

carload of woollens to go from New Orleans to Montgomery that the citizens of Montgomery would let it come in there? Certainly not, Mr. President. With every disposition to obey the law, men will take care of themselves. Self-preservation is the first law of nature, and these communities are not going to permit communication with infected localities. Then why shall we put such a law upon the statute book?

Mr. President, I do not wish to be understood in any manner as depreciating the importance of general regulations if they can be had. I am in favor of a bill which shall, as far as possible, enlist the activities and the resources of the United States Government in keeping epidemic diseases from our shores. I am in favor of the Government extending to interior communities all possible aid which can be given through the resources and through the expert officers of the Government in stamping out disease and in preventing its spread. I am in favor of everything which can possibly be done without taking away from States and communities the rights of self-protection.

I am willing, Mr. President, to go further. I am willing, so far as it can be done constitutionally, that the United States Government shall have the right to lay its hand upon the movement of people, of vessels, and of cars, and stay them; but I am not willing that the Government shall have the right to say that the State shall not do it and that the local communities shall not do it. I am not willing that the State and the local communities shall be required to admit these people and vessels and cars at the command of the Secretary of the Treasury when the State or the community believes that to do so is to expose the people to a devastating epidemic. I am willing that the Government to the extent of its powers may stop disease and stop that which will spread disease, but I am not willing that the Government shall say that that which others may think will spread disease shall not be stayed, but that it shall go on.

I hope my distinction is clearly understood. I am willing to yield everything which can possibly be claimed in favor of the power of the Government to stay disease. I am willing for the Government to erect its quarantines and to be absolutely in control of them; but I am not willing, when a community is threatened with an epidemic disease which will not only paralyze and destroy its business and decimate its population—I am not willing under those circumstances that a community shall not be allowed to say, "We close our gates, if need be, against the world until this danger has passed."

Mr. MALLORY. Mr. President—

Mr. FRYE. Will the Senator from Florida yield one moment to me?

The PRESIDING OFFICER (Mr. PASCO in the chair). Does the Senator from Florida yield to the Senator from Maine?

Mr. MALLORY. Yes, sir.

AFFAIRS IN CUBA.

Mr. FRYE. Mr. President, the Senator from Vermont [Mr. PROCTOR], a Senator in whom the country has much confidence, and a conservative man, has just returned from a pretty careful investigation of affairs in Cuba, and has expressed a willingness to give to the Senate and the country his views; and some have desired that he may do so at the present moment. I therefore ask the Senator from Florida whether or not he will consent to yield the floor for the present, resuming it again when the Senator from Vermont has finished his statement?

Mr. MALLORY. I yield for that purpose.

Mr. FRYE. I ask unanimous consent of the Senate that the Senator from Vermont may proceed with his statement.

Mr. CHANDLER. I suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The absence of a quorum being suggested, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

| | | | |
|-----------|-------------|--------------|-----------|
| Allen, | Davis, | Mantle, | Shoup, |
| Bacon, | Deboe, | Mills, | Stewart, |
| Baker, | Fairbanks, | Mitchell, | Teller, |
| Bate, | Frye, | Morrill, | Tillman, |
| Berry, | Heitfeld, | Pasco, | Turley, |
| Burrows, | Jones, Nev. | Perkins, | Turner, |
| Butler, | Kenney, | Pettigrew, | Turpie, |
| Caffery, | McBride, | Pettus, | Vest, |
| Cannon, | McEnery, | Platt, N. Y. | Walthall, |
| Chandler, | McLaurin, | Proctor, | Wetmore, |
| Chilton, | McMillan, | Quay, | |
| Clark, | Mallory, | Rawlins, | |

The PRESIDING OFFICER. Forty-six Senators have answered to their names. A quorum is present, and the Senator from Vermont is recognized.

Mr. PROCTOR. Mr. President, more importance seems to be attached by others to my recent visit to Cuba than I have given it, and it has been suggested that I make a public statement of what I saw and how the situation impressed me. This I do on account of the public interest in all that concerns Cuba, and to correct some

inaccuracies that have, not unnaturally, appeared in reported interviews with me.

