresented under the table of 357, would not injustice be done on the same theory to the State of Massachusetts, which on a computation of 360 gets a member, while, under the addition proposed by the gentleman, North Dakota would get the member that really belongs to Massachusetts? I do not present that as my theory, but as the theory of those who have been supporting the bill of the majority without amendment.

Mr. MOODY of Massachusetts. That is the result.

Mr. LONG. It is.

Mr. DALZELL. That is undoubtedly true.

Mr. LONG. So that the objection made by the gentleman from Illinois to our computation is not correct, in the judgment of the gentleman from Pennsylvania?

Mr. DALZELL. Well, I pass no judgment at all upon the position of the gentleman from Illinois. But what the gentleman from Kansas has just stated is entirely in accordance with what I have already stated—that I can not conceive of any method that has been suggested, or any method that has ever been followed, by which exact justice, upon the basis of figures, can be done to all the States of this Union in their relation to each other. And therefore I repeat, let us abandon the question of figures altogether; let us take the best we can take as bearing upon a certain principle, and that principle is involved in the question that I have suggested as the main question in this debate—not whether or not the membership of this House shall be increased, but whether this House is not already large enough, if not too large.

Mr. LONG. Will the gentleman pardon me again? I only

made my suggestion in order to show that the gentleman from Pennsylvania is in accord with us in the position we have taken in this case, even though he disagrees with us as to the size of the House. We welcome his support to our theory.

Mr. DALZELL. "The gentleman from Pennsylvania" is in accord partly with the minority and partly with the majority on minor questions; but nevertheless he repeats that, in his judgment, the real question involved is as to the size of the House.

Now, before I come to discuss existing conditions, I wish to submit some observations upon this subject made by so great an authority as Alexander Hamilton. In his speech on Saturday last the gentleman from Maine [Mr. LITTLEFIELD] cited Alexander Hamilton, and sought to convey the impression to this House that, according to the philosophy and the rules laid down by Alexander Hamilton, he would favor an increase. I wish to show to the House, out of the writings of Alexander Hamilton, that if he were here to-day he would, to be consistent, be arguing against an increase in the membership of this House.

What was the question involved? The Constitution as it came from the Convention provided for a representation of 65 members—1 for every 30,000 inhabitants. Objection was made to that. I read from the Federalist, No. 64:

That so small a number of Representatives will be an unsafe depository of the public interests; secondly, that they will not possess a proper knowledge of the local circumstances of their numerous constituents; thirdly, that they will be taken from that class of citizens which will sympathize least with the feelings of the mass of the people and be most likely to aim at a permanent elevation of the few on the depression of the many; fourthly, that defective as the number will be in the first instance, it will be more and more disproportionate by the increase of the people and the obstacles which will prevent a correspondent increase of the Representatives.

Now, it will be observed that Mr. Hamilton is undertaking to answer these four objections in support of the proposition that the House was large enough. The House was then constituted of 65 members, one to every 30,000 inhabitants. Let us see what his reasons were, because they are as applicable to-day as they were then. He said:

In general it may be remarked on this subject that no political problem is less susceptible of a precise solution than that which relates to the number most convenient for a representative legislature. Nor is there any point on which the policy of the several States is more at variance, whether we compare their legislative assemblies directly with each other, or consider the proportions which they respectively bear to the number of their constituents.

Then he goes on and points out the difference in the proportion of Representatives in the State of Delaware as compared with those in Massachusetts and Pennsylvania, and so on, and then he follows with this additional general remark:

Another general remark to be made is that the ratio between the Representatives and the people ought not to be the same where the latter are very numerous as where they are very few. Were the Representatives in Virginia to be regulated by the standard in Rhode Island, they would at this time amount to between four and five hundred, and twenty or thirty years hence to a thousand, and so on. The truth is—

He says:

that in all cases a certain number, at least, seems to be necessary to secure—

Mark you—

the benefits of free consultation and discussion, and to guard against too easy a combination for improper purposes; as on the other hand the number ought at most to be kept within a certain limit in order to avoid the confusion and intemperance of a multitude. In all very numerous assemblies of whatever character composed passion never fails to wrest the scepter from reason. Had every Athenian citizen been a Socrates, every Athenian assembly would still have been a mob.

And the observations that Mr. Hamilton made in that connection are as applicable to-day as they were when made, and have never found a more emphatic proof and illustration than they find in the history and the present condition of this House.

Now, let us advance to the other reasons assigned. He says:

The true question to be decided, then, is whether the smallness of the number as a temporary regulation be dangerous to the public liberty, whether 65 members for a few years and 100 or 200 for a few more be a safe depository for the limited and well-guarded power of legislating for the United States.

And then he goes on to show, reasoning from the character of the American citizen as he existed then, that the liberties of the people were perfectly safe in the keeping of those 65 Representatives. And, reasoning upon the same basis to-day, he would be a bold man who would deny in this House that the liberties of the people of the United States are not quite as safe in the custody of 357 members that now constitute the membership of this body.

The second charge—

He said—

against the House of Representatives is that it will be too small to possess a due knowledge of the interests of its constituents.

It is a sound and important principle that the Representative ought to be acquainted with the interests and circumstances of his constituents. But this principle can extend no further than to those circumstances and interests to which the authority and care of the Representative relate. An ignorance of a variety of minute and particular objects which do not lie within the compass of legislation is consistent with every attribute necessary to a due performance of the legislative trust. In determining the extent of information required in the exercise of a particular authority, recourse then must be had to the objects within the purview of that authority. What are to be the objects of Federal legislation? Those which are of most importance and which seem most to require local knowledge are commerce, taxation, and the militia.

And substantially the same analysis might be made to-day. And then Mr. Hamilton goes on to say with respect to these subjects of Federal legislation about which the Representatives should have knowledge:

Divide the largest State into ten or twelve districts, and it will be found that there will be no peculiar local interests in either which will not be within the knowledge of the Representative of the district.

Now, leaving that and going to the third charge, that is one upon which we need make no comment at this time—that is to say, that the House of Representatives will be taken from that class of citizens which will have lost sympathy with the mass of the people. Because our history has demonstrated that that prophecy was to be unfulfilled. But lastly and most important in this connection—

The remaining charge against the House of Representatives which I am to examine is grounded on a supposition that the number of members will not be augmented from time to time as the progress of population may demand.

Then Mr. Hamilton proceeds to show in his inimitable way how that matter has been safeguarded by the provisions of the Constitution, and then, addressing himself to the evil that he clearly foresaw, and which I say faces us to-day, the evil of too great an increase, he makes some observations that I want to press home to the conscience and the intelligence of every member of this body. He says:

One observation, however, I must be permitted to add on this subject as claiming, in my judgment, a very serious attention. It is that in all legislative assemblies the greater the number—

Mark you—

the greater the number composing them may be the fewer will be the men who will in fact direct their proceedings. In the first place, the more numerous an assembly may be, of whatever characters composed, the greater is known to be the ascendency of passion over reason. In the next place, the larger the number the greater will be the proportion of members of limited information and of weak capacities. Now, it is precisely on characters of this description that the eloquence and address of the few are known to act with all their force.

In the ancient republics, where the whole body of the people assembled in person, a single orator or an artful statesman was generally seen to rule with as complete a sway as if a scepter had been placed in his single hand. On the same principle, the more multitudinous a representative assembly may be rendered the more it will partake of the infirmities incident to collective meetings of the people. Ignorance will be the dupe of cunning and passion the slave of sophistry and declamation.

Now, mark you again:

The people can never err more than in supposing that by multiplying their Representatives beyond a certain limit they strengthen the barrier against the government of a few. Experience will forever admonish them that, on the contrary, after securing a sufficient number for the purposes of safety, of local information, and of diffusive sympathy with the whole society, they will counteract their own views by every addition to their Representatives. The countenance of the Government may become more democratic, but the soul that animates it will be more oligarchic. The *machine* will be enlarged, but the fewer and often the more secret will be the springs by which its motions are directed.

Here, from the greatest statesman of our history, speaking over a period of a hundred years, come the three tests to measure an effective legislative assembly; that assembly whose numbers are sufficient for the purposes of safety, for the purposes of local information, and for the purpose of securing that diffusive sympathy which is necessary in the whole society.

Is there any man on this floor to-day who will declare in his place that the public safety, the interests, the liberty of the people of the United States can not be protected, safeguarded, and defended by a House of Representatives consisting of 357 members?

Is there any man here who will declare upon his responsibility as a Representative that Maine will suffer in her liberties, in her public safety, by having 3 Representatives instead of 4? Will any man contend that the people of Pennsylvania will be more secure in their liberties with 32 Representatives upon this floor instead of 30? Will any man declare in these days of rapid transit, telegraphs, telephones, and a public press that the local information necessary to care for the interests of Maine will not be as thoroughly possessed by 3 Representatives as by 4?

And the same argument will apply to each and every State in its turn.

Mr. WM. ALDEN SMITH. Yes, but what about her strength in the electoral college?

Mr. DALZELL. We all suffer alike in that.

Mr. WM. ALDEN SMITH. I do not think so.

Mr. DALZELL. All suffer alike in that. There is no more reason why the electoral college should be increased in numbers than there is why the House of Representatives should be increased in numbers. And I submit to every fair-minded man within the sound of my voice that 357 members respond fully to the tests that are laid down by Alexander Hamilton for the constitution of an efficient and perfect legislative assembly.

Now, Mr. Speaker, leaving the domain of theory and approaching that which we ourselves know, I advance the proposition that this House is habitually turbulent and noisy and at times almost uncontrollable, and that it has reached that point where, in very

many cases, the individuality of the Representative counts for absolutely nothing. Why, years ago, when this House consisted of less than 300 members, according to the testimony of distinguished statesmen now on record, it had already arrived at a point where it was disorderly, turbulent, and largely incapable of control. The gentleman from Maine [Mr. LITTLEFIELD] on Saturday last quoted from authorities which he supposed were authorities for him. I submit that the authorities are altogether against him. Sixty years ago a distinguished member of this House said:

> Never since he had held a seat in this House had it been so inefficient a body as it was at this moment. The deterioration had been constant, as well in the dispatch of business as in the manner and the matter of its debate, owing, as he believed, to its overgrown size.

That was not the expression of an outsider. That was the expression of a distinguished Representative, an actor on the scene, a participator in debate, his deliberate judgment that at that time a House of less than 300 members had already become inefficient, had degenerated in dispatch of business and in manner and matter of debate.

Mr. JONES of Washington. Will the gentleman allow an interruption?

Mr. DALZELL. Yes.

Mr. JONES of Washington. Are you willing to reduce the membership to 300? Are you in favor of that?

Mr. DALZELL. Certainly, I am.

> Mr. Johnson said the Senate had stigmatized the House as a bear garden, and contended, for that reason, that its number must be reduced. Mr. Pickens, in making an answer to some suggestions to the gentleman from Massachusetts, Mr. Adams, said that instead of meeting here for consultation and legitimate discussion, if the House was increased in size, it would be a body thrown into confusion, and from its very numbers it would be imbecile for all the purposes laid down in the Constitution.

And even at a later day Mr. Herbert, twenty years ago, said that we all know that gentlemen now sit here for a whole Congress and do not know all of their fellow-members even by sight. Men sent here to deliberate and discuss, men sent here to consult with each other upon grave questions relating to their constituents, and sent here in such numbers that during a period of two years it is impossible that they should become personally acquainted with each other! And Mr. Morrill, a name prominent in American history—American parliamentary history—Mr. Morrill, speaking of a period forty years ago:

> Now the Speaker has to stand up all the time and speak in a stentorian voice and constantly be rapping on his desk to maintain order in a little circle round about the Chair; and it is a fact that very few members are able to participate understandingly in the transaction of business.

Now, that is only a slight exaggeration. The only exaggeration is that the Speaker is standing up all the time. If he had said he had to rap with his gavel almost all the time to prevent confusion, he would have pictured the House as it existed yesterday, as it exists to-day, and as it will exist, only in a far worse degree, when you have added to its membership 29 or 30 more.

Now, it seems like a waste of time to be arguing this proposition in a House where there is present before us at all times an object lesson.

Mr. MOODY of Massachusetts. Mr. Speaker, will the gentleman permit an interruption? It does seem to me that we do have an object lesson this morning. Here are many gentlemen desiring to hear the gentleman from Pennsylvania, gathered about him listening attentively. On the other side of the Chamber and in their seats in the House there are gentlemen sitting at their desks writing letters or reading newspapers or consulting with each other. Does not that show that it is time to take away temptation—to take away the desks from the Chamber [loud applause]—so that it may be used wholly for deliberative proceedings, for those who desire to speak and for those who desire to listen?

Mr. GAINES. And it is no worse on this than on that side of the House.

Mr. MOODY of Massachusetts. Precisely; I meant no special reference.

The SPEAKER. The Chair will state that if anyone desires to interrupt the member who is speaking he must rise and address the Chair, and get permission. The gentleman from Pennsylvania will proceed.

Mr. MOODY of Massachusetts. Mr. Speaker, I supposed I addressed the Chair and received the consent of the gentleman from Pennsylvania.

Mr. DALZELL. Certainly; I agreed.

The SPEAKER. The Chair did not hear that.

Mr. MOODY of Massachusetts. I turned to the Speaker and then asked permission.

The SPEAKER. Then the gentleman was not at all in fault.

Mr. DALZELL. What the gentleman says is largely so. I have no doubt that the remedy for the evil should be determined in advance if this House is to be increased in number, which I think is inexpedient from any point of view. If it is determined to increase the number, I have no doubt the remedy suggested by the gentleman from Massachusetts would afford some relief; but it would nevertheless simply amount to this: It would amount to the introduction into the House of Representatives of the United States of the absenteeism that prevails in the English House of Commons.

The result would be not that gentlemen would be here to vote, because even with this great number they perform that slight duty. Not that gentlemen would be here to vote, but that gentlemen unwilling to listen would habitually be absent from the Chamber, and what Mr. Hamilton predicted would become true. The House would be absolutely under the control of the few men who attend daily to their duties.

Now, then, I must hasten on. There are facts within the knowledge of gentlemen who have served in two or three Congresses that go to show that the truth of the position that I am arguing has been recognized in this House, and that the evil has been sought to be avoided through a long course of years by the adoption of various expedients. For example, it has been a subject of deliberation in three or four Congresses by the Committee on Rules as to whether or not the rule that admits to the privileges of the floor ought to be so changed as to exclude ex-members, it being considered that in the confusion that here prevails the exclusion even of the few gentlemen who see fit to return from time to time to the scenes of their triumphs or their defeats might add something to the order of the House.

The rules provide that the heads of Departments—the gentlemen with whom we are brought in contact in order to receive the information necessary in the performance of our legislative duties—shall have access to the floor of the House; and yet in Congress after Congress the petition of the Commissioners of the District of Columbia for admission to this House has been denied, because it was conceived that not even three more men ought to be added to the number already upon the floor. Even so small a matter as the presence of the Secretary of the Smithsonian Institute, who probably came here but seldom, was taken into account and some Congresses ago his name was stricken from the roll. It was thought that the absence even of one man might contribute something to the order that ought to be maintained on this floor. We have denied time and again access to this floor to the assistant sergeant-at-arms and assistant doorkeeper of the Senate.

Why, if any member has a constituent who calls upon him as a matter of courtesy or for business purposes he must meet him in one of the halls surrounding this House of Representatives, because the lobby is too small to accommodate 357 members of the House. For that reason visitors have been excluded from it, newspaper reporters, and others, while at the other end of the Capitol Senators have a place to receive their constituents, their families, and all who may see fit to call on them in the performance of their public duties, a privilege that every public servant ought to have, and that any properly constituted House would provide.

Mr. WM. ALDEN SMITH. Mr. Speaker——

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

Mr. DALZELL. I do.

Mr. WM. ALDEN SMITH. The gentleman suggests that much of the confusion that is had here might result if the membership was increased, and he says, citing the English House of Commons——

Mr. DALZELL. I did not cite the English House of Commons on the question of confusion.

Mr. WM. ALDEN SMITH. Well, the question of attendance. That attendance, or lack of attendance, at the English House of Commons is ascribed to the fact that the members are paid nothing, and they do not feel bound to attend, as they do here. I do not think that analogy holds good.

Mr. DALZELL. I will say to the gentleman from Michigan that he has anticipated what I was going to say. Gentlemen on this floor cite to us the House of Commons and the French Chamber of Deputies. There is no proper analogy between those houses and this House. In the discussion over the first apportionment bill some gentleman said, what has been repeated at every similar discussion since, that the House of Commons had so many and the French Chamber of Deputies had so many members, and a distinguished gentleman of that day said, and I adopt his ejaculation, "God forbid that this House should be brought into comparison with either the House of Commons or the French Chamber of Deputies."

The House of Commons is made up of representatives many of whom know nothing about the constituency that they are supposed to represent. A man is chosen from some place in England to represent some borough in Scotland where he has never been and about which he cares nothing. Members receive no emolument. I have been in the House of Commons half a dozen times and I never have seen 100 members in it. Theirs is a parliamentary Government and this is a Congressional Government. There is no proper analogy between them.

As to the French Chamber of Deputies, if there is a more disorderly, and at times disgraceful, assembly on the face of the earth,

so far as parliamentary procedure is concerned, I would like to know where it is. Why, the speaker of the French Assembly is clothed with the power of, at his own sweet will as to time and occasion, adjourning the assembly by ringing a bell. [Laughter.] And times without number, if the newspapers are to be believed, within the last few years, the French Assembly has been adjourned at the bell of the speaker to avoid possible bloodshed on its floor.

As to this Chamber, we have even removed the pages that used to come at beck and call and were seated on the floor of the House; we removed them into a half-lighted room, without air or ventilation, filled with tobacco smoke, in order to get rid even of their presence on the floor of the House. All these matters are matters relating to the presence of persons on the floor. They are of small importance in comparison with other measures that have had to be taken in order to transact even as well as we do the business of the House. There was a time when there was no limitation on debate in this House.

Now there is a limitation on debate, and, however much we may regret it, there is no gentleman here who does not know that it exists as an absolute necessity; who does not know that out of the 357 members that constitute this House 300 of them have never been heard upon the floor and never can be heard under ordinary circumstances. Why, if a gentleman is asked by his constituents to present a bill in this House relating to some measure of great public importance he can not rise in his place and present that bill. He must deposit it in a box, and nobody, save the studious man who reads the RECORD and the committee to whom it is referred, unless it be reported, ever knows of its existence.

When I became a member of this House, not many years ago, there was a day when gentlemen arose in their places and presented bills sent them by their constituents, and when every man who saw fit to be in his seat knew at the end of the day just what legislation was proposed. The same method exists to-day in the Chamber at the other end of the Capitol, and it is a method that ought to exist everywhere in a legislative body sitting for the purpose of legislating, if it be possible. The great right of petition, for which that grand old President and statesman, John Quincy Adams, so heroically and successfully battled, what is it to-day? A mere farce.

A petition signed by thousands of your constituents relating to measures considered by them of the gravest importance, and which under the Constitution they have a right to present to this House, can not be presented to the House itself. It goes into a box and is referred to a committee, and, unless called for by the committee, is never seen by anyone save the man who presents it.

Mr. WM. ALDEN SMITH. What is the remedy for it?

Mr. DALZELL. The remedy that existed when the House was small and when bills and petitions were presented in this House as they are on the floor of the Senate.

Mr. WM. ALDEN SMITH. Does that fulfill the constitutional function to give the people their right of representation?

Mr. DALZELL. That is one aspect of the question we are debating.

Mr. GAINES. Mr. Speaker, I would like to ask the gentleman from Pennsylvania a question.

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

Mr. DALZELL. Yes.

Mr. GAINES. Did not the gentleman from Pennsylvania vote for the present rules?

Mr. DALZELL. Yes, and I would vote for them again, and again, and again. And if that side of the House were to come into power, they would have to take them because they would find, as they did find in the Fifty-second and Fifty-third Congresses, that this House can not be governed except under such rules.

Mr. GAINES. I never have and I never will.

Mr. DALZELL. Why, sir, the reports of committees which used to be presented openly in this House, and ought to be so presented, are disposed of now in the same way as bills introduced. And then even, as to the Committee of the Whole on the state of the Union, it was found that this House, with 357 members, could not go into the Committee of the Whole on the state of the Union and successfully transact business; so that it was finally agreed, both sides of the House consenting, that a quorum in the Committee of the Whole should be reduced to 100 members.

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

Mr. DALZELL. Certainly.

Mr. LONG. Is there any material difference between the rules as we have them now, with a House of 357 members, and the rules as we had them in the Fifty-first Congress, with a House of 325 members?

Mr. DALZELL. Not at all.

Mr. LONG. Then what difference would there be between a House of 386 members and a House of 357 members in regard to the points that the gentleman makes?

Mr. DALZELL. Just the same difference that there is between 357 and 325. It is harder to control this House and transact business efficiently under any rules with 357 members than it was in the Fifty-first Congress with 325. And the difficulty will be increased with every accession to the membership of this House.

Now, I must hasten on. Mr. Speaker, how much time have I remaining?

The SPEAKER. Ten minutes.

Mr. SMITH of Kentucky rose.

Mr. DALZELL. I hope the gentleman will not interrupt me; I have only ten minutes left.

Mr. SMITH of Kentucky. Just a moment. I have listened very attentively to what the gentleman has been saying about the restrictions on debate in this House. Now, I ask, is that due to the increased membership of the House or to the tendency of either party that may dominate the House to cut off debate on the opposite side?

Mr. DALZELL. I think it is due to the increased membership.

Mr. SMITH of Kentucky. I differ with the gentleman.

Mr. DALZELL. It is due to the impossibility of furnishing an opportunity for every member to join in debate.

Mr. Speaker, there are on the roster of this House—I have not counted them, but I venture the assertion there are fifteen useless committees, committees that never meet, that have no business to perform, to which a bill is never referred, and which exist as committees only in name. Why? Because the Speaker has to find a place on committee for every one of the 357 members. Not only that, but every main committee of this House, every committee charged with important business in this House, has had its numbers so increased that it is absolutely impossible to stow away another man in the committee room. Yet you propose to find committee places for 29 additional members.

Mr. Speaker, I have not time to dwell further on this aspect of the case. I come now to my last proposition. I deny the affirmation that even under the rules as we have them this is an efficient House. I say it is an inefficient House; and let the record show it. In the Fifty-fourth Congress there were presented in the House and the Senate 14,114 bills and 470 resolutions—a total of 14,584. Of those bills and resolutions of more or less importance there were reported in this House the beggarly number of 2,815; and there were passed and became law the still more beggarly number of 984—984 out of a total of 14,584. But that is not all or the worst of it. The Senate of the United States, with no cloture, with no previous question, with unlimited debate, passed 1,682 bills to 948 passed by the House of Representatives; and the difference between the Senate and the House of Representatives is the difference between 90 men without rules and 357 men held to the performance of their duties by the strictest of rules.

In the Fifty-fifth Congress there were introduced in the House 10,547 bills and in the Senate 5,855, or a total of 16,402; and there were reported in this House the beggarly number of 2,112, and passed, 1,461.

Mr. HILL. Will the gentleman pardon me a moment? Does he bear in mind the fact that the English House of Commons, with a quorum of only 40, passed only 299 bills last year?

Mr. DALZELL. I have said that there is no analogy between the House of Commons and this representative body.

Mr. HILL. There is in size and working force.

Mr. DALZELL. Not at all. That is an executive body; this is a legislative body. That is a Parliamentary body; this is a Congressional body. Their Government is a Parliamentary Government; our Government is a Congressional Government. The difference is so vast that it is impossible to make any comparison between them.

Only one word more. In the present Congress, according to the RECORD, there were introduced up to last Saturday night 13,300 bills in this House and 5,414 in the Senate—a total of 18,714; and we have managed to have reported up to this time 2,100 of those bills.

Mr. BINGHAM. Let me ask the gentleman one question covering, I think, this whole proposition. May not the determination of a bill which the committee determines not to report to the House be just as wise a legislative policy as reporting a bill? Is not the gentleman going upon the assumption that all legislation proposed by bills introduced is wise legislation?

Mr. DALZELL. I am glad the gentleman called my attention to that, because I had omitted to say that in the Fifty-fifth Congress, counting what the gentleman speaks of, bills that were reported adversely, and resolutions reported adversely, and all matters of legislation passed upon, the Senate disposed of 2,114 as against 1,461 in the House.

Mr. HEMENWAY. How many of them were passed by Senatorial courtesy which never should have passed?

Mr. FITZGERALD of Massachusetts. Does the gentleman from Pennsylvania think that the wisdom of the rules of the House was vindicated when the House refused to pass a lot of

those bills that came over here from the Senate, considering the manner in which those bills are gotten through the Senate?

Mr. DALZELL. Yes; I think anything done by the rules of the House is all right. [Laughter.]

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

Mr. DALZELL. Really, I must either quit or——

The SPEAKER. The Chair has already stated that the consent of the Chair must be obtained before a gentleman is interrupted.

Mr. DALZELL. I assume that my time has about concluded.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MOODY of Massachusetts. I ask unanimous consent that the time of the gentleman be extended fifteen minutes. It is in the interest of the members of the House.

Mr. DALZELL. Mr. Speaker, I decline that for the reason that other gentlemen are to follow me.

The SPEAKER. Objection is made by the gentleman from Pennsylvania.

Mr. DALZELL. I am very much obliged to the gentleman, but other gentlemen are to follow me, and I am not willing to take any portion of their time. [Applause.]

Mr. BURLEIGH. I yield ten minutes to the gentleman from Pennsylvania [Mr. BINGHAM].

[Mr. BINGHAM addressed the House. See Appendix.]

Mr. HOPKINS. I yield twenty minutes to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Speaker, I will take up the subject of Pennsylvania at the point where the gentleman laid it down. For twenty years, with the political power in the hands of the party to which the gentleman has belonged, they have seen fit to ignore the apportionment made by Congress.

Mr. BINGHAM. Did the gentleman say twenty years?

Mr. GROSVENOR. Twenty years.

Mr. BINGHAM. Permit me to correct the gentleman.

Mr. GROSVENOR. I think it has been twenty years.

Mr. BINGHAM. The last apportionment was made in 1887.

Mr. GROSVENOR. Very well, then, for thirteen years. At that time did you have all of your Congressmen?

Mr. BINGHAM. You mean twenty years?

Mr. GROSVENOR. Oh, yes.

Mr. BINGHAM. Then you reaffirm your statement.

Mr. GROSVENOR. I know what I am talking about. For thirteen years, according to the gentleman's own statement, this same magnificent county of Philadelphia has gone without her proportion of representative force in the House of Representatives, while they have elected two members at large throughout the State. Now, under the recent census the State of Pennsylvania increased her population by something over a million.

Mr. BINGHAM. One million and forty-four thousand.

Mr. GROSVENOR. And of that number 246,000 were in the county of Philadelphia and 223,000 were in the county of Allegheny, making nearly half a million of people. Now, the proposition is to reapportion the State, or else my friend's appeal is in vain, by giving to those cities the just measure of their deserts that they have been powerless to obtain for all these years.

Mr. BINGHAM. We can not do this ourselves.

Mr. GROSVENOR. You did not have any legislatures in session?

Mr. BINGHAM. We do not have this legislature.

Mr. GROSVENOR. Then there is something peculiar about this legislature that has not been about other legislatures. I think there is no special peculiarity about this legislature.

Why, Mr. Speaker, there is the whole trouble. Take my own State of Ohio, where we made a splendid gain of 485,229—almost half a million. Five counties of that State made almost 300,000 of that gain—Hamilton County, Cuyahoga County, Lucas County, Franklin County, and Montgomery County. Now, the smaller you make the ratio the more power, relatively, you put into those counties and the fractional parts thereof. So, under the Burleigh bill we find, instead of four Representatives from the great cities of Ohio, we shall have nearly two and a half ratios in Cuyahoga, two and forty-odd thousand in Hamilton County, almost a ratio in Franklin, and almost a ratio in Lucas County, while all the balance of the State will have the pleasure of dividing up about 15 members of the House of Representatives.

Mr. BINGHAM. Will the gentleman allow an interruption there? Is not that whole matter of the division of the State a function of the State legislature?

Mr. GROSVENOR. Oh, very well——

Mr. BINGHAM. This House has nothing to do with it.

Mr. GROSVENOR. Apparently it has had a great deal to do with it. Now, with reference to New York, the Burleigh bill proposes to add three members from the State of New York. Where will they be located? That portion of the State above the Harlem River has not gained in population except in a single county materially, and the whole three of these members is simply a peace offering which is now proposed to be tendered to the political power dominating below the Harlem, Tammany Hall.

Now, Mr. Speaker, I have no interest or feeling in regard to this bill. I would not vote to keep any man out or to bring any man in. I have one general idea in regard to the power of the people of a State over its representation in Congress. I do not believe in this country it is necessary that Congress shall legislate and affect the whole of the country by its legislation in order that some one or two or three particular gentlemen shall be kept in Congress or that any particular State shall be protected beyond its deserts, for while I believe my friend from Pennsylvania is right in saying the legislature of the State has power over its Congressional districts, I am right in saying that the people of a State have power over the election of their Representatives; and it will not occur shortly that any action of Congress will keep any distinguished man out of Congress and send a less valuable one in his place.

I put my support of this bill on the ground that it is a smaller number of Representatives than any other bill. I would cheerfully and gladly vote for a scheme of 300 members of the House. I have listened to this discussion about the French Chamber of Deputies and the British House of Commons. Why, Mr. Speaker, the members of the British House of Commons are not in any sense such representative men of their constituencies as we are. It is a rare thing in an ordinary session of the House of Commons to find above a hundred members present and therefore it is that they have cut down the quorum of their House to 40, in order that about 40 members can go there and transact business.

The average member of the House of Commons in England is a gentleman who has wealth enough and is powerful enough to go to London to live, is wealthy enough to live without salary, and to be within telephonic or telegraphic reach in case of a political division in the House, so that he may go in and ascertain his duty as an individual, then vote, and leave immediately.

And the same is true of the representative assembly of the people of France. There is no comparison. The English member of the House of Commons has no necessity for a desk. He has nothing to do with the rules of the house, he does not have to have a digest, and has nothing to do with the list of members. He does not care anything about that; he does not need a directory. Nine out of ten of them have no great business connection with their constituents at home. I have heard this talk about taking the desks out of this House. I do not believe that it will ever be done.

The gentleman from Pennsylvania [Mr. BINGHAM], if he desires to make the effort, will have an opportunity when the sundry civil bill comes here to move to strike out the appropriation for the improvement of the Hall that is now contemplated and substituting the removal of the desks, and I venture to say that he will not get 10 votes in this House in favor of his project. It never had any support, except here and there an American gentleman journeying to London who thought he saw something rather attractive by looking down from the gallery, where he was able to get a seat that some member of Parliament did not occupy—for more than one-third of them have to sit in the gallery, if they ever come there, as they do occasionally on festal occasions—and thought he saw something nice in a man sitting on a bench with his hat on his head, something that looked perfectly unique and unusual, and rushed back to America and spoke or wrote it up in our magazines for publication.

We are business representatives of active, stirring constituents, and one-half of our practical efficiency comes from the presence of the desks and the uses that we make of them. Therefore I would vote for the smaller rather than the larger House. Two million and a half dollars added to the expense of a decade of the House of Representatives is a matter of some moment and importance. The argument that some Eastern State—and it is very strange that it is necessary for us to pass this bill in order to give to Maine her present representation, when by doing so we shall give to Connecticut, another New England State, an increase, a Democratic increase, beyond all possibility of the surveying of lines.

Now, what are we to do in the future? It appears that we are following precedents, going back as far as Hamilton. To-day we propose that we will not allow any State to lose a Representative except Nebraska. I do not see any method of saving Nebraska unless we take in about 400. I should like to know why not Nebraska? Why do we not take in Nebraska? Why legislate against Nebraska, a growing, splendid State, with the chances of the future enhanced 1,000 per cent within the last three months? [Laughter.] Why not? Why should we leave Nebraska out and yet proclaim our purpose to leave nobody out? Let us see what we are coming to.

We can not hope that all the States can maintain their proportion of population always. Some States will naturally fall off. That must be so. Fourteen counties of Indiana shrunk in their population under this census. More than that number in Ohio shrunk in their population in this census. Westward as you go

the population increases more rapidly, so that Iowa did not fall off in a single county in that State. Here is the logic, here is the force of all that. If the criterion is to be in the East, and the Western State is to be maintained, necessarily, under all the circumstances, what will be the size of this body twenty years from now?

I read in a newspaper to-day that it was absurd to talk about the size of this Hall. Possibly that may be. It may be true that this country is rich enough to build a new Capitol and a new Hall of Representatives, but this Congress can not legislate to increase the power of the voice of the Speaker, nor swell the momentum of power of the voice of every member on this floor, and I do not know but that it is about as important that the size of the Hall shall conduce to the voice of the State being heard by a few Representatives as it is that the voice of the State shall be heard by the mere vote of a Representative, when his voice can not be heard, unless we adopt a system of megaphone communication between the Chair and the members of the House. [Laughter.]

Mr. SIMS. Mr. Speaker, may I ask the gentleman a question?

Mr. GROSVENOR. Certainly.

Mr. SIMS. The gentleman thinks the people ought to be heard by the voice of their Representatives?

Mr. GROSVENOR. I do.

Mr. SIMS. And yet we are running under a lot of rules that shut the mouths of more than one-half of the House on almost every bill.

Mr. GROSVENOR. I think the country is not suffering in that direction. [Laughter.] The gentleman is misapprehending the rules of the House. He could not make a better set of rules if he should try. The only great modification of the rules were made in the Fifty-first Congress, and were subsequently adopted by the Democrats in the Fifty-third, when they found it was indispensable to do so. I differ with my distinguished friend from Iowa [Mr. HEPBURN], and I want to compliment him, as he did me, by saying that he is a man of distinguished power, and learning, and knowledge, but, in my judgment, he is just slightly affected with a special prejudice against the rules of the House. [Laughter.]

I deny that it is impossible to pass legislation in this House. I make the statement without any purpose of bluster. I state over again what the gentleman from Iowa [Mr. HEPBURN] says he has heard me say—if I have behind me an assured majority of a quorum of this House, I can pass any bill on the Calendar of this House, with or without the action and friendly cooperation of the Speaker.

Mr. CLARK of Missouri. Will the gentleman allow me a question?

Mr. GROSVENOR. Yes, sir.

Mr. CLARK of Missouri. As I understand, there is but one species of machinery under our rules by which the gentleman can do that, and that is by a conspiracy or agreement among the chairmen of all the committees that upon a call of the committees each one of them will drop out and say that he has no business to call up. Is not that the only course open to the gentleman?

Mr. GROSVENOR. That is one way. That applies only to one character of business. There is only one character of business that can be brought up in that sort of way.

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

Mr. GROSVENOR. Certainly.

Mr. HEPBURN. I wish to ask my friend from Ohio to state the process by which he would accomplish the object he has stated. I am afraid my friend has something up his sleeve that he has not let the rest of us know about. I would be glad if he would enlighten the House by showing how, with his majority back of him and without the friendly aid of the Speaker, he can pass any proposition in this House. I say he can not.

Mr. GROSVENOR. Yes, I know; and I guess that is as far as we shall get in this controversy to-day. Mr. Speaker, I illustrated to the House and the country once what could be done here, after the scheme was practically abandoned by everybody else.

Mr. CLARK of Missouri. That was on the Hawaiian bill?

Mr. GROSVENOR. Yes, sir; when the Hawaiian bill was brought up. That is one thing. When I am brought up for a civil-service examination I will tell the balance, but not until then. [Laughter.]

Mr. CLARK of Missouri. We want to know how the rest of us can get our bills passed.

Mr. GROSVENOR. I want to speak a moment or two more on this question.

I believe it will be discovered that if the Burleigh bill passes—and I very much fear it will—we shall have turned over 25 per cent of the power of the Fifty-eighth Congress to the cities of this country; we shall have stripped the entire rural districts of the country of their just measure of power in this body; we shall have turned over to the great centers of population the power to control the legislation of Congress. I can show that; and I will try to do so in extending my remarks.

I want to say a few words now on what is known here as the Crumpacker proposition. I am opposed to the disfranchisement of the colored men of the South, and I have placed myself upon the records of the country in a magazine article giving fully my reasons; and my position on that question does not apply to the question, Which is the stronger, or which shall have the greater political power in the future?

Mr. OTEY rose.

The SPEAKER. Does the gentleman from Ohio [Mr. GROSVENOR] yield to the gentleman from Virginia [Mr. OTEY]?

Mr. OTEY. I make the point that the gentleman's time has expired.

Mr. GROSVENOR. Well, the gentleman from Virginia is not in order.

The SPEAKER. The time of the gentleman from Ohio has expired. [Laughter.]

Mr. GROSVENOR. I hope I may have five minutes more.

Mr. HOPKINS. Very well; I give the gentleman five minutes more.

Mr. GROSVENOR. I am delighted that my friend from Virginia is watching the clock and aiding the Speaker in administering the rules of the House.

Mr. OTEY. I do not object to the gentleman occupying fifteen or twenty minutes more, if he does not take it out of my time, and that is what he is doing.

Mr. GROSVENOR. I will not take anything out of the gentleman's time.

Mr. OTEY. You are doing so.

Mr. GROSVENOR. The gentleman is taking from the time of both of us now. I am willing that the gentleman shall have all the time he wants as soon as I have occupied my five minutes.

Mr. OTEY. It was agreed that I should have thirty minutes; but now it appears that I am to be cut down to five.

Mr. GROSVENOR. Very well; the gentleman can say more in five minutes than the average member of Congress can in twenty minutes. [Laughter.]

Mr. OTEY. If it be agreed that I shall have twenty minutes, I will move to extend the gentleman's time for half an hour.

Mr. GROSVENOR. I have five minutes, and I would like to go on.

My opposition—I would rather say hostility, for that is the better term—to the disfranchisement of the colored man is because I sympathize with, and feel a great interest in, the people of the South. I have no prejudice on this question; and the gentleman from Mississippi the other day in his very eloquent appeal on this subject fired over my head. I would act here with just as much energy in behalf of a measure for the benefit of the eleven States of the South with which I was at enmity as I would for any State of the North.

My votes have spoken upon that question. My position is that in a free government dependent upon the will of the people there can be no disfranchisement without absolute injury to the Commonwealth in which the disfranchised persons reside. I know that sometimes some benefit may appear to flow from such disfranchisement, but I point out the fact that long ago—during all of the last thirty years—the white people of the South have built up their civilization, their intelligence, their patriotism, their education, against the ignorant and whatever else pertains to the colored man's character, and some white men also; yet during all those thirty years, with the exception of the brief period following the war, the white man with his intelligence has controlled the Government, and to-day there is in this House of Representatives but a single colored man from all that vast population, and he, I presume, will be the last of his race for many years to come.

By this policy of disfranchisement you make enemies of a race that want to be your friends. You put into the body politic a great body or class of pariahs. You brand them with a condition little short of slavery. I know that the educational systems of the South are to-day liberal to the colored men. Will they always be so? Will they continue? Let us see what you are doing. You demand the disfranchisement of the colored man. Then you say that you do it because he is ignorant, because he might vote against the best interests of the white people.

Are you sure that when you have accomplished that you will not go a step further and deprive him of the educational facilities that are rapidly bringing him up to the standard which you yourselves have set? Take the case of North Carolina, with almost two colored children attending the schools of the State where there is one white child, in proportion to the relative strength of the two races there. Are you quite sure, my friend, that the next aggressive step will not be legislation that will tend to keep in this condition of unfitness, as you call it, these very people whom you are now legislating against? That is my objection. I care nothing about this question of representation in Congress in comparison.

If the people of the North and the East and the West and the rapidly growing sentiment of the South, educated as it is by the

wealth and intelligence of this country, can not protect ourselves against the political power of the South, I am willing to go down in the political vortex that is coming. But what I say to you is that the danger exists that you are transforming a class of friends into a class of registered enemies—enemies of record. I fear that you will have trouble in that direction. [Applause on the Republican side.]

[Here the hammer fell.]

Mr. BURLEIGH. I yield to the gentleman from Washington [Mr. JONES].

Mr. JONES of Washington. Mr. Speaker, that government wherein all the people meet together to enact laws and select persons to execute them is the ideal "government of the people, by the people, and for the people."

This, however, is impracticable in a country of any considerable number of people. Hence it is that, in addition to delegating the execution of law to certain individuals, the people delegate the power to make laws to certain representatives; hence republican government. The right to participate in the selection of the Representatives who are to make the laws is one of the dearest, if not the dearest, right of the American citizen. In its defense he will sacrifice his money, his property, and even his life, if need be.

We are proud of our Government. We claim to be a nation of *sovereigns*. *Yet* how thin is the toga of representative government in which we so proudly envelop ourselves.

One coordinate branch of our Government is the Supreme Court of the United States. With the selection of this court the people have nothing to do directly. Its members are appointed by the President of the United States, and when once appointed hold for life or during good behavior. The people directly have no say whatever as to the members of this august tribunal, whose decision finally determines what the law is, and whose fiat may overturn the express act of the other coordinate branches of the Government. They are not responsible to the people, and when once appointed are absolutely independent of the appointing power.

The President is selected by the people, and yet here the people vote by States through the electoral college and not directly. He is the head of the executive department of the Government, and he, and not the people, appoints the real executors of the people's will.

The other coordinate branch of the Government and, primarily, the lawmaking power is Congress, composed of the Senate and the House of Representatives. This is supposed to be the citadel of our republican Government. Through this we exercise our sovereignty. With the selection of the Senate, however, we have nothing to do directly. Its members are selected by the legislatures of the different States and are supposed to represent the States themselves.

This leaves us the House of Representatives. Here we find the direct agents of the people. The members of the House represent directly the will of the people of this great country. The people vote directly for them and against them. To them they write, telling all their troubles. Through them they speak and through them they act. They are not only the representatives of the people, but they are the servants and errand boys of the people. Hence it is that a bill looking toward the apportionment of these Representatives to the different States of the Union is one fraught with the greatest importance. It determines for the next ten years the degree in which each citizen shall be represented in his Government and in the enactment of laws by which his rights shall be determined and protected. It also determines for the next ten years the votes that each State shall have in selecting the Chief Magistrate of our country and the head of its executive department. These measures always have been justly considered of vast importance.

The bill reported by the committee has all the importance of previous bills of a similar character, but it is more important for another reason. It contemplates limiting and fixing the number of members that shall constitute the House of Representatives. It not only determines the degree in which each citizen of this country shall be represented in the lawmaking power of the Government now, but it also says that hereafter the House of Representatives shall consist of no greater number than is prescribed in this bill. It does not say this in so many words, but that is the idea of the bill and of the committee.

So it is that at the very threshold of the consideration of this bill we are confronted with a question of transcendent importance. It seems to me that this is one of the most important questions we have ever considered, and it is one that should be determined at the very outset in the consideration of this bill. It is a question that affects every Representative here and every citizen in this Union. You can not say: "The representation of my State is not changed by either bill; therefore we are not interested." You and your people are interested in future representation which is directly affected by this bill. Furthermore, you are interested in seeing justice done as nearly as possible to every citizen of this Republic as well as to those of your own State. Only a short time ago the whole country was aflame over a bill affecting the people of Porto Rico. Many who are indifferent as to these two bills were frantic at legislation which they considered as striking at the liberties of a distant people. That was beneficent legislation. This means the direct curtailment of the highest privilege of every citizen of this Republic.

