

The SPEAKER. The Chair appointed Mr. SWANN and Mr. HOLMAN as tellers.

The House divided; and the tellers reported—ayes 95, noes 18, no quorum voting.

Mr. HOLMAN. The House seems so determined to increase these salaries, that I will abandon any further opposition and do not ask for a further count.

So the previous question was seconded and the main question ordered.

The amendments of the Committee of the Whole were concurred in.

The bill, as amended, was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. SWANN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The later motion was agreed to.

ENROLLED BILLS.

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

An act (H. R. No. 1271) for the relief of John T. Watson, of Cincinnati, Ohio;

An act (H. R. No. 2074) to amend an act entitled "An act to provide for the establishment of a military prison and for its government," approved March 3, 1873;

An act (H. R. No. 2100) for the relief of Martin Hoff, Casper Doerr, and George Gebhart, citizens of Saint Louis, Missouri;

An act (H. R. No. 2205) for the relief of P. Hornbrook;

An act (H. R. No. 2348) for the relief of Rev. George Morrison, late of Kentucky; and

An act (H. R. No. 2346) for the relief of W. A. Sayler, of Bryan, Texas.

MOIETIES.

Mr. ELLIS H. ROBERTS. I now call up for consideration the bill (H. R. No. 3171) to amend the customs-revenue laws and to repeal moieties. The Committee on Ways and Means desire to make two or three amendments to the bill which do not change its character, and I ask that the bill be reprinted with the amendments embodied in it.

Mr. GARFIELD. I suggest to the gentleman from New York that the bill be printed as it is proposed to be amended.

Mr. RANDALL. That was improperly done the other day on an appropriation bill.

Mr. GARFIELD. The expense of reprinting an important bill like this is as nothing.

Mr. ELLIS H. ROBERTS. I am willing to have them so printed. Otherwise the committee recommend these amendments be printed in the RECORD if there be no objection.

Mr. RANDALL. The best way is to move to recommit the bill with the amendments, and have it ordered to be reprinted.

The SPEAKER. The gentleman only proposes to submit the amendments to be offered when before the House.

Mr. RANDALL. How are you going to have them printed in the bill as a part of it?

The SPEAKER. The gentleman does not ask that.

Mr. RANDALL. The gentleman from Ohio did.

Mr. GARFIELD. I asked the bill be reprinted as was done in the case of one of the appropriation bills.

Mr. RANDALL. That was an unusual motion which the gentleman made. I never heard it made before.

Mr. POLAND. Ordering these amendments to be printed in the RECORD will be of no service, for no one can tell what connection they have with the bill.

The SPEAKER. The bill is before the House and the gentleman from New York asks that the amendments be printed.

The amendments were ordered to be printed.

Mr. SAYLER, of Ohio. I move the House adjourn.

Mr. ELLIS H. ROBERTS. I have not yielded the floor. I yield to the gentleman from Vermont.

FREE BANKING.

Mr. WILLARD, of Vermont. I move, by unanimous consent, that the bill (H. R. No. 1512) to amend the several acts providing for a national currency and to establish free banking, and for other purposes, as returned from the Senate, be reprinted.

The motion was agreed to.

INSANE CONVICTS.

The SPEAKER. The gentleman from New York [Mr. ELLIS H. ROBERTS] is on the floor. He will state to whom he yields, if to any.

Mr. ELLIS H. ROBERTS. I yield to my colleague, [Mr. TREMAIN.]

Mr. TREMAIN. By direction of the Committee on the Judiciary, I ask consent of the House to report, and have put upon its passage, a bill to provide for the care and custody of persons convicted in the courts of the United States who have or may become insane while in prison. There is now no law concerning this class of insane convicts. The bill is very brief, and I ask that it may now be put upon its passage.

Mr. COBURN. I object.

Mr. ELLIS H. ROBERTS. I move that the House adjourn.

The motion was agreed to.

And accordingly (at four o'clock and thirty minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following memorials, petitions, and other papers were presented at the Clerk's desk, under the rule, and referred as stated:

By Mr. LUTTRELL: A communication from the board of State harbor commissioners of California, in relation to remodeling the plan of the harbor of San Francisco, to the Committee on Military Affairs.

By Mr. MYERS: The petition of Alfred H. Love and 1,000 other citizens of Pennsylvania and other States, that immediate measures be taken by Congress to second the movement inaugurated by the Parliament of Great Britain and promulgated by the Queen for conferring with the various governments of the world on the subject of international arbitration, to the Committee on Foreign Affairs.

By Mr. SENER: The petition of the Shiloh Baptist church, of Fredericksburgh, Virginia, to be compensated for damages inflicted on their church building by United States troops in 1862, to the Committee on War Claims.

By Mr. TODD: The petition of C. M. Fickes, John Gilbert, and 46 other citizens of Shippensburg, Pennsylvania, for the repeal of the 10 per cent. tax on circulating notes issued by banks chartered under State laws, to the Committee on Banking and Currency.

IN SENATE.

MONDAY, May 18, 1874.

Prayer by the Chaplain, Rev. BYRON SUNDERLAND, D. D.

On motion of Mr. INGALLS, and by unanimous consent, the reading of the Journal of the proceedings of Friday last was dispensed with.

CORRECTION—THE CURRENCY BILL.

Mr. BOREMAN. I wish to make a correction in what appears in the RECORD of Friday last containing the proceedings of Thursday. While the vote was pending upon the passage of the currency bill, it appears that the Senator from Texas [Mr. HAMILTON] made this statement:

Upon this question the Senator from West Virginia [Mr. BOREMAN] is paired with the Senator from Delaware. [Mr. SAULSBURY.] The Senator from West Virginia would vote "yea," and Mr. SAULSBURY "nay."

That is a mistake. The Senator from Delaware and myself were paired upon the vote on the amendment of the Senator from New York, [Mr. CONKLING.] He would have voted for that amendment and I should have voted against it. That was the extent of our pair. I should not have voted for the passage of the bill; on the contrary, I should have voted against it; and at the time I made the arrangement with my friend from Delaware, I made the statement to him that I thought I could not vote for the bill. I merely wished to correct this mistake which appears on the face of the RECORD.

Mr. SAULSBURY. I desire to say that the Senator is perfectly correct. He was simply paired with me on the amendment of the Senator from New York, [Mr. CONKLING.] On the currency bill itself the Senator from West Virginia stated to me that he would vote as I did, against it. The announcement of our pair was made by the Senator from Texas, who did not understand the case precisely.

PETITIONS AND MEMORIALS.

Mr. PRATT presented a memorial of merchants and manufacturers of Evansville, Indiana, remonstrating against the abolishment of the office of appraiser at that port; which was referred to the Committee on Finance.

Mr. BUCKINGHAM presented the petition of William Gardner, John Davids, and 42 others, of the Mohocconuck, now Stockbridge tribe of Indians, praying Congress to adopt such measures as will protect them in their rights under certain treaties, remunerate them for damages incurred by them, and secure to them what is justly their own; which was referred to the Committee on Indian Affairs.

Mr. LOGAN presented a petition, numerously signed by citizens of Chicago, Illinois, praying the passage of a law directing the Secretary of the Treasury to have all Government issues, notes, bonds, &c., printed at one establishment so as to prevent the counterfeiting of the same; which was referred to the Committee on Appropriations.

Mr. THURMAN presented the petition of William Glenn & Sons and others, citizens of Cincinnati, Ohio, and the petition of R. M. Bishop & Co. and others, citizens of Cincinnati, Ohio, praying the passage of a law defining a gross of matches and to provide for uniform packages; which were referred to the Committee on Commerce.

Mr. SARGENT. I have in my hand a letter from the Director of the Mint on free coinage, a subject which is now pending before the Senate upon a bill which is on the Calendar. I move that it be printed and lie on the table.

The motion was agreed to.

Mr. SHERMAN presented the petition of a committee of the Baltimore branch of the Freedman's Savings and Trust Company, praying an amendment to the charter of the company so as to allow that branch a board of trustees with authority to control the investment of its deposits; which was referred to the Committee on Finance.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. THURMAN, it was

Ordered, That the memorial of the officers of the Masonic Lodge of Georgetown, South Carolina, be taken from the files and referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. WRIGHT, from the Committee on the Judiciary, to whom was referred the bill (H. R. No. 1939) for the relief of the sureties of James L. Collins, deceased, reported it without amendment.

Mr. HAMLIN, from the Committee on Mines and Mining, to whom was referred the bill (S. No. 822) to amend an act entitled "An act to promote the development of the mining resources of the United States," reported it without amendment.

Mr. BUCKINGHAM, from the Committee on Indian Affairs, to whom was referred the bill (S. No. 742) for the relief of Henry A. Webster, V. B. McCollum, and A. Colby, of Washington Territory, pre-emptors on the Makah Indian reservation, reported it without amendment.

Mr. WADLEIGH, from the Committee on Public Lands, to whom was referred the bill (S. No. 445) to authorize the equitable settlements of the accounts of Enos Lowe, late receiver of public moneys at Council Bluffs, Iowa, reported it with an amendment.

BILLS INTRODUCED.

Mr. FRELINGHUYSEN (by request) asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 824) to encourage and promote telegraphic communication between America and Asia; which was read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. BOGY asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 825) to amend an act entitled "An act to confirm to the Great and Little Osage Indians a reservation in the Indian Territory," approved June 5, 1872; which was read twice by its title, referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. HITCHCOCK asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 826) to reduce the area of the military reservation of Fort Sanders, and providing for the survey of said reservation as reduced; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALCORN asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 827) to provide for the appointment of a commission of engineers to investigate and report a permanent plan for the reclamation of the alluvial basin of the Mississippi River subject to inundation; which was read twice by its title, and referred to the Select Committee on the Levees of the Mississippi River.

BILL RECOMMENDED.

Mr. WRIGHT. On the 12th instant there was reported from the Committee on Finance a bill (S. No. 653) for the relief of E. Boyd Pendleton, late collector of internal revenue fifth district of Virginia, and its indefinite postponement was recommended; and on the next day that motion was reconsidered and the bill went on the Calendar. I now move that that bill be recommitted to the Committee on Finance.

The motion was agreed to.

ADJOURNMENT SINE DIE.

Mr. EDMUNDS. I offer the following resolution, and ask that it lie on the table for the present:

Resolved by the Senate, (the House of Representatives concurring.) That the President of the Senate and the Speaker of the House of Representatives be, and they are hereby, directed to adjourn their respective Houses without day on the 22d day of June, A. D. 1874, at twelve o'clock noon.

The resolution was ordered to lie on the table.

CIVIL-SERVICE RULES.

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

Resolved, That the President be requested to transmit to the Senate the answer in full received by the civil service commission in reply to their circular addressed to the various heads of Departments and Bureaus requesting a report as to the operation and effect of the civil-service rules in their several Departments and offices.

FALLS OF SAINT ANTHONY.

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

Resolved, That the Secretary of War be, and he is hereby, directed to communicate to the Senate any information he may have acquired since his last annual report, in regard to the preservation of the Falls of Saint Anthony and the navigation above the same, together with such suggestions relative thereto as he may deem proper.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON; its Clerk, announced that the House had passed the following bills, in which the concurrence of the Senate was requested:

A bill (H. R. No. 62) for the relief of Margaret E. West;
A bill (H. R. No. 256) for the relief of Edgar L. Spencer, the owner of the steamer Clara Dolsen;

A bill (H. R. No. 2198) for the relief of the heirs at law of William C. Brashear, an officer of the Texas navy;

A bill (H. R. No. 2202) for the relief of William B. Thomas, late collector of customs at the port of Philadelphia;

A bill (H. R. No. 2211) for the relief of Beck & Wirth;

A bill (H. R. No. 3303) to extend the time for filing claims for additional bounty under the act of July 28, 1866;

A bill (H. R. No. 3352) to further provide for the sale of certain lands in Kansas;

A bill (H. R. No. 3349) to revise and consolidate the statutes of the United States, general and permanent in their nature, relating to the District of Columbia, in force on the 1st day of December, in the year of our Lord, 1873; and

A bill (H. R. No. 3354) to legalize entries of public lands under the homestead laws in certain cases.

The message also announced that the House had passed the bill (S. No. 311) for the relief of Joseph Montanari, and for other purposes, with amendments, in which the concurrence of the Senate was requested.

The message further announced that the House had passed a concurrent resolution for printing five thousand copies of the report of Edward Young, chief of the Bureau of Statistics, on customs and tariff legislation of the United States; in which the concurrence of the Senate was requested.

The message also announced that the House had passed a concurrent resolution for printing seventy-five hundred additional copies of the report of the Smithsonian Institution for 1873; in which the concurrence of the Senate was requested.

ENROLLED BILLS SIGNED.

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

A bill (H. R. No. 1122) granting a pension to Mrs. Martha E. Northup, widow of First Lieutenant Edward B. Northup, late of the Seventeenth United States Infantry;

A bill (H. R. No. 2846) repealing the act entitled "An act fixing the time for the election of Representatives from the State of California to the Forty-fourth Congress;"

A bill (H. R. No. 3139) for the relief of the owners of the steam ferry-boat A. Burton;

A bill (H. R. No. 1271) for the relief of John T. Watson, of Cincinnati, Ohio;

A bill (H. R. No. 2074) to amend an act entitled "An act to provide for the establishment of a military prison and for its government," approved March 3, 1873;

A bill (H. R. No. 2100) for the relief of Martin Hoff, Casper Doerr, and George Gebhart, citizens of Saint Louis, Missouri;

A bill (H. R. No. 2205) for the relief of P. Hornbrook;

A bill (H. R. No. 2348) for the relief of Rev. George Morrison, late of Kentucky; and

A bill (H. R. No. 2346) for the relief of W. A. Saylor, of Bryan, Texas.

BOUNTY-LAND WARRANTS.

Mr. PRATT. I move that the Senate proceed to the consideration of the bill (S. No. 763) explaining the intent and meaning of the fourth section of the act entitled "An act in addition to certain acts granting bounty land to certain officers and soldiers who have been engaged in the military service of the United States," approved March 3, 1855, and reported from the Committee on Public Lands with an amendment.

The PRESIDENT *pro tempore*. The bill will be read for information.

The bill was read. It provides that the rights and privileges of soldiers, their widows and heirs at law, to any certificate or warrant referred to in said section 4, that may issue or that has heretofore been issued, under the provisions of that act, or of any other act, shall be governed by the provisions of section 4 of the act entitled "An act granting bounty land to certain officers and soldiers who have been engaged in the military service of the United States," approved September 28, 1850, so far as to prevent the sale of any such certificate or warrant, or the land obtained thereby, on account of any debt or claim incurred by such officer or soldier prior to the issuing of the patent.

An amendment was reported by the Committee on Public Lands, in line 11, after the word "sale," to insert the words "on execution, or by virtue of any judicial order."

The PRESIDENT *pro tempore*. Is there objection to the consideration of the bill?

Mr. CONKLING. I make no objection; but I wish to make two remarks to my friend from Indiana. In the first place, I do not understand, and I apprehend the Senate will not understand without a word of explanation from him, what the object of this bill is; but in the second place, and more particularly, here is another instance of referring to an act so and so and amending it. I beg to remind the Senate again that in a few days, when we act, as I hope we shall act, on the revision of the laws, a large part of all this identity is to be obliterated. I suggest to the Senator whether he would not rather say affirmatively what he means this bill to do than to refer to lines

and acts and pages in statute-books which very soon will be practically obsolete.

Mr. PRATT. This bill may possibly be obnoxious to the objection urged by the Senator from New Jersey; but there is pressing necessity for its passage. The act of September 23, 1850, in the fourth section provided as follows in relation to these bounty-land warrants: "nor shall such certificate or warrant, or the land obtained thereby, be in anywise affected by, or charged with, or subject to, the payment of any debt or claim incurred by such officer or soldier prior to the issuing of the patent." This section was omitted in the act of March 3, 1855, and the consequence has been that in several of the States the lands granted to soldiers under the act of 1855 as bounties have been subjected by the order of the courts to the payment of the debts incurred prior to the issuing of the patent. The object of this bill is simply to carry into the act of 1855 the provision which I have quoted from the act of 1850. I have a letter here from the Commissioner of the General Land Office which I will send to the Clerk's desk and request that it be read, which explains the necessity of this bill.

The PRESIDENT *pro tempore*. The letter will be read if there be no objection.

The Chief Clerk read as follows:

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., May 14, 1874.

SIR: I have the honor to acknowledge the receipt of your letter of yesterday, inclosing Senate bill No. 763, explaining the intent and meaning of the fourth section of the act entitled "An act in addition to certain acts granting bounty lands to certain officers and soldiers who have been engaged in the military service of the United States," approved March 3, 1855, requesting my opinion as to the necessity of such an amendment. You also inquire whether we know if in any of the States courts have held under the act of 1855 that soldiers' bounty-land warrants are subject to be sold for the debt of such soldiers, &c.

In reply I have to state that it has come to the knowledge of this office in numerous cases that State courts have ordered the sale of soldiers' warrants for the payment of debts previously incurred, and frequently are made assets of the estates of such soldiers; but under what law such order was made this office is not advised; perhaps under the respective State laws; but in no such case has this office approved of such sale.

Nevertheless, as in the act of 1855, such prohibitions are not clearly expressed. I am of the opinion that it would be more clearly understood, by all concerned if the bill you inclose be amended as suggested in your letter, by inserting in the eleventh line, after the word "sale," the words "on execution or by virtue of any judicial order."

The bill inclosed by you is herewith returned.
Very respectfully, your obedient servant,

W. W. CURTIS,
Acting Commissioner.

Hon. D. D. PRATT,
United States Senate, Washington, D. C.

Mr. PRATT. The bill as amended is in the language of the Commissioner of the General Land Office, and if it shall become a law will protect these bounty-land warrants from being subjected to sale for the purpose of the payment of the debts of the soldier. I do not suppose that any objection will be urged by any gentleman to the passage of this bill unless it be the technical one urged by my friend from New York, and really I do not see that that is very important in the case of a small bill like this.

Mr. CONKLING. The Senator from Indiana is right in his conjecture that I have no objection to the object of the bill or to the bill itself in substance; but I submit to him that this is a very simple and very glaring case of the need of changing our form of legislating. I beg the Senate to observe that the whole purpose of the Senator from Indiana is to provide that bounty-land warrants and certificates issued to soldiers shall be exempt from levy and sale on execution. That is the whole of it. Why not say so? How does the bill say so? It starts off with a title, which title occupies five lines, being "A bill explaining the intent and meaning of the fourth section of the act entitled 'An act in addition to certain acts granting bounty land to certain officers and soldiers who have been engaged in the military service of the United States,' approved March 3, 1855." Now what does the bill say? Does it say that these warrants and certificates shall be exempt from levy and sale on execution? Yes, sir; it says it but not in those words, but says it covered up by a reference to two statutes neither of which will be found by its title or found where it is referred to here, as soon as we shall have acted on the revision of the laws. Let me see if I am right in that:

That the rights and privileges of soldiers, their widows and heirs at law, to any certificate or warrant referred to in said section 4—

That refers back to the title of the bill—

that may issue or that has heretofore been issued, under the provisions of said act, or of any other act, shall be governed by the provisions of section 4 of the act entitled "An act granting bounty land to certain officers and soldiers who have been engaged in the military service of the United States," approved September 23, 1850, so far as to prevent the sale on execution or by virtue of any judicial order of any such certificate or warrant, or the land obtained thereby, on account of any debt or claim incurred by such officer or soldier prior to the issuing of the patent.