My trip was entirely unofficial and of my own motion, not suggested by anyone. The only mention I made of it to the President was to say to him that I contemplated such a trip and to ask him if there was any objection to it; to which he replied that he could see none. No one but myself, therefore, is responsible for anything in this statement. Judge Day gave me a brief note of introduction to General Lee, and I had letters of introduction from business friends at the North to bankers and other business men at Habana, and they in turn gave me letters to their correspondents in other cities. These letters to business men were very useful, as one of the principal purposes of my visit was to ascertain the views of practical men of affairs upon the situation.

Of General Lee I need say little. His valuable services to his country in his trying position are too well known to all his countrymen to require mention. Besides his ability, high character, and courage, he possesses the important requisites of unflinching tact and courtesy, and, withal, his military education and training and his soldierly qualities are invaluable adjuncts in the equipment of our representative in a country so completely under military rule as is Cuba. General Lee kindly invited us to sit at his table at the hotel during our stay in Habana, and this opportunity for frequent informal talks with him was of great help to me.

In addition to the information he voluntarily gave me, it furnished a convenient opportunity to ask him the many questions that suggested themselves in explanation of things seen and heard on our trips through the country. I also met and spent considerable time with Consul Brice at Matanzas, and with Captain Barker, a staunch ex-Confederate soldier, the consul at Sagua la Grande. None of our representatives whom I met in Cuba are of my political faith, but there is a broader faith, not bounded by party lines. They are all three true Americans, and have done excellent service.

THE MAINE.

It has been stated that I said there was no doubt the *Maine* was blown up from the outside. This is a mistake. I may have said that such was the general impression among Americans in Habana. In fact, I have no opinion about it myself, and carefully avoided forming one. I gave no attention to these outside surmises. I met the members of the court on their boat, but would as soon approach our Supreme Court in regard to a pending cause as that board. They are as competent and trustworthy within the lines of their duty as any court in the land, and their report, when made, will carry conviction to all the people that the exact truth has been stated just as far as it is possible to ascertain it. Until then surmise and conjecture are idle and unprofitable. Let us calmly wait for the report.

SECTIONS VISITED.

There are six provinces in Cuba, each, with the exception of Matanzas, extending the whole width of the island, and having about an equal sea front on the north and south borders. Matanzas touches the Caribbean Sea only at its southwest corner, being separated from it elsewhere by a narrow peninsula of Santa Clara Province. The provinces are named, beginning at the west, Pinar del Rio, Habana, Matanzas, Santa Clara, Puerto Principe, and Santiago de Cuba. My observations were confined to the four western provinces, which constitute about one-half of the island. The two eastern ones are practically in the hands of the insurgents, except the few fortified towns. These two large provinces are spoken of to-day as "Cuba Libre."

Habana, the great city and capital of the island, is, in the eyes of the Spaniards and many Cubans, all Cuba, as much as Paris is France. But having visited it in more peaceful times and seen its sights, the tomb of Columbus, the forts—Cabana and Morro Castle, etc.—I did not care to repeat this, preferring trips in the country. Everything seems to go on much as usual in Habana. Quiet prevails, and except for the frequent squads of soldiers marching to guard and police duty and their abounding presence in all public places, one sees few signs of war.

Outside Habana all is changed. It is not peace nor is it war. It is desolation and distress, misery and starvation. Every town and village is surrounded by a "trocha" (trench), a sort of rifle pit, but constructed on a plan new to me, the dirt being thrown up on the inside and a barbed-wire fence on the outer side of the trench. These trochas have at every corner and at frequent intervals along the sides what are there called forts, but which are really small blockhouses, many of them more like large sentry boxes, loopholed for musketry, and with a guard of from two to ten soldiers in each.