From the foundation of this Government to the present every apportionment bill has taken into consideration the growth of the country and has increased the representation of the people, with the possible exception of the apportionment bill under the Sixth Census, in 1843, when the number was fixed at 223, a reduction of 17. This reduction was not made, however, with the idea that the House was large enough or too large. At the very next census, however, 1853, an increase was made to 233, and from that time to the present there has been a steady increase. The census of 1863 made an increase over the preceding census of 10; in 1873, of 50; in 1883, of 32, and in 1893, of 31, so that the number fixed at the Eleventh Census was 356, which has been increased by the admission of another State to 357. Even with this constant increase the power of individual citizenship has been decreasing. The substance is gradually becoming shadow. In the First Congress there was 1 Representative for every 30,000 people. To-day there is 1 for every 173,901. One citizen then had almost as much influence as 6 have now.

Under the bill of the committee there will be 1 Representative to every 208,868, while under the bill of the minority it will be 1 to every 194,182. Is not this a sufficient decrease in the representation of the individual citizen? Shall we, the representatives of the people, say now that this representative body shall cease to grow? That, though we have 10,000,000 more people than we had in 1890, they shall have no more Representatives? That, though in 1910 we may have 85,000,000 people, they shall have no more Representatives than when their number amounted to 62,000,000? I can not think so. The nineteenth century has been a most wonderful century for us. Our growth and development have been marvelous. They have surpassed the wildest dreams of the most visionary. In territory, population, commerce, manufactures, agriculture, mining, invention, science, art, education, culture, literature, and in all that makes civilization and a great nation we have rivaled the fables of antiquity.

We enter the twentieth century with a boundless hope and possibilities foreshadowed by the accomplishments of the nineteenth. Shall we mark our legislative advent into the twentieth century with an act pointing to the downfall of representative government? I believe in our Government and in our people. I have no fears of tyranny or empire in this country; but I do say, that, in my judgment, when this nation does go the way of all nations of the past, the beginning of the end will be when the growth of the representative branch of the Government ceases. The further the representatives get away from the people, from the individual citizen, the more insecure our liberties and the more liable our Government to decay. The nearer they stay to the people, the closer they are in touch with the individual citizen, the more stable will be our Government, and the more secure our liberties.

But it is said the House is too large now, and while we will not decrease it, it must not be made larger. Is this true? How does it compare with other representative bodies? Great Britain, with a population of 37,731,410, has 670 members in the House of Commons; France, with a population of 38,343,192, has 584 members of the Chamber of Deputies; Germany, with a population of 49,428,470, has 397 members in the Reichstag; Italy, with a population of 30,535,848, has 508 members in the Chamber of Deputies; Spain, with a population of 17,565,632, has 431 members in Congress, the representative body of the Cortes; Austria-Hungary has a population of 42,762,886 and has two parliaments.

The representative part in Austria has 353 members and in Hungary 453. In other words, the representative branch of every great government in the world to-day is larger than ours, and we have to-day proportionately the smallest representative body in the world. What will our citizens think when they consider that the citizen of England, Germany, France, Spain, Italy, and Austria is more nearly represented than they? What will they think of Representatives who boast of the greatness of our country and the beauties of our Government and then by their votes say our people shall have fewer Representatives than any other great nation of the world to-day? It seems to me that this fact alone should condemn the proposition.

Why would a slight increase in the present membership hinder the dispatch of business in this House? Every member knows that the business of the House is very largely done in committees, and that these committees expedite business rather than the House itself. The increase of even one member on each committee would not hinder nor delay the enactment of legislation. As a matter of fact, it is an open question whether or not there is not too much business done here, rather than too little. It would be probably far better for the country if a great deal of the legislation which is enacted were not consummated. One thing is assured, and that

is that the increase of 10, 20, or 30 members in this body will not unreasonably delay or hinder the passage of any measure of importance to the people.

There is no question but that a great part of the business of this House is done with only a small proportion of its membership present. During this Congress there have been only a few measures that have called forth the entire strength or the greatest membership of the House. It is also true that measures deserving of the consideration of all the members of the House and in which the whole country is interested are given consideration by the entire membership, and, as a usual thing, the full body of the House is recorded upon such measures.

Such was true in the noted Roberts case; such was true in the Porto Rican legislation, and such will also be the case in matters in which the whole people of this country consider themselves vitally interested.

Is it thought that with 30 more members there would have been less dispatch in the Roberts case or there would have been less ready action in the Porto Rican matter than with the 357? I think not. It may be true that there might be a little more independent action upon the part of members of this House if the membership were somewhat increased. As everyone knows, the business of this House is practically controlled by not exceeding a dozen members in this body. They say what legislation shall be considered. They say when it shall be considered. They say whether or not it shall be passed. And especially matters that partake to a certain extent of partisanship are considered in such a way as to almost compel members to vote against their honest judgment.

If an increase in the membership would bring a little more independence of thought and action, it might be much better for the people. The Speaker of the House would have just as much power with an increased number as he has now, and it rests very largely with him to say what legislation shall be considered, when it shall be considered, and whether or not it shall be passed. We have a membership now of 357, the Senate has a membership of 90, and yet in the dispatch of business, in consideration and passage of important measures, the House will certainly favorably compare with the Senate.

It is true that with an increased membership there would also be an increased expense, and yet in a matter that involves the rights of the people and the right of participating in the Government this is a question that should not and will not have any weight with the people. Every man would be willing to pay a little more in order to retain more of that inviolable right of self-government. Furthermore, each Representative in this House now represents about 173,000 people. With 357 members, with the present population, he would represent about 208,000 people. This is as much as any man can reasonably represent and do justice to his constituents, especially where he has a diversity of interests in his district. If you make no increase in the membership, then you will find each member getting further and further away from his people and his constituency, doing less for each one of them, and becoming less and less a representative of the people.

With a gradual increase of membership we keep closer to the people. We know more of their wants and have more time to look after their necessities. It may be that some of the members from some of the districts of this country have but very little to do that directly affects their constituency. They can give their attention to matters of general legislation, but it is different with me. The constituency I represent are directly interested in almost every matter of national legislation coming before Congress.

Is there a River and Harbor Committee? Our people are directly interested in appropriations made by that committee. Is there an Interstate Commerce Committee? We are directly interested in its business, work, and legislation in the way of commerce, lighthouses, life-saving stations, etc. Is there a Military Committee? We have our Army posts and fortifications to look after. Is there a Naval Committee? We have battle ships to build and navy-yards to maintain. We have public lands, arid lands, Indian affairs, forest reserves, and claims of all kinds. We have great mining interests, manufacturing interests, fishing interests, lumber interests, and almost every industry in which the people of any section of this country are interested.

Some say that our Hall is not large enough. If that be true, we must make it larger. Representation in this country can not be restricted by wooden walls. If this room can not be made large enough, the people will say and demand that we shall build another that is large enough. Shall we say that our legislative body and the Government of which we are so proud shall be less than that of the Monarchies of Europe? Shall we say that the participation of the citizen of this country in the administration of its Government shall be less than in the Governments of the Old World? Will we be justified in saylng that the citizen of this country shall have less to say in the enactment of legislation for his Government than a citizen of those countries?

When the number 356 was adopted in 1890 there was no thought then in the minds of the members of the House of Representatives that there should be no further increase except by the admission of new States. There were some, it is true, who thought that the House was large enough, and yet they were very few. Mr. Frank, of Missouri, stated, "But as long as Congress indulges in special class legislation in private bills instead of confining itself to general and national legislation, it is absolutely indispensable that the number of Representatives be increased."

And Representative Taylor said, "And if you will look over the increase in representation made from decade to decade, you will find that we have had to the present membership almost precisely the average number in the increase made from time to time during the last hundred years."

Mr. Tillman, of South Carolina, said, referring to the size of the House and its increase: "It is so in England, from whom we inherit every institution that is worth preserving or worthy of praise," and he was in favor of making the House a body composed of 600 members and the Senate of 300.

What is the object and purpose of an apportionment bill? The Constitution says Representatives shall be apportioned among the several States according to their respective numbers, etc. The object of every bill, of course, is to carry out this provision of the Constitution, and, leaving out now the question as to whether or not the membership shall stay as it is and taking the position that it should be increased and arguing in favor of the bill reported by the minority, let us see which measure comes nearer to carrying out the intention of the Constitution.

The only real question to be considered is that this apportionment shall be made according to population. The power of the State, the wealth of the State, the manufactures of the State have no bearing upon this proposition. The State that has the people is the State entitled to representation, whether it has the material wealth or not.

It has been endeavored in the past to apportion these Representatives by some mathematical system, and the majority of the committee reported in favor of making this apportionment according to the system which they say has been used in the past. That is, to first determine the membership of which the House shall be composed and then apply that number successively to the population of the different States; then again to apply it to the fractions, giving representation to every major fraction and the number determined upon as reached, and then stop.

An examination of the debates in connection with the apportionments in the past and an examination of the tables submitted in the report of the committee show that no system has ever yet been devised that has carried out the provision of the Constitution. It seems to me, from the very nature of things, that it is absolutely impossible to devise a mathematical system by which injustice will not be done. The population of the various States is not based upon any mathematical system. Each one has to be considered independently of the other, and from this naturally results the fact that no mathematical system can be applied to them in this apportionment.

Furthermore, the argument of this question proceeds apparently upon the theory that the people composing these fractions are not represented at all. This is not the case. The Representatives are not apportioned to the districts, but to the States, which are divided into districts so that all the people of the State are represented; and it seems to me that the real difficulty is to secure an apportionment of the Representatives to the State in such a way that when the State is divided into districts there will be as little difference among all the various districts of the State and the nation as possible. In other words, if we could so apportion the Representatives that each district would have exactly the number that could be represented by one member, this would be in exact accord with the requirements of the Constitution. As it is impossible to do this, then it seems to me that we should get as near to it as possible. If we have to do violence to any mathematical system in order to do it, it is but our plain duty to see that it is done, as justice should be placed above mathematics in such a matter.

Now, let us compare the two bills presented to the House. Under the bill represented by the committee the district with the least population would be in Vermont, with a population of 171,820, and the district with the highest population would be in Colorado, with 269,551. Thus the variation between the lowest and highest district would be 97,731 people. By this you see that a Congressman in Vermont represents 171,820 people, while a Congressman in Colorado represents 269,551 people. In the State of Colorado there are 92,451 and in the State of Washington there are 85,966 more people in the district than in Vermont.

Under the bill submitted by the minority the lowest district has 171,820 people, the same as in the majority and in the State of Vermont, and the largest district would be in Rhode Island, with 214,278 people, or a variation between the lowest and highest of only 42,458. Leaving out States with but two Congressmen, the variation in the committee bill is 191,760 for the lowest, West Virginia, and the highest, 231,488, in Maine, or a difference of 39,728;

while under the minority bill the lowest is 173,080, in Arkansas, and the highest is 203,188, in Alabama, or a difference of 30,000. Now, it seems to me that under the minority bill, with so much difference in the variations, the Representatives are more nearly apportioned to the different States in accordance with the spirit of the Constitution than in the majority bill. While it is true that the principle adopted by the majority has been used in the past, yet it never has been used in the way now applied by the majority.

There were two reasons given in 1890 for the selection of the number 356, and they were considered as the main reasons, first, because, taking the number 356 and applying it as a rule which required that no State with a fraction greater than a major fraction should be left without representation for that major fraction. This is not true under the committee bill. In fact, there are three States with a majority fraction for which they get no representation, and the injustice of applying this ironclad rule is manifest when we see that Colorado, with a fraction of 121,367, is given no representation, while Michigan, with a fraction of 123,434, is given an additional Representative.

In other words, 2,067 people in Michigan gives Michigan an additional Representative. It would be much more just and equitable to give to Colorado an additional Representative instead of Michigan, and it would make each citizen of Colorado and Michigan more nearly represented according to the spirit of the Constitution than under the bill of the committee. As it is, it takes 269,551 people in Colorado for 1 Representative, while in Michigan it only takes 201,748 for 1 Representative. As a matter of fact, the rule adopted by the majority, if applied at all, should give increased representation to the smaller States having the majority fraction, first, because their fraction will be divided among fewer Representatives than in the larger States, and in this way the relative influence of each citizen in the conduct of the Government would be more nearly equalized.

The apportionment in the minority bill is made in accordance with the rule of the majority, except that, in order to take care of two major fractions, the bill arbitrarily gives 2 Representatives to two different States. This has been in the interest of justice. Of course, according to the majority's theory, this does an injustice to other States, and this arises from the argument that a major fraction is not represented at all if no Representative is allowed for it. But when we go to divide the States into districts in accordance with the bill of the minority we find that the districts are more nearly of a uniform size than under the bill of the majority.

The unreliability of this so-called system is glaringly illustrated in the fact that if the membership of the House should be fixed at 356, or less, Colorado would gain a member; if fixed at 357 she would not gain a member, and if fixed at 358, or more, she would gain 1 member.

The honorable chairman of this committee, in order to show the injustice of the Burleigh bill, took 173,617, the number of persons to which 1 Representative is accorded under the Burleigh bill in Maine, and applied it to the States of New York, Pennsylvania, Illinois, Massachusetts, Minnesota, Ohio, Texas, and Iowa, and by computation showed that if each of these States were given a Representative for each 173,617, they would be entitled to more Representatives than are given each of them by the Burleigh bill. He claimed that this was very unjust and appealed to them for their votes on behalf of his bill by reason of this alleged injustice. He refused to make any comparison with the number of people that his bill requires in the State of Washington to make 1 Representative, to wit, 257,786. He refused to show that by applying this ratio to each of these States they would be really entitled to a much smaller number of Representatives than are given by his bill.

But let us take exactly the same method of argument upon his bill that he took upon the Burleigh bill and see whether or not he has acted fairly by these large States according to his own argument. Under his bill Vermont has 1 Representative for every 171,820 people. Now, let us apply that same ratio to each of these other States, because if Vermont is entitled to 1 Representative for each 171,820 people, should not each of these other States be entitled to 1 for that number? They should according to his argument.

How does his bill treat them? Applying this ratio to New York it would be entitled to 42 Representatives; he gives it only 35. Pennsylvania would be entitled to 36, and that without counting fractions; he gives it only 30. Illinois would be entitled to 28; she gets 23. Iowa would be entitled to 12; she gets 11. Minnesota would be entitled to 10; she gets 8. Massachusetts would be entitled to 16; she gets 13. Texas would be entitled to 17; she gets 15; and carrying it further, Missouri would get 17; she gets 15. Wisconsin would get 12; she gets 10. California would get 8, with a large fraction; she gets 7. Michigan would get 14, while she gets 12. Indiana would get 14; she gets 12. Colorado 3, with a large fraction, but she gets 2. Florida 3, and she gets 2. The States of North Dakota, Montana, Maine, and Connecticut with their population would be entitled to 12; they get 9. Colorado, Florida, and Washington would be entitled to 10, giving 1 for the major fraction; they get 6.

If the Burleigh bill is in the frying pan the Hopkins bill is in the fire.

It seems to me that the proper method to make this apportionment is by determining the ratio of population for each Representative and apply this ratio to each State, taking the number resulting therefrom and add to it 1 Representative for each major fraction. This is a simple rule. It is a just rule. It is easy of application. It involves no paradoxes and does substantial justice to all as nearly as can be, and is constitutional, as stated by Mr. Webster.

If you take 194,000 as the ratio for each Representative, then giving one Representative for each 194,000 and major fraction would give a membership of 387 and would leave no State with a major fraction for which no Representative is given. Under such an apportionment the representation would be just as it is in the Burleigh bill with the exception of Iowa, which would have 12. Under this apportionment the State with the largest number of people to each Representative would be Rhode Island, with 214,278, or a variation of 20,278 above the ratio. The State with the fewest number of people to one Representative is North Dakota, with one Representative for 157,217, or a variation below the ratio of 36,773. Total variation between the highest and lowest districts, 57,051. Under the Hopkins bill the highest number of people to one district is in Colorado, with 269,551, or a variation above the ratio of 60,633, while the State with the lowest district is Vermont, with 171,820 people, or a variation below the ratio of 37,048, or a total variation between the highest and lowest districts of 97,681.

Leaving out the small States with 4 Representatives and under, we find the following extreme variation under this method of apportionment:

Alabama has 1 Representative for 203,188, or a variation of 9,188 above the ratio, while Nebraska, with 178,089 people to 1 Representative, or a variation below the ratio of 15,911, or a total variation between the highest and lowest of only 25,099. Under the Hopkins bill South Carolina has 1 Representative to every 223,386, or a variation of 14,518 above the ratio, while West Virginia has 1 Representative to every 191,760, or a variation below the ratio of 19,108, or a total variation between the highest and lowest districts of 33,626.

If you give 1 Representative for every 194,000 and major fraction you have a House of 387 members, and give full representation to 151,770 more people than under the Burleigh bill. And you violate no mathematical system in so doing. By adding 1 more member to the Burleigh bill for the large fraction belonging to Iowa you accomplish the same thing so far as representation is concerned, except that still you give full representation apparently to 55,919 less people than by the above method. In fact, however, you give each State exactly the same representation, and therefore the result is exactly the same. In the one case the result is brought about entirely by a mathematical system. In the other you follow the mathematical system a certain length, drop it, and then add the other Representatives arbitrarily, but in the interest of justice.

If you apportion the Representatives by giving 1 for every 210,500 and each major fraction, you will have a House of 358 members and give full representation to 344,474 more people than by the Hopkins bill. Does not that come nearer to giving substantial justice? No State is left with a major fraction unrepresented nor is any mathematical system violated. Why did not the majority of the committee take this method, and provide for a House of 358 members rather than of 357? Were you afraid to increase the House by one more member? Did you think he would add very much to the uproar of which you so much complain? Would he cause the Speaker much more trouble? Would he bind more tightly the rules of this House about the gentleman from Iowa? Would it not have been more just, would it not have been more scientific, if the committee had framed its bill in this way? It seems to me so.

Now, Mr. Speaker, even if I were opposed to the further increase in the membership of this House, I could not support the Hopkins bill. In my judgment this bill is not only unjust, unfair, and paradoxical, but it is also unconstitutional. The committee, in their report, state that their method was favored by Daniel Webster, and have quoted from a report made by him. It seems to me that Mr. Webster is practically against the position of this committee. They have left out three States with major fractions. Mr. Webster said that this was unconstitutional.

In this report which they quote he used this language:

> And the exact proportion of the State, being thus decimally expressed, will also show to a mathematical certainty what integral number comes nearest to such exact proportion.

Clearly stating that each State is entitled to that representation which comes nearest to this decimal fraction. He further said, as shown by the report of this committee:

> The rule adopted by the committee says out of the whole number of the Congress that number shall be apportioned to each State which comes nearest to its exact right according to its number of people.

This bill does not conform to that rule. It does not give to Colorado, Florida, and North Dakota the number of Representatives which comes nearest to the exact right of each one of these States, and therefore it is unconstitutional. Mr. Webster stated in his report the following, which is not contained in the report of this committee and which clearly explains his position:

The rule has been frequentiy stated. It may be clearly expressed in either of two ways. Let the rule be that the whole number of the proposed House shall be apportioned among the several States according to their respective numbers, giving to each State that number of members which comes nearest to her exact mathematical part or proportion; or let the rule be that the population of each State shall be divided by a common divisor, and that, in addition to the number of members resulting from such division, a member shall be allowed to each State whose fraction exceeds a moiety of the division.

The exact proportion of Missouri, in a general representation of 240, is 2.6—that is to say, it comes nearer to three members than to two, yet it is confined to two. But why is not Missouri entitled to that number of Representatives which comes nearest to her exact proportion? Is the Constitution fulfilled as to her while that number is withheld, and while, at the same time, in another State not only is that nearest number given, but an additional member given also? Is it an answer with which the people of Missouri ought to be satisfied when it is said that this obvious injustice is the necessary result of the process adopted by the bill? May they not say with propriety that since three is the nearest whole number to their exact right, to that number they are entitled, and the process which deprives them of it must be a wrong process?

It is true that there may be some numbers assumed for the composition of the House of Representatives to which, if the rule were applied, the result might give a member to the House more than was proposed. But it will always be easy to correct this by altering the proposed number by adding one to it or taking one from it, so that this can be considered no objection to the rule.

When the bill that made the present apportionment was before the Senate in 1891 this same matter was under discussion. That great Senator from Minnesota, a statesman and a Constitutional lawyer, respected and honored by this whole country and now gone beyond the river, in discussing this same question argued for justice rather than mathematical precision. He even held that States with larger minor fractions should be represented. To his mind justice was far more important than the carrying out of the mathematical system. He stated his opinion clearly as to what rule should be followed in the following language, to wit:

Mr. President, I hold the true rule to be (of course, keeping always within the bounds of a proper number of Representatives for an excess, and an unwieldy number can not be thought of for a moment) to consider that number which will leave, or approximately leave, the largest unrepresented fraction after everything has been taken up, absorbed, and accounted for. And the very fact that pausing at 356 leaves three great States in the position which I have indicated is, in my judgment, a sufficient, ample, and convincing reason to sacrifice the process to the constitutional end to be attained, instead of sacrificing the constitutional end to the integrity and symmetry of the process.

In discussing the constitutional matter, and no question can be made as to his authority as a constitutional lawyer, he further stated:

Otherwise stated, Mr. President, if it is constitutional to award to one State or to several States membership on account of a fractional remainder of a moiety or more of the ratio, it is unconstitutional in any instance or upon any pretext to deprive another State having such a moiety or more, but less than the favored State, for no other reason than that the process does not, to use a homely phrase, furnish enough to go around. In such a case representation is apparently apportioned according to numbers as to certain States, and is unquestionably not apportioned according to numbers as to the State that is thus deprived.

The Congress of 1872 went much further than the Burleigh bill asks this House to go, and was in harmony with the idea of Senator Davis in giving representation even to minority fractions.

Under the act of February 2, 1872, no State lost a member except the States of New Hampshire and Vermont, and in the report upon the supplemental of March, 1872, the committee said:

The recent action of Congress in increasing the size of the House to 283 in order to save 8 States from a diminution in the number of their Representatives has induced the committee to recommend a further increase of 9 members, making the whole number 292, which is believed to be the smallest number that upon an equitable and constitutional apportionment will leave each State with at least its present representation. New Hampshire and Florida each had less than a moiety fraction, but the committee stated, "the committee assigned 1 to New Hampshire and 1 to Florida, making in all a House of 292." The reason for this is that greater injustice will be done these States by not giving it the additional Representative than to the other States by giving it.

This bill became a law.

For these reasons, Mr. Speaker, I am opposed to the Hopkins bill. It is unfair, it is unjust, it is paradoxical, and it is unconstitutional. The Burleigh bill is fair, it is just, and it is according to the spirit of the Constitution. [Loud applause.]

Mr. BURLEIGH. I yield the balance of my time to the gentleman from Indiana [Mr. GRIFFITH].

Mr. GRIFFITH. Mr. Speaker, I yield ten minutes of the time to the gentleman from Virginia [Mr. OTEY].

Mr. OTEY. Mr. Speaker, I had not intended to say anything on the subject of the resolution introduced by the gentleman from Pennsylvania [Mr. OLMSTED], but in his explanation of his action, which action tended to degrade and humiliate the people of the South, whom I in part represent on this floor, he said apologetically in effect if not the exact words, and in extenuation of his action, and to show that he bore no malice against the South, that he had married a Southern woman and that the blood of his infant sons was at least half Southern.

Having mentioned his family himself, I may be pardoned for saying that it must have chilled the pure blue Southern blood that flowed in the veins of that portion of his family when it was known that he was the first man to rise in this House and reopen sectional strife. I venture to say that when he has had more experience with the South he will have the feeling which would stay the hand that to-day would strike down a chivalrous and a noble people; and he is not too old to live long enough to wish that the resolution he introduced should be expunged from the records of this House.

The logical end of all such agitations is negro domination in the South, which is hell on earth to the white men on the one hand or a race war on the other. It means the reinstallation of the carpetbagger; it means the reinstallation of that bastard son of an abortion that was produced by a great revolution—a despicable, loathsome, putrid agent of the demon of darkness and corruption. It means the coming of a buzzard gluttoned with carrion, the descendants of those who, thirty-five years ago, fastened their talons in the prostrate body of the South, like those pitiless birds that fed upon the vitals of Prometheus when his helpless form was chained to his rock.

Yes, it means the return of those buzzards, gluttoned with carrion, that are to-day following the calling of their diabolical daddies in Cuba, the Philippine Islands, and in Porto Rico, who exude such an odor that a mosquito shuns them. Yes, they are so mean that the yellow-fever germs die in their presence. [Laughter.] They are so loathsome that the smallpox microbes fly from them, and if a snake bites one of them it kills the snake. [Laughter.]

This is the picture that I would avoid. This is the picture that the Olmsted resolution would draw. If the gentleman from Pennsylvania believed it, I know he would withdraw the resolution. Their financial acumen consists in Rathbonizing freedmen's funds without detection, in Neelyfying negroes' wages without being caught. That is the condition of things that we must expect to find when we pass such resolutions.

As for the Shattuc resolution, it seems that neither that nor the Olmsted resolution will pass. They will not pass until the fish worm swallows the whale; not until the hare is outrun by the snail; not until Dutchmen stop drinking beer, and not until the billy goat butts from the rear. [Laughter.] My friend SHATTUC; yes, he introduced these resolutions, but I am surprised that they should come from him, because such resolutions do not come generally from a chivalrous soldier.

Usually such resolutions emanate from a man who has never heard the rattle of musketry or the shriek of shell. The gentleman from Ohio [Mr. SHATTUC] and I shot at each other from 1861 to 1865—figuratively speaking, anyhow. When an old Confederate soldier has an ounce or two of Federal lead in his body, as I have the honor to have, and when a Federal soldier has his gravity increased by an ounce or so of Confederate metal, as I assume his gravity is, then it warms their hearts to each other, and neither would degrade the other if he could. So I was surprised at the gentleman introducing this resolution, because such things are left generally to camp followers and bombproof experts.

But it seems that his resolution ran into the resolution of the gentleman from Pennsylvania, and it seems that the Pennsylvania resolution ran into his, and so it was that a paroxysm of pain occurred to both, as the éclat expected by each was smashed. It reminds me of the two bicycle riders who were going along Pennsylvania avenue a short time ago. Both were cross-eyed and did not know exactly what they were going to strike. Like these two bicycle riders in this House, they came up smash against each other. One fell one way and one fell the other. The first one said, "Why the hell didn't you look where you were going?" The other one got up and said, "Why the hell didn't you go where you were looking?" [Laughter.]

I want to say to this House now that solemnly they got up here and bound themselves to give me thirty minutes, yet here I am cut off with a paltry twelve. Who can enlighten this House in twelve minutes? [Laughter.] Here, sir, I have been waiting to enlighten this body. Now, Mr. Speaker, I want to say that I was entitled to the time of a committeeman, one hour, and I called the attention of the gentleman to it who had the division of the time; but, I said, "I will only use forty minutes of it." He said, "Sir, I will guarantee you thirty minutes." When the time came I did not rest entirely on that, but I got up and told the chairman that I would object to any arrangement unless he would give me thirty minutes. He said, "You will be taken care of."

The action of that committee and the action of that gentleman who controls the time on this side and the action of Mr. HOPKINS bound this House to give the "gentleman from Virginia" thirty minutes. Now, are you going back on it? If you do, let any man rise in his place and say so. I wait for a reply. There is none. [Laughter.] Therefore I have thirty minutes. Now, having thirty minutes, I will proceed to discuss the bill. [Laughter.]

The SPEAKER. The time of the gentleman from Virginia has expired. [Laughter.]

Mr. OTEY. Mr. Speaker, have I not the unanimous consent of the House for thirty minutes?

The SPEAKER. The gentleman's request has not been submitted.

Mr. OTEY. I ask unanimous consent, then, for twenty minutes and that the time for taking the vote be extended until half past 3. This House has not heard me on this bill, and members do not know what they are missing. [Laughter.]

The SPEAKER. The gentleman from Virginia asks unanimous consent that the time for debate be extended until half past 3, he to have fifteen minutes of the time. Is there objection?

Mr. HOPKINS. Mr. Speaker, I am very sorry that the conditions are such that I shall be compelled to object. When the arrangement was made the time was equally divided, and my understanding was that the gentleman stated that the other side would give him thirty minutes.

Mr. OTEY. No, sir; you told me that I should have it.

The SPEAKER. Objection is made.

Mr. FITZGERALD of Massachusetts. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FITZGERALD of Massachusetts. I ask the gentleman from Illinois what is the special haste about getting a vote on this bill to-day?

The SPEAKER. That is not a parliamentary inquiry.

Mr. OTEY. When framing any law due regard should be paid to the paramount natural law. Legislate in violation of the natural law and you attempt a miracle. There is no power outside of the limitations of natural law.

Race prejudice or antagonism is a natural law, and as unchangeable as the law of gravitation. Its purpose was to preserve the integrity of the species by placing in the breast of every distinct creation antipathy to all the rest. Without this safeguard human races would long since have degenerated into a conglomerate race of mongrels; deteriorating till extinction would have purged the world of such monstrosities. No one knows this better than the gentleman from North Carolina [Mr. PEARSON]. If not so, why does a white man or woman not marry the negro?

The theory is occasionally advanced that the antagonism between the races is due to the prejudice based upon the negro's former condition of slavery. In refutation we cite the fact that all white communities entertain a deep feeling of sympathy for the negro while he resides elsewhere, but send him to his friends in sufficiently large numbers to make his presence felt and the same natural aversion and discrimination soon develop. The former free States of the Union worked themselves into a state of fine frenzy on account of the wrongs committed upon their brother in ebony in the former slave States. We sent him to them.

The more we send the less we hear of Southern atrocities, and, strange to say, there is occasionally wafted to us intimations of race riots and lynchings north of Mason and Dixon's line. Have the morals of our former mentors become more lax since the time when their publicists and editors wasted their ink and exposed their ignorance? Or, does a fellow-feeling make us wondrous kind?

Is there no solution of the problem consistent with political equality and absolute justice? None whatever.

Justice itself is merely relative. It can exist between equals. It can exist among homogeneous people. Among unequals—among heterogeneous people—it never has and, in the very nature of things, it never will obtain. It can exist among lions, but between lions and lambs, never. If justice were absolute, lions must of necessity perish. Open his ponderous jaws and find the strong teeth which God has made expressly to chew lamb's flesh! When the Society for the Prevention of Cruelty to Animals shall have overcome this difficulty, men may hope to settle the race question along sentimental lines—not sooner. So much for the negro.

These thoughts on the negro are from the pen, in the main, of one who has studied the negro question, and it was after I heard the gentleman from North Carolina, and after the introduction of the Crumpacker bill, that they occurred to me peculiarly appropriate.

Now, as to the bill under discussion.

Mr. Speaker, since Mr. Lincoln uttered those striking words, we have been wont to repeat that ours is a "Government by the people, of the people, and for the people," and any casual observer, without considering the details of the matter, would at least infer that the people of this great and free nation had more to do directly with the administration of affairs of government than the people of any other enlightened country on the globe.

It is a notable fact, however, that of the hundreds of thousands of officials who do administer the functions of government in this great Republic, the only single one for whom the people can directly vote is their Representative in the House of Representatives—their member of Congress.

He may, indeed must, delegate to another all right of which he may be possessed to vote for President and Vice-President, but he has no voice as to who shall hold the powerful positions in the Cabinet, none as to who shall be the Chief Justice and associate justices of the Supreme Court, or United States judges of circuit or district courts; ambassadors, ministers, or consuls abroad; Senators of the United States, collectors, customs officers, marshals, postal and other minor officials—not even indirectly a voice as to who shall be a fourth-class postmaster, except he has the right of petition, which is accorded criminals.

It seems strange that such conditions should exist in our Republic, and this Hopkins bill—I call it Hop bill for short—proposes to further curtail the rights and abridge the power conceded the people without any good and sufficient reason why this wrong should be inflicted. Answers to such an inquiry come—

First. Expense. I was not a little surprised, coming from the source reported—this side of the Chamber—that the question of expense had been raised, that the addition proposed in the substitute bill would largely increase the burdens of the taxpayer. I would pass this by without comment except for the very narrowness of the contention.

The increase of 29 members under the Burleigh bill is an increase of eight-tenths of 1 per cent of the membership, and would entail the monumental burden of two-tenths of 1 cent per capita of the constituencies of this country, and I hardly think such "straining at a nickle gnat and swallowing a $2,000,000 camel" worthy of further notice. Like a narrow-necked bottle, the less there is in it the more fuss it makes in getting it out.

To my Democratic friend I would say that—

Second. It is urged that 357, provided for in the Hopkins bill, will leave the electoral college practically as it now stands, while 386, as in the substitute bill, will give the Republicans a net gain of 10 over that which now obtains. This may have a tendency to make some of them favor the Hopkins bill. It is clear that both suggestions assume that such States as New York, New Jersey, Connecticut, Indiana, West Virginia, Kansas, South Dakota, and perhaps others are to remain forever, or at least ten years, Republican.

If this be so, then Democrats are no worse off with 387 than with 357; for as the electoral college now stands, what hope can Democracy have with the above States, or even half of them, Republican?

It is, however, wonderfully strange that the Republican leaders in this House have been unable to perceive this great advantage to be gained under the 386, or substitute bill. If 386 is to give their party an irrevocable deed to the electoral votes of certain States that will give them a permanent gain of 10, does anyone for a moment suppose that they would be so blind as not to see, so deaf as not to hear?

No one accuses them of any want of political sagacity and of that unselfish devotion to abstractions that would make them forgetful of practical politics. They are not so steeped in the wealth of patriotism as to permit their party fealty to be ruthlessly ravished. They know the difference between a bone and a banquet.

Third. It is contended that this Chamber is too small to admit of 386 membership. Can it be possible that statesmen fail to recognize that a new life begins with every second, and with it new and greater responsibilities; and must it be said that men of broad minds propose to measure these increasing and momentous responsibilities so as to make them conform to the number of square feet in a room?

It is not the size of the human body that measures the soul within; it may be domiciled in the frame of a giant and yet be so small as to rattle in a mustard seed; and yet the big soul and broad mind may be crowded in the body of a pigmy and still possess the divine fire of Him in whose image it was created.

You forget that the cramped space and damp-stained walls of the attic are sacred to the memory of noble names, and, as I remember to have read, that Haydn grew up in one; Addison and Goldsmith plied their pens in such lofty abodes; Dickens was no stranger to them; Hans Andersen dreamed his fancies beneath their sloping roofs, and Burns, Hogarth, and Watt made garrets nurseries of genius. They counted not on square feet.

Fourth. We are told that the loss of representation is not hurtful and is nothing uncommon. We are referred to the fact that Massachusetts once had 20 members of Congress and was cut down to 10, that Virginia had 23 and was abridged to 9, and that the plan suggested by a majority (of one) in the committee has the sanction of sixty years ago. But I may be permitted to remark that the past is gone from us forever. It is "gathered and garnered."

It is the glamour of the past that makes antiquated beings prate so much of the days when they were young, and it is the mirror of long ago that reflects the images of the impossible and impracticable. The world is pictured as getting worse and worse since it was created and as a most delightful abode when it was thrown open to the public. I shall expect to hear the venerable chairman of the Census Committee yet proclaim that sixty years ago the moon was like a drunkard, always full, and, like a diamond, shone brightly three hundred and sixty-five nights in the year. However, it should be remembered that in every apportionment made since 1793 increased representation has been accorded by this

House, and we are not even following precedent, and the Hopkins bill has not the sanction even of sixty years, as claimed.

But the past belongs to us no more, and we are not now moving in the plane of threescore years ago. If so, let us discard the advances made in steam, heat, light, and electricity, and resume the stagecoach and rowboat, the sickle and wooden plow; destroy the locomotive and steamship, the reaper and binder and the cotton gin, the telegraph and telephone, and forget that we produced a Franklin, Fulton, and Eli Whitney, a McCormick and Morse, Edison and Bell, a Maury, Peabody, and Goodyear, with scores of others who together formed the most brilliant galaxy of the nineteenth century. Sixty years ago, indeed! Ever since Adam's sixty-first birthday the cry has been, "Give us back the good old days of sixty years ago."

Common sense is our best guide, and in these times of great progress there should be no retrograde movement, out of respect for the loose-robed fathers of the past, who lived in "sun-kissed tents amid lowing herds, while the earth was not yet laden with trouble and wrong," and before there was a free people. No valid or substantial reason has been given or can be adduced for forcing the loss of a single Representative on any State, and this sixty years cry has less of force in it than any attempted. If there was good cause for 10 Representatives ten years ago, there is more cogent reason for it now.

Where it so happens that a State has so increased in population as to warrant an increase in representation, the substitute bill accords it, and no injustice can be done them by not reducing representation in a State whose population has not decreased.

We profess to be nearer the people, and to be the most liberal to them (and as I said in the outset, a Government of the people, by the people, and for the people), and when we find that empires, kingdoms, and monarchies give more liberal representation than we do, it is in order to inquire what can justify such abridgment of the people's rights as is provided for in the Hopkins bill.

Glancing at the tables which I read, it is seen that every one of the great powers of Europe gives more liberal representation than we do. Every one of them is more densely populated than we are. Every district has a smaller area than our districts have, thus rendering the labors of a representative in a marked degree less burdensome and easier to be performed.

These tables show that under the substitute bill our ratio will be 60,000 more than the largest in Europe; under the Hopkins bill our ratio will be 76,000 more than the largest in Europe; under the substitute bill our ratio will be 153,000 more than the smallest in Europe; under the Hopkins bill our ratio will be 167,000 more than the smallest in Europe.

The chairman says that 395 is the only number that will do equal and exact justice to all. Now, if this be so, why not make it 395? Who will be hurt by it? Talk of the House becoming a mob because of increasing it 38! Will he accept an amendment to this effect?

And then all this scientific figuring! Everybody knows that it is proven with mathematical exactness by figures, that the asymptotes of the hyperbola gets nearer and nearer it constantly, and yet never reaches it, which in practice is absurd.

Country or nation.	Population (discarding fractions).	Number of representatives in lower house.	Number of population to each representative.	Population per square mile.	Number of square miles to each representative.
Great Britain	40,500,000	670	61,000	318	180
France	38,500,000	584	66,000	188	349
Italy	32,800,000	508	63,000	287	220
Hungary	18,900,000	453	41,000	140	320
Prussia	31,800,000	433	74,000	237	310
Spain	17,500,000	431	41,000	88	459
Austria	28,900,000	425	52,000	206	273
German Empire	52,000,000	397	132,000	250	527
United States:					
Now	75,500,000	357	208,000	21	a 8,000
As proposed	75,500,000	387	194,000	21	a 7,600
Now, including Alaska	75,500,000	357	208,000	21	9,770
As proposed	75,500,000	387	194,000	21	9,040

a Not including Alaska and Indian Territory.

Number of square miles represented by each member of the lower house in each nation.

Great Britain	180
Italy	220
Austria	273
Prussia	310
Hungary	320
France	349
Spain	459
German Empire	527
United States:	
Not including Alaska and Indian Territory—	
At 357, present number	8,000
At 387, proposed number	7,600
Including Alaska and Indian Territory—	
At 357	9,770
At 387	9,040

The chairman says those States that lose are the ones making all the opposition to the Hopkins bill. Well, how about those who gain under the fermenting influence of the Hopkins bill—for short, the Hop bill.

It is well known that members have more than they can now efficiently attend to. If we had a membership that would justify each member being on only one committee, who doubts that the work before committees would be greatly expedited. Then, too, why should not Congress meet on the 4th of March—the day their pay begins—and attend to public business, and not wait till December and have a short session, when nothing beyond appropriation bills can be attended to.

This table shows the States affected by the apportionment bills, the figures opposite each showing the present voting strength in the House:

State.	Present membership.	Under Hopkins bill.		Under substitute bill.	
		Gain.	Loss.	Gain.	Loss.
Arkansas	6			1	
California	7			1	
Colorado	2			1	
Connecticut	4			1	
Florida	2			1	
Illinois	22	1		3	
Indiana	13		1		
Kansas	8		1		
Kentucky	11		1		
Louisiana	6	1		1	
Maine	4		1		
Massachusetts	13			1	
Minnesota	7	1		2	
Mississippi	7			1	
Missouri	15			1	
Nebraska	6		1		
New Jersey	8	1		2	
New York	34	1		3	
North Carolina	9			1	
North Dakota	1			1	
Ohio	21		1		
Pennsylvania	30			2	
South Carolina	7		1		
Texas	13	2		3	
Virginia	10		1		
Washington	2			1	
West Virginia	4	1		1	
Wisconsin	10			1	
Total	282	8	8	29	

States which neither gain nor lose by either bill.

	No. of members.		No. of members.
Alabama	9	Oregon	2
Delaware	1	Rhode Island	2
Georgia	11	South Dakota	2
Idaho	1	Tennessee	10
Iowa	11	Utah	1
Maryland	6	Vermont	2
Michigan	12	Wyoming	1
Montana	1		
Nevada	1	Total	65
New Hampshire	2		

This country may be likened to a great corporation having been organized for certain specific purposes, with 15,000,000 stockholders. Unlike most corporations, it is a pauper, except that by the vote of the stockholders it may collect money out of their pockets for said purposes, and it has no right to acquire money in any other way. In order that these stockholders may have an eye to their own weal, they periodically assemble and a president, vice-president, and board of directors are selected, who in turn select the officials to administer the affairs of the corporation. It has a constitution and laws limiting the powers of officials. So every four years we elect a President and Vice-President, and every two years a board of directors (which we call the House of Representatives), and this board, together with a select board (which we call the Senate), constitute the board of managers.

Each stockholder (or voter) holds exactly the same amount of stock, and it is a criminal offense for him to sell, transfer, or in any way to part with it. He has the same power in selecting the board of directors as any other stockholder, but this power is circumscribed and confined to the selection of only one member of the board. That is to say, he can vote for only one, but still he has an equal power with others in determining as to how much money must be taken out of his pockets to maintain the corporation and as to how it is to be expended.

The man that sweeps the streets has as much legal power therefore as a Rockefeller, and the hod carrier can neutralize the power of a Vanderbilt in this respect. Why, then, should he be shorn of an atom of this one single right? If it was as it is in Great Britain, he would have three and one-half fold more; as in France, threefold; as in Germany, one and one-half fold.

But it seems that such concessions are not to be given him, but on the contrary, "that which he hath" is to be taken away. The

Hopkins bill, read between the lines, in effect says of the individual stockholder or voter:

First. He has too many privileges now and he must be deprived in part of that modicum of the distributive fluid called power now possessed by him, it being to subtle for his limited intelligence.

Second. That in fact he does not understand its use, and since this has been made manifest the less he has of it the better.