Boil that down; and what is it in plain English? It is that hereafter all such certificates and warrants, and the land held thereunder shall be exempt from levy and sale on execution for any debt incurred prior to the issue of such certificate; and that is the whole thing, and there it speaks for itself. Every lawyer can read it and every layman can read it. It can be put in one-quarter of the words employed here, and be entitled "An act exempting certificates and warrants from sale," and there is the whole story in a nut-shell. I am not going to struggle with my friend. He just heard the Clerk of the

House of Representatives read the title of an act to consolidate the statutes of the District of Columbia. The committee of this body having charge of that subject have been waiting for that bill; which was the little complement needed to make up the entirety of the revision of the statutes. The committee hope to report it very soon, and they hope for the favorable action of the Senate at once, and then my honorable friend will have upon the statute-book, if in the mean time this act shall be passed, a statute referring to volumes which hereafter will be disused unless our revision is to be a failure, and superseded by the volume of revision in which volume a man may look—I will not say in vain, for of course he will be able to find it, but will look under great difficulties to find the meaning of an act which contains three times as many words as are necessary to state flat-footed and distinctly what it means; namely, that these warrants and certificates and the land acquired under them are hereafter to be exempt from levy and sale on execution.

The PRESIDENT *pro tempore*. And the act itself which is referred to will be repealed.

Mr. CONKLING. And the Chair reminds me of a most important thing, which I ought to have stated, that the act referred to will itself be repealed because it is a necessary part, as the Senate will see, of the scheme of revision to re-enact all these laws as they shall stand condensed and collected together, and to repeal all existing statutes.

Now I hope that my friend from Indiana, if he has no objection, of his own accord will consent to take this bill back and rewrite it. He says it is a small bill. It will be much less labor than is involved in most of these instances; and let him set the rest of us the example of making our legislation as we shall be obliged to make it hereafter unless we intend all the time to row against the current of the revision of the statutes. Of course, it is of no more consequence to me than it is to others. The Senate will act as it deems proper.

Mr. PRATT. There is wisdom in the suggestion of the Senator from New York; but it must be remembered that we had a resolution presented this morning to provide for an adjournment on the 22d of June, and if this bill is to be sent back to the Committee on Public Lands, which meets at half-past ten o'clock when the Senate meets at eleven, it amounts practically to a defeat of the bill; because, in the multitudinous mass of matters coming before that committee, it is scarcely to be hoped that the bill will receive another consideration, and if it should be amended in accordance with the suggestion of the Senator from New York and reported back, it would have to be acted upon by the Senate and then sent to the House. I hope the bill will pass in its present form.

Mr. CONKLING. I was in the act of drawing an amendment which I thought the Senator would accept, and I think I might say I could prepare in five minutes a substitute for this bill avoiding the criticism. The Senator could do it in much less time. In order to test the sense of the Senate, I move to recommit the bill to the Committee on Public Lands for the purpose I have indicated.

Mr. PRATT. If the Senator will withdraw his motion and let the bill pass over until to-morrow morning, I will prepare an amendment in accordance with his suggestion.

Mr. CONKLING. I will do that, of course.

The PRESIDENT *pro tempore*. The motion to take up the bill is withdrawn.

COMPULSORY PILOTAGE.

Mr. HAMLIN. I ask the Senate to take up the bill (S. No. 675) to relieve ships and vessels from compulsory pilot fees in certain cases. I think it will occupy very little time.

By unanimous consent, the bill was considered as in Committee of the Whole.

The Committee on Commerce proposed to amend the first section of the bill by striking out in line 4 the words "duly registered or enrolled" and inserting "when trading between district and district, or between different places in the same district, or carrying on the fishery;" so as to read:

That no owner, agent, master, or consignee of any ship or vessel, when trading between district and district, or between different places in the same district, or carrying on the fishery, shall, by virtue of the laws of any State, be compelled to take, employ, or pay a pilot not voluntarily employed on entering or departing from any port or harbor, or entering, passing through, or leaving any channel, passage, or strait within the waters of the United States.

Mr. HAMLIN. It will be observed that the second section of the bill is stricken out by the report of the committee. This bill as originally introduced by myself provided in the first section for the abolition of all compulsory pilot fees whatever. The second section provided that the owner, master, or agent of a vessel should not be compelled to pay compulsory fees when his vessel was taken into or out of port by a tug-boat. That section was added upon the idea that the tow-boat might charge an additional sum equivalent to pilotage. The committee, however, after considering it, believed the terms of the first section broad enough to cover the whole matter and have recommended the striking out of the second section, to which I do not object. They further recommend in the first section to strike out the words "duly registered or enrolled" and insert "when trading between district and district, or between different places in the same district, or carrying on the fishery." The adoption of that amendment will make the bill effective only upon what is popularly known as the coasting trade and coasting-vessels, with one slight addition, that if a vessel under regis-

ter should enter a port other than that at which she was registered, she could take homeward coast freight and thus go from port to port, from the place where she entered, to her home port as a coasting-vessel. It is practically, therefore, abolishing compulsory pilotage upon the coasting trade.

I have myself no doubt whatever that the provisions of the first section are precisely what the best interests of commerce, the best interests of underwriters, and the best interests of all the world demand. I have given much time to an investigation of this subject, and am prepared to discuss it at length. The Committee on Commerce, however, having unanimously reported the bill in its present form, I presume it will receive the favorable consideration of the Senate; and being more desirous of securing the passage of the bill than of consuming the time of the Senate in speaking, I forbear.

Inasmuch as this report has come back to us with the unanimous approval of the Senate Committee on Commerce, I do not propose to vary their amendment or to change it except by inserting the word "collection" before "district" in the fifth line. I think that becomes necessary. What "district" is referred to? Is it a congressional district, is it a light-house district, or is it a district of some other kind? I have not turned my eye to that statute for some time, but I think if Senators will turn back to the navigation law of 1789, they will find there is incorporated in that law a provision for what are called "the great districts" and then comes a subdivision of those. If there be nothing in relation to the suggestion as to congressional districts or light-house districts, a question may arise as the language now stands whether its application would be only between what are called the great districts and the small districts.

The Senator from New York [Mr. CONKLING] tells me that that precise phraseology occurs in twenty different statutes. I know it; but if the Senator will look at those statutes he will see that in each of them there is a collection district referred to, and therefore you do not want the distinctive character of the district named because it is in the text of each of those bills and is not in the text of this. It can do no harm to make this clear; it will meet with no objection, I am very sure; and I therefore move to amend the amendment by inserting the word "collection" before the word "district" in the fifth line.

Mr. BOUTWELL. I cannot believe that that amendment is necessary. I think it is a superfluous proposition. In the statute of 1793, from which the language used in the amendment of the committee is borrowed exactly as found in the sixth section, previous to it the phrase "collection district" is not used as far as I can find. I think I see an objection to the Senator's proposition. As it stands now "between district and district," the language would apply to what are called the great districts as well as the collection districts. For instance, we have a great district, as it is called, extending from the eastern coast of Maine to Florida, which is district No. 1. We have a district extending from the western coast of Florida to the Sabine River—it never has been changed since the act admitting Texas—which is district No. 2; and when Florida was acquired that was made into a district called district No. 3. I think that leaving the language reported by the committee will save the Department from the necessity of considering whether it is a great district or a collection district; and inasmuch as the subject-matter of the bill is trade on the coast, it cannot refer to any other districts than those districts which are framed for the purpose of facilitating the administration of the navigation and revenue laws. I hope, therefore, the Senator from Maine will withdraw his amendment. I think it is superfluous.

Mr. HAMLIN. I must frankly admit that I think the text of this bill defines the use of the word "district" satisfactorily; but subsequently to the report of this bill I received so many letters from merchants and ship-owners who are frightened, rather than myself, suggesting that the word "collection" ought to precede the word "district," that I made the motion. However, taking the whole text, I am willing to trust it, and will withdraw the amendment to the amendment.

The PRESIDENT *pro tempore*. The amendment to the amendment is withdrawn.

Mr. CONKLING. Mr. President, if an illustration were needed of the fact that the Senator from Maine never puts his hand to the plow and turns back, the bill before us would be a complete illustration of that fact. The Senator, convinced profoundly that the interests of navigators and especially the interests of his constituents require a change in the pilot laws, has been so persistent and has been so argumentative and so able in his mode of presenting the subject to the committee and insisting upon it and pressing it forward at all times, that, in part as I think because the committee was not able to resist him, this bill has been reported.

I do not rise to make any attack upon it or to consume any time in objecting to it. I wish, however, to say that as it was introduced originally, speaking now of the port of New York, its effect would have been to cut up altogether the existing system of pilotage. Upon consideration, the committee changed it so far as not to make it applicable to foreign vessels or sea-going vessels, and to confine it to the particular field of operation which the Senator from Maine has been so strenuous in insisting upon. As it stands now, it does interfere with the pilotage known as Hell Gate pilotage as contradistinguished from Sandy Hook pilotage, and it permits vessels plying in the coasting trade without taking a pilot to run in and out of those local

waters. I say for myself that in the presence of the very urgent effort which has been made I consented to this, in the hope that it was right, and knowing that it was much less radical than the original measure. I take it, it will be the pleasure of the Senate to adopt it; and I shall consider it, if I may be forgiven for saying so, about as much a personal triumph of my honorable friend from Maine as it is an act of legislation in the interest of commerce in the abstract.

Mr. FRELINGHUYSEN. May I ask the Senator from New York a question?

Mr. CONKLING. Yes, sir.

Mr. FRELINGHUYSEN. After the enactment of this bill, will coasting vessels be required to have pilots?

Mr. CONKLING. No, sir. The very purpose of it is to release coasting vessels from the necessity of taking a pilot, and if my friend will pardon me for one moment, it will of course occur to him that the reason and excuse for that is the supposition that men engaged in the coasting trade run in and out of the harbors so often, that they are able without the exposure of life or property to manage their vessels substantially as well as the trained pilots would do.

Mr. EDMUNDS. How can trained pilots get their subsistence if the range of their business is to be diminished in this way? Will not that drive them out of the business?

Mr. CONKLING. That is a very natural question; and the answer to it is that the bill still leaves compulsory pilotage applicable to foreign vessels and sea-going vessels. Exempting coasting vessels, it applies to but few vessels running into the port of New York, except those going through Long Island Sound and Hell Gate or the East River; and it is thought that, in spite of the effect to which the Senator from Vermont alludes, it is warrantable in the way that I have explained.

Mr. FRELINGHUYSEN. I should like to ask the Senator from New York what is the exact meaning of the phrase "trading between district and district?"

Mr. CONKLING. As has been explained by the Senator from Maine in advocating the amendment, vessels running from one collection district to another collection district as distinguished from vessels running from Aspinwall to New York, or from Cuba to New York, or from the other hemisphere to New York.

Mr. FRELINGHUYSEN. I confess that I hope this bill will not become a law. I think there are two serious objections to it, one of which was suggested by the Senator from Vermont. How will you keep up and support a system of pilotage if you take from the pilots all the receipts and income which they now derive from the coasting trade of the country? It cannot be kept up, and the consequence will be that while you are dispensing with pilotage as to coasting-vessels, you will dispense with pilotage as to foreign and sea-going vessels. Besides that, I do not believe it to be a fact that these vessels engaged in the coasting trade are so manned and officered that they are competent safely to bring their vessels into harbor at all times. These pilots in New York and in New Jersey are practiced, experienced men, men of great energy, great skill and courage, and they ought to be protected so that they may be maintained for the welfare not only of the coasting vessels, but of all sea-going vessels.

Mr. CHANDLER. Mr. President, I hope this bill will become a law. There are to-day forty-two pilots for Hell Gate. Hell Gate was formerly a dangerous passage; but the Government has expended some millions of dollars improving Hell Gate, and now they compel every vessel passing through Hell Gate, whether it uses a pilot or not, to pay half-pilotage to support these forty-two men. If they had three or four pilots for Hell Gate, it is possible that occasionally a very deep ship might want to engage a pilot; but certainly two or three would be sufficient; and yet they levy a forced contribution upon the commerce passing through Hell Gate, upon which this Government has expended millions of dollars, to support forty-two men, of over \$250,000.

These coasting-vessels are regular traders and their commanders are better pilots than any pilots that go through Hell Gate. It is the same on all our coasting routes. A ship makes a trip once a week, or perhaps once a fortnight, and the captains of these ships have been in this traffic from their youth up, and there is no more reason why those captains should be compelled to pay half-pilotage than there is why they should be compelled to put a nineteenth man on their ship when eighteen are enough.

But, sir, compulsory pilotage still holds upon all our foreign commerce. Any ship touching at a foreign port is compelled to pay pilotage whether she takes a pilot or not. If New Jersey has more pilots than the legitimate business of pilotage will support, tell them to go to sailing-coasters or some other business where they can earn a legitimate living.

Mr. HAMLIN. I desire to say a word or two in relation to this matter, and but a word or two. First, I wish to state to the Senate, what is the fact, that there is no compulsory pilotage upon the coasting-vessels to-day coming in by the way of Sandy Hook, and there has not been. New York has repealed her laws enforcing compulsory pilotage on all coasting-vessels that come in by the way of Sandy Hook. This bill then will have the effect only to abolish what is called half-pilotage by the way of Hell Gate; that is all there is of it.

Now does my friend from New Jersey know, and does the Senator from Vermont know, that of the skilled pilots who go down to help the vessels through Hell Gate not one in twenty touches a vessel?

The vessels do not want them; they do not need them. And do the Senators know that these pilots go down there in yawl-boats and nothing else? I think I am accurate in saying that that whole board of pilots have got but a single pilot-boat. I am so informed by the pilots of New York. A pilot by the way of Hell Gate communicated that fact to me.

Mr. EDMUNDS. You mean one pilot-boat for that district?

Mr. HAMLIN. One pilot-boat goes out to meet and pilot vessels.

Mr. EDMUNDS. Out to sea?

Mr. HAMLIN. I mean just what I say, that the Hell Gate pilot board has got but one pilot-boat.

Mr. EDMUNDS. That may be.

Mr. HAMLIN. The rest of them all perform the arduous and hazardous task of going down that channel in a yawl-boat, notifying the master of a vessel that he, the pilot, wants his half-pilotage, and the master pays it, and then goes along about his business. That is Hell Gate pilotage. This bill abolishes that, and puts it on the same footing with the Sandy Hook pilotage.

Mr. FRELINGHUYSEN. May I ask my friend if the sole object of this bill is to relieve coasting vessels from the compulsory pilotage at Hell Gate?

Mr. HAMLIN. That is all.

Mr. FRELINGHUYSEN. Why does not the bill just say that? I have no objection to that part of it.

Mr. HAMLIN. The object of the bill is to relieve the coastwise commerce from compulsory pilotage wherever and whenever it is imposed in that way. I think it may have one or two applications elsewhere; but that is the main point to be reached, and the law should, I think, be uniform.

Now, sir, one word in relation to compulsory pilotage. I did not mean to be drawn into saying anything about it, because it is not in the bill; but I do mean to say this: that if the bill had been reported precisely as it was introduced by myself I believe I could satisfy this Senate that compulsory pilotage is unnecessary. How are you going to support your trained pilots without compelling another branch of your navigating interest to contribute to their compensation when they do not want their services? My answer is plain and simple. I am the last man in the world who would destroy or any way in the world impair an efficient system of pilotage. If you have forty pilots to-day who pick up \$800,000 of compulsory pilotage for vessels passing Hell Gate and render no equivalent therefor—and that I believe is about the amount—and distribute that money among that board, you would, if you had no compulsory pilotage, only support that number of pilots which would be requisite to perform all the services that were required. You might diminish somewhat the service in practice; you would not diminish it in efficiency at all. That is my idea in relation to it.

But that question is not involved in this bill. This bill now proposes to put the passage by way of Hell Gate, so far as it applies to New York, upon precisely the same footing that New York herself has put the passage by the way of Sandy Hook.

Mr. EDMUNDS. How does it apply with respect to other ports of the United States?

Mr. HAMLIN. In the same way to all of them.

Mr. EDMUNDS. It makes it uniform?

Mr. HAMLIN. It makes it uniform. I think there may be one point in Massachusetts where it may affect pilotage, and it may affect one point in the South. I recollect of but three points affected by it, but they are situated precisely like Hell Gate, where pilots are not required, where they are not needed, and where the pilotage is only a tax upon the commerce and the navigation of the country, not called for by any interest in the world or any persons save those who take the money and put it in their pockets without rendering any service.

I did suppose that this bill, coming from the committee unanimously reported, would have received the unanimous approval of the Senate.

I want to say one word more. I see my friend from Pennsylvania [Mr. SCOTT] has risen to address the Chair, or addressed the Chair about the time I rose. I wish to say that the pilots or the persons representing the pilots, themselves from Philadelphia, (and the chairman will correct me if I am wrong,) stated that they did not object to the bill in this form if it only abolished compulsory pilotage upon coasting vessels, and applying to the passage to Philadelphia.

Mr. CHANDLER. And the same is true of Baltimore.

Mr. SCOTT. I rose to make an inquiry for the purpose of information that I wished from my friend from Maine, and not with reference to the interests of Philadelphia especially. From what has been stated I can see the propriety of relieving vessels trading from point to point at no great distance from each other from the compulsory pilotage fees; but under the language of this bill I wish to make an inquiry. I find the language to be:

That no owner, agent, master, or consignee of any ship or vessel—

Which would include passenger as well as coastwise trading-vessels—

when trading between district and district, or between different places in the same district, or carrying on the fishery, shall, &c.

The inquiry I wish to make is, would not this exempt the passenger-steamships which ply between New York and New Orleans; or, if there be steamers running now from New York to San Francisco,

each of those being a separate collection district in the United States, would not the language of this bill exempt such vessels from pilotage?

Mr. HAMLIN. Yes, sir; and those vessels are now compelled to carry a pilot by the laws of the United States.

Mr. SAULSBURY. Mr. President, I have great doubt about the propriety of the passage of this bill. I think there is a great deal of force in what was said by the Senator from New Jersey, that its tendency may be to destroy pilotage to a very considerable extent. It is utterly impossible for men to engage in any avocation unless they can derive from that avocation sufficient for their maintenance and support; and if you abolish the pilotage or the half-pilotage on coasting trading-vessels I very much question whether there will be sufficient compensation arising out of the business to justify men in engaging in it; and thus it may have a tendency to jeopardize property and jeopardize human life.

I dissent entirely from the view which has been expressed that the masters of vessels engaged in the coasting trade are as familiar with the different localities to which they are bound as pilots who are located at the particular places. I know of a very recent case in my own State. The last time I was in Delaware a gentleman who has a number of vessels engaged in the coasting trade told me that he had just lost a very valuable vessel on the coast of Florida simply because the captain of the vessel refused to take on board a pilot; and the consequence was the total wreck of his vessel. The owner would have been glad to pay for and secure the services of a pilot on board his vessel. So if you relieve and exempt masters and owners of vessels from this half-pilotage, the captain will run the risk very frequently, and frequently the loss of the vessel will ensue and human life become endangered.

