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UNITED STATES ELECTIONS.

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SPEECH

OF

Hon. JOHN R. McPHERSON,

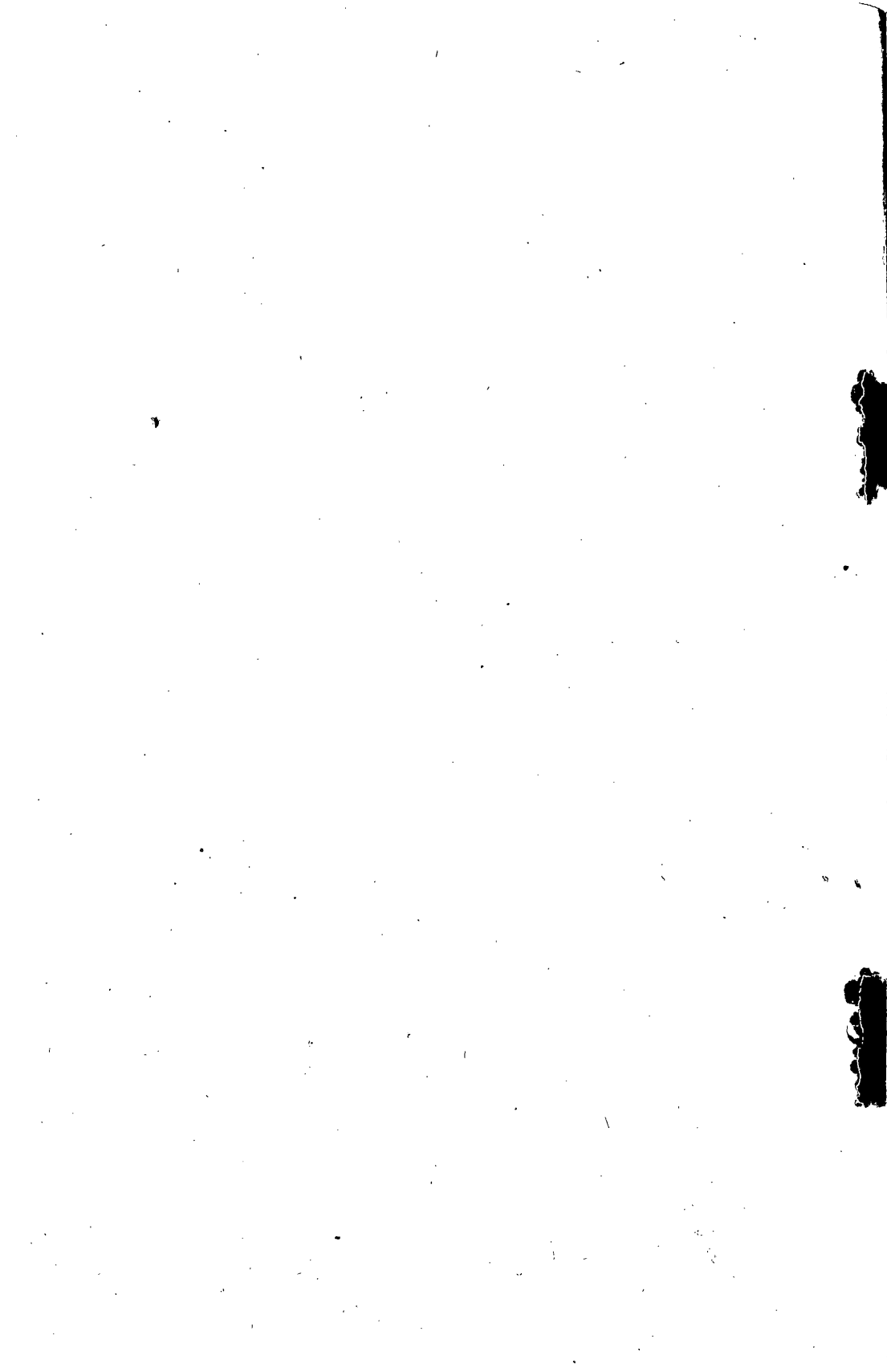
OF NEW JERSEY,

In the Senate of the United States,

*Tuesday, Dec. 23, and Wednesday, Dec. 24, 1890.*

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*Tuesday, December 23, and Wednesday, December 24, 1890.*

The Senate having under consideration the bill (H. R. 11045) to amend and supplement the election laws of the United States, and to provide for the more efficient enforcement of such laws, and for other purposes—

Mr. McPHERSON said :

Mr. PRESIDENT : To quote the words of a great jurist :

Justice is the great end of government. Let justice be perfectly administered to a people, and all the conditions of national prosperity will follow, at least all that depend on the action of the government. To say that the great end of government is to secure justice, is to say, in other words, that the great end of government is to secure liberty. Security against wrong is an essential element of civil liberty. No man can claim the right to do wrong. He can claim freedom to do right. Liberty, therefore, is the result of wise and just laws faithfully executed.

In a government like ours, where the powers of the Government are limited by the Constitution, it is proper to inquire whether the provisions of the pending bill are authorized by the Constitution ; for the Legislature has no power to make a law contrary to the Constitution, and if made it would be declared null and void by the authorized tribunal.

For the grant of power necessary to make and execute this proposed legislation we are pointed to Article I, section 4, of the Constitution, which reads as follows :

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof ; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The propriety of this provision seems to rest upon the plain proposition that every government ought to contain in itself the means of its own preservation. If a State executive and Legislature should become disloyal and neglect to make provision for the election of Representatives to Congress, Congress has power to make the necessary regulations. The exception with respect "to the place of choosing Senators" was added, because it was not thought becoming in Congress to prescribe the place where the Legislature should meet.

Except from fear of the default above expressed, it is certain, considering the spirit which actuated the framers of the Constitution and the circumstances which surrounded them, "that no grant of power over the elections by the people other than this was intended, and under no other circumstances should it be exercised."

With this brief statement of my views touching the power of Congress over this subject I leave this branch of the discussion for others not less important, which relate more to the duty of Congress in this crisis than to its constitutional power.

I oppose this bill because it is distrust of the people, an indictment of the whole people without regard to party distinctions—a proclamation that the people, honest and patriotic as they are, have not the intelligence or virtue

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to exercise aright the highest prerogative of freemen without dictation from those who are their servants and not their masters. I oppose it because it is despotic, and no government can be a despotic and a free government at the same time; because it subverts an established system of voting and returns in successful operation since the foundation of the Government, and under which the nation has prospered and the people made happy.

I oppose it because it proposes an extension of a system born in strife and bred in violence, which has resulted in more degradation, corruption, and tyranny than any other bill ever passed by the American Congress; a system of espionage which meant intimidation, working more and greater wrongs than it corrected.

I oppose it because it is legislation which seeks to perpetuate the power of the Republican party. Under the powers conferred by themselves upon themselves they appoint an army of supervisors and deputy marshals to supervise the election of members of Congress, and to whom is given all needed power to render nugatory the will of the people at the polls, both in the vote and in the count.

Briefly, the proposed bill is a partisan measure, intended for a partisan purpose. It provides for the appointment of a chief supervisor in each judicial district by a Federal judge. Of course we do not charge complicity of the Federal court; for be it known to all men that since the decision of the Electoral Commission he would indeed be a bold man who would dare to charge the Federal court with partisan bias.

The chief supervisor virtually and practically appoints the supervisors of the election and it is made a partisan board, two-thirds of whom will be of the dominant party and who are given a dangerous power over the registration, casting, counting, and custody of the ballot, and may reject all they may please to doubt. An army of deputy marshals more numerous than the lice which afflicted Egypt may be sent by order of the chief supervisor to harass the people while partisan agents may be stealing their birthright.

Sixty-two millions of people surpassing all other civilizations in intelligence, in all the blessings of progressive and prosperous industry and in the sources of advancement and happiness, are thus to be made the plaything of mean ambition, the prey of a party which has become anti-republican, perilously so; a party which holds in its hands all the machinery of this great Government, with all its patronage; a party audacious, unscrupulous and terribly resolute. There rang out in the ages long ago from the lips of the aged patriarch in the depths of his sorrows: "Though He slay me, yet will I trust in Him." While remembering November 4 and that fated field where the Republican dead outnumbered the living, it is well to heed the admonition of the godly man; it is safer and wiser to trust the people whom you profess to serve and whose wrath is like the thunderbolts of Heaven.

The chief supervisor has the power to control and expend untold millions of the public money. The exercise of his own discretion is the only limit upon his power. The appropriation is made general and permanent, and the decision of a single individual, having no constituency, responsible to no one except the great central power at Washington which made it possible for him to be appointed, is the only barrier that interposes between the taxgatherer and a people first defrauded of their franchise and afterwards of their hard-earned money. A horde of deputy marshals will furnish the pretext for this expenditure.

#### DEFIANT OF THE PEOPLE.

Thwarted by other means, the Republican party now try coercion; reactionary and ruthless methods are now proposed by which the people's will may be nullified, and when once accomplished the end will be revolution. Not only is the popular will made a bauble and a plaything by scheming

politicians, but the money is to be taken out of the Treasury for the expenses of the campaign. It is estimated that at each election at least \$10,000,000 in hard-earned tax money drawn from the people's pockets by taxation may be needed to enforce the provisions of this bill. To this will be added the resources of corporate power and wealth made willing by gifts of land and money bestowed upon them in the past, coupled with fair promises for the future.

To consummate this tyranny upon the people, the party now in power contemplate not only a marauding raid upon the beneficiaries under the McKinley bill, who are permitted under the forms of law to take from an overtaxed, suffering people \$5 for every \$1 that reaches the Treasury, but a raid upon the Treasury as well. This fusion of the Republican party with the banker, speculator, contractor, and manufacturer to perpetuate its power has not terrorized or even alarmed the people. The people, with amazing self-restraint, have reposed calmly in the security implied in the theory of the elections, a theory as old as the Government, which gave the people the right and power at will, and within constitutional limits, to change the policy of their Government, and to choose by time-honored and familiar methods the agents through whom that will should be enforced.

The fathers of the Republic decreed that the qualifications of electors for Federal offices shall be the same as fixed by the several States as requisite for electors of the most numerous branch of the State Legislature. The State was divided into counties and townships, and in earlier days each township was entitled to a representation in the most numerous branch of the State Legislature. The Legislature met every year. The keystone of liberty with them was the constantly recurring election. Thus was a government formed which was truly a government of the people; a political system approaching toward perfection; and, like the animal system, has a renovating principle within itself by which evils arising, as they are discovered, may be remedied and the body politic brought to a sound and healthy state.

Political parties and orators may try the issues, but the people by their votes decide them, and as it is impossible to deceive and corrupt the whole people, the faults of political parties are almost sure to be reversed and corrected at the polls.

#### BE VIGILANT.

The vigilance of the people is more than ever important when considered in the light of this bill, under which the elections which furnish the only safeguards of freedom may be interfered with and voters intimidated or bribed. Is elective franchise to end in majority despotism and spoils? Is it meant to supersede honest, free elections, the honest, faithful effort of brave and loyal voters for free government, by caucus trickery, election frauds, office gamblers, and corruption?

Government is not a trade which any man or body of men have a right to set up and exercise for their own emolument, but is altogether a trust in right of those by whom that trust is delegated and by whom it is always resumable. It has of itself no rights; they are altogether duties. The people can have no interest in being wrong or doing wrong politically. Parties have, and this is demonstrated in the tax laws. Excess and inequality of taxation, however disguised in the means, never fails to show itself to the masses in its results. It is easy to persuade the masses that the good things of this world are unjustly divided, especially when it happens to be the exact truth.

This bill proposes a revolutionary step; it can not be expected to prevent illegal voting, for the citizens and voters of the vicinage are better able to judge for themselves as to qualifications of voters and to detect and punish fraud upon the franchise than any more remote or even neighboring agency whatever. This bill, then, whatever may be the purpose of its framers, can have and

will have no other effect than to make the agents of its execution, and not the people, the virtual sovereigns. What becomes of the boasted right of an American citizen to participate in the election of a Chief Magistrate and Congressman if no effect is to be given to the vote when cast?

Our institutions have felt the rude shock of parties in their embittered struggle for power and survived. They have even felt the clash of arms and lived; but when a great political party seeks to control the vote at the ballot box through hired agents at the polls, then partisanship has done its worst and republican government is in danger. The political party which fathers this bill has repudiated its founders and proved recreant to every living principle upon which it was organized. The party which once pointed with pride to a Lincoln, a Seward, a Sumner, a Chase has become the plaything of mean ambition that boasts to-day of tyranny and corruption at the polls as its most trusted attribute.