The purpose of these trochas is to keep the reconcentrados in as well as to keep the insurgents out. From all the surrounding country the people have been driven in to these fortified towns and held there to subsist as they can. They are virtually prison yards, and not unlike one in general appearance, except that the

walls are not so high and strong; but they suffice, where every point is in range of a soldier's rifle, to keep in the poor reconcentrado women and children.

Every railroad station is within one of these trochas and has an armed guard. Every train has an armored freight car, loopholed for musketry and filled with soldiers, and with, as I observed usually, and was informed is always the case, a pilot engine a mile or so in advance. There are frequent blockhouses inclosed by a trocha and with a guard along the railroad track. With this exception there is no human life or habitation between these fortified towns and villages, and throughout the whole of the four western provinces, except to a very limited extent among the hills where the Spaniards have not been able to go and drive the people to the towns and burn their dwellings. I saw no house or hut in the 400 miles of railroad rides from Pinar del Rio Province in the west across the full width of Habana and Matanzas provinces, and to Sagua La Grande on the north shore, and to Cienfuegos on the south shore of Santa Clara, except within the Spanish trochas.

There are no domestic animals or crops on the rich fields and pastures except such as are under guard in the immediate vicinity of the towns. In other words, the Spaniards hold in these four western provinces just what their army sits on. Every man, woman, and child, and every domestic animal, wherever their columns have reached, is under guard and within their so-called fortifications. To describe one place is to describe all. To repeat, it is neither peace nor war. It is concentration and desolation. This is the "pacified" condition of the four western provinces.

West of Habana is mainly the rich tobacco country; east, so far as I went, a sugar region. Nearly all the sugar mills are destroyed between Habana and Sagua. Two or three were standing in the vicinity of Sagua, and in part running, surrounded, as are the villages, by trochas and "forts" or palisades of the royal palm, and fully guarded. Toward and near Cienfuegos there were more mills running, but all with the same protection. It is said that the owners of these mills near Cienfuegos have been able to obtain special favors of the Spanish Government in the way of a large force of soldiers, but that they also, as well as all the railroads, pay taxes to the Cubans for immunity. I had no means of verifying this. It is the common talk among those who have better means of knowledge.

THE RECONCENTRADOS—THE COUNTRY PEOPLE.

All the country people in the four western provinces, about 400,000 in number, remaining outside the fortified towns when Weyler's order was made were driven into these towns, and these are the reconcentrados. They were the peasantry, many of them farmers, some landowners, others renting lands and owning more or less stock, others working on estates and cultivating small patches; and even a small patch in that fruitful clime will support a family.

It is but fair to say that the normal condition of these people was very different from what prevails in this country. Their standard of comfort and prosperity was not high measured by ours. But according to their standards and requirements their conditions of life were satisfactory.

They lived mostly in cabins made of palms or in wooden houses. Some of them had houses of stone, the blackened walls of which are all that remain to show the country was ever inhabited.

The first clause of Weyler's order reads as follows:

I ORDER AND COMMAND.

First. All the inhabitants of the country or outside of the line of fortifications of the towns shall, within the period of eight days, concentrate themselves in the towns occupied by the troops. Any individual who, after the expiration of this period, is found in the uninhabited parts will be considered a rebel and tried as such.

The other three sections forbid the transportation of provisions from one town to another without permission of the military authority, direct the owners of cattle to bring them into the towns, prescribe that the eight days shall be counted from the publication of the proclamation in the head town of the municipal district, and state that if news is furnished of the enemy which can be made use of, it will serve as a "recommendation."

Many, doubtless, did not learn of this order. Others failed to grasp its terrible meaning. Its execution was left largely to the guerrillas to drive in all that had not obeyed, and I was informed that in many cases the torch was applied to their homes with no notice, and the inmates fled with such clothing as they might have on, their stock and other belongings being appropriated by the guerrillas. When they reached the towns, they were allowed to build huts of palm leaves in the suburbs and vacant places within the trochas, and left to live, if they could.