I therefore very much question the propriety of the passage of this bill. The States have passed laws in reference to pilotage, and I do not see why they are not just as competent to enact suitable and proper laws in reference to this subject as the Congress of the United States. I received a few days ago a letter from a gentleman largely engaged in the coastwise business, the owner of large interests in a number of vessels engaged in the coasting trade, in which he said that while very frequently they could enter a port without the services of a pilot, yet he was not satisfied in his own mind as a vessel-owner but that it was for the general interest of the vessel-owners that the law as it exists to-day should be continued in force. I therefore have very grave doubts as to whether legislation of this kind will prove an advantage to vessel-owners, and I am fearful that in the end it will prove very considerably disastrous to human life as well as to property.

Mr. CHANDLER. I wish to state that a large proportion of the vessels going through Hell Gate take a tug. There will be five or six ships in tow of a tug, with an experienced pilot on board that tug; and yet a pilot in one of those little skiffs will come up and demand and collect pilotage from every one of those ships that have paid the tug with an experienced pilot to take them through. Here are some forty-two men who receive over \$4,000 a year each for pilotage, when three men are all that are wanted, and more too.

Mr. FRELINGHUYSEN. I rise to make an inquiry of the Senator from Maine in reference to the law which he referred to requiring steam-vessels carrying passengers to have a pilot on board. I understand that to be the law.

Mr. HAMLIN. Yes, sir.

Mr. FRELINGHUYSEN. I understand this bill will repeal that.

Mr. HAMLIN. O, no.

Mr. FRELINGHUYSEN. It provides—

That no owner, agent, master, or consignee of any ship or vessel, when trading between district and district, or between all places in the same district, or carrying on the fishery, shall, by virtue of any law of any State, be compelled, &c.

There is the distinction which I had not noticed.

Mr. President, I should like to look at this bill further, and as the morning hour has expired, I will move that the Senate now proceed to the consideration of Senate bill No. 1, the civil-rights bill.

The PRESIDENT *pro tempore*. The morning hour having expired, the Senate resumes the consideration of the unfinished business of Friday last.

Mr. HAMLIN. I ask the Senate to let us dispose of this bill. We can get through with it in a very few minutes, I think.

Mr. MORRILL, of Maine. I gave notice on Friday last that I should ask the Senate to-day to proceed to the consideration of the legislative, executive, and judicial appropriation bill. I do not know whether my friend from New Jersey was in the Senate at that time. I hoped that at this period of the session, under all the circumstances surrounding this bill and the business of the Senate, the Senator from New Jersey would take notice of that fact, and allow me to go on with that bill without antagonizing the measure to which he refers at the present time. When this appropriation bill passes from the Senate or at any rate during the progress of the appropriation bills, before they are all reported to the Senate, there will be ample opportunity for the consideration of the bill to which the Senator refers.

Mr. FRELINGHUYSEN. I do not desire to antagonize any measure against the appropriation bills; in fact, I am perfectly aware of the general understanding, by which I feel bound, that the appropriation bills should to a certain extent have precedence and priority; but I appeal to the Senator from Maine, inasmuch as the civil-rights bill has been partly considered, and as action must be taken upon it and

will be taken upon it before we adjourn, to permit us to proceed and dispose of that measure which has been so long pending. I think it can be disposed of in a day or two, and then the course will be clear for all the appropriation bills. If this measure is to be called up one day and then interrupted by an appropriation bill, it will delay the proceeding, and there will be a great waste of time; whereas if the Senator will permit us now to take up the civil-rights bill we can probably dispose of it in a little while.

HOUSE BILLS REFERRED.

The PRESIDENT *pro tempore*. Before putting the question on the pending motion, the Chair, to expedite business, will present the House bills on his table for the purpose of reference.

The following bills from the House of Representatives were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. No. 62) for the relief of Margaret E. West; and

A bill (H. R. No. 256) for the relief of Edgar L. Spencer.

The following bills were severally read twice by their titles, and referred as indicated below:

A bill (H. R. No. 3354) to legalize entries of public lands under the homestead laws in certain cases—to the Committee on Public Lands.

The bill (H. R. No. 3303) to extend the time for filing claims for additional bounty under the act of July 28, 1866—to the Committee on Military Affairs.

The bill (H. R. No. 2198) for the relief of the heirs at law of William C. Brashear, an officer of the Texas navy—to the Committee on Naval Affairs.

The bill (H. R. No. 2211) for the relief of Beck & Wirth—to the Committee on Finance.

The bill (H. R. No. 3352) to further provide for the sale of certain lands in Kansas—to the Committee on Indian Affairs.

The bill (H. R. No. 2101) for the relief of the owners of the steamer Clara Dolsen—to the Committee on Naval Affairs.

The bill (H. R. No. 3349) to revise and consolidate the statutes of the United States, general and permanent in their nature, relating to the District of Columbia, prior to the 1st December, 1873—to the Committee on the Revision of the Laws of the United States.

The bill (H. R. No. 2202) for the relief of William B. Thomas, late collector of customs at the port of Philadelphia—to the Committee on Finance.

REPORT ON CUSTOMS AND TARIFF LEGISLATION.

The PRESIDENT *pro tempore* laid before the Senate the following concurrent resolution from the House of Representatives; which was referred to the Committee on Printing:

Resolved, (the Senate concurring.) That there be printed of the special report of Edward Young, chief of the Bureau of Statistics, on customs and tariff legislation of the United States, with the appendices, including the tariff acts approved respectively May 1, 1872, and June 6, 1872, and a tabular statement of the rates of duties under said acts and other statutes now in force, five thousand copies; and three thousand for the House of Representatives, one thousand for the Senate, and one thousand bound for the use of and distribution by the Treasury Department.

JOSEPH MONTANARI.

The PRESIDENT *pro tempore* laid before the Senate the amendments of the House of Representatives to the bill (S. No. 311) for the relief of Joseph Montanari, and for other purposes; which were to strike out the second section of the bill, to change the numbers of sections to correspond, and to amend the title by striking out the words "and for other purposes."

Mr. BUCKINGHAM. I move that the Senate disagree to the amendments of the House of Representatives and ask for a committee of conference.

Mr. EDMUNDS. I should like to hear the section proposed to be stricken out read.

The PRESIDENT *pro tempore*. The section will be read.

The Chief Clerk read as follows:

Sec. 2. That section 21 of the act entitled "An act to regulate the diplomatic and consular systems of the United States," approved August 13, 1856, shall not be construed so as to prevent compensation being allowed and paid out of appropriations for the consular and diplomatic service of the United States to vice-consuls-general, vice-consuls, or vice-commercial agents, who are not or may not be citizens of the United States.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Connecticut.

The motion was agreed to; and the President *pro tempore* was, by unanimous consent, authorized to appoint the conferees.

REPORT OF THE SMITHSONIAN INSTITUTION.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the following resolution of the Senate:

Resolved, (the House of Representatives concurring.) That seventy-five hundred additional copies of the report of the Smithsonian Institution for the year 1873 be printed for the use of the institution: *Provided*, That the aggregate number of pages of said report shall not exceed four hundred and fifty, and that there be no illustrations except those furnished by the Smithsonian Institution.

The amendment of the House of Representatives was to strike out all after the word "that" where it first occurs, and insert in lieu thereof the following:

Ten thousand five hundred copies of the report of the Smithsonian Institution for the year 1873 be printed, two thousand copies of which shall be for the use of the House of Representatives, one thousand for the use of the Senate, and seventy-

five hundred for the use of the institution: *Provided*, That the aggregate number of pages of said report shall not exceed four hundred and fifty, and that there shall be no illustrations except those furnished by the Smithsonian Institution.

The House amendment was referred to the Committee on Printing.

ORDER OF BUSINESS.

Mr. EDMUNDS. What is the pending question?

The PRESIDENT *pro tempore*. The unfinished business is the bill (S. No. 398) for the relief of Hiram W. Love; and the motion is to postpone it.

Mr. BOREMAN. I give notice that at the earliest practicable moment I shall call up and ask the Senate to consider the bill (S. No. 44) to establish the Territory of Pembina, and to provide a temporary government therefor.

The PRESIDENT *pro tempore*. The bill (S. No. 398) for the relief of Hiram W. Love, being the unfinished business before the Senate, the Senator from New Jersey moves the postponement of the same, and that the Senate proceed to the consideration of the bill (S. No. 1) supplementary to an act entitled "An act to protect all citizens of the United States in their civil rights, and to furnish the means for their vindication," passed April 9, 1866. Is there objection?

Mr. SCOTT. The pending motion upon the bill for the relief of Hiram W. Love was a motion to recommit to the Committee on Claims. I understand the Senator from Iowa, [Mr. WRIGHT,] who to some extent has charge of the bill, expresses his desire that it should be recommitted, or at least gives his consent to its recommitment. I shall not object to that, although I prefer that it should be disposed of.

The PRESIDENT *pro tempore*. It is moved that the bill (S. No. 398) for the relief of Hiram W. Love be recommitted to the Committee on Claims. The Chair will entertain that motion unless objection be made.

The motion to recommit was agreed to.

Mr. MORRILL, of Maine. If it is in order, I now move to proceed to the consideration of the bill (H. R. No. 2064) making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June 30, 1875, and for other purposes.

Mr. FRELINGHUYSEN. As I said to the Senator from Maine, I do not feel at liberty under the general understanding which was had, being bound by it, to antagonize the civil-rights bill against the appropriation bills. I was in hopes that the Senator from Maine might see it consistent with the public interest to suffer this civil-rights bill to be disposed of now; but if he does not, I must content myself with giving notice, that immediately on the determination of this appropriation bill, I shall call up that bill and bring it to a final vote certainly immediately if I can, but at the furthest on the second sitting of the Senate after it shall be taken up.

Mr. MORRILL, of Maine. I have no doubt, or else I should yield to my honorable friend, that it will facilitate the public business to allow the Committee on Appropriations to proceed with its business when it is in order, as there will necessarily occur time between the various appropriation bills for the consideration of other questions.

The PRESIDENT *pro tempore*. The Chair hears no objection to the motion of the Senator from Maine, and the appropriation bill indicated by him will be read.

THE APPROPRIATION BILLS.

Mr. MORRILL, of Maine. Before we proceed with the consideration of the bill, I ask unanimous consent of the Senate to consider the following resolution:

Resolved, That during the present session it shall be in order at any time to move a recess; and pending an appropriation bill to move to confine debate on amendments thereto to five minutes by any Senator on the pending motion; and such motions shall be decided without debate; and no amendment to any such bill making legislative provisions other than such as directly relate to the appropriations contained in the bill shall be received; and no special order shall be made during this session.

Mr. SHERMAN. I am in favor of the resolution except as to the post-office appropriation bill. I desire, for a reason that I will state more fully when the question comes up to except that bill from its operation. I think there will be reasons appealing to the sense of the Senate for action on that bill which would be excluded by this resolution. I would except the appropriation bill for the Post-Office Department from the operation of this rule. There is some legislation which will be moved to that bill.

The PRESIDENT *pro tempore*. When that bill is reached the Senator can move to suspend this rule.

Mr. SHERMAN. Perhaps it would be better to except the post-office appropriation bill expressly.

The PRESIDENT *pro tempore*. The Senator from Ohio moves to amend the resolution by excepting the post-office appropriation bill.

Mr. WEST. I inquire of the Chair whether that resolution is not almost in terms and words the same resolution under which the appropriation bills and the concluding business of the session have been conducted for the two preceding sessions?

Mr. EDMUNDS. Word for word.

The PRESIDENT *pro tempore*. The Chair so understands.

Mr. WEST. Is not there an addition that there shall be no special order?

Mr. EDMUNDS. It is word for word the old rule.

Mr. SHERMAN. But I wish to except the post-office appropriation bill.

The PRESIDENT *pro tempore*. The Senator from Ohio moves to

amend the resolution by excepting the post-office appropriation bill. The amendment will be reduced to writing, and reported.

The CHIEF CLERK. The amendment is to add to the resolution the following:

Provided, That this order shall not extend to the post-office appropriation bill.

The PRESIDENT *pro tempore*. The Chair hears no objection to the present consideration of the resolution; and the question is on the amendment of the Senator from Ohio.

The amendment was agreed to.
The resolution, as amended, was agreed to.

INDIAN APPROPRIATION BILL.

Mr. PRATT. I wish to give notice that when the Indian appropriation bill comes up I will move the amendment which I now send to the Chair. I move that it may be printed and referred to the Committee on Appropriations.

The motion was agreed to.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. E. BABCOCK, his Secretary, announced that the President had, on the 16th instant, approved and signed the act (S. No. 347) granting a portion of the United States military reservation at Salt Lake City for cemetery purposes; and that he had this day approved and signed the act (S. No. 149) for the relief of certain settlers on the Fort Randall military reservation.

THE DIPLOMATIC SERVICE.

Mr. CHANDLER. I ask unanimous consent to make a report from the Committee on Commerce and that it be considered now. It will not take more than half a minute. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. No. 3073) to amend section 19 of the act approved August 18, 1856, entitled "An act to regulate the diplomatic and consular systems of the United States," to report it back without amendment, and I ask for its present consideration.

By unanimous consent, the bill was considered as in Committee of the Whole. It proposes to amend section 19 of the act approved August 18, 1856, so as to read as follows:

SEC. 19. That no such officer as is mentioned in the first, second, third, fourth, sixth, or seventh sections of this act shall, nor shall any consular agent, be absent from his post or the performance of his duties for a longer period than ten days at any one time, without the permission previously obtained of the President. And no compensation shall be allowed for the time of any such absence in any case except in cases of sickness; nor shall any diplomatic or consular officer correspond in regard to the public affairs of any foreign government with any private person, newspaper, or other periodical, or otherwise than with the proper officers of the United States; nor, without the consent of the Secretary of State previously obtained, recommend any person at home or abroad for any employment of trust or profit under the government of the country in which he is located; nor ask or accept, for himself or any other person, any present, emolument, pecuniary favor, office, or title of any kind from any such government.

Mr. CONKLING. I beg to remind my friend from Michigan that the revision of the statutes will repeal that very act referred to and with it this act may fall to the ground. Therefore I suggest to him in place of saying "section 19 of such an act be amended so and so," to change the phraseology and make the law as he means it to be. Otherwise, when we come, as I think we shall within a week, to adopt the revised statutes, there will be no such act as this bill refers to.

Mr. MORRILL, of Maine. I should like to inquire, if it is proper, what is the question before the Senate?

The PRESIDENT *pro tempore*. The business before the Senate is the legislative and executive appropriation bill; but the Senator from Michigan asked unanimous consent to consider this bill which he reported.

Mr. CHANDLER. It will not take thirty seconds.

Mr. MORRILL, of Maine. My honorable friend has such a seductive way of doing things that it is difficult to interfere.

The PRESIDENT *pro tempore*. Does the Senator from Maine object to the consideration of the bill reported by the Senator from Michigan?

Mr. MORRILL, of Maine. If it takes any time I must object.

Mr. CONKLING. It had better be laid aside informally until we can fix it.

Mr. MORRILL, of Maine. Very well; let us go on with the appropriation bill. I call for the regular order.

Mr. CONKLING subsequently said: A few moments ago, at my suggestion, a bill was laid aside informally with consent that it might be taken up when a change had been made in it. I now ask the Senate to resume the consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. No. 3073) to amend section 19 of the act approved August 18, 1856, entitled "An act to regulate the diplomatic and consular systems of the United States."

Mr. CONKLING. This is the bill reported by the Senator from Michigan. At his suggestion I have taken the section which it is the purpose of the bill to amend and in place of referring to it have specifically carried into the bill the officers to which it relates. I will hand the Secretary the change made, explaining it to him.

The Chief Clerk read the amendment of Mr. CONKLING, which was to make the bill read as follows:

That no ambassador, envoy extraordinary, minister plenipotentiary or minister resident, commissioner to any foreign country, chargé d'affaires, secretary of lega-

tion, assistant secretary of legation, interpreter to any legation in any foreign country, consular-general, consul, commercial agent, consular pupils, or consular agent shall be absent from his post or the performance of his duties for a longer period than ten days at any one time, without the permission previously obtained of the President. And no compensation shall be allowed for the time of any such absence in any case except in cases of sickness; nor shall any diplomatic or consular officer correspond in regard to the public affairs of any foreign government with any private person, newspaper, or other periodical, or otherwise than with the proper officers of the United States; nor, without the consent of the Secretary of State previously obtained, recommend any person at home or abroad for any employment of trust or profit under the government of the country in which he is located; nor ask or accept, for himself or any other person, any present, emolument, pecuniary favor, office, or title of any kind from any such government.

The amendment was agreed to.

The bill was reported to the Senate, as amended, and the amendment was concurred in.

It was ordered that the amendment be engrossed and the bill read a third time. The bill was read the third time, and passed.

The title was amended so as to read: "A bill relating to ambassadors, consuls, and other officers."

CONSULAR AND DIPLOMATIC BILL.

A message from the House of Representatives, by Mr. CLINTON LLOYD, its Chief Clerk, announced that the House had passed a bill (H. R. No. 3095) making appropriations for the consular and diplomatic service of the Government for the year ending June 30, 1875, and for other purposes; in which it requested the concurrence of the Senate.

The bill was read twice by its title, and referred to the Committee on Appropriations.

LEGISLATIVE, ETC., APPROPRIATION BILL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. No. 2064) making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June 30, 1875, and for other purposes.

The PRESIDENT *pro tempore*. The bill will be read.

Mr. MORRILL, of Maine. Before the bill is read I would say a few words in a general way as to its contents for the information of the Senate, though I know very little attention is generally paid to an appropriation bill. As this is the most important of all the general appropriation bills, it may facilitate its progress perhaps if I say a word or two.

This, as the Senate is aware, is the bill which provides for the bulk of the civil service of the country. It makes appropriations for the legislative, executive, and judicial departments of the Government in all their civil relations. This, I am happy to say, is very severely such a bill. There is little or no extrinsic matter in it. It is in harmony with the general policy of economy that has been practiced in regard to the service for the last three or four years.

The appropriation made last year for the service embraced in this bill for the current fiscal year was \$23,753,623. This bill as it came from the House of Representatives appropriated \$20,441,010, and as amended by the Senate committee \$20,922,638, being in the latter case a decrease in these three branches of the public service of \$2,830,995. The bill which you have now to consider as reported by your committee appropriates \$20,922,638, which exceeds the House bill by \$481,618. In other words, the Committee on Appropriations of the Senate propose to increase the amount of the appropriation \$481,618. The items which constitute this increase are chiefly a provision in the bill for the postages of the several Departments. The House bill appropriated in part for postages for the Departments and in part not. We have supplied that deficiency, and to the amount of \$258,500. That is the principal item of excess. The other amendments to the bill relate to the several Bureaus, chiefly in the Treasury Department, and somewhat also in the War Department, but confined exclusively to the Quartermaster's Department. Those are the main particulars in which this bill is amended by the committee.

Thus at a glance the Senate will perceive that it is strictly an appropriation bill; and so far as members of the Senate have heretofore or at any time made themselves acquainted with the public service embraced in these three departments of the Government they will find this bill familiar. There is less in it of an extraneous character than I have ever known in a similar bill at any former period. I am not aware of anything that can challenge to any great extent controversy upon any branch of the public service.