Like the unworthy son of a noble ancestry, do you seek to cover up its corruptions and its crimes by the halo which surrounds those from whom it claims descent? Why, then, should honest Republicans longer support it? A few months ago a most encouraging spectacle was presented in this Senate. Three distinguished Republican Senators, defying alike party caucus or the demands of assumed leadership, voted on the side of the people against the passage of a law which threatens to bankrupt the people, and were met at their homes with banners and music, and with one loud acclaim, "Well done, good and faithful servant, enter thou into the joy of thy lord and master." It is not necessary here to state these were the strongest Republican States in the Union. Methinks I heard from these Senators a sentiment which, put into words, means this: "We yield to none in our pride at the great achievements of the Republican party or in our devotion to its principles, but when the lesson of its past is forgotten and its principles and promises are abandoned, its name alone cannot command our allegiance. The question was not what the Republican party had done, but what it will do; not what it was, but what it is."

#### TYRANNY AGAINST LIBERTY.

This is a war of aggression upon the one side and a war of principle upon the other. It is tyranny invading liberty, force summoning human rights to lay down their arms, and because they will not, banding a subservient but unwilling majority together by caucus dictation to crush the Republic by disfranchising the people whose will it is to perpetuate and preserve it. In this way despotism approaches and intrenches itself. First deprive a people of their liberties and then debauch them by a system of wholesale bribery.

#### THE DANGER SIGNAL.

We have here a great political organization, claiming to be first in intelligence and patriotism, which began by calling itself Republican, and ends by appealing to the weapons of tyranny. To write the history of the Roman Republic would simply be to write the life of Cæsar. In like manner the life of the early French Republic is found in the life of Napoleon Bonaparte. Did Cæsar strangle the liberties of Rome? It was to save Rome from Pompey. Did Napoleon fetter France? It was to save France from wrangling pedants. Methinks the citizens of Rome and the people of France have learned the sad lesson that liberty once surrendered is not soon regained.

It is impossible for one who has not traveled amid the monarchies of Europe and witnessed their nervous fear of republican principles and their fixed determination at whatever sacrifice of justice, human rights, and human life, to maintain their oppressive forms of government, to appreciate the danger that lurks in this distrust of the people, this centralization of power in the hands of a government far removed from the people that is now the avowed

policy of the Republican leaders. The perpetuation of power in the hands of the Republican party is the object, and aim of this legislation, as it is the object and aim in all things of those most greedy of its accomplishment. Thank God, the season of apparent indifference and consequent inaction by the people at large in political affairs is a thing of the past.

The American people just now begin to see with clearer vision the aims and intentions, the methods and the measures of each political party, and they are making new and more earnest struggles over policies that are irreconcilable, over measures that are inherently and inevitably in conflict. They have learned by experience that it is well for every citizen of a free Government to keep before his eyes and his thoughts the honored maxim that "the liberty of one man must always end where the rights of another man begin." A constituted Government, which ought to be the most enduring and the most powerful which has ever existed, because based upon the will and defended by the power of the whole people, is to-day put upon its trial.

A great political organization, distinguished for the unscrupulous audacity of its leaders, and not less distinguished for the supine subservency of its followers, is temporarily intrusted with power in all the departments of the Government, and it seeks to perpetuate its power in defiance of individual judgment, in defiance of parliamentary traditions, and defying as well the recorded verdict of the people. Scarcely three months of undisputed power now remains to execute their revolutionary decrees before the people will deprive them of all power to harm the Republic. Shall, then, our former Republic last, will the American idea in government continue, or must it change in three short months from a Government of, by, and for the people to one of force and fraud? Money, which was once the chief reliance of the Republican party; since the adoption of the Australian secret-ballot system can not alone safely be trusted to secure results.

The elections once pure have become matters of annual bargain between candidates and their supporters; and money is poured into the elections in rolling streams of gold; money the one thought, from the pious Cabinet minister to the poorest wretch whose vote he buys. With election money, individuals and giant corporations are hired by legislative favors and given sanction to rob the people, and these beneficiaries of Republican favor return at each succeeding election with millions more for fresh riot. The door to promotion is open only to those who hold the golden key. Hereafter, if this bill becomes a law, the Treasury of the people will be looted to pay the bills, and partisan election officers will dictate the result.

#### THE CONSTITUTION.

The American Constitution had grown out of the character of the American people, and intended to be popular in form. Made by the fathers, it was intended to be handed down to us, from us to our children, and to their children without abandonment or degradation forever. This was their injunction. It was theirs to found; it is ours to perpetuate.

The franchise was made free and liberty absolute, and unlike the Roman idea where the citizens assembled in front of the forum and exercised their power individually, the voice of the American citizen was expressed by representatives chosen by themselves and responsible to them. The men who made our Constitution were not imaginative; they were moral and practical. They were free politically, because freedom meant to them not freedom to do as they pleased, but freedom to do what was right. The people were sovereign.

Thus and thus only are nations formed which are destined to endure. "The fathers laid the foundations of our happiness in a time of trouble, in days of sorrow, distress, and danger. They made our happiness sure by unflinching

patriotism; by unceasing vigilance." "By these things alone did they win our liberties; by these alone can we hope to keep them." A hundred years or more have come and gone, and the civilization and liberty for which our fathers struggled are still our heritage. Shall we continue to enjoy that freedom and the prosperity which freedom gives, or must our liberties be placed at the mercy of a horde of partisan election officers?

Are we to continue to enjoy the blessings of popular government? Are the people to have home rule, local self-government? Is the democratic principle which controls the town meeting, where there is no corruption, where the people elect their own officers, to continue to flourish, or must it give way to the spirit of centralization which now seems to dominate the Republican party? The people have drifted into a state of acquiescence until they have well-nigh forgotten the essential elements of their political power and freedom. They have seen the central government at Washington absorb power after power, until now, when it is proposed that it shall be supreme in everything, they are hardly surprised. They have seen the virtues of popular government, and they now behold the vices of a government by an oligarchy of money with wonderful complaisance.

In order to sustain its power they have seen a great political party to whom they gave their allegiance make a definite alliance with the manufacturing and speculative classes of the country to the injury of the agricultural classes. Step by step the interests of the Government and its partners have become more and more identified, until one must depend upon the other, and fearing possible revolt the articles of copartnership between the barons and the Government have recently, and at great cost, been renewed and strengthened.

It has been further agreed that in view of the fickleness and uncertainty of popular government, and as the first effect of popular wrath would be felt in the popular branch, rotten boroughs must be admitted to statehood, and thus block for a series of years any possible change in the complexion of the Senate.

The appropriations for subsidies were made part of the permanent expenditures of the Government in order that a Democratic House might not take from the corporations the people's forced contributions. In order to further strengthen the Republican party the force bill was inserted and also made a permanent charge upon the Government, and which ordains that the supremacy of the Republican party shall be fixed by law, by keeping the control of the certificates in the hands of the agents of the present majority, and thus enable fraud and force to remedy the failures of bribery and corruption.

#### SECTIONALISM.

But this is not all. To gain a longer lease of power they seek to array again the passions of the North against the South. They seem to act as though the war was not yet ended. No one will deny that this bill is intended to break up the solid South and to break down Democratic majorities in the North. The man who does deny it is a half rational of whom there is little hope, or a visionary to whom we must be charitable. Republican misconduct in the South has made the South solid, and now the South is blamed for being solid, and not only the South, but the Democratic party North is blamed by the Republican party, most outrageously, for a solid South. Yet Republicans have only themselves to blame for a solid South.

I can not feel that men who raise sectional issues and push them to extremes are patriots. While the Republican party at the North is seeking to perpetuate old hates and to make them the basis of party rule, the South is asking that they be settled and forgotten. The one seeks a sectional triumph, the other a national. Will the Northern people support a movement from which only evil can flow? A generous people will forgive much that may be done by a political party when engaged in putting down a great rebellion, but can

now have no sympathy with any ambition which aspires to rekindle the fires of that past agony for the purpose of personal or party dominion.

Is it wisest and best, if no law of the Constitution has been violated, that these States be again subjected to the condition of conquered provinces, governed by Federal bayonets?—for that is what this bill means if carried to its logical result and inevitable conclusion. The power once granted, political necessity will demand its exercise. If it is not necessary to secure fair and free elections in the South—and it is not, according to the testimony of Southern Senators and members of Congress representing both political parties in Southern States—then its attempted enforcement would be a mistake approaching a crime.

Hon. JOSEPH WHEELER, of Alabama, in a speech made in the House of Representatives at the last session of Congress, spoke as follows :

I call upon any gentleman from the South to say that the elections are not fair in his district, at least so far as the Democrats are connected with them. I call upon any Southern Republican to say if Democrats do not conduct elections with perfect fairness in his district; if every one, white and black, cannot cast his vote with perfect freedom, and if Democratic inspectors do not count them precisely as they are cast. I call upon you, gentlemen [addressing the Republican side of the House], to remember the appeals made to you by Southern Republicans.

I also call attention to the statements of Southern Senators upon this floor, and especially do I invite your attention to the eloquent speech of the junior Senator from Mississippi [Mr. WALTHALL], speaking for a State which has probably been assailed for this alleged cause more bitterly than any other State in the South. I am aware it has been often quoted in this debate, but if true—and who can doubt it—the facts it discloses can not be too often repeated to the American people.

I will not repeat it here, but ask that it may be printed as part of my remarks, for it does show this condition of facts to exist in the South, that in a single county in the State of Mississippi, vilified as it has been upon this floor for its abuse of the negro population, there are to-day more colored people holding office under that State government than in all the States of the North combined.

The statement is as follows :

I venture the statement, as a matter of opinion, that there are more negroes in office this day in Bolivar County than in any other county in the United States, and more than in entire States in the North which have always been under Republican control. Out of forty-four officeholders in that county thirty-one of them are negroes, and if there be a Northern State with half as many I will thank some Senator to name it. That is a wealthy county, and the white population is intelligent and enterprising, and yet every constable in it is a negro; they have thirteen negro justices of the peace out of fifteen; two members of the board of supervisors are negroes, and so are the coroner and ranger, assessor, treasurer, circuit clerk, and one representative in the State Legislature, the county being entitled to but two.

But this county does not stand alone, and while it is not a type of others in the State differently situated, its condition does not materially differ from that of other counties in the same region, all in the Congressional district from which most extravagant and imaginative reports of election wrongs have been given to the public in newspapers published elsewhere and from other sources.

Adjoining that county on the north is Coahoma, which has one white and one black representative in the State Legislature, two colored members of the board of supervisors, nine colored justices of the peace, and six colored constables. That county gave its vote to Hayes, to Garfield, and Blaine, and Mr. Harrison carried it by nearly a thousand majority.

Adjoining Bolivar on the south is Washington County. It sends a colored representative to the State Legislature; its circuit clerk, coroner, and ranger, one-half of the justices of the peace, and one half the constables are colored men, and there are two colored members of the city council and two of the city police in Greenville, the county site, a wealthy and thriving city with eight or ten thousand inhabitants.

Next below is Issaquena, whose only representative in the Legislature is a colored man, and the clerks of the circuit and chancery courts, the assessor, coroner and ranger, two supervisors, six justices of the peace, and seven constables are colored men; a white Republican is county surveyor, and out of thirty-one offices in the county but ten are filled by Democrats. This county, from 1876 to 1888, inclusive, has never failed to give a majority for the Republican candidate for President, and in 1884 Mr. Blaine carried it by more than five to one.

Adjoining Issaquena is Sharkey County, which sends but one representative to the Legislature, and he a colored man; and there are a number of other colored officers in the county, including several justices of the peace and constables.

Tunica County, which is in that same section, gave Hayes nearly 1,200 majority, and at every Presidential election since has given decided majorities for the Republican candidate.

Adams County, the home of John R. Lynch, who is loud in his complaints of the white Democracy of Mississippi, in three out of the last four Presidential elections has cast its vote for the Republican candidate, the majorities ranging from 700 to 1,200. In both the counties last named colored men have been repeatedly elected to office and an educated colored Republican named Bowless, returned from Adams County to the last Legislature, took a high stand in that body, as did some others of his race.

I ask Senators on the other side to read the record of office-holding by Republican negroes in the counties I have named in a Southern State where it is charged that the white Democracy mercifully dominates in all things political, and tell the Senate whether any Republican State, or any two of them, or ten of them, or all of them combined can make so good a showing of what Republican majorities have done for the negro, or permitted him to do for himself, while they have been controlling the politics of those States. No colored Senator or Member has ever come to Congress from any of those States.

None of them has ever had a colored governor or attorney general or treasurer or other high State officer, and all of them have not, as I believe, as many colored men in lower positions as there are in the few counties in Mississippi which I have named, where, as I have shown, scores of them are to-day in every official station which they can fill consistently with the safety and protection of public and private interests.