Their huts are about 10 by 15 feet in size, and for want of space are usually crowded together very closely. They have no floor but the ground, no furniture, and, after a year's wear, but little clothing except such stray substitutes as they can extemporize; and with large families, or more than one, in this little space, the commonest sanitary provisions are impossible. Conditions

are unmentionable in this respect. Torn from their homes, with foul earth, foul air, foul water, and foul food or none, what wonder that one-half have died and that one-quarter of the living are so diseased that they can not be saved? A form of dropsy is a common disorder resulting from these conditions. Little children are still walking about with arms and chest terribly emaciated, eyes swollen, and abdomen bloated to three times the natural size. The physicians say these cases are hopeless.

Deaths in the streets have not been uncommon. I was told by one of our consuls that they have been found dead about the markets in the morning, where they had crawled, hoping to get some stray bits of food from the early hucksters, and that there had been cases where they had dropped dead inside the market surrounded by food. Before Weyler's order, these people were independent and self-supporting. They are not beggars even now. There are plenty of professional beggars in every town among the regular residents, but these country people, the reconcentrados, have not learned the art. Rarely is a hand held out to you for alms when going among their huts, but the sight of them makes an appeal stronger than words.

THE HOSPITALS.

Of these I need not speak. Others have described their condition far better than I can. It is not within the narrow limits of my vocabulary to portray it. I went to Cuba with a strong conviction that the picture had been overdrawn; that a few cases of starvation and suffering had inspired and stimulated the press correspondents, and that they had given free play to a strong, natural, and highly cultivated imagination.

Before starting I received through the mail a leaflet published by the Christian Herald, with cuts of some of the sick and starving reconcentrados, and took it with me, thinking these must be rare specimens, got up to make the worst possible showing. I saw plenty as bad and worse; many that should not be photographed and shown.

I could not believe that out of a population of 1,600,000, two hundred thousand had died within these Spanish forts, practically prison walls, within a few months past from actual starvation and diseases caused by insufficient and improper food. My inquiries were entirely outside of sensational sources. They were made of our medical officers, of our consuls, of city alcaldes (mayors), of relief committees, of leading merchants and bankers, physicians, and lawyers. Several of my informants were Spanish born, but every time the answer was that the case had not been overstated. What I saw I can not tell so that others can see it. It must be seen with one's own eyes to be realized.

The Los Pasos Hospital, in Habana, has been recently described by one of my colleagues, Senator GALLINGER, and I can not say that his picture was overdrawn, for even his fertile pen could not do that. But he visited it after Dr. Lesser, one of Miss Barton's very able and efficient assistants, had renovated it and put in cots. I saw it when 400 women and children were lying on the floors in an indescribable state of emaciation and disease, many with the scantiest covering of rags—and such rags!—sick children, naked as they came into the world; and the conditions in the other cities are even worse.

MISS BARTON AND HER WORK.

Miss Barton needs no indorsement from me. I had known and esteemed her for many years, but had not half appreciated her capability and devotion to her work. I specially looked into her business methods, fearing that here would be the greatest danger of mistake, that there might be want of system and waste and extravagance, but found she could teach me on these points. I visited the warehouse where the supplies are received and distributed; saw the methods of checking; visited the hospitals established or organized and supplied by her; saw the food distributions in several cities and towns, and everything seems to me to be conducted in the best manner possible. The ample, fine warehouse in Habana, owned by a Cuban firm, is given, with a gang of laborers free of charge to unload and reship supplies.

The Children's Hospital in Havana, a very large, fine private residence, is hired at a cost of less than \$100 per month, not a fifth of what it would command in this city. It is under the admirable management of Mrs. Dr. Lesser, of New York, a German lady and trained nurse. I saw the rapid improvement of the first children taken there. All Miss Barton's assistants seem excellently fitted for their duties. In short, I saw nothing to criticise, but everything to commend. The American people may be assured that their bounty will reach the sufferers with the least possible cost and in the best manner in every respect. If our people could see a small fraction of the need, they would pour more "freely from their liberal stores" than ever before for any cause.