The House of Representatives have in some instances, and the committee have acquiesced, proposed to fix by law salaries which in former years were left to the discretion of the Department. In other words, it has been common for many years to appropriate specifically for clerks at certain salaries and then to give in several of the Bureaus to some of the heads of Departments a sum of money for additional compensation. It has been thought wiser and more consistent with the interests of the public service that these salaries should be fixed definitely, so that Congress may know precisely what is paid, and to that extent it is new. Otherwise than that, the bill very generally and very strictly conforms to the service as established by law.

I will take up no more time, Mr. President. I think the usage has been, and it has been found to be consistent with the dispatch of business, that the amendments proposed by the Committee on Appropriations should be acted upon as the reading of the bill progresses.

The PRESIDING OFFICER, (Mr. EDMUNDS in the chair.) The Senator from Maine asks unanimous consent that the amendments reported by the Committee on Appropriations be acted upon as the

reading of the bill progresses. The Chair hears no objection, and it will be so ordered. The Secretary will proceed with the reading of the bill.

The Chief Clerk proceeded to read the bill.

The first amendment reported by the Committee on Appropriations was in the appropriation "for compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the Senate," in line 25, after the word "each," to insert:

Five clerks at \$2,100.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, in line 23, to strike out "two messengers, at \$1,295 each; one page, at \$720;" and in lieu thereof to insert, "assistant keeper of the stationery, at \$1,800."

Mr. MORRILL, of Maine. There is a clerical error in the amendment as printed. Instead of striking out "two messengers," there should be provision for one at that place. This is a reduction of the force in the Secretary's office. It was intended to be a reduction of one messenger and one page; but it is two messengers instead, as printed. I move to strike out "two messengers" and insert "one messenger" in line 23, and strike out "each."

The PRESIDING OFFICER. The amendment will be so amended if there be no objection.

Mr. SHERMAN. I should like to ask the Senator why he adds in line 25 five clerks to the force in the Secretary's office.

Mr. MORRILL, of Maine. There is no addition. That goes on the principle I have just stated. It has been the habit and practice of the Senate to appropriate for temporary clerks ten or fifteen thousand dollars, and the Secretary usually employs six clerks under that appropriation. Now, instead of appropriating for temporary clerks in that way, we have appropriated directly for five clerks. The House of Representatives made no appropriation for temporary clerks, so that it appears in the bill to be an addition of five clerks; but it is really one clerk less than has been employed in the Secretary's office, and at a lower rate of salary than has heretofore been paid. These five clerks are in lieu of the sum of money heretofore appropriated for temporary clerks. It is the same thing precisely except that it is restrictive, and these clerks are put at a lower salary than has been paid heretofore, so as to make a distinction between first-class and second-class clerks there, and to appropriate specifically for them.

Mr. SHERMAN. This bill appropriates for twenty clerks in our Secretary's office. For a small body like this that appears rather large.

Mr. MORRILL, of Maine. Not so many.

Mr. SHERMAN. Altogether I count twenty clerks here provided for. It can hardly be that it is necessary to have a permanent addition of five clerks. These temporary clerks no doubt were allowed under some pressure during the war and have been continued from time to time, but now they are to be made permanent.

I wish to call attention, without knowing the full facts of the case, to the necessity of the number of clerks that we find here provided for the Senate. There is an appropriation for chief clerk, for principal clerk, for principal executive clerk, minute and Journal clerk, financial clerk, a librarian, and seven clerks in the office of the Secretary of the Senate, and now five clerks in addition, all with a high compensation. As a matter of course, I do not wish to interfere with the bill, but there is a general complaint that the expenses of the Senate are pretty large and the number of the employes unnecessarily great. I think we ought to curtail the service as much as possible.

Mr. MORRILL, of Maine. The remarks of my honorable friend are calculated to lead to a misapprehension that there are five additional clerks here provided for. The fact is that there is one clerk less than the ordinary force in the office. The committee find that service here; it has been appropriated for during many years. It is not the business of the Committee on Appropriations to ascertain precisely what the service ought to be. That belongs to another committee of the Senate. So far as clerks are concerned the appropriation is far less than it was last year; and so far as the other service of the Secretary's office is concerned we have cut it down one messenger, one laborer, and one page.

The PRESIDING OFFICER. The question is on the amendment as amended.

The amendment, as amended, was agreed to.

Mr. MORRILL, of Maine. The clause should read: "One messenger, at \$1,295; assistant keeper of the stationery, \$1,800;" so as to strike out simply "one page, at \$720."

The PRESIDING OFFICER. The amendment will be modified if there be no objection. The Chair hears none.

The next amendment was on page 3, lines 42 and 43, to increase the appropriation for compensation of the superintendent of the document-room of the Senate from \$1,800 to \$2,160.

The amendment was agreed to.

The next amendment was on page 3, after line 43, to strike out:

Two assistants in document-room, at \$1,440 each.

And in lieu thereof to insert:

First assistant in the document-room, \$2,160; second assistant in the document-room, \$1,440.

Mr. SCOTT. I rise to make an inquiry of the chairman of the Committee on Appropriations. It has naturally struck us all that the

great diminution in the distribution of documents and the printing of public documents would reduce the expenses of the document-room; and if we are disappointed in that, I suppose the chairman of the committee can inform us why it is that the salary of the superintendent himself is increased, and the salary of his first assistant also, giving him a salary equal to that given to the superintendent himself. If the labor is diminished, in other words, the inquiry naturally suggests itself why the salaries are increased.

Mr. MORRILL, of Maine. The salary of the superintendent is not increased. It has been for years exactly what the committee propose here. The amendment is to appropriate precisely what the salary is by law. That was probably overlooked by the House of Representatives when they reduced the appropriation to \$1,800. The salary of the assistant superintendent of the document-room is increased from \$1,800 to \$2,100, and that is an increase to make it correspond with the salary of the assistant superintendent on the House side.

Mr. SCOTT. It is perhaps proper that I should say that my inquiry, which assumed that the labor of these officers was diminished, was based upon a mistake. I suppose this clause referred to the folding-room from which the documents are distributed, but I am informed that it relates to the document-room in the upper portion of the building, instead of the room below; so that my inquiry was prompted by a mistake of my own, which I take pleasure in correcting.

Mr. MORRILL, of Maine. That is the fact.

The amendment was agreed to.

Mr. FRELINGHUYSEN. I desire to give notice of an amendment to the pending bill that it may be referred to the Committee on Appropriations. The amendment comes from the Committee on Foreign Relations. It is to increase the number of clerks in the State Department. It makes an increase in salaries of about \$13,000, while at the same time it provides for an increase of the income of that Department by way of passports, which it is estimated will amount to about \$45,000—an increase of income greater than the increase of expenditure. I move that the amendment be referred to the Committee on Appropriations.

The PRESIDING OFFICER. The amendment will be received and referred to the Committee on Appropriations.

The next amendment of the Committee on Appropriations was in line 63, after the word "dollars," to strike out the words:

One laborer in stationery-room, \$864.

The amendment was agreed to.

The next amendment was in lines 70, 71, and 72, to increase the aggregate appropriation "for compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the Senate from \$124,680.80 to \$133,884.80."

Mr. WEST. I call the attention of the chairman to the fact that the alteration made in line 28 makes it necessary to change that total amount. It should read \$135,130.80, to correspond with the change made in line 28.

Mr. MORRILL, of Maine. I think it is correct as it is.

Mr. WEST. You have only stricken out one messenger at a salary of \$1,295; consequently you must add that amount to the aggregate.

Mr. MORRILL, of Maine. We have stricken out something above that which comes in there also.

Mr. WEST. Very well; let it go.

Mr. MORRILL, of Maine. I think it is right.

Mr. SHERMAN. The aggregate does not govern it any way.

Mr. MORRILL, of Maine. I will look at it afterward.

The amendment was agreed to.

The next amendment was, after line 72, to insert the following clause:

To pay Kate Dodson, employed under the Sergeant-at-Arms, for attending the ladies' retiring-room of the Senate, \$720 per annum.

The amendment was agreed to.

The next amendment was, in lines 88 and 89, to reduce the aggregate appropriation for eighteen pages of the Senate at the rate of \$2.50 per day while actually employed from \$6,700 to \$4,050.

The amendment was agreed to.

The Chief Clerk read the next clause of the bill, as follows:

For hire of horses and mail-wagons for carrying the mails, and for one saddle-horse for messenger, \$5,475.

Mr. WEST. I desire there, with the sanction of the chairman of the committee, to move to insert after the word "mails," in line 91, the words "for horses and wagons," not changing the total amount of \$5,475. As the bill reads now, the transportation appropriated for here would be confined to the office of the Sergeant-at-Arms, cutting off the Secretary of the Senate entirely. The object of the amendment is to give the Secretary of the Senate transportation at such amount as the Committee on Contingent Expenses may allow out of this same appropriation.

The PRESIDING OFFICER. Does the Chair understand the Senator from Louisiana to make that motion?

Mr. WEST. Yes, sir; merely to insert after the word "mails," in line 91, the words "for horses and wagons."

The PRESIDING OFFICER. The Senator from Louisiana asks unanimous consent at this time to move the amendment indicated to the bill. Is there objection, it not being in order at this time except by unanimous consent? The Chair hears no objection to the present consideration of the amendment.

Mr. SHERMAN. I have no objection to its present consideration, but it does seem to me that there ought to be no provision made here except for carrying the mails. If the Secretary of the Senate needs a wagon to carry his documents down to the printing office, there is no objection to that; but I do not want to let in by possibility any abuse of the contingent fund of the Senate or the House, so that the money can be used for anything except for transporting matter—not men, but matter—to the printing office or carrying the mails. I am afraid that this amendment may lead possibly to the continuance of an abuse, which has been cut off by the House of Representatives in all Departments of the Government. There is no necessity for the Secretary of the Senate having a wagon to carry himself or anybody else, any more than for ourselves. If we use a wagon, we have to hire it and pay for it; and I do not think it is necessary for the officers of the Senate or the officers of the Government to have these conveniences of transportation. The House, I understand, throughout this bill and throughout all the appropriation bills, have cut off these facilities of transportation of men and persons, and have confined the appropriations to the transportation of property; and I hope the Senate will adhere to the action of the House in that respect.

Mr. SARGENT. If the Senator will examine the bill he will find that the House has not done what he supposes, and in fact could not do it. The principal debate there arose over the allowance of transportation for the Attorney-General. In that debate it was shown that he had to attend a number of courts, that law books had to be carried backward and forward, and that the Solicitor-General and the Attorney-General himself were constantly in attendance on the courts, and sometimes two or three courts on the same day; and on that showing, which certainly was reasonable, and further that the amount appropriated was very much less than would be required for the occasional hire of carriages for the purpose, the House restored the item, and the same item is left in the bill for every other Department of the Government; that is, for necessary transportation, limited as it is by the amount appropriated, and extremely limited. The allowance for horses and wagons is still continued, and it must be continued unless we expect that the work of the Government will not be done. The Secretary of the Senate is required by our rules to carry and is continually carrying bills to the executive department. Is he to walk, or is he to hire some carriage which may be out on the stand, and pay as much for a single trip of that kind as it would cost to make twenty trips under the present system? Further, he is in continual correspondence with the Government Printing Office, carrying out the orders of the Senate and the orders of Congress for the delivery of manuscripts of bills and documents to be printed. Of course they are sent back by the Public Printer. Then again he is required to bring money down from the Treasury. I should like to have the attention of the Senator from Ohio, if he still insists on his objection.

Mr. SHERMAN. I understand there is a provision in the bill which covers the point that I wanted to make. I do not like to call attention to any of these matters.

Mr. SARGENT. Of course if the objection is withdrawn I do not wish to argue the point; but I was going to remark further that the Secretary of the Senate is compelled to draw money from the Treasury of the United States to pay expenses, the salaries of Senators and officers, to send to the Government Printing Office the manuscripts that we intrust to his charge for printing, and to carry bills to the President of the United States to be signed, and sometimes the work is extremely onerous. To require him to do all this on foot, or to say that he shall hire chance conveyances, is, in the one case, to require him to do that which he could not do, which it would not be decent to require him to do, and is, in the other case, to adopt a system much more expensive than the present one. That is the reason why this allowance is made and has been made for years, and it cannot be dispensed with.

Mr. SHERMAN. If the section on page 72 covers the officers of Congress as well as Government officers, I am perfectly willing to let this amendment be made. What I want is to prevent the abuse of contingent funds. No one objects, certainly I would not object, to the hire of carriages or the ownership of carriages when necessary to conduct the public business; but I hope we shall never again have any debate in regard to the use of public carriages for private purposes. It is one of those subjects which I do not wish to discuss or allude to. However, if the Secretary of the Senate is a civil officer of the Government—I am not sure that he is—

Mr. SARGENT. There is no question about that.

Mr. SHERMAN. Members of Congress are not civil officers of the Government.

Mr. SARGENT. The Secretary of the Senate is not a member of Congress. He is an officer of a branch of the Government, just as much as an officer under the Executive is. There is no doubt about that. We have judicial officers, executive officers, and legislative officers. I do not think a Senator is an officer of the Government; but the Secretary of the Senate unquestionably is an officer of the Government just as much as the Secretary of the Treasury is. The Senator will notice that the committee do not propose to modify section 2. We let that stand in its full force, although I have an impression that it will be found to bite pretty hard in some directions.

Mr. SHERMAN. I do not believe that officers of Congress are officers of the Government. The term "civil officers of the Government" was originally applied to executive officers.

Mr. SARGENT. I do not think there is any doubt about it; but if there is in the Senator's mind, it can be obviated when we reach section 2 by adding the words "or officers of Congress."

Mr. SHERMAN. I shall have no objection to the present amendment if the Senator will move that amendment when we come to that section.

Mr. SARGENT. I shall have no objection to such an amendment. The PRESIDING OFFICER. The question is on the amendment of the Senator from Louisiana, [Mr. WEST.]

The amendment was agreed to.

The Chief Clerk resumed the reading of the bill. The next amendment reported by the Committee on Appropriations was in line 100, in the appropriations for the Capitol Police to increase the appropriation "for one captain" from \$1,800 to \$2,088.

Mr. WRIGHT. In this connection there are several amendments reported by the Committee on Appropriations touching the Capitol police, and I wish to call the attention of the chairman of the committee to a matter which perhaps I ought to know without making the inquiry. I see that the bill as it came from the House provided that the captain of the Capitol police should have \$1,800 and it is proposed by this amendment to increase it to \$2,088. Am I correct in supposing that that amount, \$2,088, is the amount provided by law, and which has been appropriated heretofore?

Mr. MORRILL, of Maine. Yes, sir.

Mr. WRIGHT. So that there is no increase?

Mr. MORRILL, of Maine. No, sir; and the same remark is true in regard to all the amendments in this clause.

Mr. WRIGHT. Then the House proposed to cut these officers down, and the Committee on Appropriations leave them to stand where they were before?

Mr. MORRILL, of Maine. Yes, sir; the committee have reported in harmony with the law as it stands, not by appropriations merely, but by an act of Congress.

Mr. WRIGHT. So that this is no increase beyond the existing law, but the House proposed to cut down these salaries and the committee leave them as they stand now by existing law?

Mr. MORRILL, of Maine. That is the way of it.

The amendment was agreed to.

The next amendment was in line 102, to increase the appropriation for three lieutenants of the Capitol police from \$1,600 each to \$1,800 each.

The amendment was agreed to.

The next amendment was in line 103, to increase the appropriation for twenty-seven privates of the Capitol police from \$1,200 each to \$1,584 each, and to increase the aggregate from \$32,412 to \$42,768.

The amendment was agreed to.

The next amendment was in line 107, to increase the total appropriation for the Capitol police and watchmen from \$47,000 to \$58,256.

The amendment was agreed to.

The next amendment was in line 113, after the word "duty," to strike out "from" and insert "for."

The amendment was agreed to.

The next amendment was in line 127, in the appropriations "for compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the House of Representatives," in the clause making provision for the salaries of the Chief Clerk and Journal clerk of the House to strike out the words "while such positions are held by the present incumbents and no longer," and to reduce the item from \$3,600 to \$3,000 each.

The amendment was agreed to.

The next amendment was in line 130 to reduce the appropriation for salaries of "two reading clerks, assistant Journal clerk, and tally clerk" of the House from \$3,000 each to \$2,592 each.

The amendment was agreed to.

The next amendment was in line 184, after "session," to strike out the words "estimated at five months," and to reduce the appropriation for salaries of twelve messengers of the House during the session at the rate of \$1,440 each per annum from \$7,260 to \$4,356.

The amendment was agreed to.

The next amendment was in lines 192 and 193, to reduce the aggregate of the appropriation for compensation of the officers, clerks, messengers, and others receiving an annual salary in the service of the House of Representatives from \$98,316 to \$92,580.

The amendment was agreed to.

The next amendment was in the proviso to the clause making appropriations for the office of the Congressional Printer, to strike out in lines 227 to 231 the words:

Be, and the same hereby is, repealed; that the title of said officer shall hereafter be "Public Printer," and he shall be deemed an officer of the United States; and whenever a vacancy in said office shall hereafter occur, the same.

And in lieu thereof to insert:

Shall cease and determine and become of no effect, from and after the date of the first vacancy occurring in said office; that the title of said officer shall thereafter be Public Printer, and he shall be deemed an officer of the United States, and said office.

So as to make the proviso read:

Provided, That so much of the act entitled "An act providing for the election of a Congressional Printer," approved February 22, 1867, as provides for the election of such officer by the Senate, and provides that such officer shall be deemed an officer of the Senate, shall cease and determine and become of no effect from and after the date of the first vacancy occurring in said office; that the title of said officer

shall thereafter be Public Printer, and he shall be deemed an officer of the United States, and said office shall be filled by appointment by the President by and with the advice and consent of the Senate.

The amendment was agreed to.

The next amendment was in line 305, in the items of appropriation for public buildings and grounds, to strike out "five" before "watchmen" and insert "four;" and to reduce the appropriation for four watchmen in reservation No. 2, (being the Smithsonian grounds,) from \$3,600 to \$2,880.

The amendment was agreed to.

The next amendment was in line 368, in the appropriations for the Department of State, before the words "official postage-stamps" to strike out "furnishing" and insert "purchase of;" and after "postage-stamps" to strike out the words "to an amount not exceeding \$50,000 face value, one" and insert "fifty;" so as to read:

For purchase of official postage-stamps, \$50,000.

The amendment was agreed to.

The next amendment was in line 376, in the appropriations for the Treasury Department, to increase the appropriation for "chief clerk and *ex officio* superintendent of the Treasury building" from \$2,500 to \$3,000.

The amendment was agreed to.

The next amendment was in line 377, to strike out "five clerks" and insert "eight chiefs of divisions."

Mr. BOUTWELL. I move to amend the amendment proposed by the committee by substituting "ten" for "eight," and I hope the committee will agree to that proposition.

Mr. MORRILL, of Maine. I think the Senator will find that his purpose is accomplished in the latter part of the bill, under the head of "Loans." There are two there, which make the "ten" that he supposes to be necessary.

Mr. BOUTWELL. As I understand, there are two then omitted, the chief of the division of records and files, and the chief of the mails division, for which only \$1,800 compensation would be allowed under this bill.

Mr. MORRILL, of Maine. I am not certain that that is not so.