Mr. President, Mr. Harrison owes his high office to the colored vote, for if that had been thrown solidly against him in New York and Indiana it would have turned the tide of battle: but there is no negro in his Cabinet, he has none for his Secretary, he chooses white men for his political counselors and companions, and rarely appoints any negro to office, except when his service is to be performed in the South, to irritate or humiliate some white community.

Let me add, if you please, the testimony of Hon. H. G. EWART, a distinguished member of Congress from the State of North Carolina, and a Republican.

In a speech made in the House of Representatives on the 29th day of June last, addressing himself to his own side of the Chamber, he spoke as follows:

To-day, to our shame and discredit be it said, there are Representatives from sovereign States upon this floor who deep down in their hearts know that this election bill is as damnable, illogical, inequitable, and vicious a piece of legislation as was ever attempted to be placed upon the statute books of this Republic. And yet, at a sacrifice of their manhood, sober judgment, their sense of fairness and justice, feeling the keen sting of the caucus lash, they will support a measure which will add untold miseries to the woes of the unfortunate people it is designed to help; stir up race troubles and factional strife in our fair South land, and breed political confusion worse confounded.

Addressing the author of the bill—

Had the distinguished gentleman ever been South, had he ever had an opportunity to see our people, to study the political situation there, to realize the immensity of the social and political questions that confront them, he would not to-day be advocating the passage of a law which will postpone the settlement of those grave questions for long years to come, and alienate the people of the two great sections of our common country.

Speaking of the negro—

Their legal rights in the main are jealousy protected, except in a few sections of the South where ignorance and brute force unite in refusing to the negro such rights as he is entitled to under the Constitution and laws of our land.

As to his political rights, speaking for my own state, I unhesitatingly assert that no Republican in the State, black or white, is prevented from casting his vote. The elections are absolutely fair.

This distinguished Republican orator further says:

I am sick and tired of this talk about the negro problem at the South. There is no negro problem at the South. It is no new question there. It is the same question that existed when the shackles were struck off the limbs of four millions of slaves; it is the same question that existed in 1865, when nearly one million slaves were given the right of suffrage. It is not a problem. Side by side until the last syllable of recorded time. [Applause.]

I know the negro. I ought to know more about him than the distinguished gentleman from Massachusetts. For three generations my people were slave-owners. There are no more faithful, generous, or kind hearted people upon God's green earth. Give them the education that they are so eagerly striving to obtain, and the country will have no more useful class of citizens than they will prove to be. But instill into their minds that the white people of the South are their enemies, that they desire to crush them, to strip them of their legal rights, and you do the negro a wrong that you can never atone for. I say that the negro is to-day thinking for himself. It is a delusion to suppose that he is voting the Republican ticket solidly. He is doing nothing of the kind. Thousands of them to-day are voting the Democratic ticket as willingly and as openly as the Republican ticket is voted by myself or any of my colleagues on this floor.

It is getting more and more difficult every year for the Republican party to control him. Thousands, as I have stated, openly vote the Democratic ticket. Thousands do not manifest interest enough in an election to go to the polls. He is growing skeptical about certain pledges and promises which have been made and broken by the political organization to which for so many years he has shown his loyalty. Widespread dissatisfaction exists among the colored voters of the South to-day. There never was a proposition as dear to the negro heart as the Blair educational bill. The negro knows the power of education. He looked eagerly to the great Republican party to redeem in honor and good faith the pledge it had made in its platform at Chicago to extend national aid to the common-school system of the country.

We have, then, the testimony of Southern Democrats and the appeals of Southern Republicans not to pass this unjust bill. Do you wish to inaugurate a war of races between the white race and the black? Do you wish to revive the scenes of the reconstruction period, when anarchy was the rule, because there was no respect for law? The black man has been a citizen for a quarter of a century, and for twenty-one years a voter, and what sort of capacity does he now exhibit for self-government?

Moreover, the black man in the South is more prosperous, happy, and contented than at any time in his history. He has steady employment and abun-

dant reward, and after the carpetbag governments disappeared and usurpers were dethroned he has taken a little interest in politics, not even taking the trouble to vote. His sustenance and support is derived mainly from his old masters, among whom he lives, where his children were born and where they lie buried; and to say that of his own volition he will act contrary to his own interests and contrary to the interests of his employer is an unnatural thought which has no place in the teachings of history, the dictates of reason, or the promptings of humanity.

I assume, therefore, that the oft-told stories we hear in Congress, and nowhere else, about the wholesale abridgment of the rights of the black man in the South, accompanied, as is claimed, by violence and bloodshed, is an invention of the Republican party and intended to fire the Northern heart. Speaking for myself, for my guide I prefer to take the evidences of her prosperity as found in her fields, her mines, and her workshops; the justice and honesty of her State governments as found in her laws and the economy of her State administrations; and for the truth touching election evils alleged to exist I prefer the statement of my brother Senators, truthful in all things, to those, truthful in none. In a few short years under Democratic rule the progress of the South has been marvelous; what it was under Republican rule, where Republicanism was most firmly established, the record will show.

#### REPUBLICAN RECORD IN THE SOUTH.

Let us turn to the record. It will be remembered that in 1865 the war for suppression of the rebellion had entirely ended. Never was there a rebellion more completely overthrown, a cause more hopelessly lost, and the Southern people with wonderful unanimity submitted to the result. "They made the noblest tender of reconciliation which a beaten people had ever made." "They buried their flag and their losses, their natural resentments, and even their just expectations, for the sake of peace and the common good." The South proffered obedience and loyalty in response to the covenant of pardon by the law. It had been settled, and for all time, that there could be no dissolution of the Union; that no State or number of States could withdraw therefrom.

Did the Republican party keep the pledge made to the people? Did they attempt to repair the waste and destruction of war? No, no! But we saw the strange anomaly of a party claiming to be the champions of freedom acting with a tyranny unparalleled in the world's history. "With marvelous inconsistency the Republican party themselves dissolved the Union, in so far as legislation and the exercise of force could do it, by secluding from the circle almost one-third of its component parts; by stripping ten Commonwealths of all the functions of free States and subjecting them to the condition of conquered provinces."

Military rule trampled civil law under foot.

The people had no voice in their government and not a single right which the serfs of Russia are denied. Instead of the State governments they had military despotisms. Instead of a government by the people they had the government of the Army and Navy of the United States. Instead of the civil courts they had the courts martial. Instead of the intelligence of the South being permitted a voice in their own local affairs, they were disfranchised and the agents of the Republican party, in the person of the Northern carpetbagger (that meanest of all things that ever crept upon the footstool of God), were sent South to control the destinies of that people with the votes of the newly enfranchised race made to order for the purpose.

Of necessity the Legislatures came under their control, and as a result seven of the ten States were made practically bankrupt. The debt of these States was increased under carpetbag rule nearly \$300,000,000, and no less an au-

thority than a carpetbag Senator said of the State of South Carolina, after all this stealing, that he rejoiced there were several years of good stealing yet left. Of all this vast increase of debt, if ever fully paid, mortgaging as it did the labor of those great Commonwealths for generations to come, the impoverished people of those States got no benefit whatever by way of internal improvements or otherwise. During this period of lawless plunder emigration to those States entirely ceased and capital was afraid to enter. Will capital ever seek a land whose local government is only another name for legalized robbery? Agriculture and manufactures were prostrate. The people could not buy of us because they had no money and nothing to sell. Did it enrich the North to have the people of ten great States impoverished and their industries stamped out?

But this is not all; these military despotisms sent Senators and Members to Congress—Senators and Members who had no constituencies behind them and were responsible to no one, except the central power at Washington which made it possible for them to be appointed. Bayonets elected them; why should not the masters of bayonets vote them? These Republican Hessians not only plundered the State governments at the South, but they voted solidly for Republican principles and policy in the National Congress as well. If millions of Government money or credit, or hundreds of millions of acres of the public domain, the heritage of the people and of their children, was wanted by some party favorite, this servile Southern vote was always solid.

The vast domain of virgin soil secured under Democratic rule, which had ever been the pride and glory of our people, was parceled out by Congress to administration and party favorites in blocks larger than States, even when the sound of the enemy's guns could be heard in this very Capitol when it was sitting. Truly this may be called the venal age; the age when corruption and debauchery stalked unchecked throughout the Southern States and even assailed the integrity of the National Government. "And, strange to say, these governments in the South had the protection and support of the Republican administration," "and that protection was nothing less than a revolutionary sanction of undisputed lawlessness."

Emboldened by past successes in the South and now driven to the wall by an outraged, indignant people in the North, does the dominant party now expect through the operation of this bill, applied by themselves, to strangle the liberties of the people by a denial of their rights? If this be the purpose let me remind its authors and supporters that its objects and aims are at variance with the policy and teachings of the founders of the Republic, and, if I mistake not the temper of the people, you will find the ballot in the hands of the descendants quite as potential in defense of the principles for which the fathers fought as was the bayonet in more heroic days.

I will here present, which I desire to have printed as a part of my remarks, a statement showing the debt of eleven Southern States at the close of the war, what the debt was when Republican administration ceased in the South, and what it is to-day. This statement alone answers every question at issue, for facts and confessions are more convincing than charges.

I had intended to review and comment at some length upon this statement, which I hold in my hand, for it is most astonishing in all its parts. The amount of depreciation in property in the South and the enormous debt which was incurred under Republican government at the South when Republicanism had full control of all the State governments in that section of the country are almost incredible. The debt of those States was increased between the close of the war and the end of the reconstruction period by \$293,020,841.80.

I present also a statement of the assessed valuation in the Southern States as found in the Ninth Census Report of 1870 and of the assessed valuation by the

Tenth Census in 1880, and also the assessed valuation for 1889 from estimates published by the Manufacturers' Journal, of the city of Baltimore, and said to be correct.

*Debts and liabilities of the Southern States.*

States.	At close of the war.	After reconstruction.	Increase.
Alabama .....	\$5,939,654 87	\$38,381,967 37	\$32,442,312 50
Arkansas .....	4,036,932 87	19,761,265 62	15,724,312 75
Florida .....	221,000 00	15,763,447 54	15,542,447 54
Georgia .....	Nominal.	50,137,500 00	50,137,500 00
Louisiana .....	10,099,074 34	50,540,206 61	40,341,132 27
North Carolina .....	9,699,500 00	34,897,467 85	25,187,967 85
South Carolina .....	5,400,000 00	39,158,914 47	34,158,914 47
South Carolina .....	Nominal.	20,000,000 00	20,000,000 00
Mississippi .....	20,105,606 66	45,688,263 46	25,582,656 80
Tennessee .....	Nominal.	20,361,000 00	20,361,000 00
Texas .....	31,938,144 59	45,480,542 21	13,542,397 62
Virginia .....			
	87,139,933 33	380,160,575 13	293,020,641 80

From Hon. H. Herbert's Noted Men of the "Solid South," and the speech of H. n. St. George Tucker, page 6566, CONGRESSIONAL RECORD, first session, Fifty-first Congress.

*Assessed valuation in the Southern States.*

States.	Assessed valuation, Ninth Census, 1870.	Assessed valuation, Tenth Census, 1880.	Decrease.
Alabama .....	\$155,582,595	\$122,867,228	\$32,715,367
Arkansas .....	94,528,843	86,409,364	8,119,479
Florida .....	32,480,843	30,938,309	1,542,534
Georgia .....	227,219,519	239,472,599	*12,253,080
Louisiana .....	253,371,890	160,162,439	93,209,451
Louisiana .....	130,378,622	156,100,202	*25,721,580
North Carolina .....	183,931,837	133,569,135	50,371,202
South Carolina .....	177,278,890	110,628,129	66,650,761
Mississippi .....	253,782,161	211,778,538	42,003,623
Tennessee .....	149,732,929	320,364,515	*170,631,586
Texas .....	365,439,917	308,455,135	56,984,782
Virginia .....	556,129,969	532,795,801	23,334,168
Missouri .....			

\*Georgia, North Carolina, and Texas show an increase. Each of these States was able to throw off the "carpetbag government" early in the decade.

*Assessed valuation in the Southern States.*

States.	Assessed valuation, 1880.	Assessed valuation, 1889.	Increase.
Alabama .....	\$139,077,328	\$242,197,531	\$103,120,203
Arkansas .....	91,121,658	166,000,000	74,808,347
Florida .....	31,157,846	93,800,000	62,642,154
Georgia .....	251,424,651	380,289,314	128,864,663
Georgia .....	177,096,459	226,392,288	49,295,829
Louisiana .....	169,916,907	217,000,000	47,083,093
North Carolina .....	129,557,624	145,280,343	15,722,719
South Carolina .....	115,130,651	157,830,431	42,699,780
Mississippi .....	211,768,433	325,118,636	113,350,198
Tennessee .....	311,470,736	710,000,000	398,529,264
Texas .....	303,997,613	344,169,473*	40,171,860
Virginia .....			
	1,931,789,906	3,008,078,016	1,076,288,110

\*1888. The assessed valuation for 1880, taken from the census of 1880, the Ninth Census. The assessed valuation for 1889, from the estimates published by the Manufacturers' Journal, Baltimore.