When will the need for this help end? Not until peace comes and the reconcentrados can go back to the country, rebuild their homes, reclaim their tillage plots, which quickly run up to brush in that wonderful soil and clime, and until they can be free from

danger of molestation in so doing. Until then the American people must in the main care for them. It is true that the alcaldes, other local authorities, and the relief committees are now trying to do something, and desire, I believe, to do the best they can. But the problem is beyond their means and capacity, and the work is one to which they are not accustomed.

General Blanco's order of November 13 last somewhat modifies the Weyler order, but is of little or no practical benefit. Its application is limited to farms "properly defended," and the owners are obliged to build "centers of defense." Its execution is completely in the discretion of the local military authorities, and they know the terrible military efficiency of Weyler's order in stripping the country of all possible shelter, food, or source of information for an insurgent, and will be slow to surrender this advantage. In fact, though the order was issued four months ago, I saw no beneficial results from it worth mentioning.

I do not impugn General Blanco's motives, and believe him to be an amiable gentleman, and that he would be glad to relieve the condition of the reconcentrados if he could do so without loss of any military advantage; but he knows that all Cubans are insurgents at heart, and none now under military control will be allowed to go out from under it.

I wish I might speak of the country—of its surpassing richness. I have never seen one to compare with it. On this point I agree with Columbus, that this is the "most rich and beautiful that ever human eye beheld," and believe everyone between his time and mine must be of the same opinion. It is indeed a land—

Where every prospect pleases
And only man is vile.

THE SPANIARD.

I had little time to study the race question, and have read nothing on it, so can only give hasty impressions. It is said that there are nearly 200,000 Spaniards in Cuba out of a total population of 1,600,000. They live principally in the towns and cities. The small shopkeepers in the towns and their clerks are mostly Spaniards. Much of the larger business, too, and of the property in the cities, and in a less degree in the country, is in their hands. They have an eye to thrift, and as everything possible in the way of trade and legalized monopolies, in which the country abounds, is given to them by the Government, many of them acquire property. I did not learn that the Spanish residents of the island had contributed largely in blood or treasure to suppress the insurrection.

THE CUBAN.

There are, or were before the war, about 1,000,000 Cubans on the island, 200,000 Spaniards (which means those born in Spain), and less than half a million of negroes and mixed bloods. The Cuban whites are of pure Spanish blood and, like the Spaniards, dark in complexion, but oftener light or blond, so far as I noticed. The percentage of colored to white has been steadily diminishing for more than fifty years, and is not now over 25 per cent of the total. In fact, the number of colored people has been actually diminishing for nearly that time. The Cuban farmer and laborer is by nature peaceable, kindly, gay, hospitable, light-hearted, and improvident.

There is a proverb among the Cubans that "Spanish bulls can not be bred in Cuba"—that is, the Cubans, though they are of Spanish blood, are less excitable and of a quieter temperament. Many Cubans whom I met spoke in strong terms against the bull fights; that it was a brutal institution, introduced and mainly patronized by the Spaniards. One thing that was new to me was to learn the superiority of the well-to-do Cuban over the Spaniard in the matter of education. Among those in good circumstances there can be no doubt that the Cuban is far superior in this respect. And the reason of it is easy to see. They have been educated in England, France, or this country, while the Spaniard has such education as his own country furnishes.

THE NEGRO.

The colored people seem to me by nature quite the equal mentally and physically of the race in this country. Certainly physically they are by far the larger and stronger race on the island. There is little or no race prejudice, and this has doubtless been greatly to their advantage. Eighty-five years ago there were one-half as many free negroes as slaves, and this proportion slowly increased until emancipation.

THE MILITARY SITUATION.