Mr. BOUTWELL. There are twelve divisions in the office of the Secretary of the Treasury, and I understand this bill makes provision for ten only.

Mr. MORRILL, of Maine. That is so. It makes provision for ten as it stands, undoubtedly.

Mr. BOUTWELL. Previous to 1869 there were twenty-three of these divisions, and each one, as far as the salary was concerned, was as expensive as the present organization.

Mr. MORRILL, of Maine. That is my information about that.

Mr. BOUTWELL. I think we ought to allow full pay to the twelve, who all stand in the same relation to the Department. There is a difference of duties, but under the organization there is no difference of responsibility or of position. I hope the committee will agree to the proposition I have moved.

The PRESIDING OFFICER, (Mr. WRIGHT in the chair.) The question is on the amendment of the Senator from Massachusetts to the amendment.

Mr. MORRILL, of Maine. The Senator can move that at a later period perhaps as we go on. If the Senator would allow the amendments of the committee first to be acted upon, it would be better.

Mr. BOUTWELL. But when the amendments reported by the committee are acted on, I understand it will not be in order until we come into the Senate to substitute "ten" for "eight" in this clause.

Mr. MORRILL, of Maine. That is true; but the Senator will have an opportunity in the Senate.

Mr. BOUTWELL. But if it is to be done, it might as well be done now, I think.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from Massachusetts to the amendment.

Mr. DAVIS. My understanding is, that the House provided for five chiefs of divisions in the office of the Secretary of the Treasury; and the Senate Committee on Appropriations increased the number from five to eight, so as to provide for what they believed to be the wants of the Department after examination. I should think it would be very unwise to increase the number. The committee have already increased it three over the provision of the House.

Mr. BOUTWELL. I think the Senator from West Virginia will agree that the officer who has charge of the mails receivable and those that are sent as well, and who last year received in the mails for the time under his own custody, mutilated notes, seven-thirty bonds, bonds for exchange of various kinds, amounting to \$109,000,000, for which at the moment there was no responsibility except the integrity of the person opening the letters, should receive a salary of more than \$1,800; and he is one of the officers of whom I speak, and the other has charge of the records and files of the Department. I hope there will be no objection to my amendment.

Mr. SARGENT. I rise to a point of order on the amendment. It increases the appropriation; and no notice has been given of it, as is required by the rules.

The PRESIDENT *pro tempore*. The Chair supposes that to be a good point of order.

Mr. BOUTWELL. I did not understand the point of order.

The PRESIDENT *pro tempore*. The point of order is that the amend-

ment increases the appropriation, that no notice of it has been given, and that it has not been referred to the Committee on Appropriations.

Mr. BOUTWELL. Then I give notice now.

The PRESIDENT *pro tempore*. The Senator can submit the amendment and have it referred to the committee, and then it will be in order to offer it hereafter.

Mr. BOUTWELL. Then I submit the amendment to be referred to the committee, and I will offer it to-morrow. I hope the Senator from California will withdraw the point of order. If this proposition cannot be met on its merits, it had better go on.

Mr. SARGENT. I have strong doubt about the propriety of the amendment. We went very far in raising the number of these officers to eight. We nearly doubled the amount allowed by the House of Representatives, and went as far as we ought to go.

Mr. BOUTWELL. I should like to ask the Senator from California how it can be justified that a messenger around the doors of this Senate, or a clerk who merely reads, and who goes away when the session of Congress has ended, receives \$2,100 or \$2,500 a year, and in some instances \$3,600, and yet an officer upon whom the responsibility rests for the time being during the year of the custody of \$109,000,000 of public securities and money is to be turned off on a salary of \$1,800?

Mr. SARGENT. If that is a question for me, I will state that I have no further responsibility in the matter than the Senator himself. When he submits an amendment to cut down the salaries to which he alludes I will act on the proposition; but this is a question of increase, and I am objecting to increase. If \$3,000 or \$2,000 is not sufficient to remunerate a man who has the responsibility of \$109,000,000, what will be necessary? Shall it be \$5,000 or \$10,000 or \$50,000? I do not know there is any particular amount which compensates a man. The service probably can be performed for the amount provided for by law and now provided for by this bill. If it cannot be, it may be an argument in favor of raising the amount. The committee thought that the sum here appropriated was sufficient.

The PRESIDENT *pro tempore*. The Chair sustains the point of order, and of course debate on an amendment ruled out is out of order. The question is on the amendment of the Committee on Appropriations, in line 377, to strike out "five clerks" and insert "eight chiefs of divisions."

The amendment was agreed to.

The next amendment was in line 379, after the word "marine," to insert "and life-saving stations;" and after the word "navigation," in line 380, to insert the words "of internal revenue, of sub-treasury, of stationery, printing, and blanks."

The amendment was agreed to.

The next amendment was in line 381, page 17, to strike out "\$2,500" and insert "\$3,000" as the appropriation for the salary of each head of division in the office of the Secretary of the Treasury.

The amendment was agreed to.

The next amendment was in line 382, to strike out "five principal clerks" and insert "eight principal clerks of divisions."

The amendment was agreed to.

The next amendment was in line 384, to increase the appropriation "for two disbursing clerks" of the Treasury Department from \$2,200 to \$2,800 each.

The amendment was agreed to.

The next amendment was in lines 404 and 405 to increase the total appropriation for the Secretary's office of the Treasury Department from \$323,100 to \$342,300.

The amendment was agreed to.

The next amendment was in the clause appropriating for the office of the Commissioner of Internal Revenue, in line 528 to strike out "thirty" and insert "thirty-four" before "clerks of class four;" in the same line to strike out the words "forty-three" and insert "forty-eight" before "clerks of class three;" in line 529 to strike out "forty-two" and insert "fifty-two" before "clerks of class two;" in line 530 to strike out "fifteen" and insert "twenty" before "clerks of class one;" in line 531 to strike out "five" and insert "seven" as the number of messengers; in line 532 to strike out "two" and insert "three" as the number of assistant messengers; in the same line to strike out "twelve" and insert "fifteen" as the number of laborers; and in lines 533 and 534 to increase the total amount of the appropriation from \$308,380 to \$351,140.

The amendment was agreed to.

The next amendment was in lines 538 and 539, to increase the appropriation for salaries and expenses of collectors of internal revenue from \$1,990,542 to \$2,190,542.

The amendment was agreed to.

The next amendment was in line 543, to reduce the appropriation "for salaries, expenses, and fees of supervisors, store-keepers, agents, surveyors, gaugers, and miscellaneous expenses" from \$2,600,000 to \$2,400,000.

The amendment was agreed to.

Mr. SHERMAN. The Senator from Maine authorizes me to move now to strike out this clause at the close of the item just read: "And hereafter no gauger shall receive a greater compensation than five dollars a day," in lines 544 and 545. I will say that the Committee on Appropriations referred this matter to the Committee on Finance, who examined it very carefully and consulted also with the officers of the Internal Revenue Department, and we are entirely satisfied, unanimately so, that the present law is carefully guarded and very

carefully worded, and that it would not be improved by this provision.

The PRESIDENT *pro tempore*. The Senator from Ohio moves to strike out lines 544 and 545.

Mr. MORRILL, of Maine. It is due to the Senate that I should say that on that subject the Committee on Appropriations felt an embarrassment, because the clause undertook to fix the compensation of a class of officers of which they had no knowledge to justify them in having a judgment upon the subject; and they therefore referred the whole question to the Committee on Finance, who are presumed to be familiar with the matter, as the law came from that committee. We left it to them, as we must necessarily, this being a proposed change in the public service, the business of our Committee on Appropriations being to appropriate for the service as they find it. We referred the matter to the Committee on Finance, and feel somewhat bound by their advice in regard to it; and therefore I make no opposition to this amendment.

The PRESIDENT *pro tempore*. The Chair will receive the amendment of the Senator from Ohio.

The amendment was agreed to.

The Chief Clerk continued the reading of the bill. The next amendment reported by the Committee on Appropriations was under the heading "Treasury miscellaneous," to increase the appropriation for the purchase of official postage-stamps from \$5,000 to \$200,000, in lines 567 and 568.

The amendment was agreed to.

The next amendment was under the same heading, in line 580, to increase from \$13,100 to \$19,100 the appropriation "for rent of buildings."

The amendment was agreed to.

The next amendment was in the items for the office of the assistant treasurer at New York to strike out in lines 635 and 636 the words "two clerks, at \$1,500 each," and to reduce the total appropriation in line 646 from \$150,980 to \$147,980.

The amendment was agreed to.

The next amendment was in the items for the office of the assistant treasurer at San Francisco to insert in lines 673 and 674 the words "for stamp clerk, \$2,400;" in lines 675 and 676 to strike out "four watchmen, \$4,000," and insert "three night watchmen, at \$1,500 each; for one day watchman, \$930," and to increase the total appropriation in lines 678 and 679 from \$21,300 to \$22,760.

The amendment was agreed to.

Mr. FRELINGHUYSEN. I desire to give notice of an amendment from the Committee on Agriculture which I ask may be printed and referred to the Committee on Appropriations.

It was so ordered.

Mr. CHANDLER and Mr. MORRILL, of Vermont, submitted amendments intended to be proposed to the bill; which were referred to the Committee on Appropriations, and ordered to be printed.

The Chief Clerk resumed the reading of the bill. The next amendment of the Committee on Appropriations was in the items for the office of the assistant treasurer at New Orleans, lines 715 and 716, to insert "three night watchmen, at \$720 each," and in lines 716 and 717 to increase the total of the appropriation from \$14,340 to \$16,500.

The amendment was agreed to.

The next amendment was to insert after line 808 the following clause:

For compensation to special agents to examine the books, accounts, and money on hand at the several sub-treasuries and depositories, including national banks acting as depositories under the act of the 6th of August, 1846, \$6,000.

The amendment was agreed to.

The next amendment was in the clause "to reopen the branch mint at New Orleans to be conducted hereafter as a mint," &c., in lines 889 and 890 to insert "superintendent, \$3,500," and after the word "assayer" in line 890, to strike out "and melter and refiner" and insert "who shall perform the duties of melter;" and in line 892 to strike out "each," and in the same line to strike out "three workmen, \$3,000," and insert "five workmen, \$5,000," and to increase the total appropriation from \$15,000 to \$18,000 in line 896.

The amendment was agreed to.

The next amendment was in the items of appropriation for the assay office at New York, in line 900 to strike out "chief clerks, \$2,400," and insert "chief clerk and principal calculator, \$3,000; weighing clerk, \$3,000; paying clerk, \$2,200; bar clerk, \$2,000;" and to increase the total appropriation in line 907 from \$36,100 to \$43,900.

The amendment was agreed to.

The next amendment was in lines 910 and 911 to increase the appropriation "for miscellaneous items and repairs" at the New York assay office from \$20,000 to \$45,000.

The amendment was agreed to.

The next amendment was to strike out the following clause, beginning at line 920:

Assay office at Charlotte, North Carolina:
For assayer in charge, \$1,800; melter, \$1,500; clerk, \$1,000; wages of workmen, \$600; contingent expenses, \$1,500; in all, \$6,400.

Mr. RANSOM. I hope that amendment will be reserved for the present.

The PRESIDENT *pro tempore*. The amendment will be regarded as agreed to if there be no objection, and reserved for consideration in

the Senate at the request of the Senator from North Carolina. The reading of the bill will proceed.

The Chief Clerk continued the reading of the bill. The next amendment of the Committee on Appropriations was in the appropriation for the office of the Quartermaster-General, in lines 1071 and 1072, to increase the number of clerks of class two provided for from twenty-four to thirty; of clerks of class one, from forty to fifty-five; in lines 1073 and 1074, to insert "one female messenger at thirty dollars per month;" in line 1076, to increase the appropriation for the salary of one engineer from \$800 to \$1,200, and in lines 1081, 1082, and 1083 to increase the aggregate amount appropriated from \$171,520 to \$198,480.

The amendment was agreed to.

Mr. MORRILL, of Vermont. I desire to call the attention of the Committee on Appropriations to line 1171. I am informed that that clause will now discharge ten enlisted men in the Ordnance Department, and that the department really need three; that that number at least is indispensable. I would therefore ask the chairman of the committee to accept an amendment, after the word "the" before "engineer" to insert "Ordnance and;" so as to read:

Except in the Signal Office and the Ordnance and Engineer Corps.

The PRESIDING OFFICER, (Mr. INGALLS in the chair.) The Chair will receive the amendment of the Senator from Vermont, if there be no objection.

The amendment was agreed to.

The reading of the bill was continued. The next amendment of the Committee on Appropriations was in line 1183, to increase the appropriation "for one engineer in charge of heating the War Department building" from \$1,200 to \$1,400.

The amendment was agreed to.

The next amendment was in line 1392, in the clause appropriating for contingent expenses of the Pension Office to increase the item "for actual expenses of clerks detailed to investigate suspected attempts at fraud as provided by law" from \$30,000 to \$45,000; and in line 1400, to increase the total appropriation for contingent expenses from \$73,800 to \$88,800.

The amendment was agreed to.

Mr. MORRILL, of Maine. I desire to make a verbal amendment in line 1440, by striking out the word "act" and inserting "paragraph;" so as to read:

And no money appropriated by this paragraph shall be expended for advertising in newspapers published in the city of Washington other than the Patent Office Official Gazette.

The PRESIDING OFFICER. That amendment will be considered as agreed to if no objection be made. It is agreed to.

The reading of the bill was continued. The next amendment of the Committee on Appropriations was in the appropriations for clerks, &c., of the Post-Office Department, in lines 1546 and 1547 to insert "chief of division of postal stamps, \$2,500," and in line 1578 to increase the total appropriation from \$439,952 to \$442,452.

The amendment was agreed to.

The next amendment was in the appropriation for "contingent expenses of the Post-Office Department," in line 1582 to reduce the item of "gas" from \$6,500 to \$4,500; and in line 1590 to reduce the total from \$46,900 to \$44,900.

The amendment was agreed to.

The next amendment was in line 1744, in the appropriations for the office of the Solicitor of the Treasury, to strike out "two" and insert "three" as the number of clerks of class two, and to change the total from \$25,600 to \$27,060.

The amendment was agreed to.

The next amendment was in line 1748 to strike out "three" and insert "four," and in line 1749 to strike out "twelve" and insert "fourteen;" so as to make the clause read:

For rent of the portion (four floors) of the building occupied by the Department of Justice, \$14,000.

The amendment was agreed to.

The next amendment was in line 1752, to increase the appropriation for official postage-stamps for the Department of Justice from \$500 to \$15,000.

The amendment was agreed to.

The Chief Clerk read section 2, as follows:

Sec. 2. That every clerk of the circuit or district court of the United States, United States marshal, or United States district attorney, shall reside permanently in the district where his official duties are to be performed and shall give his personal attention thereto; and in case any such officer shall remove from his district or shall fail to give personal attention to the duties of his office, except in case of sickness, such office shall be deemed vacant.

Mr. CONKLING. I move to add at the end of section 2 these words:

Provided, That in the southern district of New York said officers may reside within twenty miles of said district.

I have consulted with the honorable chairman of the Committee on Appropriations, and he has no objection to the amendment, the object of which is sufficiently apparent. It is not easy for the marshal of the southern district of New York or the clerk or district attorney always, from their salaries, to live in the city of New York. One resides across a ferry in one direction, and another in another, that not interfering at all with the discharge of their duties. The amend-

ment does not impair the scope of this provision, as it is intended to make this exception.

The amendment was agreed to.

The Chief Clerk read section 3, as follows:

SEC. 3. That no civil officer of the Government shall hereafter receive any compensation or perquisites, directly or indirectly, from the Treasury or property of the United States beyond his salary or compensation allowed by law, or shall make any private use of such property, or of the services or labor of any person in the employment or service of the United States which service or labor is paid for by the United States: *Provided*, That this shall not be construed to deprive any officer of the United States of such fees as are or may be expressly provided by law in addition to the salary or compensation of such officer, or of the use of such property as may be expressly by law appropriated to the use of such officer.

Mr. CONKLING. If I can have the attention of the chairman of the Committee on Appropriations, I should like to make an inquiry about this section:

That no civil officer of the Government shall hereafter receive any compensation or perquisites, directly or indirectly, from the Treasury or property of the United States beyond his salary or compensation allowed by law—

I make no inquiry about that—

or shall make any private use of such property, or of the services or labor of any person in the employment or service of the United States, which service or labor is paid for by the United States.

If the clerk of the Committee on Appropriations writes a letter for the chairman of that committee to a member of his family or to some other friend or acquaintance, would that act be improper or criminal within this language? The use of property might give rise to another question. But first I ask the attention of the chairman to that language, to know whether it goes so far that if any Senator borrows the fingers of the clerk of the committee to help him dispatch a matter of business, this section would lay hold upon him and deal with him?

Mr. DAVIS. I ask the Senator if the provision does not cover that ground?

Mr. CONKLING. I do not see how. It reads:

Provided, That this shall not be construed to deprive any officer of the United States of such fees as are or may be expressly provided by law in addition to the salary or compensation of such officer, or of the use of such property as may be expressly by law appropriated to the use of such officer.

It seems to me, that does not touch the question.

Mr. FRELINGHUYSEN. Is a Senator a civil officer? I believe it has been decided that he is not.

Mr. CONKLING. I believe it was decided in Blount's case that a Senator was not an officer under the United States, and therefore was not impeachable; but I should think the words "no civil officer of the Government" were broader. Of him it is provided that he shall not "receive any compensation or perquisites," and so on, or make any private use "of the services or labor of any person in the employment or service of the United States." I doubt whether that distinction is broad enough to stand upon. The general purpose of this section I make no objection to; on the contrary, I agree to it; but I do not think we ought to employ words which will turn it into derision or which will have an effect that nobody intends.

Mr. MORRILL, of Maine. The committee found this section in the bill as it came from the House of Representatives. It appropriates nothing; it is legislation, not directly with reference to the bill itself, but in reference to the public service as well outside. It is a pretty stringent provision undoubtedly, and the meaning and scope of it are not exactly apparent, in my judgment, and the committee so felt. It is a little difficult to specify precisely what it does mean or what the effect of it would be. It may be that it is liable to the criticism suggested by the Senator from New York. I cannot say that it is not. I think, however, that it is rather in harmony with the sentiment in regard to public men, that they ought to go under check-rein and bridle. It attracted the attention of the committee somewhat; but we did not regard it as so serious a matter on the whole as to render it necessary to interpose an objection by the committee. As it was not a matter of appropriation, but regulating the service provided for in the bill, the committee felt that it was proper enough to leave it to the Senate for its own consideration without any action on their part.

Mr. FRELINGHUYSEN. I do not know whether there is any express law for it, but it occurs to me that the Commissioner of Agriculture does now live, and has for years, having a very small salary, lived in the Agricultural Department building, and has a general supervision of the interests of that department, which not living there he could not have, and it would be a great injury to the Government if he was not there to look after the property. Whether there is any law authorizing him to occupy that building I do not know.

Mr. CONKLING. Then that is the case of an officer who lives on the department and not on his salary. [Laughter.]