Third. That the personal comfort of members of Congress must be provided for before his rights are considered, and the sanctity of this august Chamber must not be encroached upon by any larger numbers.

Fourth. That the present dimensions and the fragrance of the foul air pervading it are to be maintained, notwithstanding artificial means have to be resorted to in order to pump the pure air of heaven into its recesses, in the midst of which not a ray of the sun ever penetrates.

Fifth. That business will be impeded if we accord him the full measure of his rights (but what business the deponent sayeth not).

Sixth. His burdens of taxation will be increased if any other bill or the substitute bill prevails (I may reiterate 2 mills per head of constituencies), forgetting that no taxation can be imposed without the consent of Representatives, and the more liberal the representation the more guarded the immunity from wrong.

Seventh. That complaint will proceed only from denizens of attics, tenements, and those who follow the plow, wield the pick, ax, hammer, and saw—the emblems of poverty, but the implements of the acquisition of wealth—and it does not matter if they are abridged in power.

Eighth. Paraphrasing Vanderbilt, it virtually says, the "common people be damned;" who cares whether or not to them "life be worth living?"

Carry out such a theory as the Hop bill provides to its legitimate end, and to what will it come? Not only to the abridgment of power now lodged in the people, but to a centralization of power in the hands of the few, which was the dream of Hamilton, and which found in Jefferson its most formidable antagonist and implacable foe.

It will not be long when its influence will percolate into State autonomy and the power of governors and legislatures therein will be a memory. Why have any at all? Why not a privy council, county lieutenants, a few messengers, which together would perform governmental functions?

I know, of course, that Congress has nothing to do with such things now, but go on diminishing the power placed in the hands of the people (who form the bone and sinew of the land) when it is our duty to enlarge and extend it, and how long will it be when we will have a "government only of the few, by the few, for the few."

The unit of local self-government in the North, especially in New England, is the rural township, governed directly by the voters who assemble annually (or oftener, if necessary) and legislate on local affairs, levy taxes, make appropriations, appoint and instruct selectmen, clerks, school committees, etc. Townships are grouped to form counties, each with a commissioner and other paid officials.

In the South counties are generally the units, though subdivided for educational and other specific purposes, and certain officials have additional functions, such as the care of the poor, superintendence of schools, etc.

In the Middle and Western States the two systems are blended, the public lands in the West having been divided into townships 6 miles square.

Why keep up all this expensive machinery?

We now have the advantage of the full distribution of power in State governments, which is the sheet anchor of our liberties. Home rule and local self-government in the States are assured as long as this distribution of power is not diminished. The Hopkins bill does not, and under the Constitution can not, deal directly with this subject except so far as the State is interested in its representation in Congress. It strikes a blow at this, and if the insidious want of principle which underlies this bill is to become all-pervading, how long will it be when county and State lines will be obliterated and any apportionment no longer necessary?

God forbid that this day will ever come; but the more you abridge the power of the people, which the Hop bill does, the nearer such a day approaches. Let us hope that, like the comet that has passed its perihelion, it is off on its hyperbolic orbit, continually approaching its aphelion, but like the asymptote which never reaches the curve, though constantly nearing it, it may follow its example.

But coming back to a comparison with other nations, I observe that in Great Britain one-sixth of her population vote; with us one-fifth of ours perform this function. Now, if we should adopt the ratio which Great Britain accords her people with one-sixth voting population, we would have to-day 1,246 Representatives in this body, where we have only 357 under our ratio.

But if Great Britain should adopt our ratio with our one-fifth voting population, she would have 192 in the House of Commons, where she now has 670.

Each representative in Great Britain covers an area averaging 178 square miles, while each member of Congress covers an area in his representative capacity (not including Alaska) averaging 7,600 square miles.

Area and density of population seem to be entirely lost sight of in the Hop bill. A Representative of the people in the United States not only represents more people than the representative of any other enlightened nation on earth, but he has to get over more square miles to attend to the wants of his people, and hence has to undergo more labor to properly represent them than any other.

He represents now 112,000 more people than a representative in Great Britain does, and under the Hop bill he will represent 147,000 more; he represents now 107,000 more people than a representative in France does, and under the Hop bill he will represent 142,000 more; he represents now 110,000 more people than a representative in Italy does, and under the Hop bill he will represent 145,000 more; he represents now 132,000 more people than a representative in Hungary does, and under the Hop bill he will represent 167,000 more; he represents now 99,000 more people than a representative in Prussia does, and under the Hop bill he will represent 134,000 more; he represents now 133,000 more people than a representative in Spain does, and under the Hop bill he will represent 167,000 more; he represents now 121,000 more people than a representative in Austria does, and under the Hop bill he will represent 156,000 more; he represents now 41,000 more people than a representative in the German Empire does (I mean in the popular branch of the legislative body of the Empire), and under the Hop bill he will represent 76,000 more.

As to density of population, compare only the two great English-speaking nations. England and Wales have 495 of the 670 members of the House of Commons. The urban population (1890) was 70 per cent, while in the United States it was 29 per cent (census of 1890 is used, as England's census of 1900 is not before me). In England and Wales 22 per cent lived in cities of 250,000 and upward; 9 per cent lived in cities of 100,000 up to 250,000; 9.6 per cent lived in cities of 50,000 up to 100,000; 12.6 per cent lived in cities of 20,000 up to 50,000; 8.3 per cent lived in cities of 10,000 up to 20,000; 8.9 per cent lived in cities of 3,000 up to 10,000.

That is to say, the rural population in England and Wales is 30 per cent and the urban population is 70 per cent, while in the United States the rural population is 71 per cent and the urban population is 29 per cent—conditions almost exactly reversed. In England and Wales there are 358 towns of over 10,000 population; in the United States there are 448 towns of over 8,000 population.

Thirty-two large towns in England and Wales, not including London, have a population of 7,588,536, with an area of 543 square miles—13,900 people per square mile—with 123 members in the House of Commons. New York, with about the same population now, with an area of 48,000 square miles—126 people per square mile—has 34 members in this House.

I do not hesitate to affirm that 34 Representatives could more effectively attend to the wants of 7,500,000 people in an area of 543 square miles than 123 could in an area of 48,000 square miles, yet the conditions are reversed and will be accentuated under the Hopkins bill.

Examine, if you please, some grouping of States, and compare results with England and Wales.

No. 1.—Maryland, North Carolina, South Carolina, Georgia, Florida, and Virginia: Population, 7,900,000; area, 242,000 square miles; population per square mile, 32; number of representatives, 45.

England and Wales: Population, 7,900,000; area, 58,000 square miles; population per square mile, 497; number of representatives, 123—over three-fourths less area, 465 more people per square mile, 78 more representatives.

Take the most densely populated portion of the United States:

No. 2.—Maine, New Hampshire, Vermont, Rhode Island, Massachusetts, Connecticut, New York, New Jersey, and Pennsylvania: Population, 17,000,000; area, 162,000 square miles; population per square mile, 107; number of representatives, 100.

Great Britain, with 38,000,000 population, 120,000 square miles, and 313 persons per square mile—a little over twice the population of group 2, one-third of the area, and three-fold more people per square mile—has over six times the number of representatives.

I am aware that it will be contended that area has nothing to do with the merits of the measure, and that density of population is equally as foreign to the subject. Theoretically, this may be so, but Sir Isaac Newton said that when theory comes in contact with fact theory had to go. And so we find it here.

It is a fact, the more Representatives allotted to an area of territory, the more efficiently will the people be served. And in large areas sparsely settled, it is still more essential to have sufficient representation, that they may be served promptly; and the Hopkins bill overlooks the fact that we are servants, and not rulers, and that it is the serving business, and not the ruling business, in which we are engaged.

I am not unmindful of the fact that our Constitution and laws provide for an apportionment by population, but there is nothing in either that forbids, in fact the spirit of both encourages, giving to large areas of rural territory the largest and most efficient representation practicable in this body. Large rural population scattered over extensive areas of territory ought to have the largest measure of distributive power, that power which is the safety valve of the Republic, and though much gas is let off by reason of it, yet as long as it remains in the hands of the many instead of the few, the people can not complain and will not suffer.

Do you wish to increase the ratio of representation because you think too much power now resides in 173,000 people or in 194,000? Do you not know that the ratio proposed in the Hop bill curtails and abridges this power just one-fifth? If the voter is a whole man now, this bill proposes to make him a four-fifth man. What will he say? He will see that his ratio is raised 35,000, and yet less than twice 35,000 in monarchial England adds one whole representative to the House of Commons.

In other words, the Hop bill allots for every 208,000 people 1 Representative. Yet for every 208,000 people Great Britain has 3.4 representatives; France, 3.1; Italy, 3.3; Hungary, 5; Prussia, 2.8; Austria, 4; Spain, 5; German Empire, 1.7.

The individual voter will wonder why you are so jealous of your own comfort, why so much solicitude about the size of the Chamber, why so much anxiety about the electoral college, why so suddenly struck with a fit of economy, why so much reverence for three-score years of the past and so little for the present.

Talk about delay in business! If we had as many members as now constitute the House of Commons—yes, 670—aye, if we had a hundred million people and a ratio of 100,000, which would make this House 1,000 in membership, and would apply improved methods, such as Americans apply in their own business, we could and would do more business than we now do with 354, and still be closer to the people. As paradoxical as it may appear and yet as everyone admits, there is more and more to do every year, and yet it is proposed to have fewer people to do it.

I do not hesitate to say that the application of electrical devices in this House, such as would enable us to vote "aye" and "no" rapidly, as called for in a resolution introduced by me, would save much time and kill the last lingering nerve of filibustering.

Again, enlarging this Chamber would not only facilitate business, but it would give good and pure ventilation and tend to stop the mortality of members, largely due to the foul air we breathe and to the volume of carbonic acid gas which pours down upon us from 12 m. to 5 p. m., and from the poisonous effects of which there is no escape except to the cloakroom or the grave.

These things ought to be considered, and if time is given I am sure remedial measures will be taken which will afford relief, when provision will no doubt be made for a much larger number of Representatives than even the substitute bill calls for.

The larger the number of Representatives the more thoroughly will the people be served. I do not blame the President and the Administration for the abuse of power placed in the hands of Rathbone and Neely; but had this been in a Congressional district and a Congressman been called on by the President to indorse them it might have been different. You do not find such cases where the Representative of the people is called on. He has to keep watch over his district, and seldom it happens that fraud and embezzlement and robbery is the outcome of the recommendation of a member of Congress.

How melancholy one of you would feel had you been Rathboned by one of your constituents, honored by your confidence. But here are Rathbone and Neely, responsible to no member for good behavior. Did not they swim?

Such doings are not apt to occur under the watchful eye of a member of Congress. He is very careful as to whom he recommends for places that are subject to be embezzled and looted.

Personally I want to enter my appeal for Virginia. I appeal for no increase, but for no decrease.

Beginning with the First Census, in 1790, with 13 States and 4 Territories, Virginia lead with 747,610 population; in 1800, with 16 States and 4 Territories, Virginia lead with 880,200; in 1810, with 17 States and 7 Territories, Virginia lead with 974,600; in 1820, with 23 States and 3 Territories, New York lead with 1,372,111; in 1830, with 24 States and 3 Territories, New York lead with 1,918,698; in 1840, with 26 States and 3 Territories, New York lead with 2,428,921; in 1850, with 30 States and 5 Territories, New York lead with 3,097,394; in 1860, with 33 States and 8 Territories, New York lead with 3,880,735; in 1870, with 37 States and 9 Territories, New York lead with 4,382,759; in 1880, with 38 States and 8 Territories, New York lead with 5,082,871; in 1890, with 44 States and 4 Territories, New York lead with 5,997,853; in 1900, with 45 States and 3 Territories, New York lead with 7,268,012.

This old Commonwealth donated to the nation the great Northwest Territory, embracing what is now the States of Ohio, Indiana, Illinois, parts of Michigan, and Wisconsin.

It was in Virginia that the first representative assembly was convened, in 1618. It consisted of the council and a body of representatives, two from each of the eleven plantations into which the colony was divided. This assembly imposed taxes, considered petitions, and passed laws for the government of the colony. Thus Virginia led, and though nominally dependent on the King and company, had an independent government of its own at this early period.

A State with such a record, I submit, should not at this late day be cut down in its representation in the Congress of the United States. Then, again, she was despoiled of her territory, violently cut in twain, without authority of law, yet by ravages of war—and I might add that she would have kept pace with the general increase in population but for the fact that her good people were so much "kneaded" to furnish the "leaven" for the successful rising of the loaves of progress in other States that it has constantly drained her, and but for Virginians many States would not have the representative force they have to-day.

Indeed, they pride themselves on Virginia ancestry. But for Virginians many now occupying seats on this floor would not be here. Not infrequently, when introduced to a new member as from Virginia, I am at once told that his ancestors were Virginians and he is proud of it.

Again I appeal to this House for the substitute bill because of the injustice done sparsely settled rural or agricultural districts by the Hopkins bill. There are nearly twice as many people engaged in farming as in manufacturing. The area occupied by the one is of necessity much larger than that of the other. It is with much more ease and facility, with much less labor, that the Representative of the densely populated and smaller area can administer to the wants of his people than when conditions are reversed.

It is an easy job for a member of Congress in an area of 6 miles square, or 36 square miles, to serve 173,000 people as compared with one who has to serve 173,000 in an area of 20,000 square miles. The one in a compact city like New York, Chicago, or Philadelphia can be in touch with his constituents by 'phone, telegraph, mail, or in person at any hour, but the other, with an area of 7,600 square miles (the average in the United States, not including Alaska) has to be almost a "perpetual motion." The Hop bill increases all the difficulties now encountered, adds prominence to the obstacles which should be removed.

In Virginia it not only adds to the number of people to be served, but in each district it increases the area 445 square miles.

The Hop bill overlooks the great advance and progress making in mining, lumber, coal, iron, forestry, manufactures, fisheries, commerce, shipping and navigation, internal commerce, foreign trade, rivers and harbors, utilization of the billion acres of public lands, of our insular possessions, of science, literature, and art, and ignores the power of taxation and appropriations, all of which must of necessity be of great interest to the people, and all of which demand the very largest degree of representation for them possible.

You need constant accretions to your stock of wisdom, and any curtailment of this is to be greatly deplored. One member of this House for every 100,000 people would be 760 members, and would add greatly to the wisdom under this mighty Dome.

Rules can and will be made, room can and will be provided, more business can and will be done, and done more expeditiously and satisfactorily, just as necessity demands. It is well known that under 357 membership this House has done more business, and done it more effectively and thoroughly, than under any former apportionment giving a less number.

Stephenson astonished England when he stated that his engine would draw a train at the rate of 10 miles an hour. Now a train running at 60 and 70 miles per hour passes by unobserved.

There are always mossbacks, and from all such "good Lord deliver us." They believe in the past, for they live in it. Retrogression to them means progress. When they look back over the long road traversed in the past they see no rugged rocks, no dangerous quags, no sharp stones, no shattered columns, no broken shafts, but they live on the memory of the fragrance of "the roses left by the wayside, and the gentle tendrils waving in the wind." The present is full of briers and the future to them is to be a crumbling ruin.

I protest against them and their creed. I protest against any retrograde movement. To deprive a State of a single Representative is to go backward. Let us keep abreast with the steady march of progress which in this nation has been without a parallel, and in which in the future it must be without a peer.

You who view with alarm the continued distribution of power among the people, stop and ask yourselves what will they think of it when they realize what you have done. They are not fools, and they know that if 100,000 of them may choose a Representative to Congress, and you change it so that 200,000 may do so, it will not take much time for them to see that you have voluntarily abridged their power just one-half. To them you will have to render your account.

Now, Mr. Speaker, I complain of no member on account of his position on this question. I accord to everyone that rectitude of

purpose and sincerity of action which I claim for myself, and, while self-interest must govern us all in a greater or less degree, I concede nothing less than patriotic motive to each and every member of this body.

It may be that I am zealous in opposition to the Hop bill because my State will lose a member under its operation. It may be that others are ardently in favor of it because their States gain members.

No man coming into this House without some knowledge of its membership, approximately, could guess within 100 of the number of which it is constituted, and it is well known that on an aye-and-no vote a record of 250 is seldom disclosed.

One class, then, think 357 just enough, but I know of none such whose State loses a Representative by the 208,000 ratio.

Another class will favor 357 because the ratio reached has the sanction of the dust of sixty years ago, but most of them hail from a Commonwealth that either does not lose or does gain.

Still another class favor 357 because this ratio leaves the electoral college practically in its present shape, though causing loss to some States—while assuming that politics will be forever stationary and the electoral college unchangeable—but no loss of representation to them.

Then 357 is urged by others because in their States no rearrangement of districts will disturb present incumbents. Some are for 357 because the Chamber is too small, and say nothing about loss or gain. But of such I have heard of none that lose. Some oppose any increase in membership that will not give their State increased representation. Some oppose it because, although their State loses no representation, still, while getting no increase, its relative power or influence is diminished as compared with the whole without considering the party strength.

I might add other classes, and file reasons as varied as the ratios are numerous. I assume, however, that the purpose of all classes is to better the condition of their respective States.

I do not, however, believe that patriots exist only when advantage is to be gained, and hence I appeal to Republicans and to Democrats alike to lay aside party feelings and banish the electoral college ghost and to ask themselves what they would do if no question of party advantage had been raised. Then ask themselves, is there really anything in that question of party advantage to be gained to the Republicans in the apportionment which gives 386 members.

I want to ask members of that committee who oppose 386, or the substitute bill, would they not have voted for 386 except for the fact that the electoral college bugbear was thrust before them?

Then I appeal to you to vote—

First, that no State shall lose a Representative;

Second, that every State shall have the full benefit of the majority fraction—remembering that the functions of Congress are growing in importance every day, and that there should be greater representation in proportion as great interests are enlarging hour by hour.

In conclusion, Mr. Speaker, I want to say that the fundamental idea of popular government is the distribution of power. From the battle of Hastings our ancestors have been fighting to maintain this principle and wrest power from the hands of the few and lodge it in the hands of the many; and it was consummated in our national fabric and sealed with the blood of patriots when, in 1781, the proud crest of England went down in disgrace and despair at Yorktown, and the flag of freedom was hoisted, never to be lowered.

To maintain the principles thus established and to continue and to enlarge this distributive power among the people should be the aim of the Republic and of the popular branch of Congress, at least. Of nothing should the people be so jealous as the encroachment on, or abridgment of, this great boon. No right or privilege possessed by them should be watched so incessantly, preserved so carefully, and guarded so aggressively as the one right in the fullest measure to select the only official for whom, under the Constitution, they can vote, viz, the man to represent them in the House of Representatives of the Congress of the United States of America. [Loud applause.]

I desire to append the striking letter of Mr. Frank Abial Flower, of Washington, D. C. I invite especial attention to it:

WASHINGTON, D. C., *January 8, 1901.*

MY DEAR JUDGE: Yours of November 6 was duly received, but not until now has it been possible to reply to your inquiries concerning the apportionment. You ask:

1. "Is there any substantial warrant for reducing the representation from any State because such State disfranchises some of its citizens for other reasons than rebellion or crime?"

2. "Is there a mathematical and legal way of so apportioning Representatives among the States as to do exact and equal justice to each and all?"

First. If there were such warrant, Congress did not authorize or require the Director of the Census to gather facts on which to base such a reduction. You can not tell where or how to begin.

Second. Yes: there are several; but I lost many a night's sleep before finding the controlling principle which underlies all of them, although it is simple enough now that it has been found.

Heretofore the process by which the apportionments have been computed have not produced results that were legally or mathematically correct, or politically just, because they included the necessity of assigning (or rejecting) an entire Representative for a bare major fraction of the accepted ratio, which gave to some States over and to other States under representation.

The possibilities for injustice under this practice are very great, and can never be eliminated. For instance, North and South Dakota may have within one of equal populations. The former, with a minor fraction of 100,000 above the ratio, would receive 1 Representative, while the latter, with a major fraction of 100,001 above the ratio, would receive 2 Representatives.

This additional person in South Dakota may have been a child born a day or an hour prior to taking the enumeration. Thus the representation of a State would be doubled, and also doubled over the representation of a sister State by the numerical value of a single one-day-old babe.

What is worse, if this child should die on the day following the enumeration, thus reducing the population of the two States to an exact equality, South Dakota nevertheless would continue for ten years to enjoy double the representation of North Dakota.

This is an extreme but not impossible case, and vividly illustrates apportionment features which have occurred frequently in actual practice, and must continue under this process forever.

However, the fact that these irritating forms of injustice have never been eliminated, nor even ameliorated, does not mean that it is impossible to give to each State its mathematically exact strength in the House of Representatives and the electoral college, but that a way of doing so has not been devised or adopted.

A fundamental error has been committed hitherto in assuming that representation means physical persons or integers.

If such were really the case, a one-armed or one-legged person might not be considered a complete or lawful Representative.

Representation does not mean a certain number any more than it means a certain weight of persons.

It means simply choosing and putting forward a vehicle or instrument for giving, and which can and does give adequate expression and effect to the popular will or ascertained voting strength of a given community.

One person as well as 4 or 40 or 400 persons can represent a community in a representative body, if he be properly clothed with authority to do so.

This fact has received actual illustration times without number by popular conventions giving one vote to two persons, or two votes to three persons, or by instructing or authorizing one person to cast the vote of an entire county or State delegation, or of an entire convention.

If this old and undisputed principle be applied in creating and defining the strength of the House of Representatives and the electoral college, all over and under representation—the basic element of injustice and irritation—at once disappears, except in the case of States having populations less than the unit or ratio of apportionment.

There are three or more ways in which this principle may be applied. For the first illustration let it be applied as follows:

1. Assume 1 vote in the House of Representatives for every 205,500 persons.

2. Divide the representative population of each State by this number.

3. The result will be 8.898 votes for Alabama, 12.245 votes for Indiana, 14.835 votes for Texas, 20.231 votes for Ohio, 35.344 votes for New York, and so on.

4. These votes, which represent with mathematical exactness the proportionate strength of each State to the aggregate strength of all the States (Wyoming, Idaho, Nevada, and Delaware excepted), will come into Congress in the form of as many persons as there are votes and fractions of votes assigned to the several States.

5. Thus Alabama will send 9 persons, 8 with full votes and 1 with 0.898 of a vote; Texas will send 15 persons, 14 with full votes and 1 with 0.835 of a vote; Ohio will send 21 persons, 20 with full votes and 1 with 0.231 of a vote, and so on through the list (Wyoming, Idaho, Nevada, and Delaware excepted), the complete result being as follows, apportioned by the ratio of 205,500, according to the Twelfth Census:

State.	Present House.	Proposed House.		Voting strength.	Gain in voting strength.	Loss in voting strength.
		Number.	Gain.			
Alabama	9	9	.....	8.898	.....	0.102
Arkansas	6	7	1	6.382	0.382	.....
California	7	8	1	7.218	.218	.....
Colorado	2	3	1	2.623	.623	.....
Connecticut	4	5	1	4.420	.420	.....
Delaware	1	1	.....	1	.....	.....
Florida	2	3	1	2.571	.571	.....
Georgia	11	12	1	10.785	.....	.215
Idaho	1	1	.....	1.000	.....	.....
Illinois	22	24	2	23.462	1.462	.....
Indiana	13	13	.....	12.245	.....	.755
Iowa	11	11	.....	10.860	.....	.140
Kansas	8	8	.....	7.155	.....	.845
Kentucky	11	11	.....	10.448	.....	.552
Louisiana	6	7	1	6.723	.723	.....
Maine	4	4	.....	3.379	.....	.621
Maryland	6	6	.....	5.790	.....	.210
Massachusetts	13	14	1	13.651	.651	.....
Michigan	12	12	.....	11.780	.....	.220
Minnesota	7	9	2	8.513	1.513	.....
Mississippi	7	8	1	7.548	.548	.....
Missouri	15	16	1	15.117	.117	.....
Montana	1	2	1	1.131	.131	.....
Nebraska	6	6	.....	5.199	.....	.801
Nevada	1	1	.....	1.000	.....	.....
New Hampshire	2	2	.....	2.002	.....	.....
New Jersey	8	10	2	9.166	1.166	.....
New York	34	36	2	35.344	1.344	.....
North Carolina	9	10	1	9.215	.215	.....
North Dakota	1	2	1	1.530	.530	.....
Ohio	21	21	.....	20.231	.....	.769
Oregon	2	3	1	2.012	.012	.....
Pennsylvania	30	31	1	30.667	.667	.....
Rhode Island	2	3	1	2.085	.085	.....
South Carolina	7	7	.....	6.522	.....	.478
South Dakota	2	2	.....	1.900	.....	.100
Tennessee	10	10	.....	9.832	.....	.168
Texas	13	15	2	14.835	1.835	.....
Utah	1	2	1	1.339	.339	.....
Vermont	2	2	.....	1.672	.672	.....
Virginia	10	10	.....	9.022	.....	.978
Washington	2	3	1	2.508	.508	.....
West Virginia	4	5	1	4.665	.665	.....
Wisconsin	10	11	1	10.060	.060	.....
Wyoming	1	1	.....	1	.....	.....
Total	357	387	30	.....	.....	.....

No State loses a person, but several lose a percentage of voting strength.

In order to carry an apportionment formulated as above stated into actual practice, Alabama will elect 8 physical Representatives, 1 each from eight compact districts of uniform population and contiguous territory and 1 to represent the fraction from the State at large; Texas will elect 14 physical Representatives, one each from as many lawful districts and one at large, and so on appropriately through the entire list of States, except that Wyoming, Idaho, Delaware, and Nevada, which, respectively, do not contain sufficient population to equal the ratio unit, but which, by Article I, sec. 2, of the Constitution, are nevertheless entitled to one full Representative each, must elect their Representatives at large.

The number 205,500 is taken as the unit of apportionment because it gives to the lowest States the same number of personal Representatives that they now enjoy.

To accomplish this result the voting strength of the House is enlarged to about 365, and the personal membership to 387, both, however, readjusted and equalized within the limits of the law, political justice, and mathematical correctness, except as to Delaware, Idaho, Nevada, and Wyoming.

Even this method can not give absolutely just results so long as States are admitted into the Union with populations less than the accepted unit of apportionment, and the Constitution declares that each State shall have at least one Representative.

But this form of malrepresentation also, fundamental as it is, may be eliminated by using, as section 2 of Article I of the Constitution permits, 30,000 as the unit of representation.

This plan involves assigning to each physical integer or representative person the power and right to give expression and effect in Congress to a certain fixed representative value or strength in the form of votes.

In order to permit each State to retain in Congress its present number of representative persons, each such person may be empowered to cast 6.8 votes or units of representation, or such fraction thereof as any State remainder or the population of any of the four small States may determine.

To make the actual apportionment as thus indicated, divide the representative population of each of the forty-five States by 30,000, which will give the number of votes in the House and the electoral college to which such State is entitled; then divide each number or quotient thus found by 6.8, and that will give the smallest number of persons required to represent these votes and fractions of votes in the House.

The result will be in each State a certain number of persons empowered to cast 6.8 representative votes each, and a person entitled to cast the fractional remainder for that State.

To find the value in representative votes of these remainders (in other words, the number of votes the fractional Representatives are entitled to cast), multiply each, if they be in decimal form, by 6.8. Each full Representative is given the power to cast 6.8 votes, because that is a number which does not reduce the present number of members from any State. Any other number may be taken without destroying the accuracy of the process, leaving the House at its present size or otherwise.

Such an apportionment results as follows:

State.	Abstract voting strength.	Persons.	Number in proposed House.	Number in present House.	Gain in persons.	Voting strength of fractional Representatives.
Alabama	60,956	8,964	9	9	.....	6,555
Arkansas	43,718	6,429	7	6	1	2,917
California	49,450	7,272	8	7	1	1,849
Colorado	17,970	2,643	3	2	1	4,272
Connecticut	30,278	4,453	5	4	1	3,080
Delaware	6,157	905	1	1	.....	6,154
Florida	17,618	2,591	3	2	1	4,018
Georgia	73,877	10,865	11	11	.....	5,882
Idaho	5,315	782	1	1	.....	5,317
Illinois	160,718	23,635	24	22	2	4,318
Indiana	83,882	12,338	13	13	.....	2,298
Iowa	74,395	10,940	11	11	.....	6,392
Kansas	49,016	7,209	8	8	.....	1,421
Kentucky	71,572	10,526	11	11	.....	3,566
Louisiana	46,054	6,773	7	6	1	5,256
Maine	23,148	3,404	4	4	.....	2,747
Maryland	39,668	5,834	6	6	.....	5,671
Massachusetts	93,511	13,752	14	13	1	5,113
Michican	80,699	11,867	12	12	.....	5,895
Minnesota	58,320	8,577	9	7	2	3,923
Mississippi	51,709	7,605	8	7	1	4,114
Missouri	103,555	15,230	16	15	1	1,564
Montana	7,752	1,140	2	1	1	952
Nebraska	35,617	5,238	6	6	.....	1,618
Nevada	1,355	199	1	1	.....	1,353
New Hampshire	13,719	2,018	3	2	1	122
New Jersey	62,788	9,234	10	8	2	1,591
New York	242,110	35,610	36	34	2	4,148
North Carolina	63,127	9,283	10	9	1	1,182
North Dakota	10,481	1,541	2	1	1	3,678
Ohio	138,584	20,380	21	21	.....	2,584
Oregon	13,784	2,027	3	2	1	1,183
Pennsylvania	210,070	30,893	31	30	1	6,072
Rhode Island	14,285	2,101	3	2	1	686
South Carolina	44,677	6,570	7	7	.....	3,876
South Dakota	13,021	1,915	2	2	.....	6,222
Tennessee	67,353	9,905	10	10	.....	6,154
Texas	101,623	14,944	15	13	2	6,419
Utah	9,175	1,349	2	1	1	2,373
Vermont	11,454	1,684	2	2	.....	4,051
Virginia	61,806	9,090	10	10	.....	612
Washington	17,185	2,527	3	2	1	3,583
West Virginia	31,960	4,700	5	4	1	4,760
Wisconsin	68,912	10,134	11	10	1	911
Wyoming	3,084	453	1	1	.....	3,080
Total	.....	.....	387	357	30	.....

Representatives so apportioned will be elected as stated hereinbefore—those clothed with 6.8 votes by compact and equal districts, and the one in each State having less than 6.8 votes (representing the fraction, or, respectively, the States of Delaware, Idaho, Nevada, and Wyoming) will be elected by the State at large.

The person so elected by any State at large will enjoy all the privileges, honors, power, and pay of other Representatives, but his vote in Congress will be fractional only, as heretofore indicated. This places the small States of Delaware, Idaho, Nevada, and Wyoming on an exact equality with all the other States.

If deemed advisable, the fractional vote or votes to which any State may be entitled may be divided equally among the entire number of Representatives assigned to that State, thus avoiding the election of one person at large, except in the case of Delaware, Idaho, Nevada, and Wyoming, which can not avoid electing their Representatives on the general State ticket.

I have had no time to make an actual apportionment on that basis, but perhaps will be able to do so later, if you desire.

Very truly, yours,

FRANK ABIAL FLOWER.

Hon. JOHN J. JENKINS, M. C.

P. S.—A larger number than 6.8 (say 6.85) will reduce the size of the House without cutting down the present personal representation from any State; it would merely wipe out such small fractions as those attached to New Hampshire and Oregon. The process is perfect for any conceivable size at which the House of Representatives may be fixed.

Mr. GRIFFITH. Mr. Speaker, I yield ten minutes to the gentleman from Colorado [Mr. BELL].

Mr. BELL. Mr. Speaker, the majority and minority are very nearly equally divided numerically and politically. Each report a plan for our adoption.

We should carefully analyze each of these plans and adopt the one or the other or reject both and formulate our own plans, as our best judgment shall dictate.

Let us first see what the majority presents. It makes the present number, 357, the telling virtue of its plan, and makes everything, whether it carries justice or injustice in its train, yield to the idea that the number of Representatives shall not be increased beyond 357.

Secondly, it proposes taking the 357 Representatives now provided for here and to so redistribute them as to take certain members from States where small gains in population have been made and hand them over to such States as have made larger increases.

In this distribution 1 is taken from Maine, though its population increased 33,300, and is given to Illinois, where the increase is greater; 1 is taken from Indiana, though it increased its population 324,058, and is consigned to Louisiana, because it had increased more rapidly; 1 is taken from Kansas, though this State gained 43,399, and is given to Minnesota, that made a greater increase; it takes 1 from Nebraska, though it gained 9,629, and turns it over to New Jersey, that has made a greater gain; takes 1 from Ohio, though it gained 485,229—enough to give it 2 additional members under present ratio—and gives it to New York, which has made a greater gain; takes 1 from South Carolina, that has increased 189,167, and gives it to West Virginia, because the latter had a greater increase; takes 1 from Virginia, which has gained 198,204, and gives it to Texas, because it has gained more; takes 1 from Kentucky, though it has gained 288,539—more than enough to give it an additional member under present ratio—and hands it over to Texas, which has made a greater gain.

What is the result? You take from each of eight of the noted States of this Union an existing Representative, based on the apportionment of ten years ago, notwithstanding some of these States have increased enough in population to entitle them to two new Representatives under the present apportionment, and all have made a vigorous, healthy growth. You unnecessarily humiliate the people of these proud and honored States, disorganize their Congressional districts, and greatly diminish the efficiency of their representation in Congress, while the evolution of government here is constantly augmenting national powers and duties. What do we gain by this innovation, this humiliation and irreparable injury to eight great States in the Union?

We are told that we save the expense of additional members. Such a reply is specious, insipid. There is not a month that some questionable appropriation does not pass here involving more than the increase proposed by the minority without a whisper of protest from any member of this committee. Such a plea should be beneath the serious consideration of the American people. But, say they, an increase of 29 members will unduly crowd the House. The Architect's plan completely refutes that charge. They say the House will be unwieldy.

Every leading deliberative legislative branch of the people in Europe refutes this. It would take a century to make this as large as the House of Commons at the pace set by the minority. But we are told that these large representative bodies are only common to monarchies. The large representative bodies have always been yielded on the clamoring demands of the masses of the people, and such acquisitions celebrated as bulwarks of the people's rights and liberties. Those desiring to block legislation for the masses of the people always concentrate their efforts on the smaller legislative branch as the easier to convince and handle.

Now, let us examine the premises of the minority. The ratio of 173,901 was fixed for each Representative in 1891. Our population was then 62,622,250. The present population is 74,565,906, an increase of 11,943,656, and the minority have added to the number of persons for each Representative 20,274 more than the ratio upon which we were elected, and this leaves the Representatives

of each State intact, which is in fair harmony with the general increase in population. What is the result of the minority plan?

It increases the House but 29 members and leaves the delegations in each State intact, does not humiliate the people of any State or injure it in the eyes of the public, and includes all majority fractions and has no "paradoxes." The minority follows the *old* precedents and tries to correct all inequalities so far as possible, while the majority has centered all of its force around the single, immaterial point, "do not increase the membership of the House."

It is willing to arbitrarily strip such time-honored States as Maine, Virginia, Indiana, Ohio, Nebraska, Kansas, Kentucky, and South Carolina of a part of their present representation and give them to the more lucky States, and thereby humiliate the people of these great States and do them irreparable and material injury.

It would have been most difficult for the members of this committee to have devised a plan by which they might strike a more fatal blow to the good name and credit of these States than to advertise to the world that they have gone into decay and ruin.

The general run of the people will never learn that it was a mere shortsighted policy and that these States have no blight. Take the flings of the chairman at the State of Nebraska, and his intimation that Nebraska had been the subject of a Populist blight, as evidenced by this loss of a part of her representation, and what must be expected of the busy investors and home seekers?

The mere fact that such insinuation was utterly false and malicious does not make it less damaging. They will never learn that the majority took 173,901, the ratio for the last Congress, and added 34,957, equaling 208,868, as the ratio for this, which deprived each of these 8 States of 1 Representative and advertised to the investing and home-seeking world that they are deteriorating. Now, the minority adds 20,274 to the present ratio of 173,901, making the minority ratio of 194,182, an increase in harmony with the general increase of population, and saves all existing Representatives, and does not ignominiously advertise any State as stagnant or deteriorating.

Now, there is a third innovation in this majority report, and that is this: That mathematicians, from the time the system was adopted, have admitted that it now and then developed an atrocity which they have elected to call a "paradox."

In 1881 Mr. Seaton, the chief clerk, said, in making these calculations:

I met with the so-called Alabama paradox, where Alabama was allotted 8 out of a total of 299, receiving but 7 when the total became 300.

But, be it said, to the credit of the committee and of Congress, they never failed to hurry in the bill a correction of all the palpable defects developed in the faults of the system; but the Alabama paradox, the Maine paradox, and all other paradoxes shrink into insignificance when the shadow of the Colorado "paradox" appears.

And I want everyone here to look this squarely in the face. Colorado gains 1 on every set of figures from a House of 350 to one of 400, or in 49 times it comes in and goes out on the majority bill. Now, I have no kind of suspicion that any member of the committee was influenced in fixing this number at 357 because it caught Colorado at this point. Colorado came in at all other places, whether you increased or decreased the number in the House, but the glaring fault in the system developed at that point, a missing cog was found, or the machine slipped a cog at this point.

This is a double-headed "paradox" of Colorado.

In the Alabama case the paradox consisted in giving Alabama 8 with a total House of 299 and only giving it 7 with a House of 300, when from a true mathematical or scientific standpoint her number, if changed at all on an increasing ratio, must have increased. The paradox is complicated in the Colorado case by a falling out of line both ways, or to say that from 350 up to 357 Colorado gains 1, loses at 357, gains at 358, and holds it continually up to 400; or, in these figures, on both sides of 357 Colorado gains 49 times and falls out 1, showing that this system is not scientific, as this freak presents a mathematical impossibility.

There are inequalities developing on every side of this "hocus-pocus" system.

Take, for instance, the State of North Dakota, that has a majority fraction for which it gets no member. North Dakota, under this bill, gets a member for 314,454 persons, while New York, the largest State in the Union, gets 35 members on a ratio of 207,522, less than the real ratio, because she gets one on a majority fraction, and it takes 131,735 persons more for North Dakota to get a member, than it does for New York to get each of its 35 members.

Florida has a majority fraction for which it gets no member and gets its two members on a population each of 264,271, while New York gets each of her 35 members on a ratio of 207,522, so it takes 137,120 more persons for each member of this little State than it does for each of New York's 35 members.

The State of Colorado under the majority bill gets one member for a population of 268,557, while New York pays only 207,522 for each of her members, or it takes in Colorado 61,035½ persons more for each of her two members of Congress than it costs New York for each of her 35 members, and so it works as between the small and the large States, always to the advantage of the large States after the ratio of population is reached in the State.

This comes in this wise.

Colorado has but 2 members and has a majority fraction of 121,367, which must be divided between 2 members of Congress, making each of her members stand a ratio of 268,557½ persons in lieu of 208,868, but if New York had this majority fraction of 121,367, instead of Colorado, instead of having to divide this up between 2 members, as Colorado must, it divides it among its 35 members, making each of them cost New York 212,335 instead of 268,557½, as it costs Colorado, per member, or giving Colorado, for illustration, and New York each the same majority fraction that Colorado now has, 121,367, and each of Colorado's members will cost her 56,520½ persons more than New York's members will cost that great State, and to as far as possible equalize this great advantage of the large States over the smaller ones, every Congress heretofore has taken care of the major fractions, and sometimes of minor fractions where the injustice was too flagrant, and I have no doubt that Congress will take care of the Colorado "paradox" as it did with the Alabama "paradox," and with the major fractions of North Dakota and Florida as it has always done heretofore; and I now propose and will offer at the proper time an amendment making the number 360 instead of 357, taking in Colorado, Florida, and North Dakota.

This fault, in my judgment, is constitutional. The unit used for determining the apportionment should have been based on well-defined and limited Congressional districts, instead of making the States a unit. With the States as a unit, and adding the fractions of all the Congressional districts, give the largest State a decided percentage over all smaller States, as above shown, after they pass the ratio adopted.

I now offer an amendment, which I propose to offer before the committee, and I ask now that it be considered as pending, permitting Colorado, North Dakota, and Florida each to have an additional member.

In line 5, page 1, strike out the word "fifty-seven" and insert "sixty," and whenever "fifty-seven" occurs thereafter strike out "fifty-seven" and insert "sixty" in its place. In line 8, page 1, strike out the word "two," after the words "Colorado" and "Florida," and insert "three" after "Colorado" and after "Florida;" and after the words "North Dakota," in line 5, page 2, strike out the word "one" and insert the word "two" in lieu thereof.

The SPEAKER. The time of the gentleman has expired.

Mr. GRIFFITH. Mr. Speaker, I now yield to the gentleman from Indiana [Mr. ROBINSON].

Mr. ROBINSON of Indiana. Mr. Speaker, American citizens of the twentieth century are ruled by a system of government transmitted, through generations, from the early fathers. A century of time has wrought but few changes in that Constitution which was the ideal of the patriots, whose ambition was the equality and enfranchisement of man—a government by the people for the people.

The century closed has witnessed our institutions of government made the models for the republics of the world.

The strength of our Government is that it dwells in the hearts of the people. Thus was it transmitted unimpaired to us, and we owe a like duty to posterity.

The measure under discussion is most important. It binds Congress and legislatures for ten years, and, fixing an apportionment, as it does, concerns fundamentally our system of government.

Believing that the Hopkins measure restricts too much the rights of just representation that should be lodged in the people, I shall favor an enlargement of the membership of the House to 386, as proposed by the Burleigh bill, and, convinced of its justness, I shall state the grounds of my belief.

Keeping in mind the intent of the framers of our Constitution, and that which has moved statesmen from that time, the investment of the greatest power in the people, we find that the bill before us runs counter to that theory in that it limits the membership of the House of Representatives to 357, thus enlarging the number of people represented by each member here from 173,901, as fixed by the last apportionment, to 208,868, an increase of people to be represented by each member, in round numbers, of 35,000. In other words, the 357 members fixed ten years ago as the proper representative body for 62,622,250 of population shall stand representative for 74,565,868, the present population: and not only this, but represent the increase of population for ten years to come, which can not be less than 14,000,000 more.

If the Hopkins bill becomes a law, at the end of its life each member of the House, then, will be representing 248,000 people.

The House of Representatives, as originally designed, was to be the popular branch of the American Congress, and the members were to be directly and intimately responsible to their constituents. This was provided by the term and the mode of election.

The constitutional ratio was one member to not less than 30,000 people.

However strong our plan of government, weaknesses may be found in the quality of popular representation and responsibility. If popular sentiment counts for proof, these defects are not found in a too close responsibility to the people of two of its branches.

The President is not accountable directly to the people for four years after his first election, and not at all after his second election. Through that branch the people are unable to change a policy for four years, however unjust it may appear to them.

The Supreme Court judges are appointed for life by the President and confirmed by the Senate. They cease to be members of the court only on removal, by impeachment, by resignation, and by death. Surely there is an immunity from popular sentiment in this branch of the Government. Many people have made free to criticise the Supreme Court for some decisions on constitutional questions, charging that they were out of line with popular legal opinion and public sentiment.