THE PEOPLE DECEIVED.

Imperial aspirations by obvious necessity draw after an imperial rule. The President of the United States is practically an elective monarch, far less restricted in his powers, more potent of danger to the public weal, than is Queen Victoria, the hereditary constitutional monarch of Great Britain. How important, then, that the President of the United States shall keep within the limit of the powers conferred upon him by the Constitution, and not attempt to influence the legislation of Congress as well.

Executive interference with the legislation of Congress is a plant of recent growth in this country, and, if successful, clothes the Executive with more power than any limited monarch, and only less than absolute. How important also it is that in his zeal to extend his own rule and that of his political party, the truth in regard to all public questions should not be suppressed, but should be fairly and honestly stated to both Congress and the people, for by these tests the people must judge of his fitness and capacity for government, and his title to trust and confidence.

In President Harrison's last annual message to Congress on the subject of Federal elections, he speaks as follows:

In my last annual message I suggested that the development of the existing law providing a Federal supervision of Congressional elections offered an effective method of reforming these abuses. The need of such a law has manifested itself in many parts of the country and its wholesome restraints and penalties will be useful in all. The constitutionality of such legislation has been affirmed by the Supreme Court. Its probable effectiveness is evidenced by the character of the opposition that is made to it. *It has been denounced as if it were a new exercise of Federal power and an invasion of the rights of the States. "Nothing could be farther from the truth."*

President Harrison declares that it is not a new exercise of Federal power.

Mr. SPOONER. Declares that what is not?

Mr. MCPHERSON. He speaks of this well-developed election law, the one now before the Senate, I presume, as I think I have heard it stated by the Senator from Wisconsin [Mr. SPOONER] and the Senator from Massachusetts [Mr. HOAR], that this bill does not differ in any particular from what it was when the President's message was sent.

Mr. SPOONER. Mr. President, the Senator has not heard me state any such material thing. On the contrary, I distinctly stated that it differed in several particulars from the bill which came from the other House.

Mr. MCPHERSON. I was not speaking of the House bill, but of the amended bill before the Senate. The message of the President of the United States which I am now discussing was sent to the Senate long after the amended bill was reported to the Senate by the Senator from Wisconsin and his associates upon the committee. I assume, therefore, that the President refers to the amended bill. But have it as you please, for one is bad as bad can be, and the other infinitely worse.

In the President's message which I have quoted a part of the truth is spoken, and only enough of it to convey a false and misleading impression upon the public mind.

Mr. President, in a message addressed to the Congress of the United States, printed in every newspaper in the land and read by the people of the country, who are deeply interested in the action Congress shall take upon this bill—a bill which contravenes popular freedom—the exact truth, the whole truth, and nothing but the truth should be spoken.

It is not true that under existing law Federal elections are conducted by Federal officers. They may supervise the work and make such statement to the chief supervisor touching the registration and casting of the vote as they may deem proper, and may make arrests for illegal voting. They may scan the registry list and prevent illegal voting. They can accept no vote, or without the consent of the State officers cause no vote to be rejected, except by intimidation or arrest. It is not true that under the present law the Federal supervisors have anything to do with deciding who shall or shall not vote. They have nothing to do with the registration, with receiving or rejecting votes, with counting or returning votes, or with granting certificates of election. These duties are all performed under the present law by the State authorities.

The effect under the pending bill in districts where the law is enforced will be that the registration of votes, the absolute control of the polls, the counting, the returning, and the certification may be dictated by Federal officers who hold their positions for life. And yet President Harrison says to all the world this is not a new exercise of Federal power. Is not any scheme a new exer-

aise of Federal power that may take from the people the whole machinery of their elections which has been theirs to create, organize, and regulate from time immemorial, and confer this power upon Federal officers they have never before seen, who do not live among them, of whose character they know nothing, and who brings no credentials except their badge of office?

If the election officers chosen by the people (who are permitted some privileges under this bill) were to decide that one candidate was entitled to the election while the Federal officers decided in favor of another, who would get the certificate? Always the man favored by the Federal officers. What Senator sitting in this Chamber, holding his seat by the grace and favor of a patriotic, intelligent constituency, would dare confront his people at home and tell them the whole truth about the bill, which President Harrison did not? And if you told them the truth what must you say? This you might say in truth.

"We have conferred power upon ourselves by ourselves which we think will perpetuate our rule in this country for all time. It is true our time is limited, rendered so by the honest but mistaken efforts you made at the last election to change your rulers. It is safe to say that if this bill had been embodied in the statutes of the United States no such mistake would have occurred, and we promise you it need not occur again. In the future you will have no trouble whatever except to vote and pay your taxes. If you vote the Republican ticket you are a good and loyal citizen and entitled to the favor of Republican statesmen. If you vote the Democratic ticket you are an unrepentant rebel, or at least you are entitled to be classed with that ignorant, unappreciative mass called the dear people, who are prone to think and act for themselves at times and in a manner very distressing to the Republican party. Therefore, to prevent future mistakes we have passed this bill; and what are you going to do about it? You would further explain. "We have now a chief supervisor of elections appointed in each judicial district for life. In case of his death, if such a calamity should occur, we have provided to perpetuate his office, powers, pay, and perquisites in his deputy, who is made his heir at law, also for life. We also make the same provision in case of his resignation; but of this we have no fear; for who would surrender powers greater than are exercised by any limited monarch."

No Bonaparte who ever scaled the throne of France started with greater power towards a monarchy than that conferred upon this officer. Practically the chief supervisor appoints the supervisors of elections. This can only be done in each Congressional district upon petition. In city districts 100 people and in country districts 50 people will decide for 176,000 residing in the district whether or not the voters of that district shall continue to conduct their elections in a manner deemed best by them and by their own agents, or shall be made subject to Federal control. In other words, if in a Congressional district 100 or 50 professional Republican politicians who live and fatten upon the spoils of party shall petition to place the election entirely beyond the control of the voters and 176,000 should petition otherwise, the fewest petitioners would triumph, for the law makes it so.

The supervisors of election attend at the places fixed for the registration of voters, and have in effect great power and control over the registration of votes for Congressmen. The State board of registration may place upon the lists a voter qualified in their judgment to vote for a member of the most numerous branch of the State Legislature, which is also made in the Federal Constitution the qualification necessary to vote for Federal officers; yet the board of Federal registration may deny him the right to vote for Congressmen.

Fifty or one hundred petitioners in a Congressional district, whose names the people of the district are never to know (that being a secret between the petitioners and the chief supervisor), may transfer the election from State to

Federal authority, from the watchful supervision of the State canvassing board, always non-partisan, to a Federal partisan commission of three men called a canvassing board, which will have before it all rejected ballots and all defaced ballots, together with the statements and explanations made by the supervisors of elections to assist the judgment of the board of canvassers; whose certificate is *prima facie* evidence of right to a seat in Congress. And this is called popular freedom.

The supervisor of elections takes possession of the polls on election day, receives and counts the votes, and makes returns to the chief supervisor. The chief supervisor becomes the custodian of the returns, tabulates them, and in due time places them in the possession of the board of canvassers, who give the certificates of election. One of these certificates is sent to the clerk of the House of Representatives, and unless estopped by a decision of the Federal court the Clerk of the House is compelled by law to place his name upon the rolls of the House as entitled to a seat in that body. You would further explain, "The chief supervisor is one of us; a majority of the supervisors of elections are with us; we have a majority of the board of canvassers, and if we fail to have a majority of the House of Representatives it is because our plans miscarry. But this is not all. We are permitted to appoint as many deputy marshals as the chief supervisor thinks necessary. What is to prevent us from putting every purchasable Democrat in the district (whom we can not intimidate through warrants taken out in advance) upon the rolls as deputy marshals? We will at least get their votes out of gratitude for \$5 per day and ten days' service. This will cost us nothing. Uncle Sam must foot the bill, and as the Democrats pay half the taxes they are entitled to this much of the plunder. Moreover, we have made a permanent appropriation to meet the expenses. It may cost you ten millions for each election, but if you are noisy about it and do not accept the situation calmly and without a struggle it may cost more to beat you; all with your own money."

A caucus of the Senate has decreed that it is the best, the cheapest, and safest political contrivance yet invented to aid the Republican party, and it reveals the presence of the scholar in politics. The law, it is true, may work the disfranchisement of the people; it may despoil them of their treasure; it may contemplate their debauchery by a system of wholesale intimidation or bribery; but it is infinitely better that you wear this yoke of political bondage than trust the Democrats. What Republican Senator or campaign orator, I again ask, will dare to stand before his people and attempt to give to this bill any character other than the one I have just ascribed to it?

To be more explicit, this bill provides in section 2 "that the election shall be guarded, scrutinized, and supervised" by Federal officers; "that these Federal officers shall be subject to the instructions, directions, and detail of the chief supervisor." Section 2 provides that upon the application of certain petitioners, whose petitions shall be addressed to the chief supervisor, he shall take such action as may be requisite to secure supervision of the registration and the elections. No provision is here made by which the voters of the district shall be at liberty to inspect the petition or have absolute knowledge that the law has been fully complied with. The framers of this bill doubtless thought, and thought right, that no fifty or one hundred respectable voters could be found in any district who would openly and publicly, and within the knowledge of all the people of the district, invoke the exercise of a power which might subvert popular freedom; hence this secret, star-chamber policy is pursued.

Section 5 provides that the chief supervisor shall prepare lists of persons whom he shall believe to be eligible for appointment as supervisors of elections. This section practically places in the hands of the chief supervisor all appointments for supervisors of elections. The number of such officers shall

not be less than double the whole number that the districts so petitioning shall be entitled to; but in addition thereto such others as are deemed necessary by the chief supervisor; "that no more than two of the three supervisors appointed for each precinct shall be of the same political party," but section 12 provides that one of said supervisors may perform all the duties of the board.

Section 6 provides that the chief supervisor may transfer the supervisors of election to any other duty authorized by the laws of the United States; and it also provides that the term of office of each supervisor shall continue until six months before the next general election for Representatives or Delegates succeeding that for which they were appointed; but they shall receive no compensation except for duties actually performed.

Query: What is to prevent the chief supervisor from keeping under pay such number of the supervisors as he may deem sufficient to guard the registration and elections during the whole term for which they are appointed? It will be seen that this bill provides for the examination of court records of naturalization, with original affidavits and applications, and, if so disposed, the chief supervisor may employ an army of men in this work.

Section 7 provides that the supervisors of elections shall be subject to the instructions, directions, and detail of the chief supervisors charged with the enforcement of the election laws. In addition to the duties the chief supervisor shall perform under this bill, the bill seems to be so worded that his power is limited only by his own discretion.

Mr. GEORGE. The number is not prescribed.

Mr. McPHERSON. Sufficient power may be found under this bill, in the discretion of the chief supervisor, if he needs their services for the purpose of guarding the registration and the election, and what is to hinder him from employing the Federal supervisors, appointed as they are for six months' time, during the entire time in searching the court records and looking over the affidavits and the applications of thousands and hundreds of thousands of suspected voters already naturalized or of new applicants for naturalization? They may be employed all the time and not one of them need be dismissed from office on account of anything that interferes with such a plan in the bill. There is no limit; the language employed in the bill is very elastic and accommodating.

Section 7 also makes it the duty of the supervisors to attend at the place of registration and to challenge the right to register of any person whose right he doubts, and he may also require the officer in charge of the registry list to mark the name of any person thereon for challenge.

Mr. SPOONER. I will state to the Senator that that is the present law.

Mr. McPHERSON. I understand; but at the same time it gives them a much greater power than under the present law.

As under the laws of most States the registry lists are open to inspection, and in some States required to be published, what better device could a partisan board desire; what more could they need to keep away from the polls on election day every timid Democrat? If inventive men were paid at public cost to devise a plan by which our naturalized fellow-citizens could be completely disfranchised, this, it seems to me, would be exactly the contrivance they would recommend. To require also the statutory oath or oaths to be put to every challenged voter, and in case of default so to do by the State officers, the supervisors of election shall put such oath or oaths.

The effect of this law for one election at least will be to prevent thousands of our naturalized citizens from voting at that election. They have been in the habit on many past elections to come to the polls, often at a very late hour, unarmed with their papers, because being well known to the State election officers who have not required on every occasion the evidences of their right to vote. This bill works in effect a denial of such right.

Section 8 provides that the counting of the ballots shall be done by the State officers and the Federal officers jointly. Upon the completion of the canvass they shall compare their tally lists; and if a difference is found to exist the Federal officers shall make a note of it in their books. The joint duty here ceases. The returns of the State inspectors shall then be disposed of as provided by the State law. The Federal supervisors' returns shall include as part of the returns all rejected or defective ballots, and any or all statements or certificates of the Federal officers that may be decisive or even influential upon the judgment of the Federal canvassers.