Mr. President, enthusiasm in legislation is quite likely to be a dangerous thing, and this provision I think may be justly described as enthusiastic. It has been inserted in the bill in deference to an outcry against usages and habits which I found in Washington when first I came to Washington, now about fourteen years ago. Those usages were then so inveterate that they were the growth of a custom to which the memory of man even then did not run to the contrary. Having now reached, as we are told, an exceptionally depraved, and debased era, having come to a time when, if we are to believe much testimony that we hear, all men and especially public men, are more lax,

disorderly, profligate, inattentive, than they ever were before, we have also reached a time when the same things which were customary, notorious, universal, and unchallenged, excite so much indignation that the country is hardly large enough to hold the noise.

As part of this criticism it has been seen that officials ride in vehicles, some of them, which they do not own or pay for themselves, each one as his predecessor, and his predecessor, and a generation of predecessors, going back as far as our annals go, did ride. For the purpose of meeting that and other such abuses, to which we are now all so broadly awake, this language has been used, and as it stands I think its fair interpretation would be a denunciation of the act of the clerk of a committee or any clerk employed by the Secretary of the Senate or about the Capitol who should for five or thirty minutes perform the office of amanuensis to a Senator or to anybody else. That pushes it, I submit, to an extreme. It enacts an absurdity, and must go very far to turn into derision and make a caricature of a section which, properly regarded, would be very wholesome and proper.

I do not know, Mr. President, I am free to say, why an official who happens to be the head of a Department or a Cabinet minister should be furnished with a carriage to ride to the Capitol or to the Department, or to carry books and papers, any more than I should be furnished with the same convenience for the same purpose. We all have papers to carry and books to carry and errands to do, and we all know that scattered as the Departments are, wide apart and all of them distant from the Capitol, except as to those Senators who are able to keep a carriage of their own, (and there are such, I believe,) it is very difficult for members of this body to get about upon their feet or in horse-cars so as to do the work which they are compelled to do, even the duties which their oath prescribes—not speaking of the countless things which are put upon us because we are Senators; and I know no reason, I admit, why an executive officer any more than we, should be furnished with means of locomotion with which to do his business, or save his breath, or his shoe-leather, or his private purse in respect to car-fare or carriage-hire. But we all know that the custom as it prevails is immemorial. However, as I say, we are now all wide awake in respect to it; everything is to be reformed; and we shall be out of fashion unless we have spasms of propriety all around in reference to things which only ten years ago were unchallenged and uncriticised by any human being. Now, I agree to that. I want to conform to the fashion. The only thing that I disagree to is the idea that when we find ourselves thus virtuous, we should at the same time accept the idea that we are more wanting in virtue and propriety than any other generation of men who ever appeared upon the stage. That part of it I do object to; I do not believe a word of it. I suggest that this section should be changed so as to mean what it is designed to mean, and not to include also that the excess of which will lead to its being stricken out altogether hereafter and provoke more ridicule than commendation.

The PRESIDING OFFICER, (Mr. INGALLS in the chair.) Does the Senator from New York offer an amendment?

Mr. CONKLING. I do not like to interfere with the Senator having the bill in charge. I will offer an amendment if it be his wish.

Mr. CARPENTER. The language of this section is:

That no civil officer of the Government shall hereafter receive any compensation or perquisites, directly or indirectly, from the Treasury or property of the United States beyond his salary or compensation allowed by law, or shall make any private use of such property—

That is, property belonging to the United States—
or of the services or labor of any person in the employment or service of the United States which service or labor is paid for by the United States.

Now, I think there is a distinction between an officer of the Government and an officer under the Government. The Constitution in article 1, section 6, clause 2, provides:

And no person holding any office under the United States, shall be a member of either House during his continuance in office.

The same clause also provides that—

No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time.

Again, article 2, section 1, clause 2, provides:

But no Senator or Representative, or person holding an office of trust or profit under the United States, &c.

And I think that is a distinction which obtains both in the Constitution and laws.

Again, article 14, section 3:

No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, &c.

Therefore, while a Senator, in my opinion, is not an officer under the United States—and this clause of the Constitution draws that precise distinction—a Senator or Representative shall not accept an office under the Constitution; his office is not, in the phraseology of the Constitution and laws, an office "under the United States," but he is an "officer of the United States." Now then, this section, as I understand it, goes so far that if the clerk of a committee should after the adjournment of the committee be requested by the chairman to write at his dictation a note to his wife saying when Congress would

adjourn and when he would be home, that would be a violation of this statute. I think it would be a violation of this statute for any Senator to come here on Saturday when the Senate is not in session and sit in his chair to write a private letter about his own business. That would be a private use of property which he is authorized to use officially.

I move, Mr. President, not for the particular reasons specified alone, but because it has no sort of relation or reference to appropriations, to strike out the third section of the bill.

Mr. WRIGHT. I suggest to the Senator from Wisconsin that inasmuch as the same point has been made heretofore, and inasmuch as we are now considering the amendments reported by the Committee on Appropriations, it would be better to go through with those amendments, and then we can take up this question or such amendments as may be suggested to the section outside of it.

Mr. CARPENTER. Very well; I withdraw the motion.

The PRESIDING OFFICER. The amendment is withdrawn. The Secretary will proceed with the reading of the bill.

The Chief Clerk continued the reading of the bill.

The next amendment of the Committee on Appropriations was in section 4, line 7, after the word "loan" to insert "except the second section of the act approved July 14, 1870, entitled 'An act to authorize the refunding of the national debt,'" so that the section will read:

That the act entitled "An act limiting the appropriations of certain moneys for the preparation, issue, and reissue of certain securities of the United States, and for other purposes," approved May 23, 1872, and all other acts and parts of acts making permanent appropriations for the expenses of the national loan, except the second section of the act approved July 14, 1870, entitled "An act to authorize the refunding of the national debt," are hereby repealed, this repeal to take place on the 1st day of July next.

The amendment was agreed to.

The next amendment was in section 4, line 18, in the appropriations to defray the expenses of the national loan for clerical and other employes in the office of the Secretary of the Treasury, to strike out "one clerk of loans and one clerk of currency, at \$2,500 each," and insert "two chiefs of divisions, namely, of loans and currency, at \$3,000 each; and in line 30 to increase the total amount of the appropriation from \$133,933.50 to \$134,933.50.

The amendment was agreed to.

The next amendment was in section 4, line 32, in the clause providing for the "office of Treasurer," to increase the number of clerks of class four from "seventeen" to "twenty-eight;" in line 33 to reduce the number of clerks of class three from "six" to "four;" in line 34 to increase the number of counters and copyists from "one hundred" to "one hundred and forty-five;" in line 36, to increase the number of messengers from "four" to "six," and of assistant messengers from "twenty" to "twenty-six;" and in lines 38 and 39 to increase the total of the appropriation from \$165,760 to \$223,860.

The amendment was agreed to.

The next amendment was in section 5, line 1, to strike out the words "passage of this act, and on;" in line 2, after the word "July" to insert "1874, and;" and after the word "year," in line 3, to strike out "hereafter," and insert "thereafter;" so that the section will read:

That from and after the 1st day of July, 1874, and of each year thereafter, the Secretary of the Treasury shall cause all unexpended balances of appropriations which shall have remained upon the books of the Treasury for two fiscal years to be carried to the surplus fund and covered into the Treasury.

Mr. SARGENT. I remind the chairman that "1874" there should be "1875."

Mr. EDMUNDS and others. No; no.

The amendment was agreed to.

The next amendment was in section 5, line 7, after the words "provided, that" to strike out the following words:

This provision shall not apply to river and harbor appropriations, or light-house appropriations, or public buildings, the appropriations for which shall only lapse according to the provisions of existing laws.

And in lieu thereof to insert:

The Secretary of the Treasury shall, at the beginning of each session, report to Congress any balances of appropriations for specific objects affected by this section that may need to be reappropriated.

The PRESIDENT *pro tempore*. If there be no objection this amendment will be regarded as agreed to.

Mr. SAULSBURY. I desire to offer an amendment to that.

The PRESIDENT *pro tempore*. Does the Senator object to the amendment of the committee?

Mr. SAULSBURY. I desire to except from the operation of that amendment the appropriations for public buildings.

Mr. EDMUNDS. I move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. Will the Senator withdraw that motion for the present, and allow the Chair to understand whether the last amendment of the committee is agreed to or not? Is there objection to the amendment?

Mr. SAULSBURY. I will not object at present.

The PRESIDENT *pro tempore*. Then the amendment is agreed to. That completes the amendments reported by the Committee on Appropriations.

Mr. MORRILL, of Maine. I submit two amendments which I may want to offer to-morrow, so as to come within the rule, and ask that they be referred to the Committee on Appropriations.

The PRESIDENT *pro tempore*. They will be so referred.

Mr. HAMLIN. I appeal to my friend from Vermont to allow me to ask the Senate to take up and dispose of the pilotage bill.

Mr. SARGENT. Before this bill passes from the consideration of the Senate I wish to make a verbal amendment in behalf of the Committee on Appropriations. It will take but a moment. On page 49, lines 1182, 1183, 1184, 1185, and 1886, should be struck out where they occur and inserted after line 1188. As they stand now, the appropriations refer to the wrong buildings.

The PRESIDENT *pro tempore*. That amendment will be made if there be no objection.

Mr. EDMUNDS. I now yield to my friend from Maine, [Mr. HAMLIN.]

Mr. HAMLIN. I have conferred with the Senator from New Jersey, [Mr. FRELINGHUYSEN,] and I think he is satisfied with the pilotage bill. I do not think it will take any further time, and I therefore ask the Senate to take it up and dispose of it. The appropriation bill can be laid aside informally.

Mr. FERRY, of Michigan. I have an amendment to offer to the pending appropriation bill, which I ask to have referred to the Committee on Appropriations and printed.

Mr. SAULSBURY. I desire to give notice of an amendment to the proviso to the fifth section of the bill, to exempt from it appropriations for public buildings.

Mr. SCOTT. I wish to offer an amendment to the river and harbor appropriation bill, for the purpose of having it printed and referred to the Committee on Commerce.

Mr. INGALLS. I have an amendment to offer to the pending appropriation bill, which I ask to have referred to the Committee on Appropriations.

Mr. MORRILL, of Maine. There is no necessity for printing those amendments.

Mr. INGALLS. I withdraw the request for printing.

The PRESIDENT *pro tempore*. They will not be printed, but referred at once to the Committee on Appropriations.

COMPULSORY PILOTAGE.

Mr. EDMUNDS. If there is to be no debate on the pilotage bill, so that we can finish it immediately, I will withdraw my motion for an executive session; otherwise I shall not.

The PRESIDENT *pro tempore*. If there be no objection, the bill will be considered as before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. No. 675) to relieve ships and vessels from compulsory pilot fees in certain cases, the pending question being on the first amendment reported by the Committee on Commerce, in section 1, line 4, to strike out the words "duly registered or enrolled," and to insert "when trading between district and district or between different places in the same district, or carrying on the fishery."

The amendment was agreed to.

The next amendment of the committee was to strike out the second section of the bill, in the following words:

SEC. 2. That no owner, agent, consignee, or master of any ships or vessel, duly enrolled or registered, who shall employ a tug or tow-boat on entering or departing from any port or harbor, or entering, passing through, or leaving any channel, passage, or strait, within the waters of the United States, shall be compelled to pay pilotage or pilot fees by virtue of the laws of any State.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. EDMUNDS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were reopened, and (at three o'clock and ten minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

MONDAY, May 18, 1874.

The House met at eleven o'clock a. m. Prayer by Professor JULIUS H. SEELYE, D. D., of Massachusetts.

The Journal of Saturday last was read and approved.

ORDER OF BUSINESS.

The SPEAKER. This being Monday, the first business in order is the call of the States and Territories, beginning with the State of Maine, for the introduction of bills and joint resolutions for reference to their appropriate committees, not to be brought back on motions to reconsider. Under this call memorials and resolutions of State and territorial Legislatures may be presented for reference and printing. The morning hour begins at eight minutes after eleven o'clock.

MERCHANDISE RECOVERED FROM SHIPWRECK.

Mr. SCUDDER, of New York, introduced a bill (H. R. No. 3355) to amend an act entitled "An act to permit the entry of merchandise

recovered from shipwreck in certain cases free from duty," passed March 3, 1843; which was read a first and second time.

Mr. HOLMAN. I ask that the bill be read at length.

The bill was read at length, and was referred to the Committee on Ways and Means, and ordered to be printed.

WILLIAM J. HEALY.

Mr. SCUDDER, of New York, also introduced a bill (H. R. No. 3356) for the settlement of the accounts of the late William J. Healy, a past assistant paymaster in the United States Navy; which was read a first and second time.

Mr. WILLARD, of Vermont. Let the bill be read at length.

The bill was read at length, and was referred to the Committee on Claims, and ordered to be printed.

SOLDIERS AND SAILORS' HOMESTEADS.

Mr. WARD, of New Jersey, introduced a bill (H. R. No. 3357) to amend the acts relating to soldiers and sailors' homesteads; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

WILLIAM R. KERR.

Mr. MOORE introduced a bill (H. R. No. 3358) granting a pension to William R. Kerr, late of the One hundred and fortieth Pennsylvania Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ELECTION OF REPRESENTATIVES FROM PENNSYLVANIA.

Mr. CESSNA introduced a bill (H. R. No. 3359) fixing the time for the election of Representatives from the State of Pennsylvania to the Forty-fourth Congress; which was read a first and second time.

Mr. RANDALL. I ask that the bill be read at length.

The bill was read at length.

Mr. RANDALL. Mr. Speaker, would it be in order to ask that the Judiciary Committee have leave to report this bill at any time?

The SPEAKER. It would not in the morning hour on Monday. The Chair will recognize the gentleman for that purpose on the expiration of the morning hour.

The bill was referred to the Committee on the Judiciary, and ordered to be printed.

WILLIAM M'DONALD.

Mr. LOWNDES introduced a bill (H. R. No. 3360) for the relief of William McDonald, of Cumberland, Maryland; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

THORNTON GONER.

Mr. LOWNDES also introduced a bill (H. R. No. 3361) for the relief of Thornton Goner, a citizen of West Virginia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

MRS. SARAH B. FOREST.

Mr. SMITH, of Virginia, introduced a bill (H. R. No. 3362) for the relief of Mrs. Sarah B. Forest, widow of Lieutenant Dulaney A. Forest, late of the United States Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

NORTH ALABAMA SCOUTS.

Mr. SHEATS introduced a bill (H. R. No. 3363) for the relief of two companies of scouts or guides commanded by Captains Baxter Gilbreath and James M. Hawkins, of North Alabama; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

RACHEL TURRENTINE, ET AL.

Mr. SHEATS introduced a bill (H. R. No. 3364) for the relief of Rachel Turrentine, Charity W. Turrentine, Sarah R. Brogden, Lucinda H. Huckabee, Mary Gibson, Martha Morris, Sallie A. Morris, Thomas Wallace, Elizabeth Warneck, and Jack Wilhite; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

CHRISTIAN MORNHINSEG.

Mr. DARRALL introduced a bill (H. R. No. 3365) for the relief of Christian Mornhinseg; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

IMPROVEMENT OF MOUTH OF MISSISSIPPI.

Mr. SYPHER introduced a bill (H. R. No. 3366) for the improvement of the mouth of the Mississippi River; which was read a first and second time.

Mr. WILLARD, of Vermont. I ask that the bill be read at length.

The bill was read at length, and was referred to the Committee on Commerce, and ordered to be printed.

THOMAS J. HUTCHISON.

Mr. BECK introduced a bill (H. R. No. 3367) granting a pension to Thomas J. Hutchison, late second lieutenant of Thirty-second Regiment Kentucky Volunteer Infantry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JURISDICTION OF COURT OF CLAIMS.

Mr. READ introduced a bill (H. R. No. 3368) to amend an act enti-

led "An act to restrict the jurisdiction of the Court of Claims, and to provide for the payment of certain claims for quartermaster stores and subsistence supplies furnished to the Army of the United States;" which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

WILLIAM D. O'BRIEN.

Mr. BUTLER, of Tennessee, introduced a bill (H. R. No. 3369) for the relief of William D. O'Brien, of Tennessee; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

ESTATE OF JOHN G. BYNUM.

Mr. BUTLER, of Tennessee, also introduced a bill (H. R. No. 3370) for the relief of the estate of John G. Bynum, of Tennessee; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

JOHN W. AND GORDON B. BINGHAM.

Mr. NIBLACK introduced a bill (H. R. No. 3371) for the relief of John W. and Gordon B. Bingham; which was read a first and second time.

Mr. NIBLACK. I move that that bill be referred to the Committee on Ways and Means.

Mr. WILLARD, of Vermont. It is a bill for the relief of these parties; why should it not go to the Committee on Claims?

Mr. NIBLACK. The bill involves the question of the remission of taxes and a construction of law, and it belongs, I think, to the Committee on Ways and Means. I have no objection, however, to its reference to the Committee on Claims.

The bill was referred to the Committee on Claims, and ordered to be printed.

Mr. NIBLACK also introduced a bill (H. R. No. 3372) for the relief of John W. and Gordon B. Bingham; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

LOUISA BODGLEY.

Mr. MORRISON introduced a bill (H. R. No. 3373) for the relief of Louisa Bodgley, of Saint Clair County, Illinois, daughter of James Reid, deceased, a pensioner of the war of 1812; which was read a first and second time, referred to the Committee on Revolutionary Pensions and War of 1812, and ordered to be printed.

BERNARD SAILER.

Mr. BARRERE introduced a bill (H. R. No. 3374) granting a pension to Bernard Sailer; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MARGARET M. LAMB.

Mr. HAWLEY, of Illinois, introduced a bill (H. R. No. 3375) granting a pension to Margaret M. Lamb, of Annawan, Illinois; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

THOMAS W. MITCHELL.

Mr. MILLS introduced a bill (H. R. No. 3376) to amend the patent issued to Thomas W. Mitchell, for the solution of arsenic in water as a cotton-worm destroyer; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

TEXAS AND RED RIVER BRIDGE COMPANY.

Mr. WILLIE introduced a bill (H. R. No. 3377) to incorporate the Texas and Red River Bridge Company; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

LEWIS PARKER.

Mr. WILLIE, also introduced a bill (H. R. No. 3378) for the relief of Lewis Parker, of Galveston, Texas; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

NAVIGATION OF THE MISSISSIPPI RIVER.

Mr. RUSK introduced a bill (H. R. No. 3379) for the further security of navigation on the Mississippi River; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

BRIDGE ACROSS THE MISSISSIPPI RIVER.

Mr. SAWYER introduced a bill (H. R. No. 3380) to authorize the construction of a bridge across the Mississippi River at or near the city of La Crosse, in the State of Wisconsin; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

TEXAS PACIFIC RAILROAD COMPANY.

Mr. HOUGHTON introduced a bill (H. R. No. 3381) supplementary to the act entitled "An act to incorporate the Texas and Pacific Railroad Company and to aid in the construction of that road, and for other purposes;" which was read a first and second time, referred to the Committee on the Pacific Railroad, and ordered to be printed.

HARBOR OF SAN DIEGO.

Mr. HOUGHTON also introduced a bill (H. R. No. 3382) providing for the protection and preservation of the harbor of San Diego, Cali-

formia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

TELEGRAPHIC COMMUNICATION BETWEEN AMERICA AND ASIA.

Mr. HOUGHTON also introduced a bill (H. R. No. 3333) to encourage and promote telegraphic communication between America and Asia; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

AMERICAN PRINTING HOUSE FOR THE BLIND.