The Senate, removed so far from the people by the method of selection and term of service, can not be said to be in close touch with them; and in multiplied instances the method of choosing Senators has led to the turning aside of the public will, the result of sinister means and fraudulent and corrupt practice, made easy by their selection by a comparatively small legislative body.

Many States have been absolutely disfranchised from tie-ups and deadlocks, the natural and legitimate fruit of practices made easy by the mode that removes so far from the people the selection of their Senators.

With these conditions it can not be claimed that the Senate is as truly representative of the people or responsible to them as some body should be to insure their safety and protection.

So long as the Senate is not elected by direct vote of the people, so long must the House of Representatives be a large and truly representative body.

The reform of electing the Senators by the people must come from sentiment created through State legislatures and the House of Representatives.

Other reforms known to members, and which I shall not take the time to enumerate, must be accomplished through a body like this, strongly representative of the masses.

So long as the House is large and representative, so long will it respond to the sentiment of the people, and the people can be trusted.

We have heard it much said in late years that the House was not a representative body. Mr. Speaker, we have a code of rules here that seems to have given rise to that general impression.

This popular impression—and I am not concerned in disputing its correctness—this evil in the House, does not come from an enlarged number of Representatives, but rather from a concentration of power in the hands of a limited number of the members and the invocation of the rules to enforce policies. The abuse rather lies in the drastic enforcement of the rules through the Rules Committee than in the rules themselves. Happily the rules are seldom invoked, save to enforce political policies.

It may, with some show of reason, be claimed that political policies, sanctioned by public sentiment, should be enforced by drastic rules. However that may be, it will be found that such action will only be positively dangerous, when the personal responsibility of members to their constituents is lessened to such an extent that motives other than patriotic ones will move the rank and file of the House to follow leaders into such policies.

It will be found that servility in following leadership will be lessened as the electorate to which the member is responsible is smaller, thus enabling him to draw his inspiration from the hearts of his people. Motives are difficult to ascribe; but it will not be out of line with human nature to find that those whose constituents have kept them long here, and who have won places on committee and leadership in Congress, and who perform a major part of its work, are willing to limit the responsibility of members and represent a larger constituency, thus enlarging their relative power under the Hopkins bill. I may lie under a charge of arraigning class against class in the House, but it is a condition with us, and we might as well confront it.

Sir, the very strength of the House of Representatives, as an institution of popular government, is its nearness to the people.

While the great leaders here, who have won their places by long service, are entitled to the best consideration and the respect of members of less service, yet the great body of this House who are not leaders represent the great body of the country. Though in management and leadership they may not rank with the others, yet they are here to pass upon great public questions, and their votes are potent, sacred, and enduring.

The great leaders and managers are mighty in debate, powerful in management, and potent in committee, but when it comes to registering votes on public questions the humblest member rises to a level with the greatest, and votes are the recorded sentiments of constituencies.

After all, the sentiment of the people is voiced in roll calls and on votes. In the very nature of things a large number of members can not speak fully on many public questions.

We become specialists tn legislation, at least so far as offering in debate views on questions.

Under our system of government and mode of selecting members of Congress it will be found that our constituents judge and measure a member by his record and votes on questions before the House. We are the custodians of the sentiments of our districts and recorders of their will—a jury selected from the neighborhood, delegated by the people to represent them truly.

We should know our people and they should have the opportunity of knowing us; and then, from personal knowledge of and acquaintance with their member, they would feel free to inform, instruct, and criticise.

This, it will be seen, can more readily be done, in consonance with our form of government, by smaller constituencies, which will bring the member in closer touch with his people.

It has been said that in years gone by, special interests have elected members, who thus owing their seats, became special pleaders for a special cause, to the detriment of the public good.

Not having proof, I will not assert, but knowing of methods used to control nominations and elections, knowing the forces that can be exerted by special interests, such powers will have the surest means to operate when the membership of the House is less.

A larger membership insures more independence against class interest and class power, and gives a House which wealth and influence can not so easily corrupt.

In this age of concentration of power and elements and influence, the safest method of preserving the House of Representatives, as a body representative of the people, is not secured by an increase of the number to be represented.

The power of individual members, dissociated from all considerations save the power of voting, is not to be underestimated. Members of independence and feelings of responsibility can call for record votes, and many instances can be recalled when not only the votes of individuals but the vote of the House sitting in committee has been changed when the light of public scrutiny, through a roll call, is turned on the votes of members. Smaller constituencies and its concomitant, closer responsibility, secures such results.

We are here not to receive honor and distinction, save as it comes from a true representation of the sentiments of our districts.

As there is wisdom in a multitude of counsellors, so is it true that Representatives are better able to serve the people by being in close touch with them.

Napoleon subjected easily the House of Ancients, a comparatively small body of representatives. The House of Deputies in France stood out till the end against his tyranny; remained in session to oppose him till he drove them out of the doors and the windows at the point of the bayonet. Later, Napoleon, taught by the lesson of experience, cut down the number of Deputies and controlled them.

A large Parliament withstood the tyranny of Charles the First and drove him to execution. A rump Parliament of a hundred yielded to a Cromwell.

The words "compact and contiguous" in the bill are designed to enable the Representative to more readily get acquainted with his people, but it will not be found possible, within the scope of a lifetime, to get on any degree of intimate terms with 209,000 people.

We all know the manifold duties incumbent upon members in the varied interests of the country. We know the requisitions that are made upon us by constituents, under the custom long in vogue, and properly made, requiring a vast amount of time and industry to perform. We all know the faithfulness with which members perform these duties, know their value to constituents, and we know how much our constituents appreciate these services.

In fact, there are Departments where it is absolutely necessary that members intercede to secure prompt returns to the wants of our people. This is a service that there is no immediate prospect will be dispensed with.

Yet, with this condition staring the majority of the committee in the face, they say, in effect, that 14,000,000 more people in the ten years to come shall be added to the districts of the present membership.

In their report some stress is laid upon the reapportionment of 1842, after the Sixth Census, when a reduction was made in the number of Representatives. That result grew out of the peculiar condition at that time, and it had no precedent for its justification at the time, and it has never been considered as a precedent from that time till now.

The reduction in the apportionment of 1842 was the result of the political contest and abnormal conditions of 1840. The political and industrial conditions preceding the election and the apportionment were not calculated to mold a safe policy. The country had been enormously burdened by high taxation, and the

accumulated surplus had been made the object of greed and extravagance. There had been an excessive inflation of the currency by the issue of an irredeemable paper currency. The recoil from such conditions produced ruin and industrial distress on every hand.

The alleged reform, then, which is followed now, grew out of these unnatural conditions, and the precedent created is not safe.

With the exception of 1842, in the apportionment of members the rule always has obtained to increase the number of members to keep pace with the increase of population.

The majority of the committee has departed from the practically universal rule and adopts a new rule and policy, the direct effect of which is the lessening of the representative character of the House.

The Constitution fixed the ratio at 1 member to 30,000 people. This gave a membership of 65. The First Census increased it to 105; the Second to 141; the Third to 181; the Fourth to 213; the Fifth to 240. The Sixth Census reduced it to 223. The Seventh increased it to 233; the Eighth to 241; the Ninth to 283; the Tenth to 325; the Eleventh to 356.

As shedding some light upon the subject it will be interesting to note the views taken by the Committee on the Census of ten years ago, as shown in their report and the debates on the bill for the apportionment of members then. Mr. Durnell, chairman of the committee, said:

> The committee discovered in the House a decided unwillingness, almost universally entertained and very largely expressed, to consent to any reduction of the present number of members assigned to any State. This bill, therefore, provides that no State shall suffer a decrease in its present representation. This was the object sought in the apportionment which has been made.

He had previously said:

> The committee finally decided to accept and adopt 356. I shall be asked why this number rather than any other was selected. I reply that it was selected because it was found to be the number first reached between 332 and 375 that would secure each State its present representation.

These remarks reflected the general tenor of the report.

Again he said:

> There were those on the committee who desired to retain the present number, but it was found that that could not be used without contravening what seemed the universal sentiment of the House, because very many States would lose 1 from their present representation. There were 10 States that would lose 1 member each. Letting these facts guide us, it was found that there was no other number that we could reasonably make use of than 356, and no other ratio than 173,901.

These views, it seems to me, are just, and the sentiments are appropriate here, and should bear greater weight than the unprecedented and false standard of 1842.

The report presented adopts a ratio that causes a number of large and progressive States of the Union to lose a member of Congress, and by the same operation other large and progressive States fail to secure a new member, to which they seem to be entitled under former rules of apportionment. And now let us see what reasons are urged by the majority of the committee for this departure from precedent for this increase in the number to be represented.

We look over the report vainly for reasons other than that "economy and dispatch of business" require it. Economy is a word much used and much abused in public affairs. It is used in the latter sense in the report. Such a policy is false economy. Where is the economy? Twenty-nine additional members will draw in salaries $145,000; outside of salaries the additional cost will be $46,000; in all, $191,000 to be appropriated, in addition to the usual estimated annual appropriation of $743,000,000 for 1902. Put the figures together and you can not tell them apart, the amount in comparison is so inconsequential, and I have given all the additional expense sought to be saved in the name of economy and at the expense of the people. The theory of economy falls hopelessly to the ground.

The next reason urged is "dispatch of business." Mr. Speaker, in the light of the record of this House this session, with the record for the dispatch of business under the rules in the last decade, aside from the solemn form in which this point is asserted in this report it would not seem to have been seriously made.

When I reflect upon the thorough knowledge that the majority of the committee had of the operation of the Reed rules and see this report, I am tempted to say as Cicero did—he said he could not see how two fortune tellers could look each other in the face without laughing, and I can not see how two members of that committee, asserting "that business can not be dispatched," etc., I can not see how they can look each other in the face without laughing.

In great party questions no difficulty has ever been experienced by the party leaders in enforcing party polices through the invocation of the rules, and no procrastination or filibustering tactics have ever won against the determined efforts on the part of the party leaders opposing it.

This session, when business of the greatest magnitude has been taken care of with celerity without invoking the rules, shows that no expedient that lessens the power of the people should be resorted to "for the dispatch of business."

The States of Massachusetts and New Hampshire have assemblies larger than this. There may be others. They seem to be thoroughly representative.

As instances of representative bodies much larger in numbers than the House of Representatives may be cited the German Reichstag, 397; the French Chamber of Deputies, 584; the House of Commons, 670; the Hungarian House, 453; the Italian Parliament of Deputies, 508; the Austrian Reichsrath, 425.

Certainly no one can be found who would let weigh, in this great public question, the mechanical rearrangement of this Hall. If it were possible to adopt some plan that would secure the recasting and remodeling of this Hall, it ought to secure the support of every member on acoustic and hygienic grounds.

Both were unknown or unconsulted by the architect that designed it, and troubles in comfort and health have resulted. A change that will get us nearer the light of heaven, and the outside breath of life will lessen the confusion and add to our lives, not to speak of the other points that will tend to make the House a deliberative body.

Then, again, these desks can be dispensed with and be supplemented with a few tables in the rear, that will secure much comfort and relief. Desks are not known in many of the other great assemblies of the world, notably the English and the French.

If we desire to save more time adopt a scheme of government for the District of Columbia that will enable its people to be American citizens, with the right to vote, and thus save at least one-tenth of our time for legislation which is wasted when we sit as a common council for the District of Columbia.

Another reform for time saving is easy. Save the time consumed in roll calls by adopting the electric method of voting. There is no impediment to its adoption.

It is a reflection on the inventive genius of the age that we must listen for a half hour to the humdrum of roll calls. Invention has made it possible to distinguish the voice of your friend as he speaks to you across the continent. At the deft touch of fingers and to the music of the clicking machine, it adds up figures by the thousands with a speed and accuracy beyond the dexterity or mentality of man. These are instances of improvement to lead us on, not to mention the dream of the destroyers, who hope to sail from continent to continent, under the ocean, and destroy fleets and navies on the other shore. This improvement in the House would be but a small dot in the great plot of the improvements of the age. There are hundreds of such, and they show we languish here.

If we must continue the old system, it will be found that 29 members in addition will add but little to the waste of time. It is not easy to do equal and exact justice to all in framing an apportionment bill, but a careful study of the Burleigh measure convinces me that as near as human foresight can it adopts a correct standard and conclusions. If we look for injustice in the Hopkins bill, we can readily find it outside of the feature that deprives States of Representatives.

Under the provisions of the Constitution a small State has an advantage and a greater relative power.

The Hopkins bill fixes the ratio at 1 for 208,868, yet the little State of Nevada, that would never have been heard of if there had not been a volcanic upheavel, and, I might add, if it had not been for the distinguished gentleman who so ably represents it upon this floor [Mr. NEWLANDS], the people there sleep quietly, on the slopes, in their hillside homes, deeply conscious of their worth in that one member is given them for 42,335 people. Wyoming gets a member with 92,531 population, yet Oklahoma, to which the world rushed a few years ago, and toward which the center of population is fast advancing—Oklahoma, with its 398,245 people, is not represented by a member of Congress, however well she is represented as a Territory by her distinguished Delegate [Mr. FLYNN], who sheds a grace here by his presence and his learning. Oklahoma should in justice and by equality have her statehood, then our friend would shed a luster at the other end of the Capitol, in the Senate.

Under the Hopkins bill Vermont, with a population of 343,641, gets two members, while North Dakota, with a population of 319,000, gets but one. According to the North Dakota standard, Vermont gets a member for 24,000 people, and according to the Oklahoma standard she ought to have 53,000 more people and get no member. These flagrant inequalities, so far as possible, the Burleigh bill corrects.

If the position I take is correct, from the point of statesmanship, no refutation of it comes from entering the field of politics or political advantage.

The causes that lead to political results are so multitudinous, so versatile, and withal so inestimable that no standard based upon present or past conditions political can weigh a feather in what should be done in the future.

Many States fixed in politics in the past give no assurance of the

future on either side in the panoramic change of political questions and shades and turns of political principles.

Especially is this so when the margin of change in the electoral college is, as it must needs be in the present estimates, so exceedingly small. Again, such a basis being predicated upon a group of States assumed to be certain, vacillating as some of them must be, and built, as it must be, upon unsubstantial assumptions, wholly leaves out of consideration States classed as doubtful, any one of which, changing its political status, would break the whole slate upon which calculation was made.

States and groups of States have been known to change on questions. The money question can be cited as an instance. The Chinese question had such effect. The Japanese and oriental labor may have a like effect, not to mention an inundation of Filipino fellow-citizens to our country.

These thoughts are thrown out only for the consideration of those who figure political advantage or political expediency in this legislation, based upon the vote in the electoral college or on the Representatives in this House, if any such there be.

Mr. Speaker, every time you increase the number to be represented by each member then you lessen, so far, full representation, and this should be done only when exigency and urgency demand.

I favor the Burleigh minority bill of apportionment, because the more I dwell upon it the more I am convinced that it represents truer Republicanism, truer Democracy than the Hopkins bill. [Loud applause.]

Mr. GRIFFITH. Mr. Speaker, I now yield five minutes to the gentleman from Tennessee [Mr. GAINES].

Mr. GAINES. Mr. Speaker, a great deal has been said here touching the supposed "unfortunate condition of the negro in the South." I exceedingly regret that I have not time to give some of the interesting history of his condition. But I submit that those who profess to be his friends in the North, East, and West deny him the same things that we in the South deny him. This indisputable fact you blindly overlook in your mad advocacy of negro equality in all things.

Why, gentlemen, do you Republicans ever even appoint—not elect, but appoint—him on the supreme bench of your States to administer to you the law? Do you Republicans ever put him on the Supreme Bench of the United States to administer the law to you and each of you and your people? No, indeed! But you would have him do so in the South, and the laws so framed as to force him on us. Do you ever nominate him for President or Vice-President when you well know the Republican party has repeatedly elected Republican Presidents since the civil war? Do you ever put him in the Cabinet? You dare not, but you could "appoint" him there, and he would receive you in due course socially and officially. You do not, but you would have him given unlimited suffrage in the South that such association might grow.

Yet, Mr. Speaker, when the South, as she has a right to do under the law of the land, undertakes to protect herself from these very things, and legally, we have it flaunted in our faces that we oppress and outrage the negro.

Mr. Speaker, suffrage is a State right, a State gift, and must be so exercised as to maintain a republican form of government, and the State to do so regulates her gift and has the right under the Federal Constitution to do so, giving the same legal right or legal opportunity to exercise this suffrage to the black as she does the white.

Treat in the law both alike and the court is satisfied. This was done in Mississippi, and the Supreme Court so held in the Williams Case (170 U. S. Reports), and Justice Brewer so held in a Kansas case found in 7 Kansas State Reports, and so Paine on Elections declares the law.

In the Williams case Justice McKenna for the whole court said:

> Besides, the operation of the Constitution and laws is not limited by their language or effect to any one race. They reach weak and vicious white men as well as weak and vicious black men, and whatever is sinister in their intention, if anything, can be prevented by both races by the exertion of that duty which voluntarily pays taxes and refrains from crime. (Williams *vs.* Mississippi, 170 U. S., 222.)

In holding the fourteenth amendment did not apply, the court, in concluding its opinion, said:

> This comment (on fourteenth amendment) is not applicable to the constitution of Mississippi and its statutes. They do not on their face discriminate between races, and it has not been shown that their actual administration was evil, only that evil was made possible under them. (170 U. S. Report, p. 223.)

The fourteenth amendment does not confer the right of suffrage. (43 Cal., 43, Valkenburg *vs.* Brown; 21 Wall., 162, Minor *vs.* Hoppersett, 10 Am. and Enc., p. 572.)

Mr. Payne says (Payne on Elections, pp. 55, 56):

> The fifteenth amendment guaranteed the right of suffrage on equal terms with the white and colored races.
>
> * * * * * * *
>
> It imposes but a single restriction upon the exclusive power of the States to prescribe the qualifications of voters, namely, that all qualifications shall be the same for the white and colored races.

Here we find that Mississippi gives to the white and black an equal chance to vote and compels neither to vote or not vote; and this high court—a Republican court—so declares; and yet the South is condemned as disfranchising the negro by this law.

Again, it is fashioned after the constitutions of Massachusetts, Connecticut, Wyoming—all Republican States. Massachusetts requires that to vote the person shall not only "read" her constitution, but read it "in English." So in Connecticut, so in Wyoming, and the courts uphold the law. A case in point is to be found in 50 Pacific Reporter.

The Australian ballot system has been held constitutional in the following (if not more) States: California, Colorado, Florida, Illinois, Iowa, Massachusetts, Michigan, Mississippi, Montana, New Jersey, New York, Pennsylvania, Tennessee, Virginia, Wyoming, Wisconsin, Kansas, Kentucky, Louisiana, Rhode Island, and cases cited are 58 Pa. Stat., 338; 60 Pa. Stat., 54; 105 Pa. Stat., 488; 136 Pa. Stat., 459; 10 Am. and Enc. Law, 579 and 586.

Now, Mr. Speaker, there is not a single State in this Union, and I believe not a single Territory, that has not so legislated in every instance as to place the executive, judicial, and legislative power of this country alone in the hands of educated white officials. The gentleman from Ohio [Mr. GROSVENOR] to-day raises his voice here as the champion and friend of the colored man and says this is all wrong, and yet out of the thousands and thousands of negroes in Ohio, and, indeed, in Pennsylvania and Massachusetts and Kansas, is there ever elected a single negro to the Congress, as governor, or judge in those States, or any State?

Nay, more, do these communities ever place any colored man in any single solitary case in a position where he will be called upon to administer the law—not where he shall administer a mere clerkship, but where it shall be his duty to administer the supreme law of the land, State or Federal? Not one. "And they never will," said the gentleman from North Carolina [Mr. LINNEY] here Saturday. And yet the South must be condemned because she says we will legally do the same thing in self-defense.

Mr. Speaker, I am the friend of the colored man. I have been such since my childhood. I shall so continue. I hold in my pocket a letter from a man whom, I dare say, cast his vote against me, a negro from my own city, thanking me for getting him a position as a servant, where he can work in the day and go to school at night and finish his education, there being no night colored schools in Nashville, though blessed with many and of the very best schools in the land. But I shall never agree to put the executive, judicial, or legislative branches of this Government in the hands of the negro, and in doing this South we know it is best for him and best for us, and you in the East, North, and West have not and will not do more than this for the negro nor less for yourselves, and your past record proves this.

Mr. Speaker, a few days ago in my own city there assembled a crowd of negro ministers to celebrate emancipation day; and here is the language of the chief orator of that occasion—a distinguished negro divine:

> The South is the place for us to achieve our success. In the North almost every door is shut against the negro; in the South he is offered free and unlimited activity in all trades. Your emancipation means that we shall contend for our rights in the labor market of the South.

In proof of this the negro remains South, regardless of everything enticing, so to speak, elsewhere.

I hold in my hand a Pittsburg Republican paper stating that last week negro delegates from a Southern labor union had been excluded, because negroes, from a white labor union of Pittsburg, Pa., the State of the gentleman [Mr. OLMSTED] who would have Congress to investigate Southern outrages on negro suffrage South. In the South the unions deny this equality. Do you ever send him on the high missions to Europe, where, as a great minister, he would receive you and your people and mine? No, no, indeed!

Mr. GRIFFITH. Mr. Chairman, I yield the balance of my time to the gentleman from Virginia [Mr. JONES].

The SPEAKER. The gentleman from Virginia [Mr. JONES] has two minutes, the remaining time on that side.

[Mr. JONES of Virginia addressed the House. See Appendix.]

Mr. HOPKINS obtained the floor.

The SPEAKER. The gentleman from Illinois [Mr. HOPKINS] has fifty-two minutes.

Mr. HOPKINS. Mr. Speaker, during the time allotted to me in this debate I shall undertake to answer some of the objections which have been made by gentlemen of the committee and other gentlemen who have addressed the House to the bill reported by the committee. I shall endeavor to show that this bill is a fairer bill to the people of this country than the one submitted by the minority.

It is unnecessary for me to call the attention of the members of the House to the fact that in this legislation we are performing a great constitutional duty. It is unnecessary, too, I think, for me to say that this legislation that is to be enacted here to-day is to affect the popular representation of 45 States for the next ten

years. Hence it is important to the interest of every man's constituency that passion and prejudice should be laid aside; that members of this House should look at the facts and the figures presented here to-day and determine this question, as I have intimated before, not from a sectional standpoint, not from the standpoint of any State or district, but from the standpoint of "the greatest good to the greatest number."

The gentleman from Virginia who has just addressed the House [Mr. JONES] made some reflection upon the chairman of this committee because this bill is reported by a gentleman who happens to represent a district of Illinois, a part of the territory that once belonged to the grand old State of Virginia. Why, Mr. Speaker, nothing is farther from my mind than to do an injustice to any State or any locality or any member on this floor. As chairman of the committee I have sought to examine the great questions involved here and by the light presented to me to bring the best results for the consideration of this House.

Mr. OTEY rose.

The SPEAKER. Does the gentleman from Illinois [Mr. HOPKINS] yield to the gentleman from Virginia [Mr. OTEY]?

Mr. OTEY. I simply want to ask a question.

Mr. HOPKINS. I will yield.

Mr. OTEY. Does not the gentleman think it is doing Virginia a great injustice not to give her Representatives the time that it was agreed they might occupy on this bill?

Mr. HOPKINS. Why, Mr. Speaker, after listening to the gentleman I confess that if he had occupied all the time it would have been much better for the country.

Mr. OTEY. That does not answer my question.

Mr. HOPKINS. I can not take up any further time with that matter. I desire, however, to call the attention of the gentleman from Virginia to the fact that this is not the first time that that great State has had her representation on this floor reduced. The time was, as I now remember, under the Fifth Census when Virginia had a representation of 23 members. To-day she has a representation of 10. But it is unnecessary to say to the gentleman, or any intelligent man either on this floor or in the country, that Virginia's relative influence in the councils of the country is as great to-day as it was when she had 23 members on this floor.

Virginia's position on all of the great questions is felt as powerfully as it would be if her representation on a proper ratio should be increased to 30 members. Now, as I said, Mr. Speaker, I have no apologies to make for the bill that has been offered here by the majority of the Committee on the Census. We have followed the beaten path that has been marked out for us by the great men who have preceded us in the councils of the nation. We have taken the course that has been adopted by the best scientists and the great statisticians of the country in order to present a bill that had the least inequalities and the least injustice to any of the States in the great Republic.

We must remember, Mr. Speaker, that with a confederated Republic such as we have, composed of 45 independent sovereign States, those States having different geographical boundaries and different numbers in population, it is utterly impossible for us to arrive at any ratio that will mete out exact and equal justice to every member of the Federal Republic. The most that we can do is to approximate to what is just and fair.

Mr. BOUTELL of Illinois. Mr. Speaker——

The SPEAKER. Does the gentleman from Illinois yield to his colleague?

Mr. HOPKINS. I yield to my colleague.

Mr. BOUTELL of Illinois. Just one word. It has not yet been stated in this debate, and I should like to know if the gentleman can state, what ratio of representation leaves the smallest sum of minority fractions unrepresented.

Mr. HOPKINS. I will get to that later. I think the majority bill does that. I will call the gentleman's attention to that.

Mr. BOUTELL of Illinois. The gentleman does not catch my inquiry. There must be some divisor, some ratio of representation, which provides for all majority fractions and leaves mathematically the smallest possible sum of minorities unrepresented. That divisor has not yet been given in this debate.

Mr. LONG. I should like to inquire, by permission of the gentleman from Illinois, do you mean under these two bills or under any bill?

Mr. BOUTELL of Illinois. I mean under any bill or under any system of computation. It is a simple question: What divisor applied to population leaves the smallest possible sum of minority fractions unrepresented?

Mr. HOPKINS. I will say to the gentleman frankly that I have not the figures on that basis from the Director of the Census. I have some figures which I will insert in my remarks, running them out by percentages and showing that, in accordance with the population of the various States, the majority bill is more nearly fair to all of the States that are represented in the Federal Republic than the minority; but I have not the figures to meet the inquiry of my colleague.

Now, Mr. Speaker, some gentlemen have made complaint because these fractions differ when they are applied to the different States and when the ratio is changed. But anybody who is familiar with mathematics at all ought to understand that with a different divisor you get a different quotient every time, and it is because in running through these figures from 350 to 400 we take a different divisor 50 different times that produces the paradoxes that have been spoken of by the gentleman from Colorado this afternoon.

But, now, Mr. Speaker, this bill is not a sectional bill. It is not a bill to protect the interests of one State at the expense of another. It is a bill to provide for the best interests of the nation itself. In the discussion that has been had here so far it has been made apparent, I think, to the members of the House that the chairman of the Committee on the Census and those members who have been with him in reporting this majority bill have had no selfish and no State interest to subserve.

I charge, Mr. Speaker, that the minority bill has not been prepared on these national grounds. I charge that the minority bill has been prepared to protect the interests of certain individual States regardless of the interest of others, and that was clearly and forcibly demonstrated by my colleague from Pennsylvania [Mr. DALZELL] when he showed that it benefited 15 States and injured 24 different States. To show to you, Mr. Speaker, how this is I desire to call to the attention of the members of the House the names of the gentlemen who signed the minority report.

The first member is Mr. BURLEIGH, the author of the minority bill. He is to take care of Maine, which, under the majority bill, loses a member. The next member is Mr. RUSSELL of Connecticut, one of the ablest and best men upon this floor, but he has been led astray by the fact that under the Burleigh bill an additional member is given to the State of Connecticut that is denied to her under the majority bill.

The next is Mr. HEATWOLE of Minnesota, who has joined in this report, and his State is given an additional member over what it is given in the majority bill. The next two members are Mr. CRUMPACKER and Mr. GRIFFITH, of Indiana, both men protesting that Indiana, under the majority bill, shall not lose a member, as is provided in that bill. The next is Mr. WILSON of South Carolina, who stands equally in the position of the other gentlemen.

The members of the minority undertake to say here to the members of this House that they have prepared the Burleigh bill so as to take care of major fractions. That matter has been discussed by me in a limited way prior to this time, but I desire again to call the attention of the members of this House to some features of that bill wherein it is distinct and separate from the bill presented by the majority of the committee.

We have stated that we predicate our bill upon a report that is given to us by the Director of the Census, where we take the arbitrary number of 357 to constitute the membership of this House, and then using that as a divisor, taking the constitutional population of the United States, we get a ratio to determine the membership in this House from the several States.

By doing that we apply that ratio, obtained as already stated, to every State in the Union and then take care of the fractions in the manner that I have indicated, giving to the State with the largest fraction a member, and so on, until these additional members are allotted. My learned friend here at my right [Mr. LONG] in his argument yesterday undertook to lead the House to believe that this is an invention of recent date. His idea is that the theory that all major fractions should not be provided for by a member is an invention to support the present majority bill, and that it was advocated in some way first by Mr. Walker, Superintendent of the Ninth and Tenth censuses. I contended the other day and I contend now that that principle was first announced by Mr. Webster, of Massachusetts, in 1832, and that it has been followed since the census of 1840.

Now, gentlemen, why do I make that statement? I acknowledged at the start that in 1832, under the bill that was presented by Mr. Webster, every majority fraction was cared for, but the great contention at that time was not so much as to whether all major fractions should be cared for as it was that fractions should be represented in the apportionment of the States. Up to that time, as gentlemen well understand, the allotment had been made upon a basis where no representation whatever had been given to fractions, and the House, under the leadership of Mr. Polk, of Tennessee, prepared a bill of that character and it passed the House.

When it went to the Senate Mr. Webster, noting the inequalities and the injustice done to several States, evolved the principle of having fractions represented. When his plan was sent to the House it was rejected, but in 1840 the House adopted it, and not only adopted that, but adopted the principle of disposing of the major fractions in the manner contended for by the majority of the Committee on Census.

I call the attention of the members of this House to the report made by Mr. Everett, chairman of the Committee on the Census in

1842, wherein this principle was advocated. In it he uses this language:

The two modes—

Speaking of the different modes that had been suggested—

are as follows: The first, to ascertain the ratio by dividing the aggregate Federal numbers of the United States by the number of Representatives proposed, and to apportion them among the States by dividing the Federal numbers of each State by the ratio thus found and assigning a Representative to the highest fractions until the proposed number of Representatives are assigned.

Exactly the plan that was followed by the majority of the committee in the preparation of the bill that they present to you. He says further:

The principle was adopted by the Senate in the amendment to the apportionment bill of 1832, but was rejected by the House. On that occasion elaborate reports were made in the Senate by Mr. Webster and in the House by Mr. Polk, containing, it is believed, a full argument on both sides of the question; and, as the question in some form may again come before the House, they have been annexed to these reports.

That was in 1842. That was the principle adopted in 1850, when the men who were in control of national affairs were charged with the duty of preparing a bill, as our committee were charged. They resorted to the principle announced by Mr. Everett in his report in 1842, and they went still further than that. They insisted, as many of the members do on this floor to-day, that the House had become too large and that some provision should be made that in the increase of population the constituencies of members should be increased and the membership of the House should remain practically as it was at that time.

The membership was made 233, and if any gentleman will look at the statutes of the United States passed May 23, 1850, he will find a law fixing the representation of this House at 233 members. It was proposed to make the membership of the House permanently 233, and when the census should be taken the next succeeding ten years, and so on, that the Secretary of the Interior after the official count had been made and he had obtained the constitutional population of the United States, should make his apportionment in accordance with that law of 1850, keeping the membership of the House at 233.

I say to my fellow-members upon the floor that our bill is in accordance with the principles that are enunciated in this law that was to be the permanent guide of the members of the House. I call their attention to this proviso in that law:

Provided, That the loss in members caused by fractions remaining to the several States in the division of the population thereof shall be compensated for by assigning to so many States having the largest fractions one additional member each for its fraction as may be necessary to make the whole number of Representatives 233.

Clearly, fully, and conclusively showing that in 1850 they had recognized the principle that had been advocated in previous censuses, and that they proposed not only to keep the membership of this House down to 233 men, but they proposed to give that representation upon this floor precisely in the manner that has been proposed by the majority of the Committee upon the Census.

Mr. LONG. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. HOPKINS. I yield to the gentleman.

Mr. LONG. Is not that the first time the rule was followed?

Mr. HOPKINS. Why, Mr. Speaker, I am not now speaking of that. I am speaking of the permanent statute that was placed upon the statute book by the men who had this in charge, when they proposed to fix a rule that would guide all subsequent Congresses upon that subject.

Mr. LONG. Will the gentleman permit——

Mr. HOPKINS. I can not permit the gentleman to interrupt me further.

The SPEAKER. The gentleman declines to yield further.

Mr. HOPKINS. Mr. Speaker, if during any of those times a combination was made by States so that a variation had to be made, that simply shows that combinations can entirely destroy and strike down the great principle that should govern and control the action of this House.

I simply refer to this law to show that the way has been blazed for us by the great men who have preceded us on this floor, and also to the fact that they recognized then that the House, under the then membership, was growing too large for the dispatch of business with orderly procedure in the House.

Now, this bill that has been offered by the minority of the committee is, in the language of the street, what would be regarded as a "mongrel." Part of the representation in this House is based on the figures given to us by the Director of the Census, and when they have taken care of Kansas, Nebraska, Virginia, and Maine, they deliberately add the other States that they want to take into their combination, and say that the apportionment shall be 386, and then come to this House and try to make intelligent men believe that they are representing all the major fractions.

Why, Mr. Speaker, is it that they take the number 384? They take it because by using the major fraction they can take care of Connecticut and give her an additional member; they can take care of Kansas by a majority fraction and give her an additional Representative; they can take care of Maine, and, on a majority fraction, give her an additional member; they can take care of Nebraska, and they can take care of Virginia. Now, mark you, these are the States that are largely interested in the report of the minority committee, and these are the States whose members have been upon this floor denouncing the bill and report of the majority of the committee in unstinted terms.

Mr. LONG. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. HOPKINS. I do.

Mr. LONG. Did we not take care of Illinois on a majority fraction also under that computation?

Mr. HOPKINS. Mr. Speaker, they did not take care of Illinois; and, as I showed at the opening of the debate on this question, Illinois is entitled, under the representation of 386, to 28 members. But whether they had taken care of Illinois or not, that would not have influenced me in the least.

Mr. LONG. Did we not, under the computation?

Mr. HOPKINS. Under the computation. My criticism, Mr. Speaker, is not that Illinois has not been taken care of, because I believe it is my duty as a member of this House not to try to give Illinois any political advantage over her sister States. Illinois, with her magnificent population and her representation upon this floor, can care for her interests whether that representation be 20 or 28. My contention is that these gentlemen in preparing the minority report and bill presented here have made a combination of States to secure political representation and influence in the House to which they are not entitled under a fair apportionment. If their bill be adopted, it has denied to 24 other States their share of representation.

When they say, Mr. Speaker, that they take care of the major fractions we find that while they do with a 384 membership, the moment they make that number 386 they have left the States of Iowa, Massachusetts, Michigan, New York, Ohio, Pennsylvania with major fractions without giving them any representation whatever for such major fractions. If a majority fraction of 102,664 is good for Nebraska, why is not a majority fraction of 102,882 proper for the State of Michigan? If Maine is entitled to an additional member with 114,941, then I want to know why it is that New York, with a majority fraction of 115,826, is not also entitled to a member? Why not Pennsylvania, with a majority fraction of 120,515? Why not the great State of Ohio, with a majority fraction of 100,870? And the grand old Republican State of Iowa, with 106,928?

And yet my friend the gentleman from Kansas [Mr. LONG] undertook in his speech yesterday to say that they had cared for the majority fractions. When they make a membership of 386, it matters not by what process, it is the result we look to, and when we look at the result of 386 members we find they leave six great States that I have named, with major fractions, unrepresented for those major fractions. Is the State of Virginia or the State of Nebraska entitled to a Representative for a major fraction any more than any one of these States? Now, Mr. Speaker, they can not avoid the logic of this situation by simply saying they must stop somewhere.

Mr. LONG. Mr. Speaker, may I interrupt the gentleman?

Mr. HOPKINS. I can not be interrupted now, because my time is passing too rapidly. That is the trouble, Mr. Speaker, with the bill that has been presented here by the minority of the committee. If they want to deal fairly with all of these States, why did they stop at the number 386? Why did they leave these six States out? Why did not they increase the membership? Why did not they go to 395, where no State will lose any member?

I call this to the attention of the members of the House to show that in the combination that is represented by the minority of the committee they are seeking here to gain a political advantage for the States they represent, regardless of the interests of the other States in the Republic, whereas in the bill presented by the majority the committee have taken the figures presented to us by the Director of the Census and have followed them as indicated by previous laws, and, as I have stated, given to us by all statisticians and scientists who have given any attention to this subject.

And yet, Mr. Speaker, I am sorry to say that the gentleman insists that the majority of the committee are attempting to injure some of the States. On Saturday last one of the Representatives from the State of Maine [Mr. LITTLEFIELD] had the floor here for a couple of hours and made an address upon this subject, in which he made this charge against the majority of the committee. He said that the bill we proposed "might well be entitled an act to cripple the State of Maine in her representation on the floor of this House and incidentally to apportion Representatives in accordance with the numbers of the people elsewhere."

Now, Mr. Speaker, I want to state that the majority of the committee had no State and no individual in view in presenting this bill. It is true that under the majority bill Maine is entitled to

only three Representatives, and, if Dame Rumor is to be credited, the seat of the gentleman who addressed the House on Saturday last is the one in danger. In making this statement he takes a modest way to tell the House and the country how dependent the State of Maine is upon him. How delightfully encouraging it must be to his colleagues of that State to know the esteem in which they are held by him.

Maine crippled! Maine, the State of Hannibal Hamlin, of William Pitt Fessenden, of James G. Blaine, of Senators HALE and FRYE, of the great Tom Reed, of the honored and loved Nelson Dingley! That great State crippled by the loss of LITTLEFIELD! Why, Mr. Speaker, if the gentleman's statement be true that Maine is to be crippled by this loss, then I can see much force in the prayer he uttered here when he said, "God help the State of Maine." [Laughter.]

Mr. Speaker, the State of Maine, under this bill that we propose, is as fairly and equitably dealt with as the State of Illinois or any other State mentioned in the bill. It may be her misfortune that the majority fraction is not considered, but under the system that has prevailed for years in this House relatively she loses nothing. As was stated here yesterday, it is not the number of members from any State which constitutes its power and influence in this House. I can remember when Thomas B. Reed was a member of this House, with Nelson Dingley, and that they exerted an influence upon the legislation of this country that was not equaled by the members from any other State in the Republic.

And if Maine desires to hold the high and honored position in the councils of the nation that she has in the past, she must look to the quality of the men she sends, and not the number. And what I say of the State of Maine is equally true of Illinois and of every other State. It is not the number of the men, but it is the character of the men that come here; and, as has been stated again and again, the larger the number the less responsibility there is among the members.

Lessen the membership of the House, and you will find a body in ability and deportment and in the dispatch of business that will rival the Senate of the United States. The scenes which have been enacted here to-day again and again—the Speaker attempting to get order so that the members could be heard—are a good illustration of the fact that a halt should be called in the increase of the representation on this floor.

Mr. Speaker, this question, as I have stated, is one that was considered in 1840 and in 1842 and in 1850. I find that under the Fifth Census the representation in this House was limited to 240 members. That was in 1833. In 1842 the membership was decreased; and for thirty years the membership of the House increased but 3 members. In 1833 we had but 240 members, and in 1863, 243. The population of the United States in 1830 was 12,866,020. When we had increased the number of Representatives on this floor only 3 our population had increased to 31,443,321. So that gentlemen will see that if we do not increase the membership of the House now, we are simply following the precedent that was given to us in the early days by men who had known the troubles that have been experienced by members who have been Representatives on this floor for three or four Congresses.

Now, Mr. Speaker, before I go on to other branches of the case I desire to note some of the objections that were made by the gentleman from Maine on Saturday last to the propositions that were advocated by me the day previous. Among other things, Mr. Speaker, I had occasion to call the attention of the House to the fact that the State of Maine had increased in population less than 10 per cent during the last forty years; but I attributed that to the fact that many of the sons and daughters of Maine had gone to the great West to populate those new and growing States.

The gentleman in following me upon the succeeding day adopted the suggestion I had made, and called attention to the fact that while Maine had not increased the population within her territorial limits as some States had, her sons and daughters were found throughout the great West and had exerted a powerful influence in all of the great States in that section of our common country. And he referred particularly to Chief Justice Fuller of the Supreme Court of the United States, and the debt of gratitude that Illinois owes to the Pine Tree State.

Mr. Speaker, Illinois is quick to respond to a call of that kind. She acknowledges the debt that she owes not only to the great State of Maine, but to New England as well. Their sons and daughters have come to our State and have been welcomed among us and have become some of our best citizens in all the walks of life. They have helped to build up Illinois until she has passed all of her sister States in the West and to-day stands in the front rank of the great States of the Republic.

We are proud of those citizens, and they are proud of their adopted State. The broad prairies of Illinois, the rich soil, and the inviting climate have attracted people from New York, from Pennsylvania, from Ohio, and the Southern States as well. From whatever section of our common country they have come they have received a generous welcome in Illinois, and many of them, like Chief Justice Fuller, have been honored with high places in the State and the nation.

But, Mr. Speaker, were my knowledge of the people of the State of Maine limited to Chief Justice Fuller and the gentleman who addressed this House on Saturday last—when I contemplate the scholarly attainments, the polished manners, the uniform courtesy and fairness of Chief Justice Fuller, I am constrained to say that the sons who have left the State of Maine and have gone to Illinois and other States belong to a different type of men from those who remain at home and run for Congress. [Laughter.]

Mr. Speaker, the gentleman from Maine, in order to show that I had made some kind of a statement which, as he insisted, could not be properly defended, quoted this language from my remarks:

> Now, it would not be in accordance with the requirements of the Constitution to give a greater representation to the fractions than to the integral numbers.

He then went on to say:

> Now, then, if that is a sound constitutional legal statement, it means simply this, that if you give 208,868 a Representative it would not be constitutional to give any less number a Representative. That is the gentleman's own statement. I quote it from the RECORD in order that he may follow it if he likes. Now, take this statement and analyze the gentleman's bill upon that basis, that no bill will be constitutional that gives a Representative in substance to a less number than the whole number. That is his proposition. How does his bill stand upon it? Well, he gives to Arkansas a Representative on the basis of 157,753.

Then, further on, after quoting again my language as I have just read it, he continued:

> You state that as a proposition of law, and it is entirely true that your whole argument gives to that legal proposition an absolute contradiction, or, as some people say, the lie.

Now, taking his statement as he gave it, it would seem that he undertook to convey the idea that I was giving a larger representation on general principles to the fraction than to the integral number. But when you read the quotation in the context it shows my position to be entirely clear and my interpretation of the Constitution to be in accordance with established principles.

After describing how we had arrived at 335 members and that there were 22 members left—4 to be apportioned to States that would have only one Representative and 18 to those with major fractions—I used this language:

> Now, what was the most equitable and just way to dispose of these fractions? The four million and odd thousands that I have mentioned would be entitled only to 22 members, on the ratio that we have already divided among the other States. That aggregation of fractions would not be entitled to 25 members, but only to 22. Now, it would not be in accordance with the requirements of the Constitution to give a greater representation to a fraction than to the integral numbers. It would not be just and proper to take this population that is represented by these various fractions and give them an increased representation. Then what is the most equitable and just way to dispose of the 22 members that represent the fractional numbers?