Section 14 provides for a State board of three officers appointed by the court, not more than two of whom shall be of one political party, and gives the power to the majority of the board to decide finally all questions before the board. These officers are called the United States board of canvassers, and they shall declare and certify the result, using the statements, certificates, and any accompanying papers sent by the supervisors of election, called the returns, for the purpose of ascertaining, declaring, and certifying the result in any Congressional district in which the election has been held under the provisions of this act. The certificate so made shall be sent to the Clerk of the House of Representatives and shall be treated by him as giving *prima facie* right and title to a seat in the House of Representatives.

Wednesday, December 24, 1890.

Mr. McPHERSON. Mr. President, when the Senate adjourned yesterday I was referring to the board of canvassers as found in the pending bill. The Senator from Mississippi [Mr. GEORGE] had asked me a question. My answer was interrupted by reason of the somewhat extended colloquy or debate which then took place between the Senator from Wisconsin [Mr. SPOONER] and the Senator from Mississippi. The question the Senator from Mississippi put to me was with respect to the character or quality of powers conferred upon the board of canvassers. I do not think it is necessary to spend much time in a discussion of that question, inasmuch as it makes but little difference whether you call these officials ministerial, quasi judicial, or judicial officers. Whatever the name may be matters but little so long as you have the thing itself.

The bill defines the limit and extent of the powers of the board of canvassers. The machinery of the bill is perfect in all of its parts to enable the framers of the bill to carry out the object and purpose they had in view. The supervisors of elections, in addition to the tally-sheets, send to the chief supervisor of elections all rejected ballots and all defective ballots, and they make such statements or such certificates as they please, all of which are required to be presented or forwarded by the chief supervisor to the board of canvassers.

The board of canvassers are required under the law to have before them all these statements which necessarily enter into and become a part of the subject-matter upon which they shall decide. So much for that.

No provision is here made for filing with the governor or other officer of the State a copy of the certificate of election of one or all of the persons who are to represent the people of the State in the House of Representatives. The governor of the State has no record or the archives of the State no record that the State has performed her duty as a part of the Federal Union by electing her quota of Representatives to Congress. In case a part of a Congressional district shall come under Federal supervision and a part under State supervision, no provision is made within the jurisdiction of State or Federal canvassing boards for tabulating, declaring, and certifying the returns from the entire district.

Fortunately for the Republican party, the people at the last election did not fully understand the iniquity lurking in this bill. You were too busy at

the last session of Congress paying off your debt to the monopolies by the passage of the tariff bill to pass this one; you had a good excuse for delay. Time did not permit. But you gave notice that you would return after the election and pass the force bill, reapportion, and perhaps redistrict the country, and thenceforward leave the opposition no remedy but revolution. This was the open, avowed purpose of the Republican leaders, and it remains to be seen whether a Republican Senate will have the manhood to refuse the decrees of the leaders.

#### INTERFERENCE WITH ELECTIONS.

The time is not far gone—pray Heaven it may soon return—when the people would have viewed with alarm any Federal interference with their elections; at least such an interference as was practiced in France under Napoleon, in New York under Grant, and which this bill will make possible or even necessary now. Is this bill intended to show the result of a century of popular government in the most intelligent country on earth? Are we prepared to say that popular government, resting upon the popular will, is here a failure, and at a time when the tendency of the nations is toward popular government all over the world?

France, surrounded by monarchial powers, racked by internal dissensions, and threatened by external foes, had the courage to stand up before the world and declare herself a republic. Ireland, suffering long under the encroachments and tyranny of British rule, is pleading for liberty, is struggling to be free. All the American States have thrown off the shackles of despotic power and made this a continent of republics. If this bill is to represent the liberty and equality enjoyed by the people of the United States, what becomes of the hopes of popular government the world over? Let the liberty-loving people of these United States see to it that we take no step backward, continue in the future as in the past, and in a few short years every monarchy in Europe will have a revolution of its own to struggle with. Democracy then will triumph and the downtrodden rejoice.

#### REVOLUTION TENDENCIES.

The Republican party is a revolutionary party. This is a fearful charge to make against a great political party, but the most fearful character of the charge is that it is true. In the spirit of fanaticism it was born, and in the same spirit it exists to-day. In the space of two short years it has done all that party could do to bankrupt the people, and it now seeks to pervert our form of government. Every step that it takes requires a step still further. Every plunge that it makes requires a plunge still deeper. If it acquire power to-day by any means, unconstitutional as they are, unfit for government as they may be, to-morrow it must have more power by other and if necessary by worse means. Whether a measure is patriotic, wise, and best, is not the question, but will it help the party to hold on to the Government?

A wise and sagacious leader, even though the idol of the party, who was wise enough to recognize the legitimate tendencies of popular sentiment and to lend the constant weight of his authority to those who were acting in harmony with it, was decreed too slow for the needs of the times and forced to play a secondary part. Thus it is that in times of impending calamity one great leader is stricken down and a dozen small ones fixed upon the neck of the party. Their defeat and the causes that lead to it are soon forgotten.

The McKinley bill is passed, the force bill pending, and the bankruptcy bill, born of the others, is upon the Calendar. These are the fruits of Republican legislation, secured by arbitrary, revolutionary methods, gathered under its new leaders. The history of most men terminates with the grave; it is not so with the Republican leaders. The story of their wild and reckless

career will be continued beyond the dying hour and the silence of the tomb. History, in making up its final and impartial judgment, will inscribe in letters of living light :

“To the Republican leaders: False and recreant to the trusts reposed in you by the people.”

#### DEMOCRATIC NEW JERSEY.

Compare, if you please, this proposed partisan legislation of a Republican Congress with the non-partisan, honest, manly expression of a Democratic State.

Governor Abbet, the present distinguished Democratic governor of the State of New Jersey, in his inaugural address in January, 1889, recommended a ballot-reform bill; and his message embraced a remedy for every possible evil. He recommended that a non-partisan committee of both Houses frame a bill in pursuance of his recommendations. Such a committee was appointed; it was in session nearly three months and thoroughly considered every suggestion. A majority of that non-partisan committee recommended a bill (known as the Werts bill, named for its author) and it was passed by both houses and became a law.

This bill provides—

First. Universal registration in the State, subject to judicial supervision.

Second. Non-partisan election boards—consisting of two members of each party.

Third. Absolute secrecy in voting.

Fourth. Summary judicial proceedings to set aside the election in any precinct for fraud, and provides for an immediate new election therein; and various other features which render fraudulent elections hereafter impossible.

Herein you will find the contrast between Republican election methods as practiced here and Democratic methods as practiced in a Democratic State. The people of New Jersey have learned, and the people of all the States are fast learning, that they are entitled to no better government than they make for themselves, and if left free to manage their own affairs, with power to correct evils and punish abuses, have no fear that the people will not defend their own liberties.

There is no guaranty that the substitution of Federal election officers will secure honesty in elections any more than if State officers acted. Moreover, there is plenty of Federal legislation already to secure supervision and proper control of Congressional elections.

The people of the State being the supreme power within its limits and jurisdiction, it seems plain that no power other than the authorities of the State, selected to make known its will, should certify to Congress the person whom its people have chosen. Failure on the part of the State to elect members to the Federal Congress and take its full share of the duties and responsibilities appertaining to Federal action, it then becomes a question vital to the interests of all the States, and may even threaten the preservation of the Federal Government itself, to whom the States have delegated certain powers, and among them the power to perpetuate its own existence. This the Constitution exacts, and no more.

Now Mr. President, a single word further and I have done. We have been waiting anxiously and patiently ever since the beginning of this controversy, now some twenty-four days in all, for some utterance, some expression, from Senators on the other side of the Chamber in justification of this proposed legislation, or at least some facts which would seem to show the need of it. With the exception of certain charges which have been made with respect to irregularities in regard to scattered districts in the South, and all of which have been explained or denied, nothing remains to answer, so far as I can see, except the observations made by the distinguished Senator from Maine [Mr. FRYE] the other day with regard to the conduct of elections in the city of New York, in 1868.

The Senator from Maine, whom I do not see in his seat—and I regret he is not here—seems to labor under the delusion, for I can call it nothing less than a delusion, that the Democratic party is the impersonation of every fault, every vice, every crime, which has disgraced and discredited us as a nation for the past thirty years, and the Republican party the exponent and representative of every virtue. To hold the vicious Democrats in check the Senator avows his readiness to place a bayonet behind every ballot, a Federal spy in every dwelling. As a justification for or in proof of his statements concerning the Democratic party he cites us to the corrupt doings of a judge in New York twenty-three years ago.

I should like to ask if twenty-three years is not quite long enough to free grown people from the fear of Judge Barnard's ghost? Who was Judge Barnard? A corrupt Democrat and a corrupt judge, a man who did not hesitate to sell corrupt decisions for money or to exchange fraudulent papers for votes, and Judge Barnard did both. In 1868, the time mentioned by the Senator from Maine, when these fraudulent naturalization papers were issued, Judge Barnard was himself a candidate for office, and everything that he did was done for his own personal benefit and aggrandizement. No sooner was this wrong discovered, however, than it brought down upon his guilty head the ire of the Democratic press and people. The Democratic party in the city of New York and the State of New York immediately gave its attention to Judge Barnard. He was tried by Democrats, convicted and punished by them. Not only was Judge Barnard punished for frauds touching the naturalization, but Tweed was punished for frauds, gross frauds, upon the city government. I wish the Senator from Maine would try and remember these facts, that these two officials were punished by Democrats themselves.

Mr. HISCOCK. May I inquire of the Senator from New Jersey when and where?

Mr. McPHERSON. If the Senator will compose himself in patience for a few moments I will tell him. I will now say to the Senator from New York that these men were punished by Democrats and not by Republicans. What were the Republican leaders in the city of New York doing about this time? Why, sir, it was broadly hinted that the Republican leaders of the city of New York were in league with one of these criminals, and I think sufficient evidence can even now be produced which points to it. They were not tried and convicted by Republicans. Oh, no! But in making these broad statements I do not wish to detract one iota from the credit due to the distinguished senior Senator from New York [Mr. EVARTS] for the part he took in bringing these criminals to justice. All good Democrats concede that credit to him.

Who was the man that started in this crusade against wrong-doing? Samuel J. Tilden, afterwards the reform governor of the State of New York, and elected in 1876 by the people of this country their President. Was he seated? Oh, no! The distinguished Senator from New York [Mr. HISCOCK], acting with his party, prevented Mr. Tilden from taking his seat. A man who was able to punish corrupt judges and corrupt rings in the city of New York, and corrupt canal rings in the State of New York, was altogether too honest a man, too dangerous a man to turn loose among Republican rings and methods and Republican records in the city of Washington.

The election of 1876 in New York, I think, did reveal at least the presence of one honest man in the Democratic party, although the Senator from Maine seems to think there are no honest Democrats and the Senator from New York seems to imply that there may be none. It revealed the presence of at least one honest man, and Samuel J. Tilden was that man; and he it was who prosecuted these political lepers, aided by Charles O'Connor and other worthy Democrats.

Tilden, elected by a popular majority of 250,000 votes, was deprived of his high office by adventurers and thieves, and that act was applauded by visiting statesmen who went South to strengthen the weak-kneed and corrupt returning boards of the South. This was the first, the primal crime, and it is branded deep in the annals of the nation as its consuming crime; a crime compared with which the crime of a Barnard or a Tweed is as pigmy to Alps as mole hill to mountain.

What did you do with these corrupt returning boards? You gave them patronage and office. You gave them position under and by the President whom they counted in. What have you done with your corrupt contract thieves, your whisky thieves, and your star-route robbers? You turned them loose upon the country, gave them their liberty, and said to them, in effect, "Go, sin no more, as long as you vote the Republican ticket and support Republican principles you are entitled to the patronage and protection of Republican statesmen."

Senators, I should like to present here a statement made by Republicans themselves touching the record of their own party. As confession is more convincing than charges, perhaps it is well for me to make no charges, but to let the Republican people make their own, and as an arraignment of Republican processes and Republican methods I have never read anything equal to this, except it be perhaps that most excellent speech which was made by the honorable Senator from Massachusetts [Mr. HOAR] upon the same subject about the time he served upon the Electoral Commission. If these gentlemen and the Senator from Massachusetts are to be believed, and I think they are, the Republican party is entitled to outrank all others in corruption by real service in the cause. Listen to what is said by prominent Republicans touching their own party's conduct after it had been for twenty-four years in uninterrupted possession of all the powers of this great Government.