Mr. DUNNELL introduced a bill (H. R. No. 3334) to aid the American Printing House and Society for the Blind; which was read a first and second time, referred to the Committee on Education and Labor, and ordered to be printed.

MINORITY REPRESENTATION IN STOCK COMPANIES.

Mr. DUNNELL also introduced a bill (H. R. No. 3335) to provide for minority representation in the boards of directors of stock companies; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

MISSION LANDS IN OREGON, ETC.

Mr. NESMITH introduced a bill (H. R. No. 3336) providing for the adjudication and issue of patents in mission-land cases in the State of Oregon and the Territories of Washington, Idaho, and Montana; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

JOAB SPENCER AND JAMES R. MEAD.

Mr. LOWE introduced a bill (H. R. No. 3337) for the relief of Joab Spencer and James R. Mead for supplies furnished to Kansas tribes of Indians; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

COLUMBIAN INSTITUTION FOR THE BLIND.

Mr. CHIPMAN presented a concurrent resolution of the Legislative Assembly of the District of Columbia in relation to the Columbian Institution for the Blind; which was referred to the Committee on the District of Columbia, and ordered to be printed.

He also introduced a bill (H. R. No. 3338) to aid the Columbian Institution for the Blind in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

WASHINGTON MARKET COMPANY.

Mr. CHIPMAN also introduced a bill (H. R. No. 3339) explanatory of an act entitled "An act to incorporate the Washington Market Company," approved May 20, 1870; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

MORNING HOUR OF MONDAY.

Mr. RANDALL. I offer the following resolution for reference to the Committee on the Rules:

Resolved, That the Committee on the Rules be required to inquire into the expediency of so amending House Rule No. 139 as to dispense with the call of States for resolutions during the first hour of Mondays.

It is very evident from the proceedings this morning on this side, and by what I have seen on the other side, that it is in the power of either side of this House to prevent the other from having any resolution offered under the call of States for resolutions. I therefore propose that the Committee on the Rules inquire into the propriety of so amending the rules as to dispense with that call, and thus save thirty or forty minutes of the morning hour every Monday.

The resolution was referred to the Committee on the Rules.

ORDER OF BUSINESS.

The SPEAKER. The morning hour having expired, the Chair will now entertain propositions to introduce bills for reference only from gentlemen who were not in their seats when their States were called. They will be introduced by unanimous consent, and referred under the same conditions as under the regular call.

PROMOTIONS IN MEDICAL AND OTHER DEPARTMENTS.

Mr. BUTLER, of Massachusetts, introduced a bill (H. R. No. 3390) authorizing appointments and promotions in the Medical, Ordnance, and Subsistence Departments of the United States Army, and for other purposes; which was read a first and second time, and referred to the Committee on Military Affairs.

JOHN AMMAHE.

Mr. BUTLER, of Massachusetts, introduced a bill (H. R. No. 3391) directing the Second Auditor to settle and pay the bounty accounts of John Ammahe or Ammahe; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

BENJAMIN TREFETHER.

Mr. BUTLER, of Massachusetts, also introduced a bill (H. R. No. 3392) granting a pension to Benjamin Trefether; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

GENEVA AWARD.

Mr. BUTLER, of Massachusetts, by unanimous consent, reported from the Committee on the Judiciary a bill (S. No. 7) for the crea-

tion of a court for the adjudication and disposition of certain moneys received into the Treasury under the award made by the tribunal of arbitration, constituted by virtue of the first article of the treaty of Washington, May 8, 1871, between the United States of America and the Queen of Great Britain; which was recommitted to the Committee on the Judiciary, and ordered to be printed.

DE FOREST W. CARPENTER.

Mr. HENDEE introduced a bill (H. R. No. 3393) for the relief of De Forest W. Carpenter, postmaster at Bickford, Vermont; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

CLARISSA ADAMS.

Mr. G. F. HOAR introduced a bill (H. R. No. 3394) for the relief of Clarissa Adams; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TAX ON ECCLESIASTICAL PROPERTY.

Mr. G. F. HOAR, by unanimous consent, submitted the following petition; which was ordered to be printed, referred to the Committee on the District of Columbia, and printed in the RECORD:

To the honorable Senate and House of Representatives in Congress assembled:

We, the undersigned, citizens and residents of the United States, would hereby respectfully petition your honorable bodies to repeal the first section of the act approved June 17, 1870, entitled "An act exempting from taxes certain property in the District of Columbia," &c., and providing that "all churches and school-houses, and all buildings, grounds, and property appurtenant thereto and used in connection therewith, in the District of Columbia, shall be exempt from any and all taxes and assessments, national, municipal, or county." We ask this for the following reasons:

1. This part of said act we understand to be at variance with the spirit, if not the letter, of the first amendment of the Constitution of the United States, which provides that "Congress shall make no law respecting an establishment of religion." Since the exemption from taxation of churches, parsonages, ecclesiastical houses, and sectarian schools in the District of Columbia is precisely equivalent, in effect, to a direct appropriation by Congress for their support, we conceive this measure to violate what all the expounders of the Constitution declare to have been its manifest intent and design, namely, to sever all religious organizations from any connection with or dependence upon the civil government, except for equal and impartial protection. This part of said act, therefore, we consider to be unconstitutional.

2. This part of said act we conceive to be also contrary to equity and justice, inasmuch as its effect is to increase our relative proportion of the national taxes, to the end of relieving altogether from taxation certain churches and church properties in the District of Columbia. We consider it, therefore, to be unjust.

3. All history shows that the effect of exempting churches from taxation is to accumulate property in the hands of ecclesiastical bodies to a very dangerous extent, and at last to compel resort to confiscation as the only means of escaping the great evils thus generated. The examples of England, of Italy, and of Mexico, of Spain, Austria, and France, are sufficient warnings against adopting a policy which is hostile to American ideas and American institutions. That the non-taxation of church property is tending to the same results here as elsewhere is evident from the fact that, while the number of church members in the United States was not doubled between 1850 and 1870, the value of church property during the same period was quadrupled, advancing from \$87,328,801 to \$354,483,581. At the same rate its value in 1890 will be over \$1,418,000,000; and such rapid accumulation of wealth in ecclesiastical hands is most perilous to civil and religious liberty. This part of said act therefore we consider to be unsafe.

For the reasons, consequently, that this part of said act is unconstitutional, unjust, and unsafe, we respectfully ask that it be forthwith repealed.

DISBURSEMENTS OF PUBLIC MONEY, ETC.

Mr. THORNBURGH introduced a bill (H. R. No. 3395) to amend an act entitled "An act to regulate and secure the safe-keeping of public moneys intrusted to disbursing officers of the United States," approved June 14, 1866, and an act entitled "An act to facilitate the settlement of the accounts of the Treasurer of the United States and to secure certain moneys to the people of the United States to whom they are due and who are entitled to receive the same, and for other purposes," approved May 2, 1866; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

WILLIAM B. McCAMY.

Mr. LOUGHRIDGE introduced a bill (H. R. No. 3396) granting a pension to William B. McCamy, late a private of Company I, Fifth Regiment Tennessee Volunteers, in the Mexican war; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

THEODORE PILLOND.

Mr. LOUGHRIDGE also introduced a bill (H. R. No. 3397) granting a pension to Theodore Pillond, late a private of Second Iowa Cavalry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

OCEAN TELEGRAPH.

Mr. STARKWEATHER introduced a bill (H. R. No. 3398) to secure anti-monopoly ocean-cable communication between Europe, America, and Asia by W. Cornell Jewett and his associates; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

LANDS AT VINCENNES, INDIANA.

Mr. NIBLACK introduced a bill (H. R. No. 3399) authorizing the sale of certain lands at Vincennes, Indiana; which was read a first and second time, referred to the Committee on Private Land Claims, and ordered to be printed.

MRS. JULIA A. NUTT.

Mr. LYNCH introduced a bill (H. R. No. 3400) referring the claims of Mrs. Julia A. Nutt, executrix of the late Haller Nutt, deceased, to the

Court of Claims; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

JOHN GOWERS.

Mr. MACDOUGALL introduced a bill (H. R. No. 3401) for the relief of John Gowers, late a private in Company C, One hundred and eleventh Regiment New York Volunteer Infantry; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

JOHN M. ALLEN.

Mr. SMART introduced a bill (H. R. No. 3402) granting a pension to John M. Allen, Company G, One hundred and seventy-sixth New York Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CATHARINE ELBERTH.

Mr. DONNAN introduced a bill (H. R. No. 3403) granting arrears of pension to Catharine Elberth, widow of Jacob Elberth, late of Company F, Ninety-sixth Regiment Illinois Volunteer Infantry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

OSAGE INDIAN RESERVATION.

Mr. PHILLIPS introduced a bill (H. R. No. 3404) to amend an act entitled "An act to confirm to the Great and Little Osage Indians a reservation in the Indian Territory;" which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

AMERICAN-BUILT OCEAN STEAMSHIPS.

Mr. MYERS introduced a bill (H. R. No. 3405) authorizing the establishment of ocean mail-steamship service in American-built iron steamships between the United States and England; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

IMPROVEMENT OF MOUTH OF MISSISSIPPI RIVER.

Mr. HURLBUT, by unanimous consent, from the Committee on Railways and Canals, reported back with a substitute the bill (H. R. No. 2342) for the improvement of the mouth of the Mississippi River; which was ordered to be printed, and recommitted.

NATIONAL-BANK CURRENCY.

The SPEAKER. There comes over from last Monday, under a motion of the gentleman from Iowa [Mr. KASSON] for suspension of the rules, a bill to amend an act entitled "An act to provide for the redemption of the 3 per cent. temporary-loan certificates and for an increase of national-bank notes," approved July 12, 1870, and to provide for a more equal distribution of the national banking currency.

Mr. KASSON. I rise for the purpose of asking consent of the House that that bill may stand over on the same conditions for another week, with the view of avoiding any apparent antagonism with the action of the Committee on Banking and Currency on another bill upon the same subject.

Mr. DUNNELL. I object.

Mr. KASSON. I wish to state—

The SPEAKER. The gentleman from Iowa [Mr. KASSON] can withdraw the bill and present it again.

Mr. KASSON. I prefer not to do that. The gentleman from Minnesota [Mr. DUNNELL] says that if I will say two weeks he will not object.

Mr. RANDALL. I object to a postponement for two weeks.

Mr. MAYNARD. Perhaps it may facilitate the settlement of this question to state that I am instructed by the Committee on Banking and Currency to ask that the currency bill now on the Speaker's table with Senate amendments be referred to our committee, with leave to report at any time. I make that request now, and I am authorized to say that if such action be had, the committee will consider the bill diligently and report it promptly.

Mr. KASSON. I hope that will be done, and then I will ask that my bill stand over for one week.

Mr. BUTLER, of Massachusetts. I want to have it understood, if this order is made, that the bill shall be considered as in Committee of the Whole, subject to amendment.

The SPEAKER. The bill as it now stands by previous order of the House can be considered in the House.

Mr. BUTLER, of Massachusetts. As in Committee of the Whole?

The SPEAKER. Not as in Committee of the Whole, but as it was before. It is now on the Speaker's table. It is a House bill which the House by suspension of the rules gave the right to have considered in the House. It was considered in the House. It returns now with a Senate amendment. That does not divest it of the previous privilege it had, and it may therefore still be considered in the House.

Mr. BUTLER, of Massachusetts. I am content, but let it be open to amendment.

Mr. MAYNARD. I am not authorized by the committee, having no instructions to that effect, but I can only state my own individual feeling, which is now the same that I have announced on different occasions since I brought this subject before the House, and that is that a measure which reflects the opinion of the House shall have fair opportunity to be presented.

Mr. BUTLER, of Massachusetts. I have no objection.

Mr. STARKWEATHER. I object unless it is to be open to amendment.

The SPEAKER. It will be open to amendment if a majority of the House desire to amend it. It will be wholly in the control of a majority of the House.

Mr. BUTLER, of Massachusetts. But only by voting down the previous question.

The SPEAKER. The House did that four or five times before.

Mr. BUTLER, of Massachusetts. We do not want to go through that again.

Mr. RANDALL. That is the only way.

The SPEAKER. Is there objection to allowing the bill to be referred to the Committee on Banking and Currency with the right to report at any time?

Mr. HALE, of Maine. I object.

Mr. KASSON. I now ask the question be again put on my motion. The gentleman from Minnesota [Mr. DUNNELL] objected before under misapprehension.

The SPEAKER. Is there objection to postponing the bill of the gentleman from Iowa [Mr. KASSON] which comes over from last Monday to stand in the same position on Monday next after the morning hour as it is in now?

There was no objection, and it was ordered accordingly.

SUFFERERS BY INUNDATION IN ALABAMA.

Mr. HAYS. I move a suspension of the rules for the purpose of passing joint resolution (H. R. No. 103) authorizing the President of the United States to issue Army rations and clothing to the destitute people of the Tombigbee, Warrior, and Alabama Rivers.

The resolution, which was read, authorizes the President in his discretion to direct the issue of Army rations and clothing of patterns not now used by the Army to the starving and destitute people of the Tombigbee, Warrior, and Alabama Rivers who have been rendered destitute by the inundation of their homes in the valleys of said rivers.

Mr. HAYS. I ask that the petition be read which accompanies it.

The Clerk read as follows:

Whereas the late floods have made fearful havoc along the banks of the Tombigbee and Warrior Rivers; and whereas thousands of acres of the most productive lands in the South are even yet under water, hundreds of families driven from their homes, an army of laborers without present or prospective means of support; and whereas more fearful consequences may be feared if they are not provided against in time, and as "Man cannot live by bread alone" is a true saying, it is just and true that physically he cannot live without bread; and whereas the destitution among our poor people cannot be attributed to them as a fault, or as the result of laziness, misconduct, or any other thing personal to them, and their condition being truly pitiable and in many instances appalling: Therefore,

Be it resolved, That we hereby ask the special attention of our Senators and Representatives in Congress to these citizens of the fourth congressional district of Alabama and to their condition, and we beseech them for God and the country's sake, and in behalf of our common humanity, to try to secure some relief for them.

Resolved, (2.) That as our people here are impoverished and disheartened and have not the ability if they have the will to help one another in the distresses that have overtaken us, we ask the Government to help us and ourselves. These poor people cannot starve, and we beseech that they be relieved otherwise than at the sacrifice of the peace of the communities in which they live.

Resolved, (3.) That a copy of these resolutions be furnished to Hon. CHARLES HAYS, member of Congress from this district, with the request that he call the attention of Congress to the facts as herein set forth; and that he request the co-operation of the Alabama delegation in assisting him to procure the aid herein most respectfully asked for.

JEFFERSON MCKASSON,

Chairman.

JOHN W. DEVEEN,

Secretary.

Mr. WILLARD, of Vermont. Is it in order to amend by including the sufferers by the recent flood in Massachusetts?

Mr. E. R. HOAR. I object.

Mr. HOLMAN. Had there better not be some limitation to the resolution?

Mr. HAYS. It is entirely left to the discretion of the President of the United States.

The question recurred on seconding the motion to suspend the rules.

The SPEAKER appointed Mr. WILLARD, of Vermont, and Mr. HAYS tellers.

The House divided; and there were—ayes 88, noes 40.

So the motion to suspend the rules was seconded.

Mr. WILLARD, of Vermont, demanded the yeas and nays on the motion to suspend the rules.

Mr. SENNER. Will it be in order to state to the gentleman from Alabama that the embarrassment with some gentlemen about voting for the resolution arises from the fact that there is no fixed sum appropriated by the resolution?

The SPEAKER. Nothing is in order except by unanimous consent.

The question was then taken; and decided in the affirmative—yeas 141, nays 68, not voting 81; as follows:

YEAS—Messrs. Adams, Albright, Archer, Arthur, Atkins, Averill, Barrere, Biery, Bland, Blount, Bradley, Bright, Bromberg, Bundy, Roderick R. Butler, Cain, Caldwell, Cannon, Cason, Cessna, Clements, Stephen A. Cobb, Coburn, Comingo, Corwin, Cotton, Crittenden, Crouse, Crutchfield, Darrall, Dawes, Donnan, Dunnell, Eames, Farwell, Field, Foster, Freeman, Glover, Gooch, Gunckel, Hagans, Eugene Hale, Hancock, Benjamin W. Harris, Henry R. Harris, Harrison, Hatcher, Havens, Joseph R. Hawley, Hays, Gerry W. Hazelton, Hodges, Hoskins, Houghton, Hubbell, Hunter, Hynes, Kellogg, Kendall, Knapp, Lampport, Lawrence, Leland, Lowndes, Luttrell, Lynch, Magee, Maynard, McCrary, Alexander S. McDill,

James W. McDill, MacDougall, McKee, McNulta, Mills, Monroe, Moore, Morey, Myers, Negley, Niblack, Nunn, O'Brien, O'Neill, Orr, Orth, Packard, Isaac C. Parker, Parsons, Pelham, Pendleton, Phillips, Thomas C. Platt, Purman, Rainey, Randall, Ransier, Rapier, Ray, Ross, Sawyer, John G. Schumaker, Scofield, Henry J. Scudder, Isaac W. Scudder, Sener, Shanks, Sheats, Lazarus D. Shoemaker, Sloan, Sloss, Small, Smart, George L. Smith, H. Boardman Smith, J. Amble Smith, Snyder, Stanard, Starkweather, St. John, Stowell, Strait, Sypher, Thornburgh, Townsend, Vance, Waddell, Wallace, Walls, Jasper D. Ward, Marcus L. Ward, Wells, Whiteley, George Willard, William Williams, William B. Williams, Wilshire, James Wilson, Woodworth, and Pierce M. B. Young—141.

YAYS—Messrs. Albert, Ashe, Barber, Beck, Bell, Bowen, Brown, Buckner, Buf-finton, Burchard, Burrows, Benjamin Frye, Amos Clark, jr., John B. Clark, jr., Clymer Cook, Cox, Crossland, Danford, Duell, Durham, Eden, Eldredge, Fort, Gar-field, Giddings, John B. Hawley, Hendee, Herndon, E. Rockwood Hoar, George F. Hoar, Holman, Hanton, Hurlbut, Hyde, Kasson, Lawson, Lowe, McLean, Mer-riam, Milliken, Morrison, Neal, Packard, Hosea W. Parker, Phelps, Pierce, Poland, Read, Rice, Ellis H. Roberts, James C. Robinson, Henry B. Saylor, Milton Saylor, A. Herr Smith, John Q. Smith, Southard, Sprague, Stone, Christopher Y. Thomas, Todd, Tynner, Waldron, Whitehead, Whittborne, Charles W. Willard, Willie, and Wood—82.

NOT VOTING—Messrs. Banning, Barnum, Barry, Bass, Begole, Berry, Burleigh, Freeman Clarke, Clayton, Clinton L. Cobb, Conger, Creamer, Crooker, Crooke, Cur-tis, Davis, DeWitt, Dobbins, Elliott, Frye, Robert S. Hale, Hamilton, Harmer, John T. Harris, Hathorn, John W. Hazelton, Hereford, Hersey, Hooper, Howe, Jewett, Kelley, Killingier, Lamar, Lamison, Lansing, Leach, Lewis, Loughridge, Marshall, Martin, McJunkin, Mellish, Mitchell, Nesmith, Niles, Page, Perry, Pike, James H. Platt, jr., Potter, Pratt, Richmond, Robbins, William R. Roberts, James W. Robin-son, Rusk, Sessions, Sheldon, Sherwood, William A. Smith, Speer, Standiford, Stephens, Storm, Strawbridge, Swann, Taylor, Charles R. Thomas, Tremain, Wheeler, White, Whitehouse, Wilber, Charles G. Williams, John M. S. Will-iams, Ephraim K. Wilson, Jeremiah M. Wilson, Wolfe, Woodford, and John D. Young—81.