It is said that there are about 60,000 Spanish soldiers now in Cuba fit for duty out of the more than 200,000 that have been sent there. The rest have died, have been sent home sick, or are in hospitals, and some have been killed, notwithstanding the official reports. They are conscripts, many of them very young, and generally small men. One hundred and thirty pounds is a fair estimate of their average weight. They are quiet and obedient, and if well drilled and led, I believe would fight fairly well, but not at all equal to our men. Much more would depend on the leadership than with us. The officer must lead well and be one in whom they have confidence, and this applies to both sides alike. As I saw no drills or regu-

lar formation, I inquired about them of many persons, and was informed that they had never seen a drill. I saw perhaps 10,000 Spanish troops, but not a piece of artillery or a tent. They live in barracks in the towns, and are seldom out for more than the day, returning to town at night.

They have little or no equipment for supply trains or for a field campaign such as we have. Their cavalry horses are scrubby little native ponies, weighing not over 800 pounds, tough and hardy, but for the most part in wretched condition, reminding one of the mount of Don Quixote. Some of the officers, however, have good horses, mostly American, I think. On both sides cavalry is considered the favorite and the dangerous fighting arm. The tactics of the Spanish, as described to me by eyewitnesses and participants in some of their battles, is for the infantry, when threatened by insurgent cavalry, to form a hollow square and fire away ad libitum, and without ceasing until time to march back to town.

It does not seem to have entered the minds of either side that a good infantry force can take care of itself and repulse anywhere an equal or greater number of cavalry, and there are everywhere positions where cavalry would be at a disadvantage.

Having called on Governor and Captain-General Blanco and received his courteous call in return, I could not with propriety seek communication with insurgents. I had plenty of offers of safe conduct to Gomez's camp, and was told that if I would write him, an answer would be returned safely within ten days at most.

I saw several who had visited the insurgent camps, and was sought out by an insurgent field officer, who gave me the best information received as to the insurgent force. His statements were moderate, and I was credibly informed that he was entirely reliable. He claimed that the Cubans had about 30,000 men now in the field, some in every province, but mostly in the two eastern provinces and eastern Santa Clara, and this statement was corroborated from other good sources. They have a force all the time in Habana Province itself, organized in four small brigades and operating in small bands. Ruiz was taken, tried, and shot within about a mile and a half of the railroad and about 15 miles out of Habana, on the road to Matanzas, a road more traveled than any other, and which I went over four times.

Arranguren was killed about 3 miles the other side of the road and about the same distance, 15 or 20 miles, from Habana. The Cubans are well armed, but very poorly supplied with ammunition. They are not allowed to carry many cartridges; sometimes not more than one or two. The infantry, especially, are poorly clad. Two small squads of prisoners which I saw, however, one of half a dozen in the streets of Habana, and one of three on the cars, wore better clothes than the average Spanish soldier.

Each of these prisoners, though surrounded by guards, was bound by the arm and wrists by cords, and they were all tied together by a cord running along the line, a specimen of the amenities of their warfare. About one-third of the Cuban army are colored, mostly in the infantry, as the cavalry furnished their own horses.

This field officer, an American from a Southern State, spoke in the highest terms of the conduct of these colored soldiers; that they were as good fighters and had more endurance than the whites; could keep up with the cavalry on a long march and come in fresh at night.

THE POLITICAL SITUATION.

The dividing lines between parties are the straightest and clearest cut that have ever come to my knowledge. The division in our war was by no means so clearly defined. It is Cuban against Spaniard. It is practically the entire Cuban population on one side and the Spanish army and Spanish citizens on the other.

I do not count the autonomists in this division, as they are so far too inconsiderable in numbers to be worth counting. General Blanco filled the civil offices with men who had been autonomists and were still classed as such. But the march of events had satisfied most of them that the chance for autonomy came too late.

It falls as talk of compromise would have fallen the last year or two of our war. If it succeeds, it can only be by armed force, by the triumph of the Spanish army, and the success of Spanish arms would be easier by Weyler's policy and method, for in that the Spanish army and people believe.

There is no doubt that General Blanco is acting in entire good faith; that he desires to give the Cubans a fair measure of autonomy, as Campos did at the close of the ten-year war. He has, of course, a few personal followers, but the army and the Spanish citizens do not want genuine autonomy, for that means government by the Cuban people. And it is not strange that the Cubans say it comes too late.