Then I explained how that is done. Now, Mr. Speaker, the line of argument that the gentleman indulged in, in order to get a seeming inconsistency in my statements, is the same kind of argument that the scoffer indulged in when he said the Bible was a book of blasphemy and he would prove it by reading from the Bible the words "There is no God." When the book was examined it was found that the entire sentence read, "The fool hath said in his heart, there is no God."

The other statements that have been made in regard to my attitude upon this bill are too numerous for me to follow, but I challenge the attention of the House to the fact that no statement was made by me that is not supported by the figures upon which the bill is predicated, and no statement has been made by me that is not fully carried out by precedents that extend over a period of sixty years of our national history.

When the gentleman came to argue against the increased representation upon this floor, he said that time of the members is taken up with other things, and in order not to do him injustice I will quote his exact language:

> How is the time of the members of this House occupied? Is it occupied in legislating upon this floor, or is it occupied from early morning in reading over the last mail that reaches every member voicing the wants of his constituents, 99 per cent of whose demands are aside from any legislation upon this floor?

Then, after stating another reason, he says:

> Or is it because members are obliged to look out for needy constituents who desire to be injected into office, and who, once injected, desire to be promoted or to have their salaries increased, and are not willing to rest upon a letter written to a head of a Department asking him to increase the salary or promote the needy applicant, but must insist upon a member making a personal visit to the head of the Department and pressing the claims of his constituent? [Applause.]

Is that the gentleman's conception of the duties of a member of Congress? Is that the reason that we find him so eager to have Maine given four members of Congress, instead of three, as it is given in the majority bill in this case? Is it his idea that a member should become an office broker here and beg for office and then for promotion from the heads of the different Departments? If so, I can say to the gentleman that his conception of the duties of members of this body is entirely at variance with those of his predecessor. I can say to him, what he already knows, that the civil-service law was enacted in this country years ago, and has

been kept in force from that time to this, in order to keep members from doing that very thing.

What is the duty of a member? To come here and legislate. Then how is he to do it? Not by increasing the number of the members; but if it is necessary to take time and answer letters 99 per cent of which have no bearing upon legislation, let his $1,200 clerk do that. If it is necessary to get additional help, the country would support the members of this House in getting necessary assistance; but I say that when men are selected by the various districts in the States of the Union to come here they are elected to attend to their legislative duties. But, as I pointed out the other day and the gentleman himself admitted, bill after bill is passed in this House without any due consideration. Measure after measure is brought here and the members implicitly follow the lead of the committee without having that intelligent knowledge of the matter that would enable them to exercise their influence upon proposed legislation.

I see, Mr. Speaker, that my time has nearly expired. I desire again to call to the attention of the members of the House the fact that this is a national and not a State measure. We should look to the precedents of our fathers. Suppose the great men who assembled in Philadelphia to frame the Constitution under which we are acting had carried out sectional and State views to the extent the gentlemen who represent the minority have done. The American Republic would still be a dream. Had the people of the various colonies, when that Constitution was presented to them, been actuated by selfish motives such as we find represented in the minority report, that great document would never have been adopted which unites the 45 States into one grand Republic.

But now, Mr. Speaker, without taking further time, I trust that every member of this House will try by his vote to see not what will benefit his district, not what will benefit his State, but what will be the greatest good to the greatest number, and insure the best legislation to the people of the whole country in the future. [Applause.]

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. COUSINS, indefinitely, on account of sickness.

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. 11213. An act for the relief of occupants of lands included in the Algodones grant, in Arizona;

H. R. 11588. An act permitting the building of a dam across the Osage River at the city of Warsaw, Benton County, Mo.;

H. R. 4099. An act for the relief of the Macon Trust Company, administrator of the estate of Samuel Milliken, deceased;

H. R. 6344. An act to remove the charges of desertion from the records of the War Department against Frederick Mehring;

H. R. 2955. An act providing for the resurvey of township No. 8, of range No. 30, west of the sixth meridian, in Frontier County, State of Nebraska; and

H. R. 12447. An act to amend an act approved June 1, 1900, entitled "An act to create the southern division in the southern district of Iowa for judicial purposes, and to fix the time and place for holding court therein."

REAPPORTIONMENT.

The SPEAKER. The Clerk will proceed to read the first section of the pending bill.

The Clerk read as follows:

Be it enacted, etc., That after the 3d of March, 1903, the House of Representatives shall be composed of 357 members, to be apportioned among the several States as follows:

Alabama, 9; Arkansas, 6; California, 7; Colorado, 2; Connecticut, 4; Delaware, 1; Florida, 2; Georgia, 11; Idaho, 1; Illinois, 23; Indiana, 12; Iowa, 11; Kansas, 7; Kentucky, 10; Louisiana, 7; Maine, 3; Maryland, 6; Massachusetts, 13; Michigan, 12; Minnesota, 8; Mississippi, 7; Missouri, 15; Montana, 1; Nebraska, 5; Nevada, 1; New Hampshire, 2; New Jersey, 9; New York, 35; North Carolina, 9; North Dakota, 1; Ohio, 20; Oregon, 2; Pennsylvania, 30; Rhode Island, 2; South Carolina, 6; South Dakota, 2; Tennessee, 10; Texas, 15; Utah, 1; Vermont, 2; Virginia, 9; Washington, 2; West Virginia, 5; Wisconsin, 10; Wyoming, 1.

Mr. BURLEIGH. Mr. Speaker, I desire to offer an amendment.

The amendment was read, as follows:

Strike out all of section 1 after line 2, page 1, and insert the following:

"That after the 3d day of March, 1903, the House of Representatives shall be composed of 386 members, to be apportioned among the several States as follows: Alabama, 9; Arkansas, 7; California, 8; Colorado, 3; Connecticut, 5; Delaware, 1; Florida, 3; Georgia, 11; Idaho, 1; Illinois, 25; Indiana, 13; Iowa, 11; Kansas, 8; Kentucky, 11; Louisiana, 7; Maine, 4; Maryland, 6; Massachusetts, 14; Michigan, 12; Minnesota, 9; Mississippi, 8; Missouri, 16; Montana, 1; Nebraska, 6; Nevada, 1; New Hampshire, 2; New Jersey, 10; New York, 37; North Carolina, 10; North Dakota, 2; Ohio, 21; Oregon, 2; Pennsylvania, 32; Rhode Island, 2; South Carolina, 7; South Dakota, 2; Tennessee, 10; Texas, 16; Utah, 1; Vermont, 2; Virginia, 10; Washington, 3; West Virginia, 5; Wisconsin, 11, and Wyoming, 1.

Mr. BURLEIGH. Mr. Speaker, this amendment is the first section of what is known as the Burleigh bill, found on page 117 of the report of the committee.

Mr. CLARK of Missouri. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. CLARK of Missouri. I rise for the purpose of offering an amendment.

The SPEAKER. The gentleman is not yet in order. The gentleman from Maine [Mr. BURLEIGH] has the floor. The Chair will state that the gentleman from Maine has offered an amendment to strike out and insert section 1. This will leave the House, however, the privilege of perfecting the first section before the substitute of the gentleman from Maine is voted upon; but the gentleman from Maine, on his amendment, has the floor if he desires to occupy it at this time.

Mr. BURLEIGH. I desire to say, Mr. Speaker, if it was not fully understood before, that the amendment I have proposed is the first section of the Burleigh bill, found on page 117 of the report of the Committee on the Census.

Mr. WHEELER. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. WHEELER. Would it not be in order to offer a substitute for the pending amendment?

The SPEAKER. This is a substitute now pending.

Mr. WHEELER. I understood the gentleman from Maine to offer an amendment to the first section.

The SPEAKER. It is an amendment in the nature of a substitute.

Mr. WHEELER. Mr. Speaker, is the substitute subject to amendment?

The SPEAKER. Undoubtedly, when it is reached for that purpose. The first thing is the perfection of the text of the original section, after which the Burleigh amendment will be in order, to be perfected and then voted upon.

Mr. SPALDING. Mr. Speaker, I desire to offer an amendment to the first section of the bill of the majority, for the purpose of perfecting it.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend in line 5, page 1, by striking out the word "fifty-seven" and inserting in lieu thereof the word "sixty."

In line 8, page 1, after the word "Colorado," strike out the word "two" and insert in lieu thereof the word "three;" and after the word "Florida" strike out "two" and insert in lieu thereof the word "three;" and in line 3, page 2, after the words "North Dakota," strike out the word "one" and insert in lieu thereof "two."

Mr. SPALDING. Mr. Speaker, it will be observed that the effect of this amendment is to increase the representation of the three States having, under the bill of the majority, a major fraction each of the basis of representation, namely, the States of Colorado, Florida, and North Dakota. The advocates of the minority or Burleigh bill charge that injustice is done these States by the majority or Hopkins bill, and some at least of the advocates of the Hopkins bill concede that if these additional Representatives were given these States as nearly exact justice would be done as can be done in any bill which may pass this House.

The proposed amendment will place the Hopkins or majority bill in such shape that if it does pass it may right the wrong proposed by the bill as introduced and reported by the committee. Permit me to call attention to this fact, that the State of North Dakota, by the census of 1900, has a population of 319,146, and a constitutional population, that is, a total less Indians not taxed, of 314,454. This is the largest number of people represented by any one member from any State or district under the Hopkins bill. It is said that anything can be proven by figures, and we had a remarkable illustration of the correctness of that saying in the discussion of this measure.

I do not contend that exact and equal justice can be done every State by any measure; but, in my judgment, the most nearly we can hope to approach it is to fix our basis of representation, and then give each State a member on that basis and an additional one for a major fraction. This is the method pursued in nearly all the States in fixing the basis of representation in Congressional, State, and other conventions. The line must be drawn somewhere, and it is drawn at the dividing line between the major and minor fraction. This applies to any House, either large or small. But in the light of figures, see for a moment what is disclosed by an analysis of the measure now before the House.

Pennsylvania is given a member for each 210,070 of its population; North Carolina, 1 for 210,423; Oregon, 1 for each 206,768; Mississippi, 1 for 221,610; New York, a member for each 207,554; South Dakota, 1 for each 195,319; New Hampshire, 1 for each 205,794; Vermont, 1 for each 107,821; Florida, 1 for 264,271, without this amendment; Colorado, 1 for 269,551, likewise before amendment, and Maine, a member for each 231,469, while North Dakota is only given 1 member for a population of 314,454. If Maine has ground for complaint what can be expected of the people of the State of North Dakota on this basis of representation? But apply a few figures in another direction. Of course from a

legal standpoint this may have no effect, but the conclusion is certainly warranted that the condition of affairs in the Southern States ought to be the subject of careful investigation.

At the recent Presidential election for the leading candidates for President and Vice-President there were cast in the State of Georgia approximately 1 vote for each 19 of its population; in Louisiana, 1 vote for every 22; in Mississippi, 1 vote to 27, while in the country at large the average is about 1 to every 5 of the population, and in my State, owing to the large number of miners, about 1 to 5½. One of two conclusions must be correct. Either a large part of the population in the Southern States is in some way prevented from exercising the right of suffrage or the people take too little interest and are too unpatriotic to do so.

Several gentlemen upon the other side attempt to explain by saying that their elections are practically settled or determined at the primaries which place their candidates in nomination, but the figures which I have used are for the election of President and Vice-President, and whatever may be the effect of primary elections upon local candidates, they certainly have no such effect upon Presidential votes.

Mr. Speaker, the solemn duty of every member of this House and his oath of office require an investigation of the conditions in those States where so small a percentage of the population makes itself heard in electing persons to the highest office in the land. It matters not how patriotic their Representatives may be, nor how their great hearts may throb in unison with the hearts of the patriotic North, the fact remains that the rights of citizenship are not exercised in those States.

But, Mr. Speaker, members of this House are well aware that usages exist not sanctioned by law, but nevertheless usages which have become so well established as to have the force of law among the members of this House and their constituents. Under such usages each member has duties to perform for his constituents outside the halls of Congress and outside his committee rooms. We are required to look after the needs of our constituents in the various Departments.

We are expected to take charge of all the post-offices in our respective districts or States, make recommendations for the appointment of proper persons, investigate applications for the establishment of new offices and increase of mail facilities, expedite applications for pensions, secure the appointment of constituents to civil offices, and a thousand and one other things. These, I doubt not, each member is ready, willing, and pleased to consider in the interests of his constituents, yet, nevertheless, all detract from his time and take his attention from the legitimate business of legislation, and necessarily in many instances to such an extent as to deprive him of the power to act intelligently on bills of great national importance.

Why, sir, the Representative from the State of North Dakota has on his list more than 650 post-offices. At least once in four years a change is asked, and in a majority of cases a contest waged. He is expected to decide on the merits of the respective applicants, and settle all the difficulties. One of his greatest burdens is to investigate and make recommendations with reference to new offices in a rapidly growing and thinly settled State, and I submit that there is not a man on this floor who, either unaided or aided by a clerk of large executive ability, can attend to these multifarious duties and have time or strength left to give any consideration whatever to matters of legislation, which should be of first importance. I submit that no member from any State in the Union has any such number of offices under his supervision as has the member from the State of North Dakota. In this respect city members have a great advantage over those from country districts. They are able to devote their energies to legislation.

Will not the members of this House give relief to the State of North Dakota, giving it such representation as a majority fraction is entitled to? This will divide the burdens incident to a new country and a new State in half. Mr. Speaker, these are not the only considerations involved in this amendment. As I have stated, the population of North Dakota is 319,146. That is an increase during ten years of 75 per cent, the largest percentage increase of any State except one. Very much the larger portion of that increase has occurred during the last five years, and it is safe to say that while the average has been 13,500, more than 20,000 has been the average increase during the past five years.

If this continues for another decade, you can very readily see, Mr. Speaker, that at the end of that period the population will be more than half a million, much of which will be represented by one member during all that time. This increase will continue. The productive Government lands are occupied in other States, and the business of the United States land offices in that State during the past year surpassed all records. The total number of acres in farms in 1900 was over 11,000,000. The number of acres under cultivation in 1890 was about 3,000,000. This acreage had increased in 1900 to more than six and one-half million.

Population, age, and everything considered, no State compares with it. Its soil is the most productive on the face of this continent, its summers the most sunny, and its winters the most exhilarating. But, Mr. Speaker, it contains other and more important elements than cereals, stock, and farms. It contains a population composed of the most thrifty, intelligent, and energetic races of the Old World, and immigrants from the rock-ribbed hills of New England and the prairies of the middle West. I suppose one-third of its population is foreign born—natives of Norway, Sweden, Germany, Russia, Great Britain, and Canada—while one-third are natives of New England, Ohio, Illinois, Iowa, Wisconsin, and Minnesota.

Pursuing very largely a common vocation and enduring common hardships, they have developed that hardihood, industry, and thrift and those other elements of good citizenship which characterized the early settlers of the Atlantic colonies. They take an interest in the affairs of government, and with them the right of free speech is never abridged. They gather at the schoolhouses, the country stores, and post-offices and discuss questions of national importance, exchange their views, and go to their homes the wiser and better prepared to cast their ballots intelligently.

With 96,000 children of school age they expend over $1,275,000 annually for school purposes. The elementary principles of civil government are taught, and from every public school float the Stars and Stripes. Love of country is the first lesson implanted in the schoolboy's breast, and his duties and obligations as an American citizen are his topic as he delivers his valedictory.

Mr. Speaker, these are some of the reasons why I predict a steady growth in population during the next decade in that State, and say that, considering this and the fact that we already have a major fraction on the basis fixed by this bill, we ought not to be cut off with 1 Representative. I therefore appeal to the advocates of both these bills to not oppose this amendment.

By adopting it the inequalities and injustice of which both sides now complain will be remedied and it will become simply a question of increase in the membership of the House. By voting for this amendment you will only conform your acts to your admissions in argument and do justice to intelligent, loyal, and patriotic sections of our great country. [Applause.]

Mr. WILSON of South Carolina. Mr. Speaker, I regret to say that I shall have to oppose the amendment offered by the gentleman from North Dakota. North Dakota, along with Colorado and Florida, will be taken care of in the minority report, and I can not consent, when their right is preserved by that minority report, that they should make terms with the enemy after battle is joined.

Again, Mr. Speaker, it would destroy the perfect symmetry which has characterized the system adopted by the chairman of the committee, and which he has adorned by his argument upon this floor, to allow those 3 States to the extent of 3 exceed his 22, which, according to his statement, already have been exhausted, as to add 3 more States to his 22, by increasing the number from 357 to 360, would destroy the two magnificent arguments with which the House has been regaled. My friend must wait until the Burleigh bill is voted upon, and I think we can assure him that North Dakota will be taken care of.

Mr. SHACKLEFORD. Mr. Speaker, I desire to offer a substitute for the amendment offered by the gentleman from North Dakota, which I send to the desk.

The SPEAKER. The Chair will state to the gentleman from Missouri that this amendment appears to be a substitute, something after the form of the Burleigh substitute, and having the same purpose. It clearly can not be entertained at this time, or until the Burleigh substitute is disposed of.

Mr. SHACKLEFORD. Can not I offer it as a substitute for the amendment offered by the gentleman from North Dakota?

The SPEAKER. It would not be germane to that amendment.

Mr. SHACKLEFORD. Can I have it considered as an amendment pending, as the Burleigh substitute is?

The SPEAKER. The Chair can not say that, It is not germane to the amendment offered, and it has the same appearance as the Burleigh amendment.

Mr. SHACKLEFORD. May I have the amendment read in my time?

The SPEAKER. The gentleman can have that done. The Clerk will report the amendment.

The Clerk read as follows:

Amend section 1 by striking out all after the word "composed," in line 4, and inserting in lieu thereof the following:

"Of 400 members, to be apportioned among the several States as follows: "Alabama, 10; Arkansas, 7; California, 8; Colorado, 3; Connecticut, 5; Delaware, 1; Florida, 3; Georgia, 12; Idaho, 1; Illinois, 23; Indiana, 13; Iowa, 12; Kansas, 8; Kentucky, 12; Louisiana, 7; Maine, 4; Maryland, 6; Massachusetts, 15; Michigan, 13; Minnesota, 9; Mississippi, 8; Missouri, 17; Montana, 1; Nebraska, 6; Nevada, 1; New Hampshire, 2; New Jersey, 10; New York, 39; North Carolina, 10; North Dakota, 2; Ohio, 22; Oregon, 2; Pennsylvania, 34; Rhode Island, 2; South Carolina, 7; South Dakota, 2; Tennessee, 11; Texas, 16; Utah, 1; Vermont, 2; Virginia, 10; Washington, 3; West Virginia, 5; Wisconsin, 11; Wyoming, 1."

Mr. SHACKLEFORD. Now, Mr. Speaker, the proposition is

to make the number of Representatives 400, and I believe that the majority of this House will agree with me that that is not too many. I am a Democrat, and one of those Democrats known as the organized Democracy, and that does not need to be reorganized.

I believe in the distribution of the Representatives among the people, and the more representation is disseminated amongst the people the more nearly we approach a republican form of government. Believing that, I shall always argue that we ought to have a large representation in Congress. If the rules, as has been complained of, do not permit deliberation, I shall live in hope that some day they may be changed so that they will afford the people better opportunities to be heard through their Representatives. I am therefore in favor of a large representation, as widely distributed among the people as possible. Having that view, I will again offer this amendment when it shall be in order.

Mr. McLAIN. Mr. Speaker, in reading over the findings of the Select Committee on the Twelfth Census, to whom was referred the question of an apportionment among the several States under that census, as provided by Article XIV, section 2, of the Constitution of the United States, we find three reports. The majority report recommends that after the 3d day of March, 1903, the House of Representatives shall be composed of 357 members, the same as the present representation. Under this, Mississippi is assigned 7 members, that being her present number. The minority report, which is signed by 6 members of the committee, recommends a House consisting of 386 members, and under this apportionment Mississippi is assigned 8 members.

As to the relative merits or demerits of these two respective reports I shall not for the present discuss, but will say in passing that I shall support the minority bill known as the Burleigh bill. Under either of these two Mississippi is treated equitably and fairly. The only question involved in these two reports is at what number shall the House of Representatives be fixed. All States under either of these two propositions receive their just quota of members. But, Mr. Speaker, there is a third report, in which I am greatly interested and to which I desire to pay my respects. That report is the one made by the gentleman from Indiana [Mr. CRUMPACKER]. Out of the 13 members composing that committee he is the only one that favored it, and it is prepared and signed by him only.

In it he recommends that the size of the House be fixed at 374, and he further proposes to reduce the representation of the States of Louisiana, Mississippi, North Carolina, and South Carolina three each, for alleged disfranchisement of citizens. This being a direct blow at my State, in common with some others I feel that I should enter my protest. On yesterday he presented his views at length to this House. I am sorry, indeed, he has thrust this question upon this House. It comes unwelcome and unbidden. The committee before whom it was referred refused to indorse it. I am told that it does not meet with the views of his own party, and I am quite sure the sentiment of the country is against it.

Regardless of all this he drags it before this House, having received but little, if any, encouragement of a substantial nature from any source. I trust he is in some measure satisfied. The matter seems to lie heavily upon the gentleman's conscience, and he seems to feel it is his heaven-imposed duty to draw a special indictment against my State and some others, charging us with being lynchers and suppressers of the franchise, and upon this he asks a verdict of guilty as charged at the hands of this House, and that the sentence be that we be robbed of a portion of our constitutional representation in Congress.

The gentleman has been pressing this matter for several sessions of Congress. He is honest and sincere in his demands, but I take it he is an enthusiast, and like all extreme enthusiasts he is governed more by sentiment than by reason. Doubtless his investigations of this subject have been laborious, but chiefly from one standpoint. All men investigating a question under these conditions are liable to blunder, because they do not weigh and square things up in their true proportion and just relations to other things.

The discussion of this matter, injected in here by this amendment of the gentleman from Indiana, can not be productive of any good results, but, on the contrary, I can see where evil fruit may flow from its consideration. Handling it as temperately and prudently as possible, it will have a tendency to revive the old sectional question. For this reason I would not make any remarks on the proposition if the gentleman had not embodied in his printed report and in his speech before this House on yesterday, which is now a part of the record of this House, such a bitter denunciation of my section.

If there is any question that has or will ever come before Congress which should be disarmed of all passion it is this amendment now pending before us, for it brings up in an indirect way as to how a certain section of the South can keep the Constitution of the United States inviolate and at the same time preserve their own safety and good government. Speaking for my State, what we did to restrict suffrage was not done to degrade, oppress, or impede any class of her citizens, but in the interest of good morals and clean government.

On this line he says, in speaking of the negro:

> He has no rights that the white man is bound to respect, and he may be shot down, hanged, or burned at the stake, without regard to legal procedure or sanction, with absolute impunity. The perpetrators of these crimes against civilization do not make the poor excuse that the penal machinery is inadequate. And the most appalling aspect of the situation is that in some of the most atrocious instances of mob execution the work is done in broad daylight and no effort is made on the part of the perpetrators to conceal their identity. No prosecutions ever follow. No victim of the most frenzied religious bigotry in ages past ever received more shockingly brutal treatment. The torture is indescribable. The Federal Government is powerless to prevent these outrageous crimes and the local authorities will not.

Such are some of the accusations he brings against the Southern people. "He has no rights that the white man is bound to respect," says the gentleman. This, sir, I deny. We are not outlaws banded together to plunder and rob a poor and helpless race. Speaking for my State, I assert that there is not a State in this Union more generous and liberal to this people than Mississippi. We are just and kind to him. He finds employment the year through at remunerative prices. If there is to-day an unemployed negro in my State, it is from choice or laziness. No laboring class beneath the sky extracts more real joy and pleasure, contentment, and happiness out of life than the negro of Mississippi. "He may be shot down, hanged, or burned at the stake with absolute impunity," says the gentleman from Indiana.

This is pretty strong language. It is as unkind as it is undeserved. From this language one would judge that we go out, on the slightest provocation, and shoot them down like a lot of worthless cats, or that he may be mobbed for political reasons, or from any other cause, whenever it suits our fancy. This, sir, is not true. Occasionally lynching does occur in the South, as it does in other sections of the country, not for political causes or some petty crime, but for the commission of some atrocious crime, principally rape. It has been my observation that in most any section of this Union, if some notorious defier of the law commits some flagrant crime that stirs from center to circumference the community in which it is committed, it is hard to restrain mob violence.

If some brute outrages a good and pure woman, her family and neighbors usually get aroused sufficiently to take their guns and shoot him like they would a mad dog passing through their midst. This is all wrong, but nevertheless it occurs in all parts of this Union. The mob who thus acts is aroused to desperation over the outrage on womanhood, and when it pauses to consider, shall the law deal with the wretch, it is still further bewildered, confounded, and infuriated at the thought. If this course is pursued, the outraged woman must not only face the public, a court, and jury, and there relate the unspeakable wrongs so cruelly inflicted upon her, but must also relate it in the presence of the brute who has destroyed her life.

Mob violence knows no geography when certain conditions are pressed to the front. I do not say it is right. It is to be deplored. When the gentleman makes this charge of crime against the Southern section alone, it occurs to me this is an issue he can not well afford to challenge. I do not like to be critical. As a rule, when an accusation is made against my section, I hate to answer the accuser with a counter charge on his section, or, as it is sometimes expressed, "You are another!"

But the opportunity here is too good to let the chance slip by without calling the gentleman's attention to just a little of the history and "devilment" of his own State, and in doing so I want to say to the people of that great State that I do not do this to cast any unnecessary reflections upon her good name; but one of her Representatives on the floor of this House has invited this line of argument. As he has done this, I wish to show to him, by way of comparison, that Mississippi is just as law abiding as his State—one of the foremost and most progressive States of this Union.

Are Mississippians and the people of the South generally less civilized than the people of Indiana? I think not. I do not think I can be accused of extravagance when I say the world has never known a truer and better people than the white people of the South. They are brave and hospitable, chivalric and patriotic. They are true to home and family, true to friend and themselves, true to country and to God. In what respect are the Southern people more lawless than the people of Indiana? In the light of their respective histories let them be judged.

When you turn the great searchlight of truth upon Indiana's record on this line you will find there has been as much, or more, lynchings there within the last few years than in Mississippi or any other Southern State; and as to crimes committed by "White Caps," heretofore laid at their door by the press of the country, such as whippings and other outrages, they are too numerous to mention. These lawless "White Caps" could jerk up and whip vagabonds in Indiana in great numbers and it scarcely attracted attention, but a less grav crime committed in the South on a similar class of people is solemnly accepted as proof, by the gentleman from Indiana and some others, that the negro race is being lynched, hanged,

or burned at the stake. The gentleman "can see the mote in the eye" of his Southern brother, but he "can't see the gin-house in his own."

Indeed, as to lawlessness the gentleman's State easily occupies high rank. I say this in all kindness to the gentleman from Indiana and to the people of his State. Just as good people there as ever trod the green carpet of God's earth. Just as good as you will find anywhere—indeed, the great mass of her people are respecters of the law—but the people there are just like people elsewhere, that, under certain abnormal conditions, they may be provoked to violence. Human nature is the same all over the world. But before I pursue this question of lynchings and crimes in Indiana any further, I want to first show by the written history of this State, the home of the author of this bill, that she has always looked upon the negro as an inferior race, and justly so, and has discriminated against him in her laws and in her State constitution.

Let me briefly present the facts on this line. Her first constitution, adopted in 1816, contained a provision that only whites were allowed to vote and only whites could be in the militia. As time rolled on did this feeling or prejudice against the negro grow less or greater? In answer to this let the statute of 1831 speak (see revision of 1831, p. 375):

An act concerning free negroes and mulattoes, servants and slaves. (Approved February 10, 1831.)

SECTION 1. *Be it enacted by the general assembly of the State of Indiana*, That from and after the 1st day of September next no black or mulatto person coming or brought into this State shall be permitted to reside therein unless bond, with good and sufficient security, be given on behalf of such person of color, to be approved of by the overseers of the poor of some township in this State, payable to the State of Indiana, in the penal sum of $500, conditioned that such person shall not at any time become a charge to the said county in which said bond shall be given, nor to any other county in this State, as also for such person's good behavior; which bond shall be filed in the clerk's office of the county where the same may be taken. And a conviction of such negro or mulatto of any crime or misdemeanor against the penal laws of this State shall amount to a forfeiture of the condition of such bond: *Provided*, That on any suit brought upon such bond for the penalty thereof a less sum than the penalty may, in the discretion of the jury trying such action, be assessed against any defendant or defendants by way of damages.

SEC. 2. If any negro or mulatto coming into this State as aforesaid shall fail to comply with the provisions of the first section of this act, it shall be, and is hereby, made the duty of the overseers of the poor, in any township where such negro or mulatto may be found, to summon him, her, or them to appear before some justice of the peace, to show cause why he, she, or they shall not comply with the provisions of this act, which summons shall be issued by a justice of the peace on the application of any overseer of the poor in this State, and shall be executed by the proper constable. And if such negro or mulatto shall still fail to give the bond and security required by the first section of this act, after being brought before such justice as aforesaid, it shall be the duty of the overseers of the poor of such township to hire out such negro or mulatto for six months, for the best price in cash that can be had. The proceeds arising from such hiring shall be paid into the county treasury of the proper county, for the use of such negro or mulatto, in such manner as shall be directed by the overseers of the poor aforesaid: *Provided, however*, That it shall be lawful for the overseers of the poor to remove such negro or mulatto without the jurisdiction of this State, in the same manner and under the same rules and regulations as are pointed out in the act for the relief of the poor, instead of hiring such negro or mulatto out, at the discretion of said overseers.

SEC. 3. Any sheriff or jailer who shall hereafter commit or suffer to be committed to prison any negro or mulatto without a lawful mittimus or being otherwise authorized by law for that purpose, or under the provisions of this act, shall be fined, upon presentment or indictment, in any sum not less than one hundred nor more than five hundred dollars.

SEC. 4. Should any person or persons knowingly engage or hire or harbor such negro or mulatto, hereafter coming or being brought into this State, without such colored person first complying with the provisions of this act, such person or persons so offending shall pay a fine of not less than five nor more than one hundred dollars, to be recovered by presentment or indictment.

SEC. 5. That the right of any person or persons to pass through this State with his, her, or their negroes or mulattoes, servant or servants, when emigrating or traveling to any other State or Territory or country, making no unnecessary delay, is hereby declared and secured.

On March 4, 1852 (see Special Laws of Indiana, 1852, p. 175), the general assembly of Indiana passed "A joint resolution on the subject of the slave trade, and for the purpose of colonization," and in the advocacy of this plan used, among other things, this forcible language:

And that it is the duty of the Congress of the United States and of the legislatures of each of the States of this Union to enact such laws, in harmony of each other, as would promote a general system of colonization, not only for the purpose of suppressing the African slave trade, but also to separate, as far as possible, the white and the black race upon this continent by sending off, where they might consent to it, all colored persons in the United States, except those who may be held in service, to such colonial states without cost, and providing for their comfort there for a reasonable period afterwards; thus making some compensation to an injured race for the wrongs and the oppressions for ages, and relieving ourselves from a population which, although amongst, can never be of us in social or political rights, and for that cause are at all times liable to become a source of public charge and of public annoyance in each State where they may reside, and of causing irritation and bad neighborhood in the feelings of the States themselves.

You will note that this resolution expressly emphasizes the fact that this course of colonization will be of great benefit in "relieving ourselves from a population which, although amongst, can never be of us in social or political rights, and for that cause are at all times liable to become a source of public charge and of public annoyance in each State where they may reside." But I must pass on. I will next call your attention to the constitution of 1851 of Indiana:

ARTICLE II.

SUFFRAGE AND ELECTION.

SEC. 5. No negro or mulatto shall have the right of suffrage.

ARTICLE XIII.

NEGROES AND MULATTOES.

SECTION 1. No negro or mulatto shall come into or settle in the State after the adoption of this constitution.

SEC. 2. All contracts made with any negro or mulatto coming into the State contrary to the provisions of the foregoing section shall be void, and any person who shall employ such negro or mulatto, or otherwise encourage him to remain in the State, shall be fined in any sum not less than $10 nor more than $500.

SEC. 3. All fines that may be collected for violation of the provisions of this article, or any law which may hereafter be passed for the purpose of carrying the same into execution, shall be set aside and appropriated for the colonization of such negroes and mulattoes, and their descendants, as may be in the State at the adoption of this constitution and may be willing to emigrate.

SEC. 4. The general assembly shall pass laws to carry out the provisions of this article.

This constitution was adopted by the people in 1852, and the general assembly of the State on June 18, 1852 (see Indiana Revised Statutes, 1852, p. 375), passed an act to enforce and carry out the provisions of the above article of the constitution.

Did the people of Indiana pursue this question any further? Let me read from the statute of Indiana (see Laws of Indiana, 1853), which speaks for itself:

Be it enacted by the general assembly of the State of Indiana: No Indian, or person having one-eighth or more of negro blood, shall be permitted to testify as a witness in any cause in which any white person is a party in interest.

The supreme court of Indiana (see 7 Indiana Reports, p. 389) in the case of Barkshire *vs.* The State, in passing upon the thirteenth article of the constitution and the act of 1852 to enforce its provisions, says:

The thirteenth article of the constitution, in inaugurating this policy, was separately submitted to a vote of the people, under the title of "Exclusion and colonization of negroes." It is a matter of history how emphatically it was approved by the popular voice. A constitutional policy so decisively adopted, and so clearly conducive to the separation and ultimate good of both races, should be rigidly enforced.

This decision was rendered in 1856. After the civil war the supreme court of Indiana (see Smith *vs.* Moody et al., 26 Indiana Reports, p. 299), in 1866, held that the thirteenth article of the constitution of Indiana and the act of June 18, 1852, enforcing the provisions of the same, are repugnant to the Constitution of the United States.

Such in brief, Mr. Speaker, is the legislative history of Indiana on this negro question. Of course, all legislation of this character, in this and all other States, has been swept away by the amendments to the Constitution of the United States. But has this brushed away that racial distinction and feeling that gave birth to these now obsolete statutes? These laws passed in her early history clearly show that she did not regard the negro as a safe and fit person to be armed with suffrage, and this is my chief reason in pointing out these laws, and not with the view of attempting to cast any aspersion upon the great Commonwealth of Indiana.

Has these changed conditions in the law obliterated all race feeling in that State? Let us see. Here within the last month pandemonium, so to speak, broke loose in the towns of Rockport, Boonville, and Cementville. The mob killed two negroes in the town of Brookville and one in Rockport, and from the facts connected with this lawless and bloody scene it seems, quoting the language of the gentleman from Indiana, "he has no rights that the white man is bound to respect, and he may be shot down, hanged, or burned at the stake, without regard to legal procedure or sanction, with absolute impunity." "And the most appalling aspect of the situation is" that this most atrocious exhibition of mob execution "is done in broad daylight and no effort is made on the part of the perpetrators to conceal their identity."

Remember this bloody tragedy occurred in the very heart of the towns of Rockport and Boonville, having a population of 2,822 and 2,037, respectively. But for all this would you denounce the people of Indiana as criminals? Would you denounce the people of these towns as outlaws? I think not. Again I repeat, human nature is the same the world over. The race feeling and the lynching of negroes, when certain conditions materialize, occurs as freely in Indiana as it does in any part of the South. How and why this recent lynching occurred can be better told by the following clipping from the Courier-Journal of December 19, 1900:

SHORT WORK MADE OF TWO NEGROES BY INDIANA MOB—WENT AFTER A THIRD, BUT WERE DEFIED BY HIS EMPLOYER—WHITE BARBER MURDERED—WAYLAID AND ROBBED AS HE RETURNED FROM HIS WORK—BLOODHOUNDS ON THE TRAIL—QUICKLY TOOK THE SCENT AND CARRIED IT TO WHERE THEY WERE IN JAIL—EVERYTHING OPENLY DONE.

[Special.]

ROCKPORT, IND., *December 18.*

The murder of a white barber at an early hour this morning was followed by the lynching to-night of two negroes, James Henderson and Bud Rowland. On Saturday night about 1 o'clock H. S. Simons, a barber, was waylaid and

murdered on his way home from his shop. His body was not discovered till about 5 o'clock this morning, and at once Henderson and Rowland were suspected of the crime. Sheriff Anderson arrested both of them at 9 o'clock and put them in jail. Henderson lives in North Rockport and Rowland was at Henderson's home when the arrests were made.

The people were thoroughly enraged and determined to avenge the brutal murder of Simons as soon as it could be definitely determined who the murderers were.

BLOODHOUNDS TOOK THE SCENT.

A telegram to Morganfield, Ky., resulted in a bloodhound being on the spot where the crime was committed in a few hours. The dog went direct from where Simons's body was found to Henderson's home, and then from there to the cell in the jail where Henderson had been placed some seven or eight hours before.

There was no restraining the enraged people longer. Everybody knew there was going to be a lynching. Sheriff Anderson sent his family away from the jail residence to the Veranda Hotel.

THE MOB FORMS.

As soon as dark began to gather over the little city signs of the organizing mob were easily discernible. Hundreds of men began to move toward the jail, and by 7 o'clock 500 people had surrounded the jail and made a demand for Henderson and Rowland. Jailer Anderson refused to surrender them, and the mob attacked the jail. They overpowered him to get possession of the keys, and he told them he had sent the keys away.

JAIL DOORS BATTERED DOWN.

The mob then attacked the jail doors with axes and sledges. It required nearly three-quarters of an hour to batter down the doors and get on the inside. Henderson was in a cell in the lower tier and Rowland in the upper. The door to Rowland's cell soon gave way, but the door to Henderson's cell was more strongly built and successfully resisted the attack.

ANOTHER NEGRO ACCUSED.

Growing impatient the mob fired about 20 shots into Henderson's cell and into his body. Rowland was taken out and before he was strung up made a confession. He said that he and Henderson and another negro named Joe Rolla, night porter at the Veranda Hotel, committed the crime, and the motive was robbery. He said that Rolla held Simons while he beat him over the head with an iron bar and Henderson with a billet of wood.

BOTH BODIES STRUNG UP.

Rowland was strung up, and by this time Henderson's body had been gotten out of the cell, and it was strung up beside Rowland. The mob then riddled the bodies with bullets, over 500 shots being fired.

THE MOB DEFIED.

Then the enraged crowd made a rush for the Veranda Hotel to secure Rolla, implicated by Rowland in his confession. Mr. C. R. de Bruler, proprietor of the hotel, had already heard of Rowland's confession, and knowing it to be false as to Rolla, took his stand at the door to Rolla's room, and, with drawn pistols told the mob that Rolla was innocent, and they would have to kill him before they could get Rolla.

Two or three cooler heads in the mob insisted that Mr. De Bruler, who was an honorable citizen, be given an opportunity to prove the innocence of Rolla. Mr. De Bruler then mounted a counter and made a speech to the mob. He said he knew personally that Rolla was not away from the hotel Saturday night, and he called other witnesses, by whom he substantiated the fact, and the mob dispersed.

Rolla then left the city as quickly as he could get away.

ROBBERIES HAD BEEN COMMON.

The feeling in Rockport to avenge the murder of Simons was intensified by the fact that within the past two weeks about a dozen houses have been robbed, and Henderson and Rowland were suspected. Other negroes are also suspected, and unless the robberies cease there may be other lynchings.

The mob was a determined one, but it went quietly and coolly about its business. The members would have brooked no resistance, and had Sheriff Anderson undertaken to protect the negroes with a guard there might have been a bloody battle.

COMPOSED OF BEST PEOPLE.

The mob was composed of the best people of Rockport. They wore no masks, and they did not make any effort at all to conceal their identity. They were orderly, and only 15 or 20 shots were fired in the air to keep bystanders from crowding up.

Within one hour after the mob attacked the jail they had finished their work.

VICTIM A MARRIED MAN.

Simons was a young man 29 years of age. He was married, and left a wife and one child. He came to Rockport from Winslow, Ind., about two years ago. He was an honest, industrious young man, and was highly respected.

The wounds upon his head presented a shocking sight. There were twelve distinct cuts on the head and face. His head was beat into a jelly, the left eye was knocked out, and the brains oozed out of his skull. The weapons used were a bar of iron about 2 feet long and an oak standard from a wagon sideboard.

EXODUS OF NEGROES.

Eight other negroes were arrested as suspects, but they were able to establish alibis. It has created such intense fear that several negroes have disappeared from Rockport to-night, and those remaining in the city are staying off the streets.

After the mob dispersed many went to their homes, while hundreds crowded around the hotels and other public places to discuss the lynching; and the declaration was boldly made that every time a future robbery occurred in Rockport the people were going to ferret out the robbers and string them up; that robbery had become so common and so bold that safety to the people demanded that stringent measures be resorted to in order to check it.

Theodore Evans, brother-in-law of Simons, and also his partner in business, is prostrated as the result of Simons's murder, and the attending physicians say his life is in danger.

THE CRIME MOST BRUTAL—NEGROES FRIGHTENED AWAY BEFORE THEY COULD ROB THEIR VICTIM.

[Special.]

ROCKPORT, IND., *December 16.*

The place where Simons met his fate was an ideal place for such murderous work. It was near the corner of Fifth and Elm streets. A high board fence faces the pavement for about 40 feet, and terminates in an alleyway. When he reached this place, he was struck by one of the negroes with a long club, which had a nail in the end of it, crushing his skull. The nail entered his forehead and came out through the eye.

The indications show that a fierce and desperate struggle followed, as the ground had been trampled down and was covered with blood for a distance of about 15 feet up and down the edge of the road.

Simons's cries and groans soon brought Frank Jones and Billy Stateler, two country boys, who were returning home, to the scene, but it was too dark to see anything. They then lit a match, and one of the robbers, who was hiding behind the fence, threw the tail gate of a wagon at them to frighten them away, as the robbers had not had sufficient time to search their victim after committing their nefarious crime.

The gate struck Stateler on the leg and severely wounded him, and he is now confined to his bed on account of it. The robbers then made good their escape, as the two boys who so bravely came to the rescue stayed by the victim and lustily called for help.

A small crowd soon collected, and after a futile search for the criminals they carried the murdered man to the home of his brother-in-law, where he lingered until 4 o'clock, but never regained consciousness.

Simons's head was crushed and beaten into a pulp, while his face was bruised and cut in a number of places.

The nail had entered the head six times, making terrible wounds.

A PREMONITION OF DANGER.

The two negroes were familiar with the fact that Simons always carried the money belonging to the firm, and they were seen on Main street as late as 1 a. m. watching for their victim. Saturday night Simons suggested to his partner that something might happen and requested him to take half of the money, seeming to have a premonition that danger was lurking in the near future for him. For the past three years he had been treasurer, and this was the first time the rule was broken. He had $42.50 in a shot bag on the inside of his overcoat pocket, but the footpads failed to get anything, as they were compelled to run away to avoid being recognized and probably captured.