So the rules were suspended, (two-thirds having voted in favor thereof,) and the joint resolution was passed.

During the roll-call,

Mr. THOMAS, of Virginia, said: I am requested to state that Mr. SPEER, of Pennsylvania, is kept away from the House by sickness. He has been detained about a week by sickness, and is unable as yet to come to the House.

The result of the vote was then announced as above recorded.

INDIANA PRESS DELEGATION.

Mr. COBURN. There is now present in the Capitol a delegation of the association of the editors of Indiana. I ask unanimous consent that the delegation be allowed the privilege of the floor for the space of half an hour during the session of the House to-day.

Mr. RANDALL. Make it the whole day.

Mr. NIBLACK. I hope there will be no objection to the request of my colleague.

There was no objection, and it was so ordered.

CLERICAL FORCE OF GENERAL LAND OFFICE.

Mr. TOWNSEND. In accordance with the notice which I gave on Friday last, I now move that the rules be suspended and that the House proceed to consider the bill (H. R. No. 1060) to reorganize the clerical force of the General Land Office.

The SPEAKER. The Chair would suggest to the gentleman from Pennsylvania that at two o'clock to-day the House must proceed to the consideration of business of the District of Columbia.

Mr. TOWNSEND. There is nearly an hour remaining, and I hope this bill may be disposed of before two o'clock.

NATIONAL CURRENCY AND FREE BANKING.

Mr. MAYNARD. I renew my request that the bill (H. R. No. 1572) to amend the several acts providing a national currency and to establish free banking, and for other purposes, with an amendment by the Senate, be taken from the Speaker's table and referred to the Committee on Banking and Currency, and that the committee have leave to report back the bill at any time.

There was no objection, and it was so ordered.

POSTAGE ON AGRICULTURAL REPORT.

Mr. TOWNSEND. I yield to the gentleman from Massachusetts, [Mr. E. R. HOAR,] who desires to offer a resolution.

Mr. E. R. HOAR. I offer the following resolution:

That it shall be in order to move as an amendment to the bill making appropriations for the Post-Office Department as follows:

That the postage to be charged on each copy of the annual report of the Department of Agriculture shall not exceed ten cents.

Mr. WILLARD, of Vermont. I object.

Mr. E. R. HOAR. I move that the rules be suspended and the resolution adopted.

The SPEAKER. The Chair will recognize the gentleman from Massachusetts [Mr. E. R. HOAR] after the motion of the gentleman from Pennsylvania [Mr. TOWNSEND] is disposed of.

Mr. TOWNSEND. I waive my right long enough to allow the gentleman from Massachusetts to obtain the sense of the House on his resolution.

Mr. WILLARD, of Vermont. I ask that the resolution be again read.

The resolution was again read.

Mr. GARFIELD. I ask the gentleman from Massachusetts why he should confine his resolution to this one report?

Mr. WILLARD, of Vermont. I desire to make a parliamentary inquiry. If this should be made in order in Committee of the Whole, would it not also then in Committee of the Whole be in order to move that this report should be sent free?

The SPEAKER. Of course it would. Any germane amendment would necessarily be in order if this is made in order.

Mr. WILLARD, of Vermont. I call for a division.

The SPEAKER. The Chair will direct the question on seconding the motion for the suspension of the rules to be taken by tellers, and appoints the gentleman from Indiana, Mr. TYNER, and the gentleman from Massachusetts, Mr. E. R. HOAR.

The House divided; and the tellers reported—ayes 107, noes 40.

So the motion to suspend the rules was seconded.

The SPEAKER. The question recurs on suspending the rules and adopting the resolution.

Mr. WILLARD, of Vermont. On that question I call for the yeas and nays.

The question being taken on ordering the yeas and nays, there were—ayes 22, noes 84.

So (the affirmative being more than one-fifth of the whole vote) the yeas and nays were ordered.

Mr. MYERS. I desire to make a parliamentary inquiry. If this amendment should be made in order, would it be in order to amend it? Several members called for the regular order.

The question was taken; and there were—yeas 154, noes 46, not voting 90; as follows:

YEAS—Messrs. Adams, Albert, Albright, Archer, Arthur, Ashe, Atkins, Bar-riere, Beck, Bell, Biery, Bland, Blount, Bowen, Bright, Bromberg, Brown, Buffinton, Bundy, Burchard, Roderick R. Butler, Cain, Caldwell, Cannon, Cason, John B. Clark, jr., Clements, Clymer, Stephen A. Cobb, Coburn, Comingo, Cook, Corwin, Cotton, Crittenden, Crutchfield, Donnan, Duell, Dunnell, Durham, Eames, Eldredge, Field, Fort, Foster, Freeman, Giddings, Glover, Gooch, Gunckel, Hagans, Robert S. Hale, Benjamin W. Harris, Henry R. Hatris, Harrison, Hatcher, Havens, Joseph R. Hawley, Hays, Gerry W. Hazelton, Hendee, Herndon, E. Rockwood Hoar, George F. Hoar, Hodges, Holman, Hoskins, Hunter, Hunton, Hyde, Hynes, Kasson, Kellogg, Kendall, Knapp, Lampport, Lawrence, Lofand, Loughridge, Lowndes, Magee, McCrary, Alexander S. McDill, James W. McDill, MacDougall, McKee, McLean, McNulta, Merriam, Mills, Mitchell, Monroe, Moore, Morey, Myers, Neal, Negley, Nunn, O'Brien, Orr, Packard, Isaac C. Parker, Parsons, Pelham, Pendleton, Perry, Phillips, Pierce, Thomas C. Platt, Poland, Purman, Randall, Rapier, Ray, Read, Ross, Rusk, Sawyer, Isaac W. Scudder, Sener, Sessions, Shanks, Sheats, Lazarus D. Shoemaker, Sloss, A. Herr Smith, George L. Smith, H. Boardman Smith, J. Amble Smith, Southard, Stanard, Stowell, Strait, Swann, Christopher Y. Thomas, Thornburgh, Todd, Townsend, Tremain, Vance, Waddell, Wallace, Whitehead, Whiteley, Whit-thorne, William Williams, William B. Williams, Willie, James Wilson, Wolfe, Wood, Woodworth, John D. Young, and Pierce M. B. Young—154.

NAYS—Messrs. Barber, Barry, Bradley, Burrows, Cessna, Amos Clark, jr., Cross-land, Crounse, Danford, Dawes, Frye, Garfield, Eugene Hale, Hancock, John B. Hawley, Houghton, Hubbell, Hurlbut, Lawson, Lynch, Milliken, Niles, O'Neill, Orth, Packard, Hosea W. Parker, Rainey, Rice, Ellis H. Roberts, James C. Robin-son, Henry B. Saylor, Milton Saylor, Scofield, Small, Smart, John Q. Smith, Sprague, Starkweather, St. John, Stone, Tynner, Waldron, Jasper D. Ward, Marcus L. Ward, Charles W. Willard, and George Willard—46.

NOT VOTING—Messrs. Averill, Banning, Barnum, Bass, Begole, Berry, Buck-ner, Burleigh, Benjamin F. Butler, Freeman Clarke, Clayton, Clinton L. Cobb, Con-ger, Cox, Creamer, Crooker, Crooke, Curtis, Darrall, Davis, DeWitt, Dobbins, Eden, Elliott, Farwell, Hamilton, Harmer, John T. Harris, Hathorn, John W. Hazelton, Hereford, Hersey, Hooper, Howe, Jewett, Kelley, Killingier, Lamar, Lamison, Lan-sing, Leach, Lewis, Lowe, Luttrell, Marshall, Martin, Maynard, McJunkin, Mellish, Morrison, Nesmith, Niblack, Page, Phelps, Pike, James H. Platt, jr., Potter, Pratt, Ransier, Richmond, Robbins, William R. Roberts, James W. Robinson, John G. Schumaker, Henry J. Scudder, Sheldon, Sherwood, Sloan, William A. Smith, Syn-der, Speer, Standiford, Stephens, Storm, Strawbridge, Sypher, Taylor, Charles R. Thomas, Walls, Wells, Wheeler, White, Whitehouse, Wilber, Charles G. Williams, John M. S. Williams, Wilshire, Ephraim K. Wilson, Jeremiah M. Wilson, and Woodford—90.

So (two-thirds voting in favor thereof) the rules were suspended and the resolution was agreed to.

ADMISSION OF NEW MEXICO.

On motion of Mr. FORT, by unanimous consent, it was ordered that the report of the Committee on the Territories on the subject of the admission of New Mexico be reprinted.

CLERICAL FORCE IN THE LAND OFFICE.

Mr. TOWNSEND. I move that the rules be suspended for the purpose of considering the bill (H. R. No. 1060) to reorganize the clerical force of the General Land Office.

Mr. COTTON. Is this a motion to suspend the rules and pass the bill or to bring it before the House for consideration?

The SPEAKER. To bring it before the House for consideration.

Mr. HOLMAN. I trust the House will be informed how much time is to be allowed for the consideration of the bill.

Mr. TOWNSEND. If my motion be sustained I am willing that there shall be any amount of discussion that the House may be willing to allow.

Mr. HOLMAN. The business of the District of Columbia comes up at two o'clock, and the gentleman will have to call the previous question on the bill.

Mr. MCKEE. I desire to submit an amendment to the bill.

The SPEAKER. The bill is not before the House. The motion is to suspend the rules and bring it before the House for consideration.

Mr. MCKEE. I hope the gentleman from Pennsylvania will allow my amendment to be read for information.

Mr. PARSONS. I object.

Mr. BUTLER, of Massachusetts. Will not the bill have to go to the Committee of the Whole for consideration, as it involves an appropria-tion?

The SPEAKER. The bill contains provision for new officers, and involves expenditures of money; but if the House suspends the rules, the rule requiring it to be referred to the Committee of the Whole will be waived.

The question was put on seconding the motion to suspend the rules; and on a division, there were—ayes 28, noes 50; no quorum voting.

Tellers were ordered; and Mr. DAWES and Mr. TOWNSEND were appointed.

The House divided; and the tellers reported—ayes 71, noes 75. So the motion to suspend the rules was not seconded.

PAYMENT OF MAIL CONTRACTORS.

Mr. SENER. I move that the rules be suspended and the following resolution adopted:

Resolved, That it shall be in order when the bill making appropriations for the service of the Post-Office Department for the year ending June 30, 1875, and for other purposes, now pending in Committee of the Whole, is being considered therein, to move as an amendment thereto, to come in as an amendment to the second section, the following:

For pay of claims of mail contractors in the late insurrectionary States to themselves, their heirs, or legal representatives for carrying the mails in said States prior to May 31, 1861, such claims for said service as have been certified according to law by the contract office of the Post-Office Department, and which may now be audited and allowed by the Sixth Auditor of the Treasury as due and unpaid, the sum of \$329,564.19: *Provided*, That each claimant of sums so due and unpaid upon contracts as aforesaid be required before receiving payment of his or her claim to make oath that no part of said claim has been paid by the so-called confederate government: *And provided further*, That no oath of loyalty during the rebellion as a condition of payment shall be required of said claimants.

Mr. BUTLER, of Massachusetts. I would suggest to the gentleman that instead of the 31st of May the date shall be the 14th of April.

Mr. SENER. I will modify the resolution in that way.

Mr. TYNER. I hope the House will vote down the motion.

The question was taken on seconding the motion to suspend the rules; and on a division there were—ayes 45, noes 65; no quorum voting.

Tellers were ordered, and Mr. SENER and Mr. TYNER were appointed.

The House divided; and the tellers reported—ayes 80, noes 70.

So the motion was seconded.

The question recurred upon the motion to suspend the rules and adopt the resolution.

Mr. SENER. I call for the yeas and nays on that motion.

The yeas and nays were ordered.

The question was taken; and there were—yeas 100, nays 93, not voting 97; as follows:

YEAS—Messrs. Adams, Archer, Arthur, Ashe, Atkins, Barry, Beck, Bell, Bland, Blount, Bowen, Bright, Bromberg, Brown, Buckner, Benjamin F. Butler, Caldwell, Cessna, John B. Clark, Jr., Clymer, Comingo, Cook, Cox, Crittenden, Crossland, Crouse, Crutcheff, Duell, Durham, Eldredge, Freeman, Giddings, Glover, Hagans, Hancock, Henry H. Harris, Harrison, Hatcher, Havens, Joseph R. Hawley, Herndon, Hodges, Houghton, Hunt, Hynes, Kendall, Knapp, Leach, Luttrell, Lynch, Magee, Alexander S. McDill, McKee, McLean, McNulta, Milliken, Mills, Mitchell, Morrison, Neal, Negley, Nesmith, Niblack, Niles, Nunn, O'Brien, Hosea W. Parker, Pelham, Perry, Putnam, Rainey, Randall, Rausser, Read, Sener, Sheats, Sloan, Sloss, J. Ambler Smith, Snyder, Stanard, Swann, Christopher Y. Thomas, Thornburgh, Tremain, Vance, Wallace, Walk, Wells, Whitehead, Whitehouse, Whiteley, Whitthorne, William Williams, Willie, Wilshire, Wolfe, Wood, John D. Young, and Pierce M. B. Young—100.

NAYS—Messrs. Albert, Albright, Barber, Barrere, Biery, Bradley, Buffinton, Bundy, Burchard, Burrows, Cannon, Canon, Amos Clark, Jr., Stephen A. Cobb, Coburn, Corwin, Danford, Dawes, Donnan, Dunnell, Eames, Farwell, Fort, Foster, Frye, Garfield, Gooch, Gunckel, Benjamin W. Harris, John B. Hawley, Gerry W. Hazelton, Hendee, E. Rockwood Hoar, George F. Hoar, Holman, Hoskins, Hubbard, Hunter, Hurlbut, Hyde, Kasson, Lampport, Lawrence, Lawson, Leland, Loughridge, Lowe, Lowndes, MacDougall, Merriam, Monroe, Moore, O'Neill, Orr, Orth, Packard, Packer, Isaac C. Parker, Phillips, Pierce, Thomas C. Platt, Poland, Ray, Rice, Ellis H. Roberts, Ross, Rusk, Sawyer, Henry B. Saylor, Milton Saylor, Seafield, Henry J. Scudder, Sessions, Lazarus D. Shoemaker, Small, Smart, H. Boardman Smith, John Q. Smith, Southard, Sprague, Starkweather, St. John, Stone, Strait, Todd, Tyner, Jasper D. Ward, Marcus L. Ward, Charles W. Willard, George Willard, William B. Williams, James Wilson, and Woodworth—93.

NOT VOTING—Messrs. Averill, Banning, Barnum, Bass, Begole, Berry, Burleigh, Roderick R. Butler, Cain, Freeman Clarke, Clayton, Clements, Clinton L. Cobb, Conger, Cotton, Creamer, Crocker, Crooke, Curtis, Darrall, Davis, DeWitt, Dobbins, Eden, Elliott, Field, Eugene Hale, Robert S. Hale, Hamilton, Harmer, John T. Harris, Hathorn, Hays, John W. Hazelton, Hereford, Hersey, Hooper, Howe, Jewett, Kelley, Kellogg, Killinger, Lamar, Lamson, Lansing, Lewis, Marshall, Martin, Maynard, McCrary, James W. McDill, McJunkin, Mellish, Morey, Myers, Page, Parsons, Pendleton, Phelps, Pike, James H. Platt, Jr., Potter, Pratt, Rapier, Richmond, Robbins, William R. Roberts, James C. Robinson, James W. Robinson, John G. Schumaker, Isaac W. Scudder, Shanks, Sheldon, Sherwood, A. Herr Smith, George L. Smith, William A. Smith, Speer, Standiford, Stephens, Storm, Stowell, Strawbridge, Sypher, Taylor, Charles R. Thomas, Townsend, Waddell, Waldron, Wheeler, White, Wilber, Charles G. Williams, John M. S. Williams, Ephraim K. Wilson, Jeremiah M. Wilson, and Woodford—97.

So (two-thirds not voting in favor thereof) the rules were not suspended.

During the roll-call the following announcements were made:

Mr. HAZELTON, of Wisconsin. I desire to state that my colleague, Mr. WILLIAMS, is absent by leave of the House on account of sickness in his family; if here he would vote "no."

Mr. BURROWS. I desire to state that my colleague, Mr. BEGOLE, is absent; if here he would vote "no."

ORDER OF BUSINESS.

The SPEAKER. The hour of two o'clock having arrived, this being the third Monday of the month, by a rule of the House lately adopted, the Committee on the District of Columbia is entitled to the floor.

Mr. COTTON. Several gentlemen have asked me to yield for propositions which would give rise to no debate.

JOSEPH WHEELER.

Mr. SLOSS, by unanimous consent, introduced a bill (H. R. No. 3406)

to relieve Joseph Wheeler, of Lawrence County, in the State of Alabama, from all legal and political disabilities; which was read three times and passed, two-thirds voting in favor thereof.

ARBITRATION.

Mr. SMITH, of New York, by unanimous consent, submitted the following resolution; which was read, and referred to the Committee on Foreign Affairs, with leave to report at any time:

Resolved, That the President is requested by this House to provide in future treaties between the Government of the United States and foreign powers, whenever practicable, that war shall not be declared by either of the contracting powers against the other until an effort shall have been first made to settle the alleged cause of offense by impartial arbitration.

SCHOONER JACOB FAITHFUL.

Mr. NEGLEY, by unanimous consent, introduced a bill (H. R. No. 3407) to change the name of the schooner Jacob Faithful to the Eyvoo; which was read three times, and passed.

ORDER OF BUSINESS.

Mr. RANDALL. I ask unanimous consent that the Committee on the Judiciary have leave to report at any time upon the bill referred to-day to them, fixing the time for the congressional election in Pennsylvania for the Forty-fourth Congress.

No objection being made, it was so ordered.

Mr. BUTLER, of Massachusetts. I ask unanimous consent that the Committee on the Judiciary may have Saturday next, after one hour from the reading of the Journal, to make reports. We have a large number of bills relating to courts and other matters before us, and it is very necessary that we should have an opportunity to report upon them.

Mr. ELDREDGE. I hope the gentleman will fix on some other day than Saturday. I have some reports to make, but I cannot be here Saturday morning.

Mr. BUTLER, of Massachusetts. We will be antagonized by special orders on any other day.

Mr. ELDREDGE. Take some day next week.

Mr. BUTLER, of Massachusetts. I will say Tuesday of next week.

Mr. DAWES. I do not want to antagonize the Committee on the Judiciary, but they have already had three days, one extra.

Mr. POLAND. O, no.

Mr. DAWES. They have had two days, and leave to report at any time on several subjects. What I desired to say was this: I will not oppose this proposition, but I must ask privilege for the Committee on Ways and Means to report some day on matters not privileged; say Tuesday