For many years—

Say these Republicans—

For many years corruption in high office has been conspicuous. It has shown itself in every department of the public service. We have seen a Vice-President driven into private life by proof of personal dishonesty; a Secretary of War impeached for participation in felony; a Secretary of the Navy charged with corrupt practices and leaving office under a cloud of suspicion only to appear as a Republican leader in the House of Representatives; a Secretary of the Interior forced from his office by charges affecting his personal and official character; an Attorney-General compromised by evidence of petty fraud.

In the Treasury Department we have seen prominent officers implicated in Sanborn contracts and suspected of complicity in the gigantic conspiracy to defraud the revenue, known as the "Whisky Ring," and the private secretary of the President indicted as a conspirator, while the minister who sought to punish the criminals was dismissed from office. In the Post Office Department we have seen an assistant secretary conspiring with Senators of the United States in star route frauds, and the conspirators boldly defying the Government, which was powerless to secure justice in its own capital city. We have seen the last Republican Speaker disgraced by proof that he had shamefully abused his appointing power, and in face of this evidence, which has destroyed the confidence of his constituents, again the chosen candidate of the Republican party for the same high office. In the Signal Service we have seen a superintendent, in the Treasury Department a chief clerk, and in other Departments trusted officers guilty of stealing the public money.

We have seen the guilty protected, but we have yet to see them punished. We have seen the whole patronage of the Federal Government used openly to support a leader in Virginia whose principle is repudiation and whose methods violate every rule of political morality. We have seen the public business neglected, the reform of the civil service sneered at, and political assessments levied in defiance of party promises and public opinion, until the wave of popular indignation forced a reluctant Congress to inaugurate reform. The evils of a debased currency have been disregarded; our Navy is a monument of maladministration; the surplus, with all its temptations to extravagance, remains substantially undiminished.

Finally, we have seen the Republican party relying for its continuance in power not on its own achievements, but on the mistakes of its opponents, and we have seen its leaders not seeking to prevent but to encourage these mistakes, in order that thereby, at their country's expense, they might be furnished with arguments for their continuance in power. We have seen all these things and have been told that the party must be reformed from within; that our remedy lay in its caucuses and conventions. For years we have yielded to this advice, and have struggled against the men who have sought to use the party for base, personal ends. At times we have, though them beaten, and have hoped that the party, which was once so great, might emancipate itself from the control of the men who had degraded it and reassert its original character. Instead we now see these men promoted and their influence increased, while under their inspiration the party turns its back upon its principles, and, in place of declaring in clear words its policy on the questions of the day, by equivocal declarations and unmanly appeals to a prejudice, seeks to secure votes only to perpetuate the power of its managers and not to advance the prosperity of the country.

I was handed this morning in my committee room an article taken from the St. Louis Republic of December 22, 1890. It is entitled "A disgusted Re-

publican; he retires from the journalistic field." He had been publishing a Republican newspaper in the State of Arkansas, and I will let the writer state his own case without stopping to read the prelude to it:

[From the St. Louis Republic, December 22, 1890.]

A DISGUSTED REPUBLICAN—HE RETIRES FROM THE JOURNALISTIC FIELD OF HIS PARTY IN RIGHT  
BOUS INDIGNATION.

[Special to the Republic.]

LITTLE ROCK, ARK., December 21.

The Little Rock Republican, edited by W. Jasper Blackburn, one of Arkansas's oldest and most talented editors, suspended publication yesterday. In his valedictory, after commenting upon his fifty-one years of newspaper experience, he says:

"Let it be sufficient, then, to say that this issue of this paper leaves Little Rock without a Republican journal, even in name, and the so-called Republican organization and leadership in this State without the shadow of journalistic defense in the capital city: nor is such so-called organization and leadership worthy of defense or approbation, journalistically or otherwise, at the hands of any decent and honorable man who was ever a Republican on principle and from the love of a country and a common liberty. And let us say frankly and candidly, ever had and exercised more true and full contradiction, than no man, living or dead, North or South, ever had and exercised more devotion to the principles which spoke it into existence and saved the Union, or who still more devoutly purposes of nationality which spoke it into existence and saved the Union, or who still more devoutly reveres their memory; the memory of what they were aimed to be and once were, but are no more, known to their country to be in their honest and practical application. But these great and vital national principles may only sleep for the time. Smothered from every active and clean purpose and use. But we all must confess, every well informed and candid man will confess, that the Republican party, compared to what it once was, has become the mere plaything of partisan tricksters, of few brains and smaller hearts, traders in politics for personal aggrandizement, for purposes of self and plunder alone; indeed, has become literally a den of thieves, recalling what Christ said to the money-changers who trafficked in turtle doves for gain: 'Take these things hence; make not my father's house a house of merchandise.' That is about what Abraham Lincoln would say to the so-called leaders of to-day, could he speak from the tomb, and his words and actions while living still say as much with burning rebuke."

Mr. President is it such people as these, just described to you by Republicans themselves, that you intend to place in command and control of the elections of this country? This is a picture of Republican methods and of the Republican party as painted by themselves. If the picture is black it is because the facts are black. Is it proposed to place in the hands and in the control of the elections of this country such a list of names as was revealed the other day in the speech made by the honorable Senator from North Carolina [Mr. VANCE], a list of fifty names read here who served as supervisors and officers of election in the city of New York, every one of whom was either a convicted criminal or a man of notoriously bad character?

Mr. President, I shall have no controversy with any Senator in respect to the propriety or the justice of securing the return of the alleged fraudulent naturalization certificates in New York in 1868. Certainly no Senator intends to impeach the integrity of the whole 36,000 naturalized citizens, about whom the Senator from Maine spoke the other day. Nobody will undertake to say that they intended to vote fraudulently. Nobody can say that. You have no right or authority to say it, because the evidence is that no sooner were the facts brought to the notice of the people who held these papers, and they were advised so to do, than they returned their certificates at once. All the world knows that the country was engaged in a great war from 1861 to 1865, and during that period of time for obvious reasons immigration had been very great and politics almost entirely abandoned.

The election of 1868 was the first important election after the country had resumed its normal condition. Thousands of people entitled by sufficient length of residence had not applied for their papers during this whole period of time, and owing to the excitements of that election and also to the fact that both political parties had made an offer to pay the requisite fee for naturalization papers, thousands of men were brought to the court to be naturalized who would not otherwise have appeared. It is safe to say that of these 36,000 persons, whom the Senator from Maine states were naturalized, more than half were entitled on that very day to have papers of naturalization issued to them legally and properly. This was a Democratic loss both in reputation and in votes. As to the 18,000 naturalization papers issued in blank, about

which the Senator from Maine spoke, certainly nobody will convict anyone of criminality in that matter except the conspirators who issued them

Therefore it is, Mr. President, that there is no blame to be attached to a large proportion of these naturalized citizens who supposed they were voting on papers properly issued. If I had the time to-day to enter into that subject I could show that in the Federal courts in the city of Boston as late as 1887 almost the same condition of things existed. I could show that men were brought from all parts of the State of Massachusetts and the neighboring States as well who took out their papers before the Federal court in the city of Boston because of the careless and reckless manner in which it was done by the court, the whole thing being turned over to a clerk of the court to do as he pleased. Over four thousand naturalization papers were issued by the Federal court in 1887 in the city of Boston, (four hundred in a single day,) when the entire number naturalized by the State courts was only ten. I have no time, however, to enter into that question this morning. I will reserve it for a future occasion.

Mr. President, a great deal has been said here about one John I. Davenport, chief supervisor of the city of New York. Well, sir, I think that the Federal supervisors, the chief supervisors, all over the country are pretty much alike. I think John I. Davenport has been the schoolmaster for all the others. If you will show me a chief supervisor anywhere within the limits of the United States who has been in office for two years who has not visited John I. Davenport and studied his methods and his practices and taken lessons from him, I will show you a white blackbird. Every chief supervisor who has had the courage to enforce within his jurisdiction the same methods pursued by Davenport is to-day pursuing those methods. What I object to is placing in the hands of any man the power this bill confers upon the chief supervisor, much less a man of the character of John I. Davenport. The honorable Senator from Virginia [Mr. DANIEL] the other day, in his most admirable speech upon this question, took occasion, in a graphic manner, to refer to the conduct of the elections in 1890 as revealed through testimony taken before the grand jury of the city of New York. It appears from his testimony that over eight hundred warrants had been issued, and of all those arrested sufficient testimony could only be found to convict three. Am I right?

Mr. DANIEL. To indict three?

Mr. McPHERSON. To indict three. Why were these warrants issued? Could it be for any purpose in the world except to intimidate the voters, and why even then should they have been issued at all? for this same John I. Davenport on other occasions had usurped authority to arrest not only citizens, but even State boards of inspection by telegraph from his central office in the city of New York. Let it be understood that every voting precinct in the city of New York, every polling place, is connected by telegraph wire with Davenport's office.

Mr. Davenport on at least one occasion arrested the State board of inspectors by telegraph upon the unverified statement of a Federal officer, conveyed to him over the wire, thus suspending all the State officers and the work of the State inspectors, and stopping in fact the whole machinery of the State and municipal election. I will present proof of this fact. In proof of it I wish to refer the Senate to a report made February 13, 1885. This report is signed by J. Altheus Johnson. This Mr. Johnson was an officer of the Treasury Department for a long time, but it is unnecessary to say that he is no longer in office.

The duty of this officer was to examine and report upon the accounts of Federal supervisors. This expert both in law and figures was sent to the city of New York early in 1885, after the election of 1884, to report upon the accounts of John I. Davenport in order that they might be presented before

the Democratic administration, then elected, could have a chance to supervise his accounts and figures. I shall ask to have this report printed with my remarks. I wish to call attention, however, to two or three statements in the report in order that they may be emphasized. As I have spoken of the telegraphic wire that is in operation between the chief's office and the different voting precincts, I will now read what Mr. Johnson says of it:

FEBRUARY 13, 1886.

SIR: The account of John I. Davenport, chief supervisor, etc., that was yesterday certified for payment, per Auditor's report No. 90817, was the account as originally rendered, purged of all the matter concerning the propriety or legality of which I entertained a doubt. The account was passed in this way at the request of Mr. Davenport—the exceptional part being held back in order that you might consider it the more particularly. One item which I excluded in yesterday's adjustment is not specifically referred to in the report on the account which I, in connection with Mr. Binns, submitted to you on the 11th instant. This item is the bill of the Western Union Telegraph Company for \$547.91. The chief supervisor's office, as you will observe from the bill, is supplied with a special wire. I excluded this bill because I doubted whether the law contemplated or made necessary this kind of communication between the chief supervisor and the various supervisors; or whether, indeed, their respective duties as prescribed by the law could be any better or more efficiently discharged by employing this means of communication.

In illustrating to me the—

This is Mr. Davenport illustrating to Mr. Johnson—

use telegraph had been to him as chief supervisor, Mr. Davenport stated that it had enabled the supervisors on several occasions—

On several occasions—

when interfered with in the discharge of their duties by the "inspectors of election," officials who have charge of election matters on behalf of the State, to notify him almost instantly of the fact, and that on one such occasion at least he had telegraphed and had the whole board of inspectors arrested, thus blocking their work and putting a stop to their improper conduct.

Mr. SPOONER. If the Senator will permit me, I inquire what they were arrested for?

Mr. McPHERSON. I am at the present time engaged in investigating that matter, and as soon as I can get positive information, I will give it to the Senator.

Mr. SPOONER. My inquiry was a polite one.

Mr. McPHERSON. Certainly. I think I shall be able to give the information to the Senator on Monday, or perhaps sooner.

The report then goes on to quote the law under which this chief supervisor acts. What else does Mr. Johnson say?

A reference to section 2020, Revised Statutes, which embodies the law applicable to this conjuncture of affairs, so far at least as the chief supervisor is concerned, will show, not only that the chief supervises in this instance assumed to do a thing totally unwarranted on his part—a matter, however, with which we are not concerned at present—but also that the telegraph was neither necessary to be used, nor contemplated by the law. This section provides that the supervisors, when interfered with in the discharge of their duties, "shall make prompt report, under oath, within ten days after the day of election," to the chief supervisor. This report, having to be made under oath and ten days being allowed therefor, does not require the telegraph; and the report is not made to the chief supervisor that he may issue instructions to the marshal or his deputies to arrest the offenders; indeed, he is not authorized to issue such instructions.

As a circuit-court commissioner he can issue process for the arrest of persons charged with offences against the laws of the United States; but certainly he would not issue a warrant of arrest on an unverified statement conveyed by telegraph; nor would he convey the information, in the same way, to the marshal that such process had been issued, and direct the marshal, on such telegram, to proceed and make the arrest. The marshal and his deputies general or special, in such cases make the arrests, not because they are directed to do so by the chief supervisor, but because they are invested by law with a power to do so even without process (see section 2022, Revised Statutes); and the law does not suppose that their judgment or discretion in the matter shall be delegated to the chief supervisor, and that they shall make arrests at his suggestion; nor does the law suppose that they need the advice of the chief supervisor, who is, perhaps, far away, and not an eyewitness.