From early morning a large crowd of citizens congregated at the place of the crime and continued to grow larger, and when evening came there was a gathering of about 2,000 citizens, and all eager to see the culprits caught and mobbed. The citizens organized a vigilance league in the morning and raised a large fund for the purpose of apprehending the murderers and ferreting out all kinds of crime. The past week there have been four cases of housebreaking, besides a number of smaller stealing offenses. This work has been carried on extensively for the past two months, and when this additional piece of crookedness was added to the already crowded calendar of crime almost every citizen in the town was willing that some desperate method should be practiced, as life and property were getting to be valued too cheaply by the criminals here.

ONE MORE VICTIM OF BLOODTHIRSTY ROCKPORT MOB.

[Special.]

BOONVILLE, IND., *December 17.*

The negro known as "Whistling Joe" Rolla, an alleged accomplice in the murder of H. F. Simons at Rockport early Sunday morning, met his death at the hands of a mob from Spencer County, which came to Boonville this afternoon for that purpose. The mob numbered about 75 people, was orderly and went about its business with the precision of soldiers under orders.

The Spencer County authorities failed to locate "Crowfoot," who is known as "Whistling Joe," after the mob had made away with Henderson and Rowland Sunday night. It appears that Crowfoot had been secreted in the Veranda Hotel by the manager under a bed occupied by a commercial traveler, and he remained there in mortal dread until early this morning.

After the lynching, as told in to-day's Courier-Journal, the mob went to the hotel where Rolla was employed and made a search of all the vacant rooms and left satisfied that the accused man was not there. Sheriff Anderson got word that Rolla was secreted in the house and arrested him.

PROTECTED BY SHERIFF ANDERSON.

The sheriff immediately threw a guard around the house, and as soon as the fact of the arrest was made known, a great crowd gathered about the hotel. Angry threats were made, but the sheriff told the mob that the man insisted on his innocence and that he had ordered the guards to defend the prisoner with their lives. At this the crowd became more orderly, and a guard of citizens was thrown around the hotel to prevent the escape of the man. Just before noon the sheriff got the negro into a closed carriage and drove in hot haste for Boonville, his intention being to take the negro to Evansville for safe-keeping.

MOB QUICKLY FOLLOWED.

The sheriff had an hour's start of a mob that was quickly gathered and put on horseback to follow him. The mob divided into two parts, taking different roads to Boonville, which is 20 miles away. The sheriff beat the mob to Boonville some hours and placed the negro in jail here. A telephone message from Rockport warned the sheriff that the mob was en route, and he then attempted to get possession of the prisoner in order to make an overland drive to Evansville. Sheriff Anderson was refused admittance to the jail and gave up any further attempt to succor the black man.

WAITED UNTIL NIGHTFALL.

The mob, finding that it had been outwitted and not caring to enter the city in daylight, awaited until nightfall and entered the town on a brisk run on horseback. It made straight for the jail. Entrance was demanded and refused. The jail keys were also demanded and refused, and the same tactics that were carried out at Rockport were resorted to.

JAIL WALL BATTERED DOWN.

A telephone pole was secured and made into a battering-ram, and the walls of the jail were battered down in a few minutes. The jail is a weak affair of ancient construction, and offered slight resistance to the fury of the mob. Once inside, it was but the work of a few minutes to get into his cell.

While the mob was at work on the outside "Whistling Joe's" screams for mercy could be heard above the din. He cried that he was innocent of the crime; that he had been lied upon, and called upon the Almighty to give him strength to combat his pursuers.

PROTESTED INNOCENCE TO THE LAST.

Reaching the cell of the accused man, the door was soon battered in and a rope quickly tied about his neck. The mob then made a rush for the northwest corner of the court-house grounds; a tall tree with a convenient limb was selected, and "Whistling Joe" was given an opportunity to make his peace with God. He spent his time, however, in protesting his innocence, and the mob growing tired of this, the order was given to haul him up.

This was done, the rope being tied to the tree trunk and the body left dangling in the night air. It was announced that the body would be permitted to hang until to-morrow afternoon before it would be cut down.

NO HAND TO STAY THE MOB.

During the time the mob was in the city there was no attempt to thwart its work of revenge. The streets were crowded with men, women, and children, but not a hand was raised to stay the sentence of Judge Lynch. The mob wore no masks, and did its work with promptness as the commands were given. The order was given to "Keep your guns in your pockets,"

which, no doubt, was a matter of precaution, since two innocent bystanders had been wounded at Rockport during the lynching on Sunday night.

Governor Mount ordered out the Evansville militia company this evening to meet the train from Boonville, no doubt hoping the sheriff of Spencer would be able to bring his prisoner to this city. An order for them to return to their armory was received after the company had reached the depot and was about to board a special train to come to Boonville.

Mr. Speaker, I could go on and on, submitting other newspaper reports of lawlessness, but I will not further occupy the time of the House on this point. Only on last Christmas Day, just a few days ago, a most disgraceful race riot occurred in the town of Cementville, the facts of which, I take it, are familiar to you all, as they have been freely published in the press of the country. A few days ago I saw from the press that the bondsmen of the sheriff of Ripley County, Ind., have settled the suit for damages brought by the widow of one of the five men who were lynched in that county some years ago, by paying the sum of $4,000. With this lawless record lying at the door of this State, may I not with perfect justness say to the gentleman from Indiana, "Physician, heal thyself?" But I have said enough along this line.

The gentleman severely criticises Mississippi's franchise law. Before we begin the discussion of this subject let us first surround ourselves with the facts. In 1890 the people of Mississippi did call a convention of her people with the view of revising her fundamental law. Upon the suffrage question that convention did declare in substance that—

every male inhabitant of this State, except idiots, insane persons, and Indians not taxed, who is a citizen of the United States, 21 years old and upward, who has resided in this State two years and one year in the election district or city, town, or village in which he offers to vote, and who is able to read any section of the constitution of the State, or, if unable to read the same, who is able to understand the same when read to him, or give a reasonable interpretation thereof, and who shall have been duly registered as an elector by an officer of this State under the laws thereof, and who has never been convicted of bribery, burglary, theft, arson, obtaining money or goods under false pretenses, perjury, forgery, embezzlement, or bigamy, and who has paid all taxes which have been legally required of him, and of which he has had an opportunity to pay according to law, for the two preceding years, and who shall produce to the officers holding the election satisfactory evidence that he has paid such taxes on or before the 1st day of February of the year in which he shall offer to vote, shall be a qualified elector in and for the election district, or city, town, or village of his residence, and shall be entitled to vote at any election held not less than four months after his registration; but any minister of the gospel, in charge of any organized church, shall be entitled to vote after six months residence in the election district, city, town, or village, if otherwise qualified." (Mississippi Code, 1892, section 3631.)

No one has ever seriously contended that our franchise laws violated any provision of the Federal Constitution. They merely attempt to suppress by lawful means those who do not pay taxes and her ignorant and criminal class from exercising the right of suffrage. The supreme court of Mississippi in passing upon these laws held we had a right to do so, and the Supreme Court of the United States held they were not violative of the Constitution of the United States, and that they do not, on their face, discriminate between the white and negro races, and do not amount to a denial of the equal protection of the law secured by the fourteenth amendment to the Constitution. This whole matter is fully discussed in the case of Williams *vs.* Mississippi in the United States Reports, volume 170.

It is well known that the reasons and causes that led to this action on the part of Mississippi was the vast and ignorant negro population with which she was surrounded. I believed then, and I believe now, that it was to the interest, the growth, and the happiness of our State that she should use every constitutional means in her gift to lodge the power of the State government in the hands of the intelligence of the State. It was to the interest of both races. In doing this her laws looking to that end fall with equal weight upon the white and the black man, and if either does not possess the qualifications for a voter as laid down in our law, he can not vote. Thousands of both races fail to qualify themselves as voters.

Strange as it may appear, the clause of our law under which 90 per cent of this class are disfranchised, in my opinion, is that part of the law requiring one before he votes to be duly registered and to have paid all taxes which have been legally required of him for the two preceding years of the year he offers to vote. Remember we have a poll tax of $2, and that tax is a lien only upon taxable property. No criminal proceedings are allowed to enforce the collection of the poll tax. It might be said this section of the law is an invitation, or at least a temptation, to some who own no property, or to some who own no property in excess of that which is exempt from taxation, not to pay their poll tax.

This is the law under which so many of our people are disfranchised. Some do it from choice, some from indifference and neglect, and some from inability to pay. Right here I wish to read an article published in the New Orleans Picayune several weeks ago, from its regular correspondent at Jackson, Miss., showing certain developments upon an investigation of the vote of Hinds County, Miss., the largest and wealthiest county in our State:

A registered voter is not necessarily a qualified elector. A man may register, and default afterwards for poll tax, and his name still remain on the poll book as a registered voter for years. This was shown in Hinds County last year, when the board of supervisors found 1,185 names improperly on the poll books when they were considering a petition for a local-option election. Nine-tenths of these were poll-tax delinquencies, and 90 per cent of them were of white men. In this matter Hinds County was not singular. The Democratic press of the State has shown like conditions in other counties, and today the press of Mississippi is urging the white men of the State to pay their poll tax in order that they may vote.

Mr. Speaker, I might go on and relate to this House the details of our law in reference to our election machinery, but I have not the time. So I will pass on.

The gentleman further criticises the following section of our constitution:

On and after the 1st day of January, 1892, every elector, in addition to the foregoing qualifications, shall be able to read any section of the constitution of this State, or shall be able to understand the same when read to him, or give a reasonable interpretation thereof.

The gentleman says, "The most difficult and technical section of the constitution is made the test." I presume persons in Mississippi have qualified under this section, but I have never known or heard of one doing so. Many may have done so, but my opinion is few, if any, have qualified under it. But be that as it may, I want to say that this much-abused section is not understood by those who criticise it. It is a section to aid illiterates. If a person can read, the section does not apply to him. If he can not read, then he has a chance to qualify under it.

It might occur to some to ask, What would it profit one to qualify under this section? For if he can not read, how could he vote under your ballot system? The answer is that our law has made special provisions for such by providing that a voter who declares to the managers of the election that by reason of inability to read he is unable to mark his ballot, if the same be true, shall, upon request, have the assistance of a manager in the marking thereof.

He further complains that too much power is placed in the hands of the registrar. Under our law if the registrar refuses to register anyone, that party, if he feels himself aggrieved, can appeal to the election commissioners. Should they decide adversely to him, he can appeal to the circuit court.

Again, the gentleman says:

In order to make the dominion of the white man complete, all opportunity for education must be taken from the negro. The policy is to deprive him of the right to vote and then withdraw from him the means of education, so he will have no ambition to contest for supremacy with the white man in any of the fields of usefulness.

Mr. Speaker, standing here speaking for my State, I say, sir, the charge is absolutely without foundation, but, on the contrary, the facts are abundant to show the reverse. The very constitution of our State that he saw fit to assail so freely on the floor of this House on yesterday provides, in substance, that it shall be the duty of the legislature to encourage, by all suitable means, the promotion of intellectual, scientific, moral, and agricultural improvement by establishing a uniform system of free schools, by taxation or otherwise, for all children between the ages of 5 and 21 years, and when practicable to establish schools of higher grade.

It further provides, in substance, that a public school shall be maintained in each school district in the county at least four months during each scholastic year. Mr. Speaker, this is the fundamental law of our State. Have we lived up to its provisions? Has the legislature of our State put it into full and complete operation? Yes; it has done so most liberally and upon a most magnificent scale. No State in this Union, in accordance to the wealth of our people, has done more. The last legislature of our State appropriated for public education for the year of 1900 $1,000,000 for common schools and $272,534 for our State colleges (white and black), and a like sum for the year 1901.

This fund is distributed pro rata, regardless of race, to the different counties, and the colored educable children being about 100,000 more than the white, they, of course, receive the largest share of this fund. Is this all we do? Not by any means. In addition to this, nearly every village, town, and city in our State supplements this amount received from the State fund by an amount sufficient to run the public schools in their respective localities from seven to ten months in the year. The negro receives his pro rata share of this also. Under this system every child in our State has an opportunity to attend a public school from four to ten months in the year.

What has she done and what is she doing for higher education in our midst? Let the facts speak. She maintains and owns three as great colleges as exist in the South for the education of the white youth of the land. Nor has she on this line neglected the negro, for she has also one magnificent college for the education of the youth of the negro race. She also contributes liberally to two other institutions run in the interest of higher education of the negro. I am reliably informed that, from the best data obtainable, the proportion of taxes paid by the two races is 93 per cent for the white and 7 per cent for the negro.

In the face of these facts I respectfully submit, does not this record of my State refute the charge that we are unlawfully denying the ballot, or that we are withdrawing the means of education

from any class of our people "on account of race, color, or previous condition of servitude?" It shows that the nonvoter and the poor and helpless receive the protection and blessings of our government as freely as the rich and the strong.

Does it not show, further, that we realize that our public-school system and our great institutions of learning are the chief allies and guardians of good morals and good citizenship, and that they materially aid in purifying the moral atmosphere to flow pure and healthful in and through our great Commonwealth? And does it not further show that we have poured out our money without stint to further the ends of this great school system of ours? I think so.

I think this magnificent record does all this. It does more. It certifies that we are striving to be "a land rejoicing and people blest." Just a few words more, Mr. Speaker, and I will have finished. I am not going to discuss the proposition of the gentleman from Indiana any further. The other features of his proposition, in fact, every feature of it, have been thoroughly discussed by others. I trust it will be promptly voted down. I feel sure it will be.

The twentieth century is upon us. The nineteenth has passed into history. Our future as a nation seems bright. It is glorious, and I hope, with the birth of the new century, all ill feeling between the North and South will be buried. I hope the following utterance of that great and independent paper, the Washington Post, will prove true:

This nation is not going into the new century with a revival of sectional animosity; the second McKinley Administration is not going to be a new era of ill feeling between the North and the South. The South will not be further punished by Congress for the fateful mistake of the fifteenth amendment.

Mr. WHITE. Mr. Speaker, I have sought diligently on both sides of this House to get an opportunity to be heard during general debate on this measure. I believed it was due me, inasmuch as I am the sole representative of one-eighth of the entire population of the United States, and that entire percentage has been so grossly misrepresented and maligned by three gentlemen, representing three separate States, upon this floor.

I am glad to state, however, that those three gentlemen are all young men, and as an extenuating circumstance for their vile words against my people I apply to them the statute of youth. They will know better when they get older. [Laughter and applause.] Some time in the near future, when the committee to which I am assigned has a bill under consideration, I will take occasion to endeavor, perhaps as a valedictory of the negro in this House, to answer some of the charges made by the gentleman from Alabama, the gentleman from South Carolina, and my colleague from North Carolina.

They have spoken of my people as a thing to be managed. They have said to the North and the East and the West, "Let alone the negroes; we can manage them." Can they manage us like oxen? I want them to understand that, removed as we are thirty-five years from slavery, we are to-day as you are, men, and claim the right of the American citizen and the right to vote. [Applause.] I will not refer to the matter under consideration now. It is not my purpose to do so at this time.

I did think, and I thought it rather strange, that the gentlemen managing the two sides of this question, the majority and the minority, after my people had been so slandered, might have accorded me an opportunity to defend them, as only two or three gentlemen have taken the opportunity to do. God bless them. God bless Judge CRUMPACKER, who has taken occasion to stand up in his place as a man, and has said a word in defense of these people who have made it possible for some of these young gentlemen to be filling seats here, and who since their emancipation have served their country faithfully by allying themselves with those principles that tend to the upbuilding of this the greatest nation on God's green earth. [Applause.]

Mr. SIMS. Mr. Speaker, I desired to have something to say about this bill in the time allowed for general debate, but I was unable to get the opportunity to do so. I sought time from the gentleman whose bill I intended to vote for, the chairman of the committee [Mr. HOPKINS], and asked him for the beggarly amount of ten minutes, and he promised it, if he could. I wanted to give the House the reason I was going to vote for his bill, which does not altogether suit me. I asked for time to-day, cutting it down to five minutes, and he again promised me that he would give it to me if he could. He did not do it yesterday and he did not do it to-day, and I must conclude, therefore, that he could not do it.

Now, if there is anything on earth I despise and hate it is a machinized House of Representatives. The argument that has been made here that the House had become unwieldy was one made in support of the majority bill. They did not want to make if further unwieldy. I think that is true if the present régime is to be perpetuated, if this House is to continue machinized. I quote with approval what the distinguished gentleman from Iowa [Mr. HEPBURN] said in his speech yesterday as to the rules of this House:

Mr. Speaker, I think that the whole question involved here is one of expediency. What is the better size? What number of Representatives can best perform the duties that devolve upon them in a deliberative body? Not this body, for I am willing to confess here that it presents none of the features of a deliberative body [laughter], but that deliberative body that we ought to have. The fathers gave us their opinion with regard to this matter. When they provided for 26 Senators they provided for 65 Representatives. That was their idea. They thought that the political power of a member of the Senate should be two and a half times greater than the political power of a Representative.

* * * * * * *

Gentlemen tell us now, who are advocates for enlarging this House, on other occasions that the fact of an enlarged House justifies a system of government in the House that is destructive to the individuality of members, and absolutely destructive of the representative power that the Constitution gives us and that our people fondly think we enjoy.

When you attack the system of rules that we have, that is vicious in every degree, that is harmful to the individual character of the member, that is harmful to the deliberative character of this body, that absolutely destroys it, and puts it beyond the power of any individual to participate in legislation or to bring to the consideration of this House any measure, no matter how important it may be to him or his people, without he gets the consent of another person, another Representative—when you attack that vicious system, you are told that it is because the House is a mob, because it has been so enlarged that individual responsibility does not weigh upon the members; because there is no possibility in the confusion of the vast number to secure that deliberation that is necessary to the proper discharge of public business. On those occasions the House is too large. I believe it is wiser, I believe it would be better for the people, and it would be better for the individual membership, to decrease, rather than increase, the number of Representatives.

Mr. Speaker, I want this House to have the largest number of persons that it can to discharge the business that it has to transact; but I do not want its number to be so augmented as will furnish an argument for the binding of the hands of the individual members of the House. And I know, and every one of you know, that it will be urged, and that it will have its effect upon certain members who have to vote upon a question of the rules before they have had an opportunity to chafe under the restraints and tyrannies of those rules.

And I know that when the placid gentleman now occupying the chair, the leader upon this side, my venerable friend on my right, and a corresponding number of gentlemen occupying corresponding positions on that side of the House, in the early days of the session, when the neophyte is here and has not been hazed [laughter], he sees them standing up as advocates of a retention of the rules without change, he naturally says to himself, "This must be all right, or such leaders, who have the confidence of the American people, would not be their advocates," forgetting, or never knowing in his innocence, that these gentlemen belong to the charmed circle [laughter]; that these gentlemen, because of their great eminence, because of their marked and recognized superiority, have a power in this House that is above rule, or that compels the amelioration of the rule in their behalf whenever they propose to invoke it.

Mr. Speaker, I heard a gentleman in this debate, in support of this enlarged number, say that this House could do whatever it chose. I want to deny that statement. I make the assertion here that there is no proposition that affects the people of my State or of any one of the States that an individual member can secure even consideration of without he first addresses himself to another Representative and gets the consent of that Representative. [Applause.] I remember of hearing my friend on my right once say that under the rules of this House the House could do whatever it chose. I would yield to him a moment for the purpose of asking him if, after reflection, he would contradict the statement that I have here so deliberately made?

Mr. GROSVENOR. After the very high compliment that the gentleman from Iowa has seen fit to bestow on me I would not contradict anything that he would say. [Laughter.]

Mr. HEPBURN. Thank you. I now appreciate the value of compliments, and I shall henceforth use them in the place of arguments. [Laughter.] Mr. Speaker, the statement that I have made is a grave one. It ought not to be made without deliberation. I ought not to say to the American people that the whole scheme and plan of the Constitution with regard to this House of Representatives is subverted, destroyed, annihilated by the rules of this House without it was true.

And I will ask any gentleman, and I will yield to him if he will undertake to tell us, how any proposition can be brought before this House without it receives the assent of the Speaker of the House. And even then, with reference to a great majority of propositions, how can it be brought to the House after it once has gone into the bosom of a committee and that committee does not see fit to report it?

Every member upon this floor, 356 of us, may be anxious for the adoption of a proposition, and it can not be brought to the consideration of the House by any possible means known to the law without the consent of that gentleman into whose hands you and I have surrendered the political power of our constituents.

Now, Mr. Speaker, what is the excuse for this? Mind you, I am not criticising the old Speakers or the new. I have no complaint to make of the manner in which they administer their power. I am quarreling with ourselves, and we will be asked to continue this robbery of ourselves, this wrong to our constituents, this surrender of their political power—for it is theirs, gentlemen, and not yours or mine—we will be asked to continue this. Why? Because the House is so large, because it is so unwieldly, because the confusion is so great, that business can not be transacted without it. Therefore from time to time the surrender is made.

I want that we shall act on this bill so that we will not give added force to declarations that are made in that behalf in the near future. I think that even with the number that we have there is confusion. My friend called attention to it to-day when the important matter was being settled as to when we should reach a vote upon this question. Time and again the gentleman from Tennessee [Mr. RICHARDSON] was compelled to rise in his place and insist that although important business was being transacted publicly here upon the floor he could not hear a word that was said. He could not tell whether to object or not, and the efforts which the Speaker vigorously exerted time and again were necessary in order to get that slight measure of order that would permit even the gentleman, seated where he is, to hear what was going on in the House.

I hope gentlemen who object to this tyranny when the time comes will vote against these rules. Now, I want to know why we should be limited in discussion to three or four days on a bill that only comes before us once every ten years, and when it gets to

the other end of this Capitol if they want to discuss it three weeks they do it. Gentlemen, why should not we have the same opportunity to discuss a measure which is being enacted into law as they have? The President can not sign the bill until they pass upon it.

If the gentlemen who support the Burleigh bill will convince me that they will quit lying down and voting for these tyrannous rules and give each member on the floor an opportunity to say why he votes as he does, I will vote for that measure. But if an enlarged House is going to serve as an excuse for the continuation of these rules I shall vote against enlarging the House.

I have no objection to a reasonable limitation of debate, but I most assuredly object to unjust discrimination as to who shall participate in that debate. What right has the gentleman from Illinois to say that I shall not give to the House the reasons for the faith that is in me, and that my constituents must depend upon his argument for the reasons of my vote? What right had the gentleman to get up from his seat and ask that the gentleman from Maine [Mr. LITTLEFIELD] be allowed to proceed to the conclusion of his remarks, when the gentleman from Maine was doing everything he could to annihilate the bill of the gentleman from Illinois?

That was magnanimous; I approve of the spirit that led him to do it, but why did not he ask sufficient time for general debate in the House for each member to have the paltry amount of five or ten minutes to express himself? Why, we had better sit here all summer, prolong the length of the session if necessary, in order to give sufficient time for debate and discussion. We had better have it all summer, all the fall, and all winter than to stifle the voice of the representatives of the people on the floor as is done at the present time. I will vote to reduce the membership of the House to 250 if necessary in order to get out from under our present tyranny. [Applause.]

I am ready to admit that if each member of this House should speak on a measure that the same length of time could not be accorded to each member that can be to each Senator. But why should ten hours of debate be accorded to a bill in the Senate, where there are only 90 members, and only two hours be given for debate on the same measure in this House, where there are 357 members? I have not stated an extreme case. In the extra session in 1897 the House was limited to ten days for debate on the Dingley tariff bill, and the Senate debated the same measure for nearly four months.

We hear a great deal said in here about the dispatch of business and a great array of the number of bills introduced in the House and in the Senate by the gentleman from Pennsylvania [Mr. DALZELL], showing that a great many more bills had been introduced in the House in a given time than in the Senate, as though the House and Senate were in a race to see which body could introduce and pass the greater number of bills, and that the House had far exceeded the Senate, due to the rules of the House in expediting the public business, when everybody knows that the Senate must consider and pass all the bills of the House before they become laws.

Mr. Speaker, what good is it to the country to pass a thousand bills in the House during a session when we know the Senate will not consider and pass half that number? The boast of the dispatch of business is rather in appearance than in fact. There is absolutely no sense in the House passing a greater number of bills than the Senate will consider and pass in the same length of time.

This cry for the dispatch of business is used to cover up the real purpose of these infernal rules. The real purpose of these rules is to machinize this House; to create a one-man power; to magnify the machine and minimize the member.

If measures were more thoroughly discussed here, it would not require so much time for discussion in the Senate. By acting as we do we dwarf the influence and power of the individual members of this House and correspondingly increase and magnify the power of the individual Senator.

Members of this House have become disgusted and do not try to get time by begging for it from another member, who by the laws and Constitution has no higher or greater rights than himself. Modesty and merit usually go together, and many members who are very able and learned and who could shed much light upon subjects under discussion are too modest to push themselves onto another member who has control of the time.

Those who belong to the charmed inner circle get all the time they wish, and when one of these great members of the inner circle has had his full hour and has not finished his speech another member of the charmed inner circle jumps to his feet and asks unanimous consent that the gentleman be permitted to conclude his remarks. Of course the inner circle will not object, and it would be suicidal for any member on the outside to object. Immediately the great member thanks the House for the courtesy and continues his speech as long as it suits his sweet will to do so.

The new member or modest member, be his merits what they may, must sit here and chafe under this character of outrage for years. But one of these great lights often, to show his magnanimity and his consideration for those members who by his selfishness have been deprived of an opportunity to say one word, arises and asks that unanimous consent be given to all members to print remarks in the RECORD on the pending bill, provided he does so in a limited time.

If a member is in possession of information common to all the members of the House, but not generally possessed by his constituents, I see no impropriety in his printing the same in the RECORD and sending it to his constituents, but if he has information, or can make an argument that might affect the judgment of members of this House, he ought to have time given him to address the members of the House, and not be forced to print a stillborn speech in the RECORD and send it home to fool his constituents.

I want to strongly commend to all the great members of this House the conduct of the gentleman from Pennsylvania [Mr. DALZELL] here to day. The gentleman from Pennsylvania was not a member of the Committee on Census, but being a member of the inner circle and a gentleman of great ability and learning, as well as long service, the chairman gave him one hour. After a very able speech of an hour, some gentleman arose in his seat and asked that further time be given Mr. DALZELL, and the House granted the request, but the gentleman from Pennsylvania refused to take it, out of consideration to other gentlemen who had not had any time, who felt as much interest in this bill as did the distinguished gentleman from Pennsylvania.

Such commendable conduct is not often witnessed in this House, and I assure you, Mr. Speaker, that it was very refreshing. More than three hours was given certain gentlemen to advocate what is called the Crumpacker bill, designed to reduce the representation of certain Southern States on account of the alleged suppression of the negro vote. Living as I do in that section of our country and having that knowledge that comes by actual residence among the negroes of the South, I wished to give it to gentlemen from the North who do not have the same opportunity that I have for informing themselves on this grave and threatening question, but I must be denied, at least I was denied, the privilege of doing so.

Mr. Speaker, what good will it do these members from the North to print this information and send it home to my constituents, who know as much about it as I do? Will that enable them to vote intelligently on the Crumpacker bill?

I can see many good reasons why the popular branch of Congress should be a numerous body and grow with the growth of population, but if an increased House is to be used to further gag and muzzle the members of this House, I must content myself with voting against the enlargement of this House, if I am denied the privilege of giving my reasons for it more fully than I have herein.

Mr. MOODY of Massachusetts. Mr. Speaker, I rise in support of the amendment offered by the gentleman from Maine [Mr. BURLEIGH]. When I heard the speech of the gentleman from Illinois on Friday last, and his analysis of the so-called Burleigh bill, it disclosed so many inequalities in its operation that it seemed to me to be impossible for any fair-minded man to vote for it.

When I read the speech of the gentleman from Maine [Mr. LITTLEFIELD] delivered on the following day, I found that, applying the same course of argument, he had disclosed the same inequalities under the operation of the bill proposed by the majority. I discovered upon a very little reflection what is admitted now on all sides, that, by applying the method of reasoning adopted by the gentleman from Illinois and the gentleman from Maine, any possible apportionment bill would disclose the same inequalities and that the doing of exact justice between all the States is impossible from the very nature of the case itself. And so I agree with the gentleman from Pennsylvania [Mr. DALZELL], who, with his accustomed logical instinct, has brought this debate to its real question and presented to us the real problem which is before us for solution.

The increase of the population of this country has compelled us to do one of two things—either to increase the size of the constituency or to increase the number of Representatives; and that choice is presented to us here to-day. Each course presents its own evils. The evils of adding 42,000 to each Congressional district, as is proposed by the bill of the majority, are manifold and manifest. Every man understands that from his daily experience; it is not necessary for me to dwell upon it. On the other hand, it is claimed that the increased size of the House tends to destroy the individuality of the Representative, his power of initiative, and to centralize the power of the House in the hands of the Speaker; that it tends to decrease the relative power of the House compared with the power of the Senate; that it destroys this Chamber as a forum for debate and deliberation.

I should like, if I had time, to spend a few moments on those claims. But what I have to say at this moment—and perhaps it

is all that I can say—is that every one of those consequences predicted as the result of the passage of the Burleigh bill is here to-day. Those conditions will not be created by the passage of that bill. In my judgment they will not even be intensified by it. The power of the House under a natural development which brought the system of cabinet government in England into existence has taken the power of the Representatives and concentrated it in the hands of the Speaker and his immediate advisers. We might as well recognize the truth.

Mr. HOPKINS. Will the gentleman allow me——

Mr. MOODY of Massachusetts. I have only five minutes, but I will yield for a question.

Mr. HOPKINS. The gentleman speaks of the concentration of power in England in the hands of a cabinet. Does he desire to see that condition of affairs in America?

Mr. MOODY of Massachusetts. I am not speaking of the desirability of the thing; I am speaking of the facts, which we understand and know.

The gentleman from Pennsylvania gave us some figures with regard to the amount of business which the House of Representatives of the Fifty-fourth Congress and the Fifty-fifth Congress did in comparison with the body on the other side of the Capitol. I remember the Fifty-fourth Congress. I remember that when the Speaker of that Congress was selected in caucus, he stood by the side of that desk and said to us, "The Fifty-first Congress gained credit for what it did; the Fifty-fourth Congress will gain credit for what it does not do." And the first step in carrying out that programme was to debate for ten days an amendment offered to the pension appropriation bill, which was subject to a point of order and at the end of those ten days went out on the point of order, as everyone understood it would.

I remember that during the extra session of the Fifty-fifth Congress we adjourned for three days at a time, week after week. We had the time, we had the opportunity, to do the business of the country; but I say that the Speaker and his advisers decided wisely and well, and in accordance with the judgment of the majority, when they declined to pass all the bills which came over here from the other end of the Capitol.

I say, then, that the evils which are present here, and which will not be intensified by the Burleigh bill, are evils that do not grow out of the numbers of this House. Say what you will, the House of Commons, with its membership of 670, has demonstrated that numbers do not prohibit an orderly conduct of public business. Who cares for a speech made in the House of Lords? A speech made in the House of Commons goes the world over. What is forbidding the orderly conduct of business on this floor? What is denying the right of each member to be effectively heard on this floor? What is preventing the deliberation——

The SPEAKER. The time of the gentleman from Massachusetts [Mr. MOODY] has expired.

Mr. MOODY of Massachusetts. May I have five minutes more?

Mr. HOPKINS. I ask unanimous consent that the gentleman from Massachusetts be allowed five minutes more.

There was no objection.

Mr. HOPKINS. Now, will the gentleman answer a question?

Mr. MOODY of Massachusetts. Certainly.

Mr. HOPKINS. There are no roll calls in the British House of Commons such as we have here, are there?

Mr. MOODY of Massachusetts. I do not understand that there are. There are divisions.

Mr. HOPKINS. Now, is it not a fact that a large part of the time is taken up here by roll calls whenever there is any question that divides the members, either politically or sectionally?

Mr. MOODY of Massachusetts. Yes, sir.

Mr. HOPKINS. And is not that one of the conditions that operate against the British House of Commons being a precedent for us?

Mr. MOODY of Massachusetts. Yes.

Mr. HOPKINS. One other question. Is it not a fact that in the British House of Commons 40 members constitute a quorum for the transaction of public business——

Mr. MOODY of Massachusetts. Yes.

Mr. HOPKINS. And 20 for private business?

Mr. MOODY of Massachusetts. That I am not so sure about. If the gentleman so states, no doubt he is right.

Mr. HOPKINS. And here, under our constitutional form of government, is it not a fact that there must be a majority of the members-elect present on every roll call for the transaction of business, if so demanded, whether it be public or private business?

Mr. MOODY of Massachusetts. That, Mr. Speaker, is the statement of an unquestionable fact; but in spite of all those things every man here knows I tell the truth when I say that there is no session of Congress when we do not waste time day after day.

Mr. GROSVENOR. I should like to ask the gentleman a question.

Mr. MOODY of Massachusetts. Certainly.

Mr. GROSVENOR. The gentleman from Massachusetts has spoken of the importance of speeches made in the House of Commons.

Mr. MOODY of Massachusetts. Yes.

Mr. GROSVENOR. In the gentleman's judgment, how many members of the House of Commons in England speak upon the public questions of the day during an entire session of that body?

Mr. MOODY of Massachusetts. I suppose comparatively few members, Mr. Speaker.

Mr. GROSVENOR. Does not the gentleman think that twenty or twenty-five would limit the number of almost all the participants in debate in that body?

Mr. MOODY of Massachusetts. I can say that that statement would be true, both of the English House of Commons and the American House of Representatives. I believe that there are not more than 25 members who take an effective part in the debate here to-day under present conditions. I am not speaking of mere speeches, but of the debate which influences the judgment and action of the House.

Mr. MADDOX. Will the gentleman from Massachusetts allow a question?

Mr. HOPKINS. Will the gentleman from Massachusetts yield for a question?

Mr. MOODY of Massachusetts. I will yield in a moment or two. Mr. Speaker, I was saying that all these evils—the denial of the right of individual action, the disorder which occurs in the House, the facts which make this a forum ill adapted to debate and deliberation—all come from other causes, and not because of members.

We can apply the remedy any day we choose. Let us close up, or at least contract, these pestilence-breeding galleries that exhaust the atmosphere and send us home every day the nearer to our death because we have worked in the Chamber. Let us contract the size of this Hall. Let us take out these desks. Why, Mr. Speaker, there are never at any one time more than 50 or 100 members interested in the discussion of a given question.

Mr. WM. ALDEN SMITH. There are more than 200 now.

Mr. MOODY of Massachusetts. There are men in the English House of Commons, in the lobbies, ready to come in to vote, but very few present, I agree, in the ordinary deliberations, and that would be the fact here. If we adopt the remedy which I have proposed, and which has been discussed so many times, these evils would disappear.

Mr. STEWART of New Jersey. Will the gentleman yield for a question?

Mr. MOODY of Massachusetts. In a single moment. If we do that, I say, these evils will disappear, and one of the reasons why I support the Burleigh bill, and support it earnestly, is because I believe its adoption will bring us nearer to the day of our deliverance. Now I yield, first to the gentleman from Georgia [Mr. MADDOX].

Mr. MADDOX. I want to ask if in your comparison of the British Parliament to the Congress of the United States you have stopped to consider the fact that we have 45 State legislatures and 3 Territorial legislatures that are doing nine-tenths of the legislative business for the United States?

Mr. MOODY of Massachusetts. Yes, I have considered that fact. I did not refer to it. Of course, otherwise we could not do the business of the country.

Mr. HOPKINS. The question I was going to propound to my friend is this: Is it not a fact that in the English House of Commons all legislation is proposed by the Government?

Mr. MOODY of Massachusetts. It is. But, Mr. Speaker, it is equally a fact—and let us face things as we find them—it is equally a fact that our important legislation is proposed by the committees that guide this House. I do not find any fault with it. I believe it is the right system. I believe it is the only system. I believe it is as much evolved out of our conditions as cabinet government has been evolved out of the conditions in England.

[Here the hammer fell.]

Mr. FITZGERALD of Massachusetts. Mr. Speaker, I regret exceedingly to differ with my colleague from Massachusetts upon this important question. An important matter of this kind, it seems to me, should be free from partisanship or selfish interest, and I can not see any valid reason why the majority bill should not be accepted by the House.

Under the provisions of this bill, Indiana, Kansas, Kentucky, Maine, Nebraska, Ohio, South Carolina, and Virginia lose a Representative, while Illinois, Louisiana, Minnesota, New Jersey, and New York gain 1 and Texas 2 Representatives.

If any member of this House can show any political advantage to either party in this arrangement, I would like to see it pointed out. The apportionment is based upon the census figures of the present year, and makes the present membership of the House as the basis upon which the figuring is done.

The result shows that some States have increased their population more than others, and therefore get better results. This is to

be expected, and if certain sections of this country do not keep up with the pace the country is setting they must expect to fall behind, not only in the matter of representation in this House, but in all worldly affairs.

I regret to see the spirit in which this great question is approached by many members of this body. I have been solicited by a great many members to vote for the Burleigh bill, not because it was a good bill for the country at large, but because it favored their particular State or locality. It is a species of log-rolling that I regret to see taking place in this body. I think the House of Representatives of the United States ought to approach this great question with an eye to the general welfare of the country rather than with a view to favor any particular section of the country.

We ought to be above the small and narrow policies that govern legislative bodies where selfish interests prevail, and consider this proposition in a broad, intelligent, and honest public spirit. If this course is pursued, I think the wisdom and good sense of the House will defeat the proposition to increase the membership of the House 29 members, as provided in the Burleigh bill.

I listened with a great deal of interest to my colleague's attack upon the Rules of the House. He cited all manner of abuses, and I agree with him in every detail. Does he think, however, that these abuses can be remedied by increasing the membership of this body? Will not the 29 new members which are added, if the proposition which he advocates goes through, make it harder to obtain the ear of the House than it is at the present time?

Every member of this House knows that under the present rules and practice of this body debate upon many measures is farcical. I have known questions of the greatest importance to the people of this country to be shut off with one hour's debate in this Chamber. No matter how important the matter may be that is up for discussion, it is very seldom that more than two days is given for its consideration. How can 357 men discuss intelligently a proposition that remains before them but ten hours? I have witnessed time and time again since I have been a member of this body men pleading and urging for two, three, and five minutes' time to discuss a matter of interest to their constituency and this country. The majority are too arbitrary. More time could be given to public discussion of great matters if the spirit of fair play animated the other side of the House.

If my colleague complains of the abuses that exist, why not remedy them in a proper manner. He is a member of the majority. He voted for the rules that make possible these abuses. Why not display the old spirit that dominated the men from Massachusetts in the days gone by and force your party to give fair play and honorable treatment to the people's Representatives in this great branch of the public service. [Applause on the Democratic side.] The remedy lies in the radical revision of the rules of this House and not in an increased membership.

An addition of 29 members to this body means added confusion and an increased expense to the Government of $200,000, at least. It means the additional trouble of providing committee places for these men, in face of the fact that as Mr. Dalzell of Pennsylvania said this morning, 15 committees had been organized, not for the purpose of doing business, because they never met, but in order to furnish a proper share of committee appointments for each member of the House.

Under the Burleigh bill, Maine gets 4 Representatives for her population of 694,466, an average of 173,616 for each Representative. Massachusetts, with a population of 2,805,346, gets but 14 Representatives under the Burleigh bill when she is entitled to, using 173,616 as a basis of population for each Representative, 16 Representatives. How can my colleagues from Massachusetts vote for a proposition so manifestly unfair to that State? Why are not 173,616 people in Massachusetts entitled to a Representative in the House as well as a similar number in the State of Maine? Under the Burleigh bill Massachusetts has a fraction of 100,896, more than one-half of the number entitling her to an additional Representative. Major fractions do not seem to count in her case, however. The same is true of Iowa, Michigan, New York, Ohio, and Pennsylvania, all of which have these fractions and none of which receive any consideration on that account in the Burleigh bill. This bill, to be just and fair to all the States, should include another Representative for each of these States.

I call these matters to the attention of the House because those advocating the enactment of the Burleigh bill have stated that one of the reasons for the enlargement of the House was to take care of the States with the majority fractions, which receive no consideration in the Hopkins bill.

I understand that the great Republican bosses of the country have taken a hand in this matter and have given orders that the Burleigh bill must pass. Senators HANNA, PLATT, Quay, LODGE, and FAIRBANKS, I understand, have instructed the members from their respective States to vote for the Burleigh bill, and it will be interesting to watch the vote on that account.

Members of the present Congress, as well as those of the former Congresses, since clerks have been authorized for the members of the House, do not do near the personal work that has been done by members of Congress in former days. During the past four Congresses, I believe, an appropriation of $100 per month has been made from the public Treasury for a clerk for each member of the House. This takes a tremendous load and responsibility from every member, and it must be admitted by every member of this body that most of the work done at the Departments, and practically all the correspondence formerly attended to by the members of Congress themselves, is now performed by these clerks.

For this reason it seems to me that members of Congress are better able to attend to the interests of 200,000 persons now than they were years ago, when the average constituency consisted of about half that number. Some members here have advanced the argument that the public business is increasing to such an extent that more members are required to look after it. How do the men who advance this argument harmonize it with the fact that 2 Senators look out for practically the same amount of public business as 10, 20, and in some cases 30 members of Congress? The same matters are considered in both branches.

I think, Mr. Speaker, on the whole, that the House of Representatives has as large a membership at the present time as is consistent with the prompt and orderly dispatch of the public business. I think the people of the United States ought not to be compelled to submit to the additional tax levied upon them by this increase in membership just to further the political ambition of a few men. The time has come, it seems to me, when the members of this Congress should look upon the question from a broad, public-spirited standpoint, and if this is done the House will indorse the bill which has been submitted by the majority of the committee.

Before taking my seat I wish to refer to another matter that has been discussed upon this floor in connection with the apportionment bill. The question of the disfranchisement of the negro vote in certain of the Southern States has given rise to some heated discussions upon this subject. I do not intend to discuss the question at this time, other than to say that I am absolutely opposed to any discrimination on account of race, color, or religion, and also to add that the gentlemen who have stated upon the floor of this House that the Massachusetts statute relating to the qualifications of voters had been copied and was analogous to the statutes in the Southern States where the negroes were disfranchised is not true. I will quote the language of the Massachusetts statute on this question:

> Every male citizen 21 years of age or upward, not being a pauper or person under guardianship, who is able to read the constitution of the Commonwealth in the English language and to write his name, and who has resided within the Commonwealth one year and within the city or town in which he claims the right to vote six calendar months next preceding a State, city, or town election, may have his name entered upon the list of voters in such city or town and shall have the right to vote therein at any such election.

The rest of the section is merely explanatory, and as I have only a moment's time I will not occupy it by quoting further in the section. I might add that a further provision of this section makes an exception of persons who are prevented from reading and writing by physical disability or who had the right to vote on the 1st day of May in the year 1857.

During the debate upon this question in the past two days I have seen the statement quoted repeatedly as coming from members of this House that the statutes of the Southern States followed the lines of the Massachusetts statute, and I take this opportunity of informing the House that the election laws of Massachusetts apply to all classes of citizens alike, and make no distinction between black and white or in favor of or against those of any race or religious belief. Every man, except paupers and insane persons, in Massachusetts is placed upon an equality in this matter and can only enjoy suffrage when he complies with the general law.