I have never had any communication, direct or indirect, with the Cuban Junta in this country or any of its members, nor did I have with any of the juntas which exist in every city and large town of Cuba. None of the calls I made were upon parties of whose sympathies I had the least knowledge, except that I knew some of them were classed as autonomists.

Most of my informants were business men, who had taken no

sides and rarely expressed themselves. I had no means of guessing in advance what their answers would be, and was in most cases greatly surprised at their frankness.

I inquired in regard to autonomy of men of wealth and men as prominent in business as any in the cities of Habana, Matanzas, and Sagua, bankers, merchants, lawyers, and autonomist officials, some of them Spanish born but Cuban bred, one prominent Englishman, several of them known as autonomists, and several of them telling me they were still believers in autonomy if practicable, but without exception they replied that it was "too late" for that.

Some favored a United States protectorate, some annexation, some free Cuba; not one has been counted favoring the insurrection at first. They were businessmen and wanted peace, but said it was too late for peace under Spanish sovereignty. They characterized Weyler's order in far stronger terms than I can. I could not but conclude that you do not have to scratch an autonomist very deep to find a Cuban. There is soon to be an election, but every polling place must be inside a fortified town. Such elections ought to be safe for the "ins".

I have endeavored to state in not intemperate mood what I saw and heard, and to make no argument thereon, but leave everyone to draw his own conclusions. To me the strongest appeal is not the barbarity practiced by Weyler nor the loss of the *Maine*, if our worst fears should prove true, terrible as are both of these incidents, but the spectacle of a million and a half of people, the entire native population of Cuba, struggling for freedom and deliverance from the worst misgovernment of which I ever had knowledge. But whether our action ought to be influenced by any one or all these things, and, if so, how far, is another question.

I am not in favor of annexation; not because I would apprehend any particular trouble from it, but because it is not wise policy to take in any people of foreign tongue and training, and without any strong guiding American element. The fear that if free the people of Cuba would be revolutionary is not so well founded as has been supposed, and the conditions for good self-government are far more favorable. The large number of educated and patriotic men, the great sacrifices they have endured, the peaceable temperament of the people, whites and blacks, the wonderful prosperity that would surely come with peace and good home rule, the large influx of American and English immigration and money, would all be strong factors for stable institutions.

But it is not my purpose at this time, nor do I consider it my province, to suggest any plan. I merely speak of the symptoms as I saw them, but do not undertake to prescribe. Such remedial steps as may be required may safely be left to an American President and the American people.

QUARANTINE REGULATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2680) amending "An act granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service," approved February 15, 1893.

Mr. MALLORY. Mr. President, I regret very much that I am obliged to dissent from the opinions expressed by the other members of the Committee on Public Health and National Quarantine, by whom this bill was reported to the Senate. I have great respect for the ability of the committee and for their purpose to provide a measure that will accomplish beneficial results, and I regret very much that I have to stand here in the attitude of being the only member of that committee who is irreconcilably opposed to its recommendations.

As the Senator from Missouri [Mr. VEST] who spoke upon this subject the other day stated, this is not new legislation in the sense of being legislation in a new direction. Ever since 1878 Congress has had this matter of quarantine under consideration from time to time, and from time to time has adopted measures which in its judgment promised beneficial results. It is possible that some good results have come from such legislation; but, Mr. President, those results are, in my judgment, so small, they are so difficult to locate, that I think Congress would be justified in ignoring the lines upon which it has heretofore acted and adopting some other plan of keeping epidemic diseases from the shores of this country.

The history of this legislation, Mr. President, I will briefly advert to. On April 29, 1878, Congress enacted a law entitled "An act to prevent the introduction of contagious or infectious diseases into the United States," and by that first act located in the Marine-Hospital Service of the country something of the powers which are confided to that service to-day. It provides, among other things, that the Supervising Surgeon-General of the Marine-Hospital Service shall receive information concerning epidemics in other countries.

