The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. NORTON of Ohio. Mr. Chairman, I note in the amendment offered by the gentleman from Massachusetts one very important correction which I am ready to adopt. The amendment removes the phrase of ray of hope to the people of Hawaii, and that is taking them from the Cloud of Slavery and servitude than that which existed in the South. I would like to ask the gentleman why it is that such a provision as I find at the bottom of that amendment is inserted.

Provided further That the provisions of this section shall not apply to the merchant seamen.

Mr. KNOX. It is perfectly apparent; it applies to shipping contracts that are made between owners and masters of vessels and seamen. That has been the custom of all nations from time immemorial.

Mr. NORTON of Ohio. I see the object of the gentleman in taking up my time.

Mr. KNOX. Well, the gentleman from Ohio asked me a question, and I was simply answering it.

Mr. NORTON of Ohio. But I did not ask the gentleman to make a speech. Why was that proviso added? Where did it come from? I think I can fathom the motive that inspired it and see the hand that penned it. You propose to go to Hawaii and relieve the enslaved foreigners there from servitude, and renew the bonds of American seamen turning them over to imprisonment. Where does the proviso come from? In the committees of the House there is one committee purposefully arranged to carry out the dictates and commands of a gigantic syndicate seeking to perpetuate an enormous robbery of our Treasury, and it is to which I may, if I have the time, devote a little attention before I can be asked to go away, and in any Marine Committee—for a particular purpose, this proviso comes. What purpose can the House have, and what excuse can you find for incurring it?

Where will you go for reasons to justify a provision by which you enslave American seamen for exercising the right of every American citizen while by an act forming a new government, creating a Territorial government under the Constitution of the United States, you relieve from slavery and the dungeon the Japanese, the Chinese, the Portuguese, the Malays, and every other civilization that we have taken or bought into the Hawaiian Islands, and at the same time you have an apparently insignificant proviso of a bare dozen words, American seamen may be thrown into prison at the complaint of the owner of any ship, subsidized by American money or otherwise, as is provided to be done in this House? [Applause on the Democratic side.]

I object, sir, in the name of justice and right, to placing in the hands of any man the arbitrary right to imprison an American seaman, to consign him to a period of involuntary servitude, at pleasure. I denounce the right to do this anywhere, on land or sea, and in any relationship, that we have outgrown and forever buried the idea of blind faith. We live in the organization of the place where every creed and sect and the microscope and sculpit, to a certain extent the boastings of our patriotic countrymen are justified by existing conditions, but, sir, we are not in the habit of saying, every day; there still clings to us a few relics of the past.

Polygamy, for instance, is faced to-day as well as in ages gone by. Yes; under the sanction and protection of our flag both these evils exist, and exist because of the permission of a Republican Administration. Shall we deny to all inferior institutions because they have existed “from time immemorial”?

A strange anomaly presents itself to us here. Our country at the close of a long and sanguinary civil war thought to take a gigantic leap upward and onward toward the realization of Christian civilization, and give at one bound the glorious boon of freedom to every colored race held in bondage of American slavery. An amendment was passed by the necessary majority of the States, thus becoming a part and portion of the framework of our Government. If the statesmen of that period had been as wise and brilliant as their successors of today they would simply have passed an act of Congress, and the same result would have been attained, according to the arguments that have been presented on the Republican side of this Chamber on various questions of constitutional matters under discussion. [Laughter on the Democratic side.]

Now, while every other class of citizens, and taking in foreigners also, are by statute given the constitutional protection of our civil laws and regulations, and are not allowed by express statute barred thereby, and, objection is raised to those to whom “from time immemorial” they have been subjected to imprisonment, branding, jack-o’-nine-tails, and other inhuman and unjust tortures at the hands of brutal masters and shipowners.

It is a principle on which this provision seeks to retain in full force and effect is section 4509 of the Revised Statutes of the United States.

If any seaman who shall have signed a contract to perform a voyage shall at any port or place, or shall absent himself from such vessel without leave of the master or officer commanding in the absence of the master, it shall be lawful for any master or officer commanding in the absence of the master, to issue his warrant apprehending such deserter and bring him before any justice or judge thereof and if it then appear that he has signed a contract within the intent and meaning of this title, and that the voyage so signed for is not finished or altered, or the contract otherwise dissolved, and that such seaman has been absent from his vessel, it shall be lawful for the master to commit him to the house of correction or common jail of the city, town, or county where the master resides, to remain until the master shall bring his wages before said justice or judge, or until the master shall have required the same of the alleged master, and in the meantime the justice or judge of the place where said justice or judge resides shall keep the seaman in the house of correction or common jail until the wages shall be received by said justice or judge.

And the next section No. 4509, goes on and says that even before a voyage has commenced and the master, or whoever, may arrest, without the aid of a warrant, any seaman who may see fit to throw up his contract.

The beginning of this cruel exception against the seaman was away back before the dawn of the Christian era, at a time when human nature was a prey to fear and ignorance of little or no value, where government was absolute despotism, and sailors were branded in the face for disobedience, or by statute kept on "bread and water for one year."

The thirteenth amendment to our Constitution says: Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Does not this proviso violate the spirit of individual liberty and freedom of choice inherent in our American institutions? Does it not contravene the plain letter of this constitutional amendment? We battled with England because of her arrogant claim and exercise of the right of impressing our seamen and impressing our seamen into her service. If evidence brought before investigating commissions is to be believed, the owners and masters of merchant vessels to-day have not abandoned the practice of impressing or "shanghaing" seamen to fill up their crews, even of American seamen as helpless, victims of their master's pleasure, and this proviso continues this in their "involuntary servitude." You may call it what you will, it is slavery still. To compel one man to render personal service to another in private business affairs is slavery. If you can compel the seaman to wear a chains, you can and will soon apply them to the miner, the laborer, to the worker, and this proviso opens the way to the actual legalized industrial slavery of every man in the land.

The argument of military or naval service is not analogous to industrial employment. Service for the country is service rendered for the benefit of all and the duty of every patriotic citizen to perform when necessary: but in private business the same is the same, unless one is a slave.

There is danger in placing this provision in any man's power.

With the accession of power there is almost universally the tendency or desire toward an arbitrary and tyrannical use of it. There is soon a hatred and defiance of all restraint or criticism and an effort to crush out all opposition. No amount of Republican argument, with all of its laboring and especially the laboring people, that the Republican party is in sympathy with, proves anything to the contrary. Every expression, every act of that party, as such, is in the interest of syndicated capital and the extension of the powers of the trusts. Scarcely four years ago William McKinley stood upon the vine-plow day and pontificated, and the Constitution; less than two years ago his successor stood before the country, and rushed "the open society." So rapid is the intoxication of power worked that to-day the Constitution is a byword and a plaything, and the Army and Navy at his command are standing ready to defy the whole world—England excepted. [Applause.]

The Republican party has trampled upon the Constitution, nor once nor twice, but again and again. In the early days, when there were statesmen and patriots in that party, the Constitution as the magna charta of our liberty was revered, and it was adopted.