In the South, as I understand the law, men who are not able to read and write, but whose father or grandfather voted in 1867, and in some States ancestors more remote than these, are allowed to vote. This is a clear distinction made against the negro, because every intelligent person in the United States knows that no negroes in the South were eligible to vote in 1867.

I am proud to say upon the floor of this House that the laws of Massachusetts in this respect are fair and just to all the inhabitants of the Commonwealth; that the black man is entitled and receives the same consideration that the white man does, and that the people of that State would not tolerate for one moment any law upon the statute books which would make any distinction against the men of any race or extend favors to any particular class of people.

Mr. Speaker, I ask unanimous consent that I may proceed with my remarks.

The SPEAKER. Is there objection? The Chair hears none, and the gentleman from Massachusetts is recognized.

Mr. KLUTTZ. Are not those paupers excepted who have served in the Army in the Massachusetts law?

Mr. FITZGERALD of Massachusetts. Any person who has served in the Army or Navy and becomes a pauper is excepted.

Mr. KLUTTZ. Then all are not entitled to vote?

Mr. FITZGERALD of Massachusetts. Paupers and the insane are not entitled to vote.

Mr. KLUTTZ. I say if they have served in the Army.

Mr. FITZGERALD of Massachusetts. Paupers, if they have served in the Army or Navy, are entitled to vote, as I understand the law.

Mr. KLUTTZ. Why did you not read it all?

Mr. FITZGERALD of Massachusetts. I read as far as I could. I did not have time to read further. That is why I am arguing against increasing the size of the House. We should have more time in order to explain things. If we increase the House 29 members now, ten years from now as many more will be added. Now, we can not lengthen the session so as to sit here all year. The members of Congress will not stay in Washington in the summer time; and ten years from now, when the House consists of 415 members, what is now bedlam will be chaos and bedlam combined.

In conclusion let me say, Mr. Speaker, that I have never sympathized with the great hue and cry that is raised in a great many sections of the country against the black man. He has a soul, a heart, and a conscience. I have observed them under many conditions in my native State, as well as here in Washington, and taking them all in all I have found them a faithful and deserving people.

They stand ready to fight our battles. They are willing and anxious to deserve the good opinion of the white people of this country.

We are all proud of the record of the black regiments in the Spanish-American war, and if the white soldier boys whose lives were saved on San Juan Hill and at El Caney by the heroic and dare devil work of the black-skinned men who, with gleaming eyeballs and shining teeth, rushed to the assistance of the Rough Riders were here to speak I think they would protest with mighty vigor against the disfranchisement of a race that produced such brave and noble souls. [Loud applause.]

Mr. WM. ALDEN SMITH. Mr. Speaker, I desire to offer an amendment to the substitute offered by the gentleman from Maine.

The Clerk read as follows:

Amend the amendment offered by Mr. BURLEIGH as follows:
In lines 2 and 3 strike out "86" and insert "95;" also, after "Alabama" strike out "9" and insert "10;" after "Georgia" strike out "11" and insert "12;" after "Iowa" strike out "11" and insert "12;" after "Massachusetts" strike out "14" and insert "15;" after "Michigan" strike out "12" and insert "13;" after "New York" strike out "37" and insert "38;" after "Ohio" strike out "21" and insert "22;" after "Pennsylvania" strike out "32" and insert "33;" after "Tennessee" strike out "10" and insert "11."

Mr. WM. ALDEN SMITH. Mr. Speaker, the plan proposed by me and offered as an amendment to the amendment proposed by the gentleman from Maine [Mr. BURLEIGH] fixes the membership of the House at 395, thus increasing the membership 38. This additional number gives to the States additional representation in proportion to their growth and population. Alabama, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Iowa, Louisiana, Michigan, Mississippi, Missouri, North Carolina, North Dakota, Ohio, Tennessee, Washington, West Virginia, Wisconsin, each gaining 1 Representative, while Massachusetts, Minnesota, and New Jersey each gain 2 Representatives. Illinois, Pennsylvania, and Texas each gain 3 Representatives, and New York makes a gain of 4 Representatives. This is fair and just to all sections of our country.

It is not based upon party advantage, but gives the States named the advantage to which they are fairly and justly entitled. In fact, Mr. Speaker, this is the only equitable apportionment that I can suggest within reason; while the report of the minority is conceived in selfishness, based upon expediency, and will be sustained, if at all, by the votes of members actuated by personal friendship for the sitting members, who would be more or less affected by the adoption of the majority report and reduced representation.

Mr. Speaker, we are performing a solemn constitutional function to-day, and I am firmly of the opinion that it ought to be along such lines as are fair and just to all sections of the country. We boast of our vast increase of population, and of the numerical strength of our country. Why not let the measure of representation in this great popular assembly, where the rights of the people are safeguarded, go hand in hand with the growth and accumulating strength of the nation? In my judgment it was not contemplated by the fathers of the Republic that one Representative should do the work at this Capitol of a constituency composed in many cases of 250,000 people.

In fact, I do not believe that it is either proper or right to thus limit the people, who can only be heard in a representative capacity. Some of the districts in the State of Michigan are empires in resources, territory, and population. It is impossible for a member of Congress representing a large district to keep in touch with his people, to study their needs, and to perform the service required of him daily in a satisfactory manner. This is not representative government. This is not the plan originally intended.

Mr. WHEELER. I would like to interrupt the gentleman if he will permit me.

Mr. WM. ALDEN SMITH. I must decline to yield, as I have only five minutes. I would make the representation in this body as close to the people and as direct as possible. There is no good argument that can be advanced against increasing the membership of this House. I do not see a single difficulty attending a fair increase of membership. That does not exist to-day. When I first came here I thought that the rules were oppressive. I did not believe that they were necessary.

After six years of service I do no know how the business of the country can be transacted unless each member is willing to yield some of his rights as a member in the interests of the nation, and give right of way to the more important measures affecting the nation as a whole, and I have not a criticism to make upon the present administration of the rules, although I feel at times that they are not quite as elastic as the conditions of the situation demand.

But, sir, I do not feel that we have met the present emergency broadly and fairly if we do not recognize those sections of our country whose growth and importance fairly entitle them to increased representation. The State of Michigan, which I have the honor to represent in part, has increased during the last decade from 1,602,474 to 2,420,000 under the census just completed, an increase of 817,526. This, Mr. Speaker, is a tribute to our strength and attractiveness as a State. This record fairly entitles the State of Michigan to increased representation in this body and in the electoral college when the destiny of our country is so often at stake. Before Maine is entitled to 4 Representatives upon this floor, Michigan is entitled to 13 members upon this floor, even upon the basis proposed by the minority report, and upon the united request of the delegation from the State of Michigan I protest against this inequality and injustice, and urge the House to go one step further, fixing the membership at 395—the only just and fair increase that can properly be made.

The country will approve a just solution of this question, and they will stamp with their condemnation any course, born of mere expediency, which deals out Congressional representation according favor.

Mr. HOPKINS. Before the gentleman takes his seat, I desire to know if this amendment is on the same ratio and on the same proportion as the Burleigh bill, and provides that no State shall lose its Representative?

Mr. WM. ALDEN SMITH. My amendment provides for all the States, and that no State shall lose any of its Representatives; and gives additional representation to those States that have grown in population and strength which entitles them to favor under the last census.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I rise for the purpose of reenforcing, as far as I may in a few minutes, the manifest justice of the amendment now before the House, offered by the gentleman from North Dakota, an amendment for the purpose of giving an additional Representative to the State of Florida, one to the State of North Dakota, and one to the State of Colorado. I think, Mr. Speaker, it comes with bad grace from the gentleman from South Carolina, who is one of the signers of the minority report now before the House, to oppose the amendment offered by the gentleman from North Dakota, because I find this written in the minority report, signed by that gentleman, together with his colleagues:

The anomalous character of this proposed apportionment, as well as its obvious injustice, is clearly demonstrated by the fact that it is necessarily based, in part, upon majority fractions, and yet Colorado with a majority fraction of 121,367, Florida with a majority fraction of 110,807, and North Dakota with a majority fraction of 105,586 do not receive a Representative based upon such majority fraction, while every other State with a majority fraction receives a Representative for such majority fraction.

Now, Mr. Speaker, I do not know what bill will pass the House; but if the Hopkins bill does become law, then it would be a law of manifest injustice, unless these three States each had a Representative to represent its majority fraction, because all the other States with a majority fraction have each a Representative.

Mr. Speaker, the confusion of ideas manifested in the discussion grows out of the fact that gentlemen take the present membership of the House as the permanent or ultimate divisor. It is not right. The present membership, 357, ought to be taken as a trial divisor, for the purpose of arriving at the true divisor, and the true divisor is the number of people which it takes to make a Representative upon the floor.

Now, when you divide the true divisor into the population of each State—and of course it is the people of each State which is represented and not the people of the United States at large—then you get an answer, and that answer is the number of Representatives to which that State is entitled. But there is always

left over a fraction, and you must approximate the true representation by representing the fraction or not representing it. It has been universally agreed that the best approximation to actual and true justice is to let the fraction under one-half go unrepresented and the fraction over one-half go represented.

So that in taking your trial divisor—the present number of the House, or any other number you please—you do not use the true membership of the House; you merely try it and you always get as the true membership something a little over the trial divisor which you use. And so in this case, you would finally arrive at the true membership of 360 upon the basis of the number of Representatives, two hundred and eight thousand eight hundred and something, which you require for each Representative.

Now, Mr. Speaker, that is all I desire to say, but before I sit down I want to thank the gentleman from Massachusetts [Mr. FITZGERALD] for having read the Massachusetts constitution—that part of it from which we copied in Mississippi the provision which now stands as it does in our constitution. He read it for the purpose of showing that it was not analogous, but his reading proved that it was identical.

Mr. FITZGERALD of Massachusetts. Let me say to the gentleman from Mississippi——

The SPEAKER. Does the gentleman from Mississippi yield to the gentleman from Massachusetts?

Mr. WILLIAMS of Mississippi. Yes.

Mr. FITZGERALD of Massachusetts. In what part of the Massachusetts constitution or laws is the phrase which makes an exception of those whose father or grandfather was entitled to vote in 1867?

Mr. WILLIAMS of Mississippi. No part of it at all. Nor is there any such provision in the constitution of Mississippi. I said the part of the Massachusetts constitution that you read was copied into the Mississippi constitution. I did not say there was not anything in the Mississippi constitution except what you had up there; of course not. [Laughter.]

Mr. FITZGERALD of Massachusetts. I am glad to have the gentleman make that admission. I am certain that he does not wish to give the impression that the laws of Massachusetts in the matter of voting create any distinction between blacks and whites. It is not true, and I wish the House and the country to know that the election laws of Massachusetts apply with equal force to all classes of citizens.

The illiterate white, except those who voted previous to 1857, and they number very, very few at the present time, has no more right to vote than the illiterate black.

Mr. GILLETT of Massachusetts. Mr. Speaker, I find with much regret that on this bill I differ with my colleagues, with whom I ordinarily act in concert, and as I can not convince myself that I am wrong, I wish to state my reasons for voting against the Burleigh bill. If it were merely a question of gratifying the sensibilities or pride of the State of Maine, or of doing a favor to the most able men who represent her now, no man would go further to do it than I, although it does seem to me that just now that State is in a rare condition to accept gracefully that reduction of representation which is always likely to come to any of the older States, because to-day Maine is practically represented here by three men, and last fall one of her districts, by a very unique and extraordinary exhibition of gratitude for faithful and distinguished service, which I am sure we all admire, nominated and elected a hopeless invalid, so that, for at least three sessions, Maine would have had only three members on this floor, if we had not relieved her by a special bill for that most deserving statesman, though in doing it we all felt we were setting a very vicious precedent.

But kindness or even fairness to the State of Maine or to any other particular State is not the issue. It has been abundantly proved that mathematics can not determine any apportionment which shall be universally fair and equal. Some must fare better than others, and I wish I could vote as the Burleigh bill provides, that no State should fare better than the State of Maine. But there is one question which to my mind is controlling, and that is, is not the membership of this House already so large that any increase will reduce the individual influence and usefulness of the members, and also reduce the influence of this branch of Congress? I am very thoroughly convinced that this House is already quite as large as it should be. This objection was obvious to the defenders of the Burleigh bill, but they have met it by arguments quite inconsistent with each other.

The gentleman from Maine [Mr. LITTLEFIELD] argued that the House was not too large now for the orderly transaction of business, and he said a plan had been prepared for putting 30 new seats in this Chamber, so that it would be just as convenient as to-day. I think he is mistaken. I have not drawn a seat in the back row three Congresses out of four without learning that there are many seats where it is impossible to either hear or engage in debate.

My colleague [Mr. MOODY] differs from Mr. LITTLEFIELD, although supporting his bill, and he says the House is too big already, in which I agree with him; but he develops the extraordinary argument that this House is too big to-day, that some remedy is necessary, but that the members do not yet recognize the need of a remedy, and therefore to drive them to that remedy he would make the House bigger yet.

Mr. MOODY of Massachusetts. Mr. Speaker, I know that my colleague does not intend to misrepresent me.

The SPEAKER. Does the gentleman from Massachusetts yield to the gentleman from Massachusetts?

Mr. GILLETT of Massachusetts. Certainly.

Mr. MOODY of Massachusetts. My position was not that the House was too large, but too large under the present conditions.

Mr. GILLETT of Massachusetts. Certainly. I did not express myself clearly, because I used the word House both for this Chamber and for the body. My colleague argues that in this Chamber the present membership can not properly conduct business. Then the gentleman from Maine, arguing on the same side, entirely disagrees with him. But what does my colleague suggest as a remedy? He says, increase the membership of this body. Then conditions here will be so bad that some change will have to be made, and he hopes that then a majority will agree with him that this Chamber should be greatly reduced, and that we should imitate the English House of Commons.

There are two objections to my colleague's argument. In the first place we have no assurance that what he considers the panacea—a reduction of the size of the Chamber—would ever be adopted, and if it were not, conditions would be vastly worse; the present confusion would be "worse confounded." Our most forceful Speaker in the last Congress attempted to have the experiment tried, but even his autocratic influence could not succeed; and I am afraid that the increment of 30 more seats would not drive the members to abandon their desks. But I do not think my colleague was happy in his comparison to the House of Commons. I think the conditions there are just what we want to avoid, and illustrate clearly the danger in any material increase of membership.

There the whole business of the House is in the hands of a very few men. A large part of the members take no part in the proceedings, seldom appear except to hear an exciting debate or vote in an important division, have no individual sense of responsibility, but trust to the party whip. I think that would be the necessary tendency here if the membership were increased, and that is just what we ought to aim to avoid. Why, in the House of Commons a whole political party of nearly a hundred is absenting itself by concerted action. Do we want such a sense of duty to exist here?

There is already a tendency here, which has occasioned much restiveness, to concentrate the power in a few hands; to allow a small number of leaders to manage business. Do we want that increased? I think not. Yet an increase of numbers must surely increase it.

The philosophical statement of Hamilton, quoted by the gentleman from Maine [Mr. LITTLEFIELD], that the larger an assembly the fewer men will guide it, is still true, and if we increase membership we must still more centralize power and influence. I think true progress is in the opposite direction. I think we should increase the size of the constituencies rather than of Congress. And I think in that way we shall maintain not only the individual influence of the members but the influence of this body. One of the most striking and mischievous tendencies to-day is the increasing power of the Senate compared with the House, and just so much as we increase and dilute our membership so do we decrease our relative influence. For these reasons, although the Burleigh bill benefits my section, although there are personal associations which make it unpleasant for me to oppose it, yet I have been unable to combat my deep conviction that this House is already quite large enough and ought not to be increased. [Applause.]

Mr. HOPKINS. Mr. Speaker, I ask for a vote on the first proposition.

The SPEAKER. The parliamentary situation is as follows: The gentleman from Maine [Mr. BURLEIGH] offers a substitute for the first section. The gentleman from Michigan [Mr. WM. ALDEN SMITH] offers an amendment to the Burleigh substitute. The gentleman from North Dakota [Mr. SPALDING] offers an amendment to the first section, and the first question will be on the amendment offered by the gentleman from North Dakota, which seeks to perfect the first section of the bill.

The question is on agreeing to the amendment offered by the gentleman from North Dakota [Mr. SPALDING].

Mr. BINGHAM. Let it be read.

The SPEAKER. The amendment will be again read, if there be no objection.

The Clerk again read the amendment.

The question being taken, the amendment was ageeed to.

The SPEAKER. If there are no other amendments to the first section, the question will now be upon the amendment offered to "the Burleigh bill"—the amendment offered by the gentleman from Michigan [Mr. WM. ALDEN SMITH]. Without objection, that amendment will again be reported for the information of the House.

The amendment was again read.

The question being taken, there were, on a division (called for by Mr. CORLISS)—ayes 85, noes 136.

So the amendment was rejected.

The SPEAKER. The question is now on agreeing to the substitute offered by the gentleman from Maine [Mr. BURLEIGH].

The question having been put,

The SPEAKER said: The Chair is in doubt.

Mr. BURLEIGH and others called for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 166, nays 102, answered "present" 10, not voting 77; as follows:

YEAS—166.

Adams,	Dinsmore,	Levy,	Shafroth,
Aldrich,	Dougherty,	Little,	Shattuc,
Alexander,	Dovener,	Littlefield,	Shaw,
Allen, Ky.	Driscoll,	Lloyd,	Sheppard,
Allen, Me.	Eddy,	Long,	Sibley,
Allen, Miss.	Elliott,	McCall,	Slayden,
Atwater,	Esch,	McCleary,	Small,
Bailey, Kans.	Faris,	McCulloch,	Smith, Ky.
Barham,	Finley,	McLain,	Southard,
Bell,	Fitzpatrick,	McRae,	Spalding,
Bellamy,	Fletcher,	Mann,	Sparkman,
Benton,	Foss,	Metcalf,	Sperry,
Bingham,	Fox,	Miller,	Spight,
Boreing,	Gaston,	Minor,	Sprague,
Boutell, Ill.	Gilbert,	Moody, Mass.	Steele,
Bowersock,	Gill,	Moody, Oreg.	Stevens, Minn.
Bromwell,	Gillet, N. Y.	Morgan,	Stewart, N. Y.
Brundidge,	Graham,	Morrell,	Stokes,
Burke, Tex.	Green, Pa.	Morris,	Sulzer,
Burkett,	Greene, Mass.	Naphen,	Sutherland,
Burleigh,	Griffith,	Needham,	Talbert,
Burleson,	Grout,	O'Grady,	Tayler, Ohio
Calderhead,	Hay,	Otey,	Thayer,
Caldwell,	Hemenway,	Overstreet,	Thomas, N. C.
Capron,	Henry, Miss.	Pearre,	Thropp,
Catchings,	Henry, Tex.	Pearson,	Tompkins,
Clark, Mo.	Hill,	Phillips,	Vandiver,
Cochran, Mo.	Jack,	Polk,	Vreeland,
Cochrane, N. Y.	Jenkins,	Pugh,	Wadsworth,
Cooper, Tex.	Jett,	Quarles,	Waters,
Cowherd,	Johnston,	Ray, N. Y.	Wheeler,
Cromer,	Jones, Va.	Reeder,	White,
Crowley,	Jones, Wash.	Rhea, Ky.	Williams, J. R.
Crumpacker,	Kahn,	Rhea, Va.	Williams, W. E.
Curtis,	Kerr, Md.	Ridgely,	Williams, Miss.
Cushman,	Kleberg,	Rixey,	Wilson, S. C.
Davey,	Knox,	Robb,	Woods,
Davidson,	Lamb,	Roberts,	Wright,
Davis,	Landis,	Robinson, Ind.	Young,
De Armond,	Lanham,	Rucker,	Zenor.
De Graffenreid,	Lassiter,	Russell,	
Denny,	Latimer,	Shackleford,	

NAYS—102.

Acheson,	Fordney,	Lester,	Ryan, N. Y.
Adamson,	Gaines,	Lewis,	Ryan, Pa.
Babcock,	Gardner, Mich.	Littauer,	Scudder,
Ball,	Gardner, N. J.	Livingston,	Shelden,
Barber,	Gillett, Mass.	Loud,	Sherman,
Bartholdt,	Glynn,	Loudenslager,	Showalter,
Bartlett,	Gordon,	Lovering,	Sims,
Berry,	Graff,	Lybrand,	Smith, Samuel W.
Bishop,	Griggs,	McAleer,	Smith, Wm. Alden
Breazeale,	Grosvenor,	McClellan,	Snodgrass,
Brenner,	Grow,	McDowell,	Stark,
Broussard,	Hall,	Maddox,	Stewart, N. J.
Brownlow,	Hamilton,	May,	Taylor, Ala.
Burnett,	Haugen,	Meekison,	Thomas, Iowa
Burton,	Hedge,	Mondell,	Tongue,
Clayton, Ala.	Henry, Conn.	Moon,	Turner,
Conner,	Hepburn,	Mudd,	Underhill,
Cooper, Wis.	Hopkins,	Muller,	Underwood,
Corliss,	Howard,	Norton, Ohio	Van Voorhis,
Dalzell,	Joy,	Packer, Pa.	Wachter,
Davenport, S. A.	Kerr, Ohio	Parker, N. J.	Weaver,
Davenport, S. W.	Ketcham,	Ransdell,	Weeks,
Emerson,	King,	Richardson, Ala.	Wilson, Idaho
Fitzgerald, Mass.	Kitchin,	Richardson, Tenn.	Wilson, N. Y.
Fitzgerald, N. Y.	Kluttz,	Rodenberg,	
Fleming,	Lacey,	Ruppert,	

ANSWERED "PRESENT"—10.

Gibson,	Meyer, La.	Salmon,	Tate.
Lane,	Olmsted,	Stephens, Tex.	
Mahon,	Powers,	Stewart, Wis.	

NOT VOTING—77.

Bailey, Tex.	Brosius,	Clarke, N. H.	Dahle,
Baker,	Brown,	Clayton, N. Y.	Dayton,
Bankhead,	Bull,	Connell,	Dick,
Barney,	Burke, S. Dak.	Cooney,	Driggs,
Boutelle, Me.	Butler,	Cousins,	Foster,
Bradley,	Campbell,	Cox,	Fowler,
Brantley,	Cannon,	Crump,	Freer,
Brewer,	Carmack,	Cummings,	Gamble,
Brick,	Chanler,	Cusack,	Gayle,
Hawley,	Marsh,	Pierce, Tenn.	Swanson,
Heatwole,	Mercer,	Prince,	Tawney,
Hitt,	Mesick,	Reeves,	Terry,
Hoffecker,	Miers, Ind.	Riordan,	Wanger,
Howell,	Neville,	Robertson, La.	Warner,
Hull,	Newlands,	Robinson, Nebr.	Watson,
Lawrence,	Noonan,	Smith, Ill.	Weymouth,
Lentz,	Norton, S. C.	Smith, Iowa	Ziegler.
Linney,	Otjen,	Smith, H. C.	
Lorimer,	Payne,	Stallings,	
McDermott,	Pearce, Mo.	Sulloway,	

So the amendment of Mr. BURLEIGH was agreed to.

Mr. POWERS. Mr. Speaker, I find that I am paired with the gentleman from Alabama, Mr. BANKHEAD. I therefore desire to withdraw my vote and be marked "present." I would say that if Mr. BANKHEAD were present he would vote for the Hopkins bill and I should vote for the Burleigh bill.

The SPEAKER. That last statement is not in order.

The name of Mr. POWERS was again called, and he answered "present."

The following pairs were announced:

Until further notice:

Mr. BULL with Mr. CUSACK.

Mr. FREER with Mr. STALLINGS.

Mr. DAYTON with Mr. MEYER of Louisiana.

Mr. MAHON with Mr. NEVILLE.

Mr. WATSON with Mr. NOONAN.

Mr. MARSH with Mr. GAYLE.

Mr. MESICK with Mr. LENTZ.

Mr. HITT with Mr. CHANLER.

Mr. HOFFECKER (who would vote for the Burleigh bill) with Mr. STEPHENS of Texas (who would vote for the Hopkins bill).

Mr. TAWNEY with Mr. CLAYTON of New York.

Mr. WANGER with Mr. ROBERTSON of Louisiana.

Mr. STEWART of Wisconsin with Mr. NORTON of South Carolina.

Mr. WARNER with Mr. COONEY.

Mr. BARNEY with Mr. COX.

Mr. GAMBLE with Mr. CAMPBELL.

Mr. CLARKE of New Hampshire with Mr. PIERCE of Tennessee.

Mr. SULLOWAY with Mr. CARMACK.

Mr. BURKE of South Dakota with Mr. DRIGGS.

Mr. SMITH of Illinois with Mr. FOSTER.

Mr. BROWN with Mr. RIORDAN.

Mr. REEVES with Mr. CUMMINGS.

Mr. MERCER with Mr. BRANTLEY.

Mr. PAYNE with Mr. SWANSON.

Mr. CRUMP with Mr. ROBINSON of Nebraska.

Mr. SMITH of Iowa with Mr. MCDERMOTT.

Mr. FOWLER with Mr. BAILEY of Texas.

Mr. HOWELL with Mr. SALMON.

For this day:

Mr. POWERS with Mr. BANKHEAD.

Mr. BUTLER with Mr. BRADLEY of New York.

Mr. WEYMOUTH and Mr. NEWLANDS.

Mr. DICK (who would vote for the Burleigh bill) with Mr. BREWER (who would vote against it).

On this bill:

Mr. BROSIUS with Mr. CONNELL.

Mr. HULL with Mr. BRICK.

Mr. CANNON with Mr. TERRY.

Mr. COUSINS with Mr. OTJEN.

Mr. HEATWOLE with Mr. TATE.

Mr. LANE with Mr. BAKER.

Until January 9:

Mr. GIBSON with Mr. MIERS of Indiana.

Mr. MEYER of Louisiana. I am paired with the gentleman from West Virginia [Mr. DAYTON], and therefore I desire to withdraw my vote.

The Clerk called the name of Mr. MEYER of Louisiana, and he answered "present."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will report the next section of the bill.

The Clerk read as follows:

SEC. 2. That whenever a new State is admitted to the Union the Representative or Representatives assigned to it shall be in addition to the number 357.

Mr. CLARK of Missouri. Mr. Speaker, I have an amendment that I want to offer to that section.

Mr. HOPKINS. Before that is offered, I will ask my friend from Missouri to yield for a moment, until the gentleman from Kansas [Mr. LONG] can offer an amendment to make this section conform to the preceding section.

Mr. CLARK of Missouri. I will withdraw it, but I do not want to lose my place.

Mr. HOPKINS. You shall have it.

The SPEAKER. The chairman of the committee desires the gentleman from Kansas to offer the amendment?

Mr. HOPKINS. Yes.

Mr. LONG. I move to strike out "fifty-seven," at the close of the section, and insert "eighty-six," so as to conform to the first section of the bill as amended.

The Clerk read as follows:

On page 2, section 2, lines 11 and 12, strike out "fifty-seven" and insert "eighty-six."

The SPEAKER. This makes it conform to the action just taken by the House?

Mr. LONG. It does.

Mr. HOPKINS. Yes.

The amendment was agreed to.

Mr. CLARK of Missouri. Mr. Speaker, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amend the amendment by adding the following words:

"That the District of Columbia is hereby created a Territory by the name of the Territory of Columbia.

"SEC. 2. That all male citizens of said Territory over 21 years of age who have not been convicted of a felony and who have resided within said District one whole year prior to the first Tuesday after the first Monday of November, A. D. 1902, are qualified electors to vote for all Territorial officers and upon all Territorial questions.

"SEC. 3. That the existing District government shall continue until January 1, 1903, and the laws now in force shall continue in force until changed or repealed by the Territorial legislature.

"SEC. 4. That prior to January 1, 1903, the President of the United States shall appoint a governor, secretary, and marshal for said Territory from among the qualified voters thereof, who shall hold their offices for a term of four years from said 1st day of January, A. D. 1903, unless sooner removed for good and sufficient cause.

"SEC. 5. That the legislature of said Territory shall consist of a senate and house of representatives. The senate shall be composed of 11 members, who shall be qualified voters of said Territory at least 30 years of age, whose term shall be four years. The house shall be composed of 22 members, who shall be qualified voters at least 25 years old, and whose term shall be two years.

"SEC. 6. That the said Territory shall be entitled to a Delegate to the House of Representatives in the Congress of the United States.

"SEC. 7. That it shall be the duty of the present Commissioners of the District forthwith to divide the said Territory into 11 legislative districts, as nearly equal in population as possible, each of which shall be entitled to 1 senator and 2 representatives in the Territorial legislature.

"SEC. 8. That on the first Tuesday after the first Monday in November, 1902, an election shall be held within said Territory for the purpose of electing senators and representatives in said Territorial legislature and a Delegate to the Congress of the United States.

"SEC. 9. That it is hereby made the duty of said Commissioners to provide polling booths, poll books, tally sheets, printed ballots, and other appliances necessary for said election, and to appoint judges and clerks for the same in such numbers as to them shall seem best: *Provided, however*, That not more than one-half of such judges and clerks shall be appointed from one political party.

"SEC. 10. That election returns shall be certified to said Commissioners, and they shall canvass the same and issue certificates of election to those elected.

"SEC. 11. That each house of said legislature shall be the sole judge of the election and qualification of its members.

"SEC. 12. That at high noon, January 1, 1903, both houses of said legislature shall meet at places prepared by said Commissioners and shall organize for business *by electing* such officers as shall be necessary, and may continue in session for ninety days, and no more.

"SEC. 13. That senators and representatives in said legislature shall receive $10 per day during the session, to be paid out of the revenues of said Territory.

"SEC. 14. That said legislature shall have power to enact all necessary laws, to levy taxes, to disburse the revenues, to do all things usually done by Territorial legislatures, and to provide for the election and appointment of all subordinate officers, and to fix their compensation."

During the reading of the foregoing,

Mr. HOPKINS said: Mr. Speaker, enough of that has been read to indicate that it is clearly objectionable. I make the point of order against it that it is not germane to this bill.

The SPEAKER. The point of order is sustained.

Mr. CLARK of Missouri. I have the right to have that read in my time.

The SPEAKER. The point of order is sustained; but the Chair will recognize the gentleman from Missouri if he desires.

Mr. CLARK of Missouri. I want to have that read in my time. I believe I am entitled to five minutes.

The SPEAKER. It can not be done now except by unanimous consent. It is out of order.

Mr. CLARK of Missouri. I will ask the House, then, that the amendment be published in the RECORD, and I desire to state the substance of it.

The SPEAKER. The gentleman from Missouri asks unanimous consent that this amendment be published in the RECORD. Is there objection?

There was no objection.

Mr. CLARK of Missouri. Now, I want five minutes.

The SPEAKER. The gentleman from Missouri is recognized for five minutes, if there be no objection.

There was no objection.

Mr. CLARK of Missouri. Mr. Speaker, the part of that amendment that is pertinent to this bill is to give the District of Columbia a Delegate to sit in this House. Ever since I came here I have been in favor of that proposition, and all I have witnessed confirms me in that opinion.

It is a disgrace and reproach to the American Republic that right here under the shadow of the Dome of this Capitol 300,000 people, white, black, yellow, and copper-colored, are absolutely disfranchised and have no more voice in their own Government than if they were so many Digger Indians. The only objection that I have ever heard to my proposition was the statement of some fine-haired solar-walk citizens of this city that "if the right of franchise were restored to these people the poor whites and damned niggers would vote them into bankruptcy." That is a very strange statement to be made in this city—the finest capital in the world.

You can not walk 300 yards in this city without seeing the effigy of either Andrew Jackson or of Abraham Lincoln. To say that poor whites are dangerous voters in this country, which holds up those two illustrious men, sprung from the poorest of poor whites, as exemplars of American manhood is absolutely preposterous. A wag out in Missouri told me that when Andrew Johnson was sworn in as Vice-President, in looking up at the Senate diplomatic gallery, he happened to catch sight of the representatives of the foreign governments up there, and, shaking his fist at them, said: "You aristocratic cockadoodles, go back to your royal masters and tell them that in the land of the setting sun you saw a tailor and a rail splitter climb to the apex of human power." [Laughter.] That is a gorgeous sentence—a patriotic sentiment.

Whether he ever said it I do not know. However that may be, it was worthy to be said, because in that idea is the genius of our institutions. And I want to say, Mr. Speaker, that if a "nigger" is good enough to vote against me in the Ninth Congressional district of Missouri, he is good enough to elect a Representative for the city of Washington to sit on this floor. [Applause.]

We have always professed that we are in favor of "home rule." Our desire to see the Cubans have home rule lay at the root of the Spanish war. We are all in favor of home rule for Ireland, and a vast majority of the American people, irrespective of party affiliations, wish to see the brave, heroic Boers win in their unparalleled fight for home rule. Yet, with persistency which is amazing and inconsistency which is enigmatical, we refuse to grant the precious boon of home rule to our own fellow-citizens at our very doors. It is not only an anomaly in our system of government; it is an anomaly in human nature.

I do not believe that the people of this District are unfit for self-government. They have a fine opportunity for educating themselves in that difficult art. They hear more politics and talk more politics than the people of any other portion of the Republic. Things are always happening here to incite their patriotic fervor. The monuments of our achievements and our greatness are all about them. The visible evidences of our power are forever before their eyes. The glorious traditions and fascinating legends of American worthies who have passed into history are familiar to their ears. The numberless blessings of our free institutions are known to them. To say that they are unfit to govern themselves is to confess that our experiment in representative government is a colossal failure.

Mr. Speaker, you may rule this bill out of order now, but if I sit in this House long enough, I intend to bring this bill here in a way that it will have ample discussion, and whenever it does I will drive the Republican majority of this House into taking the position openly on this floor that the negroes are not fit to vote at all, because that is the idea that they have in disfranchising the people of the District of Columbia, though, for political reasons, they dare not avow it. And in this connection I have only one wish, and that is to be in this city on the day that they elect the first Delegate to sit in the American Congress.

There would be 500 candidates at the least calculation. It would be a battle royal, to witness which would be worth ten years of peaceful life; and it is the saddest commentary ever made on free government that we sit here and refuse to these people the right to govern themselves—to indulge in the luxury of voting and being voted for. A gentleman said to me the other day that this was the best governed city on the continent, when I was talking to him about this bill. Suppose it is. Every city has a right to govern itself as it pleases. If it wants to let the hoodlums run it, all well. The only reason that the hoodlums run any town on the American continent is that the fine-haired people, the self-styled "better classes," think they are better than other people. They are unwilling to be jostled by a hoodlum on the day of election.

Mr. KLUTTZ. The mugwumps?

Mr. CLARK of Missouri. Yes, the mugwumps, or jugwumps, as Sam Jones calls them. These fine-haired people are too good to discharge their political duties. They stay at home in idleness, clothed in his mantle of self-righteousness, while the hoodlum discharges not only his own political duty, but also the political duty of the fine-haired citizen. I repeat it, Mr. Speaker, and it is the last I have to say about it at present, that you can rule this amendment out of order now, but the day will come when this bill will be, must be, considered here. [Applause.]

The SPEAKER. The time of the gentleman from Missouri has expired. The Clerk will proceed with the reading.

The Clerk read as follows:

SEC. 3. That in each State entitled under this apportionment, the number to which such State may be entitled in the Fifty-eighth and each subsequent Congress shall be elected by districts composed of contiguous territory and containing as nearly as practicable an equal number of inhabitants. The said districts shall be equal to the number of the Representatives to which such State may be entitled in Congress, no one district electing more than one Representative.

The following committee amendment was read:

In line 16, after the word "contiguous," insert the words "and compact."

The SPEAKER. This is a committee amendment.

Mr. TAYLER of Ohio. Mr. Speaker, I demand to be heard.

The SPEAKER. Does the gentleman offer an amendment?

Mr. TAYLER of Ohio. I move to strike out the last word.

Mr. HOPKINS. There is a committee amendment pending.

Mr. TAYLER of Ohio. I understand that there is a committee amendment pending, and I merely offer the formal amendment for the purpose of making an opportunity to record my objection to this kind of legislation on apportionment bills. The only power the House has is to fix the apportionment and the number of Representatives to which the several States are entitled. Congress has no power to say how the districts shall be laid off, whether in contiguous territory or of as nearly equal population as practicable: that duty rests upon the States, and upon them alone.

The right to declare that Congressional districts shall be laid off out of contiguous territory and of as nearly equal population as practicable implies, of course, the power to revise any infraction of the law; and the power to revise implies the power to initiate, and would give to Congress the right to lay off into districts all the States of the Union. This, it seems to me, is too monstrous a doctrine to be for a moment tolerable.

I know that for fifty years such provisions as these have been incorporated in apportionment bills, but no State has ever permitted itself to be bound by them.

Since such legislation has always been nugatory, I attach no especial importance to this effort, and it is hardly worth while wasting the time of the House at this late hour in endeavoring to convince it of the invalidity of these sections.

Having, however, recorded my objections to them as unconstitutional and void, I withdraw the amendment.

Mr. SPIGHT. Mr. Speaker, I had hoped that in this era of good feeling and in the first month of the new century the passions and prejudices engendered by the civil war, now happily more than a third of a century behind us, had been forever buried. I had hoped that no legislation would be suggested or proposed in this House that would even tend to revive that feeling of bitterness or to reopen those old wounds. I had hoped that the spirit of harmony and good will between the North and the South, so earnestly advocated by President McKinley on several notable occasions, would be permitted to flow on without interruption, "yielding the peaceable fruits of righteousness."

I am glad of the assurance that the President, in the kindness of his heart and the generous disposition which animates him, is now opposed to any such punitive legislation as that embodied in what is known as the "Crumpacker bill," proposing to arbitrarily strike down a part of the representation on this floor of four sovereign States of the Union because those States are unwilling that the pure, honest, intelligent administration of their local government shall be again jeopardized by the rule of vice, corruption, and ignorance.

Having drunk to its dregs this bitter cup during the dark days of the reconstruction period, we never intend to swallow it again, and there is no power on earth that can make us do it. Our brethren of the North do not understand the conditions which confront us, nor can they have any reasonable conception of the horrors of carpetbag rule as it existed in Mississippi and other Southern States from 1869 to 1876. Big-brained, big-hearted old Horace Greeley, from his tripod in the Tribune office, could not believe that the half that was told was true until he visited the South and satisfied himself; and when he returned home he wrote the historic words, "I found the carpetbagger a mournful fact."

Many other conservative Republicans, some of whom I am glad to find occupying seats upon this floor and in the other end of the Capitol, have, like Horace Greeley, investigated for themselves, and now freely admit that in several of the Southern States the overshadowing and impending peril is negro supremacy, which means a destruction of all the highest and best interests of the people of those States; and I have confidence that when the test is applied they will have the courage of their convictions, rise above passion and prejudice, and, instead of viewing the matter from the standpoint of mere partisan advantage, look at it in the light of broad statesmanship and justice to a long-suffering people who are to-day as loyal to the flag of a reunited country as those of any State in this great Republic.

I come from a proud State. I love her people and all their interests. I love her hills and her valleys, her murmuring rills and her rolling rivers, and her mighty "Father of Waters," upon whose majestic bosom is borne the commerce of half a continent. No braver men nor fairer women dwell beneath the shining sun than are to be found in Mississippi. During the fateful days from 1861 to 1865 her sons illustrated their heroism upon a hundred bloody fields, and the devotion of her women in those perilous times has never been surpassed in the annals of history. But when the war was ended we accepted in good faith the arbitrament of arms, and if anything was wanting to prove the loyalty of the Southern people, I need only to refer to what has passed into history during the last two years.

Men who wore the gray so proudly and valiantly in 1861 have been found fighting under the flag of the Union. Sons of the men who wrote the brightest pages in the martial history of the world freely enlisted under the banner of a reunited country, ready to dare, to do, and to die for the honor and glory of the great Republic; and some of the richest blood of the South has been poured out upon the decks of our battle ships and upon sanguinary fields, and to-day wherever our armies are found confronting an enemy there sons of the South vie with their Northern brothers in deeds of heroism and patriotic duty.

We of the South have a problem to solve, the gravest that ever confronted a proud-spirited people, and all that we ask is to be let alone in our efforts to work it out, and in God's own time, guided by enlightened statesmanship and the spirit of the Divine Master, we will solve it to the mutual advantage and satisfaction of both races. The Crumpacker bill proposes to take from the State of Louisiana 2 of her present Representatives in Congress, reducing her from 6 to 4; from Mississippi 3, reducing her from 7 to 4; from North Carolina 4, reducing her from 9 to 5, and from South Carolina 3, reducing her from 7 to 4, and at the same time increasing the representation of other States so as to make the membership of the House 365 instead of 357, as now constituted.

And why is it sought to thus degrade and dishonor these four proscribed Southern States? Solely because they have, by constitutional amendments, endeavored to protect themselves against the possible danger of a return to power of the vicious and ignorant elements in our midst and open the door to another flock of foul birds of prey like those which feasted and fattened upon the substance of our people in the reconstruction period.

In the further discussion of this subject, Mr. Speaker, I shall confine myself to the conditions in Mississippi, and to showing the fallacies of the arguments which have been employed by gentlemen who favor this repressive legislation. Some of these are so manifestly without solid foundation that I can only believe they are the result of want of information. I do not charge them with intentional unfairness, but whether with deliberate purpose or from want of information, the effect is the same if allowed to go unchallenged.

These gentlemen have made the Congressional vote in 1898 the basis of a charge that an enormous percentage of our people are disfranchised and a test of the number of qualified voters in the State of Mississippi. If gentlemen had taken the pains to inform themselves, they must have learned that they reasoned from absurdly false premises. They would have learned that several causes combined to record so small a vote in that year. In the first place, in Mississippi we have a primary-election law under which most nominations are made, and after this has been done, there being practically no opposition in the general election, there is no inducement to a full vote; and this applies to all our elections, whether State or Federal.

In the second place, we have quadrennial elections for all State, district, and county officers, and these elections are wholly divorced from Federal elections and never occur in the same year, so that every four years we have an election for members of Congress alone. This was the case in 1898, and there was nothing to call out a full vote. As a matter of fact, only about one-sixth of the registered vote was polled. As an illustration, which will hold good throughout the State, the registration books showed in the district which I have the honor to represent that in the 9 counties composing that district, as I get it from the report of the secretary of state made to the legislature in 1897, there were 18,450 registered voters, whereas in the Congressional election of 1898 there were polled only 3,174.

Therefore it is not only untrue but utterly without foundation in fact that this light vote has any bearing upon the question of disfranchisement, when there were more than 15,000 registered voters in the district who did not avail themselves of the right to vote. How many failed to register for reasons similar to those which prompted the 15,000 who were registered to decline to vote we have no means of ascertaining, but undoubtedly a large number. It does not cost a man anything to register in Mississippi, except the time it takes to go to his voting place and meet the county registrar, who is required by law to attend at such place on appointed and published days for the purpose of adding the names of those who desire to register.

Then again, Mr. Speaker, the vote for different candidates at the same election varies. For instance, in the Presidential year of 1896 the vote for electors was 69,513, while the Congressional vote on the same day was only 66,285.