The object in having the supervisors to make these reports of interference, etc., to the chief supervisor, as explained in section 2020, Revised Statutes, is that the chief supervisor may "take testimony in respect to the charges made," which testimony, together with "all information by him obtained and all reports to him made, he shall file with the Clerk of the House of Representatives prior to the assembling of the Congress for which any such Representative or Delegate was voted for."

But the above is, of course, not the only use that is made by Mr. Davenport of the telegraph. The telegrams themselves, and I was free to see the ones on file, show, among other things, a communication between the chief supervisor and his "aids," etc., as to the progress and the amount of the registration of the voting, as the case was.

Now, I do not question that there may be a satisfaction to the chief supervisor in having this information in this way; indeed, I should not question but any person, who felt a lively interest in the politics of a heated campaign, would have a satisfaction in being supplied with a special wire and furnished with the means of learning at any moment, from the election officials themselves, how the voting was progressing at any or all of the various polling precincts of a great city like New York; but what the necessity is in law that all or any of these returns, as to the number of persons registering or voting, shall be made to the chief supervisor instantly and by telegraph, as well as subsequently, and in writing, or what object of the law is or can be accomplished thereby, I fail to see.

I can also understand the temptation that the chief supervisor would be exposed to in the excite-

ment of the times to feel that the various supervisors and special deputy marshals needed his constant advice and direction and that he would occasionally give it, even to the extent of directing a whole "board of inspectors to be arrested."

Without laboring at greater length this item of the account, I beg to suggest that the relation which exists between the supervisors and the chief supervisor is not such as to convert the latter into mere automaton, unable to act without the specific direction of the former; and the duties of the supervisors are not such as demand that they be transformed into puppets to be played with by a telegraph wire. What instructions they need from the chief supervisor can be obtained in the way contemplated by the law. Section 2026, Revised Statutes, provides that "the chief supervisor shall prepare and furnish all necessary books, forms, blanks, and instructions for the use and direction of the supervisors of election in the several cities and towns in their respective district;" and it would seem to be a difficult thing for the Western Union to find a refuge or a lodging place under these words.

Very respectfully,  
 Hon. WILLIAM LAWRENCE,  
 First Comptroller, United States Treasury Department.

J. ALTHEUS JOHNSON.

I am informed by what I think good authority that the office of John I. Davenport in New York, or some room either communicating or immediately connected with it or near to it, is used by people who are in the habit of betting very largely upon the results of elections; and as information can be obtained instantly every minute of the time between the opening of the polls in the morning and the closing in the afternoon, certainly it would be a great advantage to those who indulge in that sort of speculation to know exactly what takes place at every polling precinct. The books of John I. Davenport kept there revealing, as they do, the progress of the election, would be all the information a sharp, shrewd man would need for the purpose of enabling him to make money by betting on the results of elections.

But this is not all. I am reliably informed that a great deal of information can be obtained—I will not say that it is obtained, but it can be obtained—to enable those who are dispensing the boodle to do it more intelligently than could be done without the use of the telegraph.

Mr. President, I will now call attention to the following accounts of Mr. Davenport:

John I. Davenport, chief supervisor of elections, filed his accounts for the election in November, 1884, in January or February, 1885.

These were the accounts of which I have spoken that were reviewed by Mr. J. Altheus Johnson—

Amount of account as received by the First Comptroller February 12, 1885, was ..	\$28,918.20
Amount allowed by the First Comptroller on the same day was .....	225,430.96
Amount allowed March 23, 1885.....	2,238.96
	27,969.62
Amount allowed as supervisor of election.....	27,669.92
Amount allowed as United States commissioner for quarter ending December 31, 1884, passed by Comptroller January 6, 1885.....	2,621.74
	30,291.67

It seems that Mr. Johnson, in looking over these accounts, scratched off from the list an account of \$3,424.76 as being an illegal charge; and I think, as near as I can remember, that in this entire account there were in all but seven vouchers presented for the entire amount of \$28,918.20.

Now, let us go on with the other accounts:

From 1865 to 1869, during the whole of the Administration of President Cleveland, Davenport rendered no accounts to the Treasury Department whatever, either as chief supervisor of elections or as United States commissioner.

For four entire years he rendered no account whatever for fear of the supervision, the careful, honest, scrutinizing supervision of the Democratic Administration. He preferred to hold his accounts for four long years in the hope that possibly a Republican Administration might come into power at the end of that time and would pass upon those accounts, and who would not look into the irregularities and the villainies, if any, concealed in them. Let us see what the accounts consisted of:

After the 4th of March, 1869—

This is after the election of President Harrison—

After the 4th of March, 1869, he rendered accounts for the years 1865, 1866 and 1868 as chief supervisor of elections, and the accounts were paid as follows:

<i>Special Election, 1865.</i>	
Account received by First Comptroller June 3 and allowed June 4, 1869.....	\$2,392.61

Seemingly there was no J. Altheus Johnson in the Treasury to examine into these accounts, and they were paid promptly.

<i>Election 1888.</i>	
Account received by First Comptroller June 14, 1889.....	\$23,234.73
Allowed by First Comptroller July 2, 1889.....	\$23,229.73
<i>Election 1888.</i>	
Account received by First Comptroller April 11, 1889.....	\$31,030.31
Allowed by first Comptroller November 2, 1889.....	31,015.31
Extraordinary expense account for 1888, approved by the President 1889.....	3,251.29
Total paid Davenport in 1889.....	59,988.94
<i>(Under section 846 Revised Statutes.)</i>	
The election for 1888 received by the First Comptroller April 11, 1889.	

These accounts were received within a few months of each other for the elections of 1885, 1886, and 1888, and none of them presented during a Democratic Administration, but all held over until the Administration of Mr. Harrison came in, when they were promptly paid.

This last account was for \$31,015.31. Then there was an extraordinary expense account as well for 1888, approved by the President, for which there were no vouchers, nothing whatever except the simple statement "for extraordinary expenses of John I. Davenport incurred in the election of 1888, approved by the President and paid by the Treasury Department." Thus in all some \$60,000 was paid by the Treasury Department almost in one lump sum for expenses incurred by John I. Davenport from the years 1885 to 1888. And this does not include the pay for supervisors of elections and deputy marshals. It only covers the alleged expenses of Davenport's office.

Mr. President, I shall ask to have this whole report, with these tables of figures, printed in my speech, so that they will appear in the Record.

The VICE PRESIDENT. The papers will be printed if there is no objection. The chair hears none.

Mr. MCPHERSON. There is another subject to which I wish to call the attention of the Senate very briefly, and that is the conduct of the elections in Republican cities as compared with the conduct in Democratic cities, for I think no man is so insane as to doubt that the object and purpose of this legislation is to break up the solid South and break down Democratic majorities in the North, in Democratic districts. I wish to cite a single instance. Let us take, if you please, the city of Philadelphia. Nobody will dispute that the city of Philadelphia as the voting is done in that city is a Republican city. The elections in that city are absolutely under the control of the Republican party.

The State inspectors and the officers of the election are, a majority of them, Republicans. The Federal supervisors and officers of election are, a majority of them, Republicans. Now, let us go back to 1876 and see what condition of things existed in Philadelphia at that time as stated in the report of Mr. Cox, which has been quoted several times and with high commendation upon the other side of the Chamber. Take, if you please, the registration and voting as practiced in the city of Philadelphia in 1877 and compare the condition of things as they existed then with what exists to-day. Mr. Cox, in his report made in 1877 with regard to the election in 1876, speaking of Democratic cities, and commending the conduct of elections and election officers of those cities, says:

This remark is not applicable to Philadelphia. That city, as will be seen, is and has been for many years, as well as this year, a monstrous exception, inasmuch as there seems to be a system, fixed and crystallized, for bad franchise.

Speaking of Democratic cities:

Nothing of much consequence, however, was elicited which should cast any reproach on the election of any member of Congress within the cities of New York, Jersey City, and Brooklyn, much less change any result as to the electors for President.

Mr. HOAR. What is the date of that report?

Mr. MCPHERSON. I will read from page 18 of the report.

Mr. HOAR. Is that Mr. Cox's report?

Mr. McPHERSON. Yes, sir. Mr. Cox says:

The bulk of the testimony taken in the cities of New York, Jersey City, and Brooklyn shows beyond a doubt that there was an unusually fair conduct at each election—

This was as early as 1876—

which does credit to the virtue, intelligence, and citizenship of those cities. In the city of New York, the commissioners of police, who have certain functions in an election, were equally divided between the two parties, through the local organization, outside of the Federal officers, was Democratic. It is unnecessary to discuss to whom should be distributed the honor of making this election so unusually prudent and just.

Now, then, we proceed with the investigation of Philadelphia. Mr. Cox says:

It appears that the whole system of registration, true or fraudulent, is to a great extent in the hands of the assessors, and if they perform their duty faithfully and well but little correction would be required in their returns; but from the evidence this is not the case, for frequently persons holding other offices are elected as assessors, and it does seem that very frequently men have been selected for the purpose of making excessive registrations rather than true and correct ones.

At the last election in Philadelphia—

Says Mr. Cox—

It appears from the testimony the registration was from twenty-five to thirty thousand excessive. In the city of Philadelphia, with a population of about 800,000, the registration of last year was over 186,000, while in the city of New York, with a population nearly 50 per cent. greater, the registration was but 183,000.

In other words, in the city of Philadelphia in 1876, with one-half the population of the city of New York, the registration of voters was something over 3,000 more than in the city of New York. Mr. Cox proceeds:

It is observable that the number of votes cast in Philadelphia in November last was about 47,000 less than the number of votes previously registered.

Mr. President, I intend to bring down Mr. Cox's statement of facts and compare it with the elections in 1888 and 1890. Do not forget the fact that as early as 1876 this corrupt method of controlling elections in the city of Philadelphia was in practice and in constant use.

What does Mr. Cox say with respect to getting rid of a part of these 47,000 illegal voters! He says:

The fact of the excessive registration in Philadelphia becomes more apparent when it is known that over 20 000 of the names registered were successfully attacked, and the names stricken off or marked with a red cross. And it is a matter of no little surprise that over nine-tenths of the names thus attacked in court were so attacked by Democratic petitions.

Democratic petitions in Philadelphia were sent to the court, and over 20,000 names were marked off by the court in that city in a single year.

Mr. HOAR. May I put a question to the Senator?

The VICE PRESIDENT. Does the Senator from New Jersey yield to the Senator from Massachusetts?

Mr. McPHERSON. Certainly.

Mr. HOAR. I wish to ask the Senator if he charges on the authority of that report, or on any other information that he has, that the elections for members of Congress in Philadelphia have been during these series of years fraudulent or illegal?

Mr. McPHERSON. I have an opinion of my own touching them, which is enforced upon me irresistibly; in addition thereto, when I have the testimony of reputable citizens of the city of Philadelphia, and Republicans at that, that it is true I am forced to believe it, however reluctant I may be.

Mr. HOAR. That they are so?

Mr. McPHERSON. Most assuredly.

Mr. HOAR. Very well. Then the question I put is, if the State Pennsylvania has for years and years failed to remedy this evil, is it not a very strong argument that we should adopt—whether this proposed election law of ours now is right is no part of the argument, and I am not calling the Senator's attention to that—some provision which would cure these evils?

Mr. McPHERSON. The Senator's question is a very proper one and is entitled to an answer, but at the same time, as it does not touch the argument at all, I will first answer his question by a simple yes, some change either in law or methods; and I will then show the Senator that it does not touch the argument at all.

Mr. HOAR. We have got so much, at any rate.

Mr. McPHERSON. For the reason that all the elections in Philadelphia are under the control and domination of the machine politicians of the city, and therefore it matters not what sort of regulations you may make by law if the officers themselves are dishonest, and persistently dishonest. You do not enforce any law in Philadelphia, State or Federal, and if the Senator will wait a few moments I will show from the testimony of Mr. Cox and others that the law he proposes to pass here would not be made efficient in the city of Philadelphia for good and abundant reasons.

Mr. HOAR. If the Senator will pardon me, I should be glad to have the law so amended that it would be efficient, and I should be very much obliged to the Senator to have him point out wherein it is not efficient.

But the point I wish to call to the attention of the Senator, if I may avail myself of his courtesy so to do, is that it seems to me if there exists, especially in States which have increased in population and in their principal cities this evil, and it has been increasing, it is not a sufficient answer to an attempt to remedy the evil to say that the Republicans have been guilty of improper practices as well as the Democrats. Suppose they have, is not the fact cited by the Senator, and is not this part of his argument an argument to establish what I sincerely believe, that there should be an honest and fair national election law, an honest and fair attempt to cure these evils, in which both parties should join? If we have erred in our methods, point the errors out. If the Senator thinks our method is intended to secure partisan advantage and is a dishonest one, we will meet that question and we will take care of it. But I want to know why the Senator does not agree with me that some remedy should be applied, merely because it is the Republicans who do these unlawful acts and not the Democrats.