It also provides that the Secretary of the Treasury shall require that all needful rules and regulations for the purpose of the government of quarantine shall be framed and promulgated, which

rules and regulations shall be subject to the approval of the President. But at that early day the legislators thought proper to put in a saving clause, that such rules and regulations shall not conflict with or impair any sanitary or quarantine laws or regulations of any State or municipal authority now existing or which may hereafter be enacted.

It was found that the provisions of this law were not satisfactory, and on March 3, 1879, Congress enacted what was afterwards known generally as the National Board of Health bill. That bill was simply a skeleton measure, providing for the organization of a board of health, consisting of seven members, and certain others to be designated from the Army and Navy and Marine-Hospital Service, and required them to consider the subject of quarantine and to report to Congress at the next session. It also appropriated the sum of \$50,000.

In the same year, on June 2, 1879, Congress, taking up the recommendations of that board of health, enacted a lengthy law, which embraced the subject of quarantine generally, and was known really as the National Board of Health law. It reenacted the first section of the act of 1878. It was a broad, sweeping measure, which undertook to provide against the introduction of epidemic diseases, and had, in my judgment, many wise provisions in it. The ninth section of that act repealed that portion of the act of April 29, 1878, which conferred upon the Surgeon-General of the Marine-Hospital Service certain powers and duties connected with the administration of quarantine. I refer to this feature of that act because as it will appear subsequently Congress treated that repealed portion of the act of 1878 as being still in existence.

The next legislation on the subject was that of March 5, 1888, which provided for the removal of the national quarantine station, which at that time had been located on Ship Island, to some other point. That quarantine station was removed, but was subsequently swept away by a hurricane, which necessitated that it should be taken again to the Ship Island station, where it now is.

The policy of providing quarantine stations at different points where vessels coming from Europe or South America could touch, or could be treated in the event that they had disease of an infectious character on board, was first developed under the National Board of Health. On August 1, 1888, Congress passed "An act to perfect the quarantine service of the United States" and reenacted some of the provisions of previous laws.

In the second section, however, in providing for the establishment of certain quarantine stations along the coast at different places—among them one at the mouth of Delaware Bay, one near Cape Charles at the entrance of the Chesapeake Bay, one on the Georgia coast, one at or near Key West, one in San Diego Harbor, one in San Francisco Harbor, and one at or near Port Townsend, at the entrance to Puget Sound—it provided that "the said quarantine stations when so established shall be conducted by the Marine-Hospital Service," taking the administration of the quarantine service away from the National Board of Health and putting it again in the hands of the Marine-Hospital Service; but it provided very singularly that it shall be conducted by the Marine-Hospital Service under regulations framed in accordance with the act of April 29, 1878, and that provision of the act of April 29, 1878, had been repealed by the act of 1879 establishing the Board of Health.

Nevertheless, although that act had been repealed, national quarantine was carried on by the Marine-Hospital Service under the supervision of the Supervising Surgeon as if the act of 1878 had not been repealed.

Again, on March 27, 1890, another act was passed "to prevent the introduction of contagious diseases from one State to another, and for the punishment of certain offenses." That is the act that has been referred to here by several Senators who have spoken upon the subject, as being a precedent for some of the provisions contained in the bill now before the Senate. The provisions of that act in the first section vest in the Marine-Hospital Service the power and duty of making rules and regulations:

The said rules and regulations shall be prepared by the Supervising Surgeon-General of the Marine Hospital Service under the direction of the Secretary of the Treasury.

Mr. CAFFERY. Does the Senator now refer to the act of 1893?

Mr. MALLORY. No, sir; I am referring to the act of March 27, 1890, to which the Senator referred the other day. It is a plain quarantine act, and I invite attention to it because it does not pretend to be an act for the purpose of preventing interference with interstate commerce, but is, I think for the first time, an assertion on the part of Congress that Congress has the power to pass a quarantine law pure and simple.

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

Mr. MALLORY. Certainly.

Mr. CAFFERY. Has Congress any power to pass a quarantine law other than under the clause of the Constitution granting power to regulate commerce?