In 1900 the Presidential vote was a little more than 59,000, while the Congressional vote, by districts, was only 51,238, a difference of nearly 8,000 votes on the same day.

In 1892 the first Presidential election after the adoption of our present constitution, which has been so vigorously and unfairly assailed upon this floor, was held, and the vote for electors was only 52,809, and four years later, in 1896, as I have before stated, it was 69,513, an increase of nearly 13,000 votes.

To show again the fallacy of the arguments of these gentlemen, I will present some figures on our State elections for a number of years.

In the last State election before the beginning of the reconstruction period, which was held in 1865, Gen. B. G. Humphries, a gallant, maimed ex-Confederate soldier whom everybody loved, was the Democratic candidate for governor, and there was only a total of 41,880 votes polled. In 1869, when the first election was held after the enfranchisment of the negro, Gen. James L. Alcorn, a "home Republican," and a man of decided ability and some conservatism, was the candidate of the Republican party, and Louis Dent, a brother-in-law of General Grant, was the candidate adopted by the Democrats. In this election there was a total of 114,784 votes polled. In 1873, General Ames, late of the United States Army, who had been sent there as military governor and decided to remain and dip his oar into the murky pool of politics, was the nominee of the carpetbag fraternity, of which he was then a most conspicuous member, while Governor Alcorn, who had become thoroughly disgusted with carpetbag methods, was a candidate for reelection and was supported by most of the Democrats and a few conservative Republicans.

In this election there were polled 110,857 votes, a loss, as compared with the election of 1869, of nearly 4,000. Alcorn was defeated by about 19,000 votes. I will stop here to say that this fight of Governor Alcorn against Ames and his carpetbag lieutenants was the entering wedge toward the destruction of the power of the gang of robbers who were holding high carnival in offices in which many of them were not fit to serve as janitors. Governor Alcorn retired to his plantation, but in 1890 was called by the people of his county to serve in the convention which framed our present constitution and supported and voted for it as it stands to-day.

With the election of Ames in 1873 there was inaugurated the darkest period of two years that Mississippi ever knew. Flushed with victory, mad with power, and with an overwhelming majority in the legislature composed of ignorant negroes, unscrupulous carpetbaggers, and a sprinkling of "scallawags"—a name applied to native white Republicans who joined hands with this detestable conglomeration—they reveled in excesses and burdensome legislation as if determined to reduce the white property owners and taxpayers to a condition of pauperism, and at the same time impose upon them terms so humiliating that no proud people in any State in this Union would have borne them. I happened to be one of the few Democrats in that legislature of 1874–75 and I know whereof I speak.

We not only knew that we were being systematically and persistently robbed, but we were compelled to look on, powerless and helpless, while it was being done, and to see the house our fathers built desecrated and befouled by as filthy a flock of vultures as ever gathered around a carcass. It is a significant fact, so far as my information extends, that not one of those carpetbaggers who returned home after 1875, or any of their kith or kin, or even any bearing the same name, have ever, by the choice of the people of any Northern State or community, been clothed with any office of honor, or trust, or emolument. This must be due to the fact that where they were best known they were regarded as unworthy.

Now, if you, my Republican friends, could bring yourselves to a realization of what we of the South had to endure in those times, you could understand why we were driven to desperation and in defense of our little property, our homes, our lives, and our honor were compelled to resort to methods in elections the necessity for which we regretted, but which was better than violence and bloodshed. I must not be understood as apologizing for Mississippi. She has nothing to apologize for. She needs no apologist.

In 1875, when "forbearance had ceased to be a virtue," and we realized that a change must be made in the administration of the government or ruin would be the inevitable result, the law-abiding, taxpaying citizens of the State determined that this unholy and degrading state of affairs should end. What I have described as occurring in the State legislature was repeated, only on a smaller scale, in every county in the State having a negro majority.

Gen. J. Z. George, one of the noblest, ablest, and purest men that ever represented Mississippi in the Senate of the United States, as chairman of the Democratic State executive committee led the fight for the election of a Democratic legislature in 1875. His great power of organization and splendid executive ability, reenforced by a corps of able and patriotic assistants, and grim determination on the part of the people won the victory, and in January, 1876, there assembled at the seat of government the most distinguished body of legislators that ever served the State.

Generals, ex-judges, eminent lawyers, wealthy planters, men of all professions and vocations, and all of the highest character, had laid aside more profitable private business and accepted seats in the legislature with one object only in view, and that to "cleanse the Augean stables," drive out the thieves and corruptionists, and restore the government to the people who paid the taxes. With the exception of two, every State officer, from governor down, was either impeached or resigned to avoid impeachment, and left the State followed by a horde of other carpetbaggers from every county, with pockets well filled with ill-gotten gains. It is worthy of remark that one of the two State officers who were found worthy to serve out their terms and to whose door no corruption could be traced, was the secretary of state, a native negro, who had been educated and trained by a former "young mistress."

Since 1875 elections in Mississippi have been as fair as in any State in the Union.

After the removal of Ames in 1876 John M. Stone, the president of the senate, became governor by operation of the constitution, and the administration of this high officer was so pure, able, and patriotic that in 1877 he was elected governor without opposition, receiving nearly 98,000 votes.

In 1881 Gen. Robert Lowry was nominated by the Democrats. He was opposed by a "home" man who claimed to be an "Independent Democrat," and who was supported by a part of the negroes and a large and respectable farmers' organization, which was the forerunner of the Populist movement in Mississippi. Lowry was elected by a majority of about 40,000 in a total vote of 129,511—the largest vote ever polled in the State, either before or since.

In 1885 Lowry was reelected without opposition, receiving a vote of nearly 90,000, which was a loss of nearly 40,000 as compared with that of 1881.

In 1889 Stone was again elected without opposition by a vote of 84,945.

It is proper to state here that the carpetbagger and professed friends of the negroes had industriously instilled into the minds of the too credulous negroes the belief that if the Democratic party ever got into power again they would be returned to slavery, and that, like the man into whom eight devils returned after one had been cast out, their "last state would be worse than the first." But in 1885 a Democrat was inaugurated President of the United States, and we had been blessed with nearly ten years of Democratic State administration, and the negro had learned that his freedom was an accomplished fact, and that he was just as safe under Democratic as under Republican rule, and as a result he commenced to take less interest in politics, especially as he was no longer under the baleful influence of the carpetbagger.

In 1895 the first State election was held under our present constitution, in which there were polled 64,339 votes, a loss of about 20,000, as compared with the election of 1889, the constitution of 1890 having extended the terms of all State officers two years.

In 1873, when the vote was 110,000, the population, as shown by the census of 1870, was about 830,000. Calculating on the basis of one-fifth of this number being males 21 years of age and over, would show a total of more than 165,000, and also that there were 55,000 who did not vote, in the absence of any restriction upon the suffrage.

In 1881, when the unprecedented vote of nearly 130,000 was polled, the population, as shown by the census of 1880, had increased to 1,131,597 which, on a basis of 1 in 5, would have given as the number of males 21 years old, 226,319, showing that nearly 100,000 did not vote.

The registered vote in the State is now about 130,000, and I have shown that not more than half, and frequently less than half, of that number avail themselves of their right to vote. So it will be seen that neither the number of males 21 years old, nor the number who are registered, nor the number who vote can be relied on as a test of the extent of disqualification under our constitution.

I will not stop to answer the charges of the gentleman from Indiana [Mr. CRUMPACKER] about lynchings in the South. It comes with poor grace from him in view of the fact that less than a month ago, in his own State, three negroes were run down with bloodhounds and lynched for killing a white barber; and it is said by newspapers that the mob consisted of the best citizens of a town of 2,000 or 3,000 inhabitants. Most of the lynchings in the South are for rape and attempts to commit rape. While I do not want to be understood as advocating mob law, I will say that just as long as negroes, or white men either, commit rape

upon white women, just so long will lynchings continue. The honor of our women is dearer to us than everything else in this life, and dearer than life itself, and when one of these brutes lays his hand upon one of them swift and certain death will follow without waiting for court, judge, or jury.

Now, as to the merits of the bill under consideration, I say that our representation can not be reduced with any degree of intelligence or fairness, because neither the Census Committee of the House nor the Census Bureau has the necessary information upon which to base such action, nor can it be obtained. In the absence of such information a reduction of our representation would be arbitrary and in violation of the very clause of the fourteenth amendment to the Federal Constitution which gentlemen profess to be so anxious to obey.

The Director of the Census was not required, nor has he undertaken, to furnish the number of voting or nonvoting citizens; the number of disqualified citizens; the number in each disqualified class; the number who voluntarily refused or neglected to vote; the number who, through absence from home or from sickness, failed to register or vote; the number who are disqualified for being unable to read or understand any section of the Constitution when read to them; the number who are disqualified on account of crime, etc. These are facts which must be presented to the House before any intelligent action can be had, and there is no way under the Heavens by which this necessary information can now be obtained.

I say, therefore, that Congress can not, without injustice and disregard of the spirit of the Federal Constitution, enact any law along the lines proposed by the Crumpacker bill or any similar measure. If it should become the fixed purpose of Congress to reduce our representation, it must, when providing for the taking of the next census, require the Director to obtain the information which would enable Congress to act intelligently. In no other way can it be done. It would not do to undertake that now as a supplemental work to the Twelfth Census, because the Constitution provides only for one census every ten years, and that has been taken. Even if this were permissible, just think what a herculean and costly job it would be! There are about 50,000 election precincts in the United States, and an army of 50,000 expert agents would be required for this work, at an enormous cost to the Government.

The Mississippi constitution, largely the product of the masterful intellect of United States Senator J. Z. George, who was a member of the convention, and one of the ablest, noblest, and purest men, as well as one of the most profound constitutional lawyers of his generation, has stood the test of all the courts, State and Federal, and it is now universally conceded that it is in no sense an infraction of the Constitution of the United States.

In addition to the educational tests and the payment of all taxes the franchise clause of our constitution specifies the following crimes, conviction of any one of which disqualifies from registration and voting, viz: "Bribery, burglary, theft, arson, obtaining money or goods under false pretenses, perjury, forgery, embezzlement, and bigamy." This feature is fully authorized by the fourteenth amendment, which declares, in effect, that any State may disfranchise such as have been convicted of any crime without suffering the penalty of having representation reduced on account of such disfranchisement. This will not be denied by anyone.

Now, there are several crimes in this list to which the negro is peculiarly addicted. There are many honest, worthy, law-abiding negroes, and what I may say in this connection is in no sense a reflection upon them; and all such have the respect and confidence of the white people and receive from them the fullest encouragement, the gentleman from Indiana [Mr. CRUMPACKER] to the contrary notwithstanding.

Every man who is at all familiar with the character of the negro knows how prone he is to steal anything from a watermelon or a chicken to a bale of cotton or a horse. It will be observed that the Constitution does not limit the disqualification to grand larceny, but applies to the stealing of anything of any value, whether great or small, and thousands of negroes and some white men are disfranchised for this crime alone. Perjury is another crime of most frequent occurrence, as it is well known that most negroes who come into the courts as witnesses, and some white men, have no conception of the sanctity of an oath. Everyone who knows anything of negro habits and characteristics knows also that, as a rule, they have but little regard for the sacredness of their marital vows, and do not wait until they are "off with the old before they are on with the new."

The other crimes which disfranchise are also of frequent occurrence. Now, I ask, how can any member of this House say how many males 21 years of age and over are disfranchised because of crime? There are a thousand in our State penitentiary and other thousands who have paid the penalty of the law and are at liberty, but with the disqualification clinging to them. Every year hundreds are being added to this list from the courts all over the State.

I lay down this incontrovertible proposition, that education, frugality, and honesty are the remedies for the negro as well as for the white man, and they furnish the key which unlocks the door to the elective franchise.

It has been intimated by gentlemen in the course of this discussion that Mississippi is not doing her duty in the way of common-school education. I deny it most emphatically. It is true that we do not appropriate as much for this purpose as is available in States whose people have had none of our bitter experiences. The great destruction of our property—not counting the emancipation of our slaves—during the civil war left us poor indeed, and the unblushing robbery of our people under carpetbag government well-nigh completed our impoverishment. But, according to financial ability, we are doing as much for the cause of education as our more highly favored sister States of the Union.

The last report of the State superintendent of education shows that about the sum of $1,500,000 is annually appropriated for common schools, and in addition to this, large appropriations for colleges and other institutions of learning, some of which are for the exclusive education of negro boys and girls in the higher branches. In addition to all this, the State law authorizes the counties and separate school districts to levy and collect taxes for an additional school fund, and many of them avail themselves of this power.

In every neighborhood in the State there are open free pubilc schools from four to eight months in the year for children, white and colored, between the ages of 5 and 21 years; and the money that pays the expenses of these schools is furnished almost entirely by the white taxpayers of the State; and, although the number of negro children in these schools largely exceeds the number of white children, the negro pays less than one-tenth of the taxes. During the scholastic year of 1898–99, as shown by the last report of the State superintendent of education, the enrollment of white children in the free schools was 167,178 and the colored enrollment was 192,368.

The increase of interest in education amongst whites and blacks is very marked. You can scarcely find a young white man now in Mississippi who has not sufficient education to enable him to read and write, and very many of them are not content with this, but reach out for higher education. This is measurably true of the young negroes, and they are taking more interest by far than their race has ever before manifested.

There are thousands of negroes in Mississippi who could qualify as voters, but fail to do so because of want of interest, and prefer to devote themselves to the improvement of their condition along more profitable lines rather than dabble in politics; and I venture the assertion that when the report of the Twelfth Census is made public it will be found that the percentage of illiteracy in Mississippi has been largely decreased as compared with the census of 1890; and under present conditions this percentage of illiteracy will continue to rapidly decrease. If you undertake this business of reducing Southern representation on account of the educational test you will have to practice on a sliding scale and that an ascending one.

As to the condition of the negro in Mississippi, it is the judgment of every thoughtful, observant man familiar with the situation that, out of politics, the negro is far happier and more prosperous than ever before and fewer loafers are found around the towns.

In conclusion, Mr. Speaker, I repeat what I said before, let us alone, and we will work out our destiny profitably and honorably to the white people and satisfactorily to the negro; but if Congress should, in its mistaken zeal for the advancement of the negro and the humiliation of the white people of the proscribed Southern States, do what I don't believe this House intends to do—impose upon us this punitive legislation—let me sound a note of warning—not a threat—that in doing so you may "kill the goose that lays the golden egg" for the negro.

Beware that when you thus dishonor us you do not drive our people to retaliation and cause them to withdraw the white man's money from the black man's children. If we are to be sorely stricken by you on one cheek over the shoulder of the negro, you need not be surprised if we are lacking in that Christian grace which would prompt us to turn the other. And if, by your misguided policy, you should bring this affliction upon the negro, you may live to hear curses loud and deep from the unfortunate people whom you profess to befriend. Already in some quarters mutterings are heard that the "white man's burden" is too great, and that the negro should educate his own children. Unwise and repressive legislation by the Republican majority in Congress would, beyond doubt, intensify this feeling, and by such course you may let loose a storm that will prove disastrous to the educational interests of the negro.

That we will retain our constitutional restriction upon the right of suffrage you need not entertain a doubt. We are determined never again to allow ignorance and venality to control the administration of our State affairs. You have the political power, by force of numbers, to take from us a part of our representation

upon this floor by applying to us a rule different from that applied to other and older States of the North having constitutions which disfranchise a part of their citizenship, but you can not compel us to tear down that which stands and shall ever stand as a breakwater between our property holding, taxpaying classes and the ruin which always attends the domination of vice and ignorance. [Applause.]

Mr. HOPKINS. I ask for a vote on the committee amendment.

Mr. KITCHIN. I hope the gentleman will not do that at this time.

The SPEAKER. The Chair recognizes a member of the committee, the gentleman from North Carolina [Mr. KLUTTZ], in opposition to the committee amendment.

Mr. KLUTTZ. Mr. Speaker, I believe the question before the House is the adoption of the committee amendment to insert the words "and compact?"

The SPEAKER. The gentleman is correct.

Mr. KLUTTZ. I want to say, sir, that while I signed that report I indicated to the gentleman from Virginia [Mr. RIXEY], when I addressed the House on the bill, I then doubted seriously the propriety of the insertion of the words. Further reflection has convinced me of the fact, as stated by the gentleman from Ohio [Mr. TAYLER], that it is unconstitutional and beyond the power of Congress to so impinge upon the power of the State.

In the next place, I believe that it is unadvisable to do so, because it would raise unnecessary and troublesome questions hereafter in cases of contest. While I do not believe Congress would have the right to determine whether the districts were or not compact, I believe a partisan majority, whatever party might be in predomination here, would assume that right and deprive the duly elected Representatives of their seats.

I hope, therefore, that this amendment will not prevail.

Mr. ROBINSON of Indiana. I would like to ask the gentleman a question.

The SPEAKER. The question is on the adoption of the amendment.

Mr. HOPKINS. I ask for a vote.

The SPEAKER. Does the gentleman from North Carolina yield to the gentleman from Indiana?

Mr. KLUTTZ. Yes.

Mr. ROBINSON of Indiana. I simply desire to correct a statement. I think it was a misapprehension. The gentleman from North Carolina, in response to the gentleman from Virginia, stated that the Burleigh bill did not contain this provision. The provision is in the Burleigh bill.

Mr. KLUTTZ. I corrected that afterwards.

The SPEAKER. The question is on the committee amendment.

The question was taken; and the Speaker announced that the noes appeared to have it.

Mr. HOPKINS. Division, Mr. Speaker.

The House divided; and there were—ayes 109, noes 98.

Mr. RICHARDSON of Tennessee. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 132, nays 109, answered "present" 6, not voting 108; as follows:

YEAS—132.

Acheson,	Driscoll,	Long,	Ryan, N. Y.
Adams,	Eddy,	Loud,	Ryan, Pa.
Aldrich,	Emerson,	Loudenslager,	Scudder,
Alexander,	Esch,	Lovering,	Shaw,
Allen, Me.	Fitzgerald, Mass.	Lybrand,	Sherman,
Allen, Miss.	Fitzgerald, N. Y.	McAleer,	Showalter,
Babcock,	Fletcher,	McCleary,	Sibley,
Bailey, Kans.	Foss,	McClellan,	Smith, Samuel W.
Barber,	Gardner, N. J.	Mahon,	Southard,
Barham,	Gaston,	Mann,	Spalding,
Bartholdt,	Gill,	Meekison,	Sperry,
Bingham,	Glynn,	Metcalf,	Stark,
Boreing,	Gordon,	Morgan,	Steele,
Boutell, Ill.	Graff,	Morrell,	Stevens, Minn.
Bowersock,	Graham,	Morris,	Stewart, N. Y.
Brenner,	Green, Pa.	Mudd,	Sulzer,
Bromwell,	Griffith,	Muller,	Sutherland,
Brownlow,	Grosvenor,	Naphen,	Thayer,
Bull,	Grout,	Needham,	Thomas, Iowa
Burkett,	Grow,	Norton, Ohio	Tompkins,
Calderhead,	Hepburn,	O'Grady,	Turner,
Caldwell,	Hill,	Olmsted,	Van Voorhis,
Capron,	Hopkins,	Packer, Pa.	Vreeland,
Cochrane, N. Y.	Jack,	Pearson,	Wadsworth,
Conner,	Jett,	Pearre,	Weaver,
Corliss,	Joy,	Phillips,	Weeks,
Cromer,	Kerr, Md.	Pugh,	White,
Crumpacker,	Kerr, Ohio	Ray, N. Y.	Williams, J. R.
Curtis,	Ketcham,	Reeder,	Williams, W. E.
Dalzell,	Lacey,	Robinson, Ind.	Wilson, N. Y.
Davenport, S. A.	Levy,	Rodenberg,	Woods,
Davidson,	Linney,	Ruppert,	Young,
Dovener,	Littauer,	Russell,	Zenor.

NAYS—109.

Adamson,	Bell,	Brundidge,	Clark, Mo.
Allen, Ky.	Bellamy,	Burke, Tex.	Clayton, Ala.
Atwater,	Benton,	Burleson,	Cochran, Mo.
Ball,	Bishop,	Burnett,	Cooper, Tex.
Bartlett,	Breazeale	Catchings,	Cooper, Wis.
Cowherd,	Henry, Tex.	McRae,	Sims,
Crowley,	Howard,	Maddox,	Slayden,
Cushman,	Jenkins,	Moody, Mass.	Small,
Davenport, S. W.	Johnston,	Moody, Oreg.	Smith, Ky.
Davey,	Jones, Va.	Moon,	Smith, Wm. Alden
Davis,	Jones, Wash.	Otey,	Snodgrass,
De Armond,	Kahn,	Parker, N. J.	Spight,
De Graffenreid,	King,	Quarles,	Sprague,
Dinsmore,	Kitchin,	Ransdell,	Stewart, N. J.
Dougherty,	Kleberg,	Rhea, Ky.	Stokes,
Elliott,	Kluttz,	Rhea, Va.	Talbert,
Finley,	Knox,	Richardson, Ala.	Taylor, Ala.
Fleming,	Lamb,	Richardson, Tenn.	Thomas, N. C.
Fordney,	Lanham,	Ridgely,	Tongue,
Fox,	Latimer,	Rixey,	Underhill,
Gaines,	Lester,	Robb,	Underwood,
Gilbert,	Little,	Roberts,	Vandiver,
Gillett, Mass.	Livingston,	Rucker,	Wheeler,
Greene, Mass.	Lloyd,	Shackleford,	Williams, Miss.
Griggs,	McCall,	Shafroth,	Wright.
Hamilton,	McCulloch,	Shattuc,	
Hay,	McDowell,	Shelden,	
Henry, Miss.	McLain,	Sheppard,	

ANSWERED "PRESENT"—6.

Denny,	Miller,	Stewart, Wis.	Tate.
Gibson,	Stephens, Tex.		

NOT VOTING—108.

Bailey, Tex.	Crump,	Landis,	Powers,
Baker,	Cummings,	Lane,	Prince,
Bankhead,	Cusack,	Lassiter,	Reeves,
Barney,	Dahle,	Lawrence,	Riordan,
Berry,	Dayton,	Lentz,	Robertson, La.
Boutelle, Me.	Dick,	Lewis,	Robinson, Nebr.
Bradley,	Driggs,	Littlefield,	Salmon,
Brantley,	Faris,	Lorimer,	Smith, Ill.
Brewer,	Fitzpatrick,	McDermott,	Smith, Iowa
Brick,	Foster,	Marsh,	Smith, H. C.
Brosius,	Fowler,	May,	Sparkman,
Broussard,	Freer,	Mercer,	Stallings.
Brown,	Gamble,	Mesick,	Sulloway,
Burke, S. Dak.	Gardner, Mich.	Meyer, La.	Swanson,
Burleigh,	Gayle,	Miers, Ind.	Tawney,
Burton,	Gillet, N. Y.	Minor,	Tayler, Ohio
Butler,	Hall,	Mondell,	Terry,
Campbell,	Haugen,	Neville,	Thropp,
Cannon,	Hawley,	Newlands,	Wachter,
Carmack,	Heatwole,	Noonan,	Wanger,
Chanler,	Hedge,	Norton, S. C.	Warner,
Clarke, N. H.	Hemenway,	Otjen,	Waters,
Clayton, N. Y.	Henry, Conn.	Overstreet,	Watson,
Connell,	Hitt,	Payne,	Weymouth,
Cooney,	Hoffecker,	Pearce, Mo.	Wilson, Idaho
Cousins,	Howell,	Pierce, Tenn.	Wilson, S. C.
Cox,	Hull,	Polk,	Ziegler.

So the amendment was agreed to.

The following additional pairs were announced:

Until further notice:

Mr. BURTON with Mr. SPARKMAN.

Mr. LORIMER with Mr. NEVILLE.

Mr. DAHLE with Mr. LASSITER.

On this vote:

Mr. LANDIS with Mr. MILLER of Kansas.

Mr. BURLEIGH with Mr. BROUSSARD.

For the rest of the day:

Mr. WACHTER with Mr. DENNY.

The result of the vote was then announced, as above recorded.

The Clerk proceeded and completed the reading of the bill.

The bill was ordered to be engrossed and read the third time, and was read the third time.

Mr. CRUMPACKER. Mr. Speaker, I submit a motion in writing to recommit the bill with instructions.

The SPEAKER. The gentleman from Indiana moves to recommit the bill with instructions, which the Clerk will report.

The Clerk read as follows:

Mr. CRUMPACKER. I move to recommit the bill H. R. 12740 to the Committee on Census, with instructions to ascertain whether any of the States have denied or abridged the right of male inhabitants 21 years of age, who are citizens of the United States, to vote for electors for President and Vice-President, Representatives in Congress, executive and judicial officers of the State, or members of the legislature thereof, in such a manner and to such an extent that the basis of representation should be reduced under the provisions of section 2 of Article XIV of the Federal Constitution; and if such is found to be the case, said committee be further instructed to report, at as early a date as is practicable, an apportionment bill taking such reductions into account, as provided by said section of the Constitution.

Mr. HOPKINS. Mr. Speaker, I demand the previous question upon that motion.

The previous question was ordered.

The SPEAKER. The question now is on agreeing to the motion of the gentleman from Indiana.

The question was taken; and on a division (demanded by Mr. CRUMPACKER) there were—ayes 94, noes 136.

Mr. STEWART of New Jersey. Mr. Speaker, I ask for the yeas and nays.

The question was taken; and the yeas and nays were refused.

The SPEAKER. The question now is on the passage of the bill.

The question was taken: and the bill was passed.

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

PAYMENT OF MESSENGERS WITH ELECTORAL VOTE.

Mr. BINGHAM. Mr. Speaker, I am instructed by the Committee on Appropriations to present the following bill and ask for its immediate consideration:

The SPEAKER. The gentleman from Pennsylvania, by authority of the Committee on Appropriations, asks immediate consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 13394) providing for the payment of electoral messengers.

Be it enacted, etc., That for the payment of the respective States for conveying to the seat of goverment the votes of the electors of said States for President and Vice-President of the United States, at the rate of 25 cents for every mile of the estimated distance for the most usual road traveled from the place of the meeting of the electors to the seat of government of the United States, computing for one distance only, the sum of $12,700 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated.

Mr. BINGHAM. I want to state to the House that this is in the language and is consistent with all preceding legislation on the subject. It is required by statute, and this bill simply appropriates the amount necessary for the mileage.

Mr. FITZGERALD of Massachusetts. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. FITZGERALD of Massachusetts. Do I understand that this bill provides for 25 cents per mile?

Mr. BINGHAM. Yes; that is the statute.

Mr. FITZGERALD of Massachusetts. I think the statute ought to be amended. Railroad transportation has been so much reduced in late years that it seems ridiculous to vote 25 cents a mile for railroad transportation.

Mr. WILLIAMS of Mississippi. That is all the pay they get.

The SPEAKER. Without objection the bill will be considered.

There was no objection.

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

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

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

The motion was agreed to; and accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

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

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for enlarging the Military Academy—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Supervising Architect submitting an estimate of appropriation for a new boiler plant in the Federal building at Baltimore—to the Committee on Appropriations, and ordered to be printed.

A letter from the secretary of Porto Rico, inclosing copies of franchises granted to the Port America Company and to Ramon Valdes—to the Committee on Insular Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Supervising Architect submitting an estimate of appropriation for repairs on the marine-hospital building at Chicago—to the Committee on Appropriations, and and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Supervising Architect submitting an estimate of appropriation for new elevators in certain public buildings—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for water supply at the Military Academy—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Postmaster-General, transmitting report of an investigation into the pneumatic-tube service for the transmission of mail—to the Committee on the Post-Office and Post-Roads, 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. JENKINS, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 12665) supplementary to an act entitled "An act to prohibit the coming of Chinese persons into the United States," approved May 5, 1892, and fixing the compensation of commissioners in such cases, reported the same without amendment, accompanied by a report (No. 2156); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LOUD, from the Committee on the Post-Office and Post-Roads, to which was referred the bill of the House (H. R. 13274) to authorize the Postmaster-General to lease suitable premises for use of the Post-Office Department, reported the same without amendment, accompanied by a report (No. 2158); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 17) to authorize the restatement, readjustment, settlement, and payment of dues to Army officers in certain cases, reported the same with amendment, accompanied by a report (No. 2159); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BARHAM, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 10922) to establish a light and fog station at Point Dume, Los Angeles County, Cal., reported the same with amendment, accompanied by a report (No. 2175); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 1289) to provide for the construction of an additional light-ship for use on the coast of California, Oregon, Washington, or Alaska, as exigencies may determine, reported the same without amendment, accompanied by a report (No. 2176); 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, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. BINGHAM, from the Committee on the Post-Office and Post-Roads, to which was referred the bill of the House (H. R. 5612) for the relief of William Dugdale, postmaster at Noroton Heights, Conn., reported the same without amendment, accompanied by a report (No. 2157); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 11481) for the relief of the legal representatives of Paul Curtis, deceased, reported the same without amendment, accompanied by a report (No. 2160); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12104) for the relief of George T. Sampson, surviving partner of the firm of A. & G. T. Sampson, reported the same with amendment, accompanied by a report (No. 2161); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Mississippi, from the Committee on War Claims, to which was referred the bill of the House, H. R. 12477, reported in lieu thereof a resolution (H. Res. 335) for the relief of Charlotte G. Robertson, reported the same, accompanied by a report (No. 2162); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House, H. R. 12478, reported in lieu thereof a resolution (H. Res. 336) for the relief of Waldo W. Putnam, reported the same, accompanied by a report (No. 2163); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House, H. R. 11983, reported in lieu thereof a resolution (H. Res. 337) for the relief of Joseph C. Ferriday, reported the same, accompanied by a report (No. 2164); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House, H. R. 12990, reported in lieu thereof a resolution (H. Res. 338) for the relief of Nancy Maria Minter, reported the same, accompanied by a report (No. 2165); which said resolution and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 11615) for the relief of Curtis & Tilden, reported the same without amendment, accompanied by a report (No. 2166); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the

bill of the House (H. R. 12041) for the relief of the legal representatives of Neafie & Levy, reported the same without amendment, accompanied by a report (No. 2167); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12951) for the relief of the legal representatives of Jeremiah Simonson, deceased, reported the same without amendment, accompanied by a report (No. 2168); which said bill and report were referred to the Private Calendar.

Mr. HENRY of Mississippi, from the Committee on War Claims, to which was referred the bill of the House (H. R. 12746) for the relief of J. C. Williams, administrator of Haller Nutt, deceased, reported the same without amendment, accompanied by a report (No. 2169); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 12176) for the relief of the legal representatives of Pusey, Jones & Co., reported the same without amendment, accompanied by a report (No. 2170); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12418) for the relief of Anna M. Mershon, administratrix of Daniel S. Mershon, deceased, reported the same without amendment, accompanied by a report (No. 2171); which said bill and report were referred to the Private Calender.

He also, from the same committee, to which was referred the bill of the House (H. R. 3773) for the relief of Edward P. Bliss, reported the same without amendment, accompanied by a report (No. 2172); which said bill and report were referred to the Private Calender.

Mr. ESCH, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 11974) granting an honorable discharge to Samuel Welch, reported the same with amendment, accompanied by a report (No. 2173); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 9832) to pension the Nebraska Territorial Militia—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 13316) to restore to the pension rolls the name of Andrew C. Smith—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 13173) granting a pension to Ellen Pratt—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

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. OVERSTREET: A bill (H. R. 13369) to maintain the parity of the money of the United States—to the Committee on Banking and Currency.

By Mr. FITZGERALD of Massachusetts: A bill (H. R. 13370) relating to extra pay of officers and enlisted men in the Army in the war with Spain—to the Committee on Military Affairs.

By Mr. BABCOCK: A bill (H. R. 13371) to authorize advances from the Treasury of the United States for the support of the government of the District of Columbia—to the Committee on the District of Columbia.

By Mr. KNOX: A bill (H. R. 13372) to provide for subports of entry and delivery in the Territory of Hawaii—to the Committee on the Territories.

By Mr. LITTLE: A bill (H. R. 13373) for improving and arching Hot Springs Creek, in city of Hot Springs, Ark.—to the Committee on Appropriations.

By Mr. HAMILTON: A bill (H. R. 13374) authorizing the Indiana, Illinois and Iowa Railroad Company to construct and maintain a bridge across St. Joseph River, at or near the city of St. Joseph, Mich.—to the Committee on Interstate and Foreign Commerce.

By Mr. PEARRE: A bill (H. R. 13375) for the extension of Wyoming avenue, Prescott place, and Twenty-third street—to the Committee on the District of Columbia.

Also, a bill (H. R. 13390) relating to the Washington Gaslight Company, and for other purposes—to the Committee on the District of Columbia.

By Mr. KING: A bill (H. R. 13391) ceding arid lands to the States and Territories—to the Committee on the Public Lands.

By Mr. WACHTER: A bill (H. R. 13392) to amend section 4472 of the Revised Statutes—to the Committee on Interstate and Foreign Commerce.

By Mr. CALDERHEAD: A bill (H. R. 13393) authorizing the Secretary of the Treasury to remit duties on certain seed wheat imported—to the Committee on Ways and Means.

By Mr. HENRY C. SMITH: A joint resolution (H. J. Res. 290) proposing an amendment to the Constitution of the United States—to the Committee on the Judiciary.

By Mr. BINGHAM: A resolution (H. Res. 339) in relation to the flag presented to the House of Representatives by the Women's Silk Culture Association of the United States—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

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

By Mr. BAILEY of Kansas: A bill (H. R. 13376) for the relief of William T. Edgeman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13377) for the relief of Robert White—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE (by request): A bill (H. R. 13378) for the relief of certain occupants and owners of land in Monroe County, Ark.—to the Committee on Claims.

By Mr. EMERSON: A bill (H. R. 13379) granting an increase of pension to Frederick Hart—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: A bill (H. R. 13380) granting an increase of pension to John Tibbetts—to the Committee on Invalid Pensions.

By Mr. GRAHAM: A bill (H. R. 13381) granting an increase of pension to William S. Hosack—to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 13382) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and for other purposes—to the Committee on War Claims.

By Mr. HEPBURN: A bill (H. R. 13383) to pension George W. Sheeks—to the Committee on Invalid Pensions.

By Mr. NAPHEN: A bill (H. R. 13384) to place on the pension roll the name of Charles E. Miller—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 13385) for the relief of the trustees of Harmony Methodist Church—to the Committee on War Claims.

By Mr. RYAN of New York: A bill (H. R. 13386) granting a pension to Martin Uehlein—to the Committee on Invalid Pensions.

By Mr. SNODGRASS: A bill (H. R. 13387) increasing pension of August Schill, alias Silville—to the Committee on Invalid Pensions.

By Mr. HENRY C. SMITH: A bill (H. R. 13388) granting an increase of pension to Ellen Pratt—to the Committee on Pensions.

Also, a bill (H. R. 13389) granting an increase of pension to Mary Ann Deline—to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

By Mr. ACHESON: Petition of the First Presbyterian Church of Coraopolis, Pa., for the exclusion of spirituous liquors from portions of Africa, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Allegheny County Grand Army of the Republic Association, Pittsburg, Pa., in opposition to the passage of House bill No. 12905, to establish a Soldiers' Home at Huntsville, Ala.—to the Committee on Military Affairs.

By Mr. ADAMS: Resolutions of the Thirty-fourth National Encampment, Grand Army of the Republic, commending the work already accomplished on the National Military Park at Gettysburg, and asking that continued aid be given thereto—to the Committee on Appropriations.

By Mr. BARTLETT: Resolutions of the city council of Savannah, Ga., relative to making appropriations for the harbor at Savannah—to the Committee on Rivers and Harbors.

Also, petition of T. D. Tinsley, members of the bar, and other citizens of Macon, Ga., relative to the increase of the salaries of Federal judges—to the Committee on the Judiciary.

Also, resolutions of the city council of Savannah, Ga., favoring an appropriation in behalf of the Southern States and West Indian Exposition at Charleston, S. C.—to the Committee on Appropriations.

Also, resolutions of the Chamber of Commerce of Atlanta, Ga., in opposition to the amendment of an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. BELLAMY: Petition of John L. Watts, keeper, and

J. E. Price and other surfmen of the Cape Fear life-saving station, favoring bill to promote efficiency of Life-Saving Service—to the Committee on the Merchant Marine and Fisheries.

By Mr. BRUNDIDGE: Papers to accompany House bill for the relief of certain owners and occupants of lands in Monroe County, Ala.—to the Committee on Claims.

Also, papers to accompany House bill No. 11886, relating to the claim of Howard & Spivey—to the Committee on War Claims.

By Mr. CALDERHEAD: Petition of the National Association of Agricultural Implement and Vehicle Manufacturers, favoring legislation in regard to irrigation—to the Committee on Irrigation of Arid Lands.

Also, petition of Street & Smith, New York, relative to mailable matter of the second class—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of good-roads convention held in Chicago, Ill., asking for an appropriation of $150,000 for the office of public road inquiry—to the Committee on Agriculture.

By Mr. COUSINS: Petitions of Mrs. Levi Howick and other citizens of Marion, Iowa, to ratify treaty between civilized nations relative to alcoholic trade in Africa—to the Committee on Alcoholic Liquor Traffic.

By Mr. ELLIOTT: Resolutions of the city council of Spartanburg, S. C., favoring the passage of the bill to aid the South Carolina Interstate and West Indian Exposition—to the Committee on Appropriations.

By Mr. ESCH: Resolutions of the Chamber of Commerce of New York, in favor of the passage of a bill relating to a session of the International Congress of Navigation, to be held at Washington, D. C.—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Chamber of Commerce of New York, urging the passage of the Pacific cable bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the twenty-sixth annual meeting of the Wholesale Druggists' Association, protesting against the free distribution of blackleg vaccine—to the Committee on Agriculture.

By Mr. EMERSON: Papers to accompany House bill granting an increase of pension to Frederick Hart—to the Committee on Invalid Pensions.

By Mr. FLETCHER: Petition of citizens of Minneapolis, Minn., urging the passage of a certain bill for the construction of a dam on the Gila River, in Arizona—to the Committee on Rivers and Harbors.

Also, resolutions of the Minneapolis Chamber of Commerce, protesting against the passage of the so-called Cullom bill, entitled "An act to promote commerce"—to the Committee on Interstate and Foreign Commerce.

By Mr. GAINES: Petition of Clarksville (Tenn.) Tobacco Board of Trade for appropriation for soil survey—to the Committee on Agriculture.

Also, petition of Murray Dibrell & Co., of Nashville, Tenn., for the repeal of the tax of 15 per cent ad valorem on imported hides—to the Committee on Ways and Means.

By Mr. GRAHAM: Petition of Charles H. Cramp, of Philadelphia, Pa., favoring Senate bill No. 727, known as the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the National Wholesale Druggists' Association, opposing the free distribution of medicinal remedies—to the Committee on Agriculture.

Also, petition of 200 citizens of Avalon, Pa., and the Eighth United Presbyterian Church of Allegheny, Pa., favoring the exclusion of the liquor traffic in Africa, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. GRIFFITH: Papers to accompany House bill granting an increase of pension to John Tibbetts, of Dillsboro, Ind.—to the Committee on Invalid Pensions.

Also, petition of gaugers and storekeepers in the internal-revenue service of the Sixth district of Indiana for sufficient appropriation to provide for them vacations without loss of pay—to the Committee on Appropriations.

By Mr. HAY: Petition of heirs of Thomas Clevenger, deceased, late of Frederick County, Va., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. McCALL: Petition of the internal-revenue gaugers, storekeepers, etc., of the collection district of Massachusetts, for sufficient appropriation to provide for their vacation without loss of pay—to the Committee on Appropriations.

By Mr. RICHARDSON of Alabama: Papers to accompany House bill for the relief of trustees of Harmony Methodist Church, Limestone County, Ala.—to the Committee on War Claims.

By Mr. STEWART of New York: Petition of Friends' Monthly Meeting, Otsego County, N. Y., in favor of an amendment to the Constitution against polygamy, and various other reform measures—to the Committee on the Judiciary.

By Mr. WRIGHT: Petition of 19 voters of the Fifteenth Congressional district of Pennsylvania, in favor of the anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, petitions of the Ladies' Missionary and Foreign Society and Woman's Christian Temperance Union, of Montrose, Pa., for the protection of native races in our islands against intoxicants and opium—to the Committee on Insular Affairs.

By Mr. YOUNG: Petition of the Baldwin Locomotive Works, Philadelphia, Pa., favoring the passage of House bill No. 11350, to establish the national standardizing bureau—to the Committee on Coinage, Weights, and Measures.

Also, resolution of the Thirty-fourth National Encampment, Grand Army of the Republic, commending the work accomplished by the Gettysburg National Park Commission, and asking for further appropriation to complete the work—to the Committee on Appropriations.

Also, resolutions of the Chamber of Commerce of New York, urging the passage of the Pacific cable bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Chamber of Commerce of New York, favoring the passage of a bill relating to a session of the International Congress of Navigation to be held at Washington, D. C.—to the Committee on Interstate and Foreign Commerce.

SENATE.

WEDNESDAY, *January 9, 1901.*

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

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

ELECTORAL VOTES OF WISCONSIN.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting a certified copy of the final ascertainment of the electors for the President and Vice-President appointed in the State of Wisconsin at the election held therein on the 6th day of November, 1900; which, with the accompanying papers, was ordered to lie on the table.

MESSAGE FROM THE HOUSE.

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

A bill (H. R. 12740) making an apportionment of Representatives in Congress among the several States under the Twelfth Census; and

A bill (H. R. 13394) providing for the payment of electoral messengers.

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. 2955) providing for the resurvey of township No. 8 of range No. 30 west of the sixth principal meridian, in Frontier County, State of Nebraska;

A bill (H. R. 4099) for the relief of the Marion Trust Company, administrator of the estate of Samuel Milliken, deceased;

A bill (H. R. 6344) to remove the charge of desertion from the records of the War Department against Frederick Mehring;

A bill (H. R. 11213) for the relief of occupants of lands included in the Algodones grant in Arizona;

A bill (H. R. 11588) permitting the building of a dam across the Osage River at the city of Warsaw, Benton County, Missouri; and

A bill (H. R. 12447) to amend an act approved June 1, 1900, entitled "An act to create the southern division of the southern district of Iowa for judicial purposes, and to fix the time and place for holding court therein."

PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented a petition of the Waiters' Alliance, of Buffalo, N. Y., praying for the enactment of legislation to regulate the hours of daily work of laborers and mechanics, and also to protect free labor from prison competition; which was referred to the Committee on Education and Labor.

He also presented petitions of S. O. Rusly, of Barryville; of the congregations of the Methodist Episcopal Church of Branchport, of the Methodist Episcopal Church of Wellsville, and the Methodist Episcopal Church of Clifton Springs, all in the State of New York, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Army canteens; which were ordered to lie on the table.

He also presented petitions of South Harmony Grange, No. 525, Patrons of Husbandry, of Watts Flats; of Empire Grange, No. 804, Patrons of Hubandry, of Oxford; of sundry citizens of Delaware County and Allegheny County; of Joseph Cooper, of Perry Center; M. B. Pratt, of Jamestown; A. B. Carter, of Jamestown,