Mr. McPHERSON. I will answer the Senator why I think justice can not be done in the direction he is taking. If the testimony is sufficient to show—and I think it does show unqualifiedly—that as to Democratic New York, Brooklyn, Jersey City, and Boston, the present law is sufficient to bring about fair elections in those cities, why is it not possible with a proper enforcement of the present law to bring about fair, free and honest elections in a Republican city? In other words, if you have Democratic State officers in control of the elections, as you largely have in the Democratic cities I have named, and they are able to show to the country by the record, both in the registration and canvassing of the votes, that they are honest, why do ask for the adoption of a new rule that you do not mean to apply to a Republican city, for you have never even applied the existing law to it?

Mr. HOAR. If the Senator will pardon me, I understood the gentleman who preceded the Senator on that side of the Chamber to attack the existing law as bitterly as they do the present one. The Senator from Delaware [Mr. GRAY] said he would sweep away the whole of the existing law. Now, do I understand the Senator from New Jersey also to agree that the present law ought to be abolished?

Mr. McPHERSON. If the Senator wants me to go into that branch of the subject I will do so; but I have already been standing upon my feet for four hours and have no voice left for any digression from the main question at issue. I am speaking of facts as they exist. I take the present law as it is embodied in our statutes. I have made no proposition to repeal it. I have introduced no bill for that purpose. I find it upon the statute books and I treat it as a law in force. It is enforced in Democratic cities everywhere by Republicans, and I am asking the Senator from Massachusetts why it is not enforced in Republican cities, and he evades the direct issue.

Mr. HOAR. Does the Senator desire the repeal of the present law or not?

Mr. McPHERSON. I am not discussing a question that is not in issue.

Mr. HOAR. Very well; that is all right.

Mr. McPHERSON. I am not in the habit of jumping before I reach the

stile, and therefore I will not touch upon that question now. If it is vitally important that the country shall know my opinion upon that question, I will accept any challenge the Senator may offer, at a proper time, to discuss it.

Mr. HOAR. If the Senator will pardon me, the trouble with the Democratic party is that they do not jump when they do reach the stile [laughter], and in correcting wicked elections they do not reach it at all.

Mr. PASCO. I should like to ask the Senator from New Jersey a question. I ask whether he does not think that the people of Pennsylvania have taken one step in the right direction by the election of a Democratic governor to prevent fraud in the elections which he has spoken of?

Mr. McPHERSON. Unquestionably; but the State of Pennsylvania is supposed to have very rigid election laws, and coupled with them all the powers now found under the existing law for Federal supervision. The same honesty of purpose which characterizes elections in Democratic cities would help honest voters to stamp out boss rule in Philadelphia. I want presently to read something for the edification of the Senator from Florida and other Senators as to the charges now made against the Republican party with regard to the conduct of the late election and the means employed to prevent a Democratic governor being declared elected.

Mr. President, the answer to this whole bill is found in this single statement made by Mr. Cox, that as early as 1876 they were not enforcing in the way it should be done the existing law regarding Federal elections in the city of Philadelphia, and they have never done it since, while in the cities of New York, Brooklyn, and other places the law has been enforced, and there have been fair, free, and honest elections. I had reached that point in Mr. Cox's report in which he stated that 20,000 votes in the city of Philadelphia had been marked out by the court.

Upon evidence taken—

Says Mr. Cox—

It appears that all the substantial efforts to purify and purge the registration were made by the Democratic party or the attorneys of the Democratic committee; and on the other hand it is equally evident that all obstacles possible to prevent this purgation of the registration list were interposed by the party in opposition. In other words, it seemed to be the object of the attorneys of the Democratic party to purge and purify the registration lists, while it seemed to be the object of the opposition to leave them as large as possible.

Your committee would call particular attention to the fact that the chief supervisor of elections for the city of Philadelphia (a federal officer) failed to do his duty, in this, that he did not instruct the supervisors under him to canvass and purge the registration lists in order to find who were bona fide citizens and voters, as was done in the cities of New York, Brooklyn, and Jersey City.

It seems to have been a part of the scheme, or plan of the Republican party, that the Federal supervisors should take no part whatever in purging the registry list and to permit the State organizations to practice as much robbery and fraud as they pleased in Philadelphia and other Republican cities.

Mr. President, let me come down to later times, which I think will be very interesting reading, and to this I especially invite the attention of the Senator from Massachusetts, if he will do me the honor to listen to me. I have in my hand a statement of the registration: vote, and percentage of vote to registration and population in New York City, Brooklyn, Boston, and Philadelphia. We will consider for the sake of the argument—and perhaps the Senator from Massachusetts will make no argument on that point—that New York, Brooklyn, and Boston are Democratic cities. Therefore we have but one Republican city under the microscope, although I have a much larger list of Republican cities that I should like to call to the attention of the Senator from Massachusetts, but as I do not wish to take too much of the time of the Senate this morning this alone will be sufficient for the illustration.

In the year 1888 the registration in New York was 286,640. The votes cast were 269,338, or 93.61 per cent. of the entire registration.

In 1890 the registration was 244,970. The votes cast were 209,116, or 85.36 per cent. of the whole.

What is the population of New York? Mr. Porter in his slipshod, inex-

pert, partisan enumeration makes it 1,515,501, yet really and actually the population is over 1,700,000. Take the lowest estimate, take that given by the Superintendent of the Census himself; the registration to population in New York was 16.17 per cent., while the vote to population was 13.80. This proportion does not differ materially in Brooklyn or in Boston.

New York polled in 1888 within 17,000 votes of the vote registered; Brooklyn polled in 1888 within 9,000 of the entire registered vote; Boston polled within 7,000 of the entire registered vote; and the percentage in all those three cities in proportion to population is nearly alike. Now let us come to Philadelphia. The registration in 1888 was 252,000. The vote was 205,000. The per cent. of vote to registration was about 81 per cent., or 12 per cent. less than in New York, Brooklyn, and Boston.

In 1890 the registration was 266,000 and the vote 191,000, or 71 per cent.; while in New York and Brooklyn in the same year it was from 82 to 93 per cent. Now look at the registration. The registration was 267,000 in Philadelphia in 1890. In New York in 1890, although it was one of the most exciting elections ever held, the registration was only 244,000. Philadelphia registered 22,000 more votes in 1890, to perpetrate and carry through a corrupt movement in that State, than was registered in the city of New York, which city confessedly has a population of nearly 700,000 more than the city of Philadelphia, and the registration in the latter city was only 20,000 less in point of number than in the city of New York, taking the highest registration ever made in the city of New York at any election. Who will stand up here or elsewhere before the American people and say he believes, while confronted with such records as these, that the elections are conducted honestly in the city of Philadelphia? Therefore I am opposed to the bill of the Senator from Massachusetts, for it increases the power of law-defying, dangerous men to perpetrate greater wrong.

Now, just look at the percentage. In New York the percentage of registration in 1890 to population is 16 and a little over, and this gives about 1 voter to each 7 of the actual population. Follow it down in Brooklyn and Boston and you will find that it runs from 7 down to 6 or perhaps  $5\frac{3}{4}$ ; while—

Mr. HOAR. The statement the Senator is making is a very interesting one, but I wish to ask him what he regards to be the proportion of unnaturalized foreigners to the whole population in New York as compared with Philadelphia?

Mr. McPHERSON. I do not know. It does not touch the question.

Mr. HOAR. I suppose that that might account for the difference to some extent.

Mr. McPHERSON. I do not think it would to the extent I have stated. Moreover, the registration list compared with the vote cast determines the whole question on that point, and the question of non-voting population does not enter at all.

Mr. HOAR. I suppose that might account for it to some extent. New York is the great point of landing of immigrants, and many of the immigrants stay there, so that its population undoubtedly would, to a considerable extent, show a larger non-voting population than Philadelphia; but that may not apply to Boston and the other cities.

Mr. McPHERSON. In Philadelphia the percentage of registration to population is 25.45, from which it would appear that more than one-quarter of all the people of Philadelphia have gone to the registration offices and registered their names as voters. Then what is the vote? The vote is 18.27 per cent. to the population, while in New York it is only 13, in Brooklyn 15, and in Boston 12 and a fraction.

Mr. President, I think I can give the Senator from Massachusetts some further light upon the inquiries he has made touching dishonest elections in Philadelphia; and in order that I may do this with force and effect I will read a letter which I received through a friend yesterday from a very distin-

glished citizen of the city of Philadelphia, and to name whom would in a moment convince the Senator that the word of this gentleman was entitled to a good deal of respect:

The vote polled in Philadelphia—

He says—

In 1888 was about 40,000 short of the registration; showing,

To use the exact language of this distinguished citizen of Philadelphia—  
showing that there was at least 40,000 names upon the list that should not be there, and I have no doubt would have been utilized had it not been for extreme watchfulness, it being Presidential year and having people in place who took some interest. This year was when the worst was done, as they concentrated all their efforts in this city.

The registration list contained 266,000 names and there were 191,000 votes polled. In 1888 the Republicans polled 110,000 and the Democrats 93,000. In 1890 the Republicans polled 112,000 and the Democrats 79,000. We claim that there was more reason for a falling off in the Republican vote than the Democratic on account of the general dissatisfaction at the Republican nominations, while there was no dissatisfaction with the Democratic nominations worth speaking of. We claim that at least 15,000 fraudulent votes were cast and altered inside the polls, and we have plenty of evidence of attempts being made to bribe our election officers, and I have no doubt they succeeded in many cases.

When you take into consideration that at least two-thirds of the assessors who make the registration and two-thirds of the election boards are Republican, and elected by the machine, how easy it is to accomplish what they do. When you look at the total registration and the total vote polled you can readily see the material they have got to work on.

It is said that one method employed by the villains who perpetrate frauds upon the ballot in Philadelphia is to register the greatest number of names possible, and if it be found when the polls are closed that any considerable number of names (as there always are a great many) who have not appeared to vote because they were myths, they had no existence, and therefore should not have found a place upon the registry rolls, and could not except by the illegal act of the registration officer—it is the practice to dump as many votes as may be necessary into the box and cancel a like number upon the registry list.

In that way they may elect any candidate they please. This information comes to me from a very reliable source, and as it is likely to be made the subject of judicial investigation, the fact, it is claimed, will be made plain.

I hold in my hand an extract taken from one of the Philadelphia papers, in which an appeal is made to the people of Philadelphia and Pennsylvania for money to help them to pursue these fraudulent election thieves in that city. I am not sure from which one of the Philadelphia papers these extracts are taken, else I would give this brave journal due credit.

More money is needed to carry forward the work of prosecuting the scoundrels guilty of election frauds in Philadelphia. Thirty or forty cases are now under investigation. Some of the rascals have fled the state. The work of following up the fugitives, canvassing the divisions where fraud was apparent, gathering testimony and securing indictments, has been steadily prosecuted since the election. But the committee having the matter in charge is short of funds, and it appeals to all friends of better government for further assistance. It should not appeal in vain. Any money sent to Mr. Herbert Welsh, secretary and treasurer of the Lincoln Independent Republican committee, will be properly applied.

The citizen's committee for the prosecution of election frauds, of which Herbert Welsh is chairman, has issued a report stating that two offenders have been caught and convicted, but that money is needed to carry on the prosecution of others, most of whom have left the State, and must be brought back at considerable expense. The inference is that if the money required is not supplied by private contributions the work must stop and ballot-box frauds in the city of Philadelphia go unpunished. Can this be true? Is all our machinery of justice inadequate to do its work without the assistance of private citizens? Must they contribute their time, money, and personal services to do that which officers of the law are paid for doing? If so, it seems to us there is a pretty wide field of usefulness open before Mr. Welsh's committee.

Here is an appeal made in behalf of the Lincoln Independent Republican committee to raise money for the purpose of prosecuting offenders against the election laws and the purity of the ballot in the city of Philadelphia.

Mr. President, I have many other facts of like character that I should like to present, but I dislike taking so much of the time of the Senate, particularly as there is another Senator who has the right to expect that I shall not occupy any more of the time this morning than is absolutely necessary. I hope, therefore, that I shall be able at some future time in the debate to put in some statements touching the naturalization of citizens in the State of Massachusetts under and by the Federal court in that State. I wish to compare Massachusetts methods with the alleged crime of Judge Barnard. I do not charge any crime in this case, only a neglect which practically in all cases of this kind amounts to a crime, unless the 1868 citation is much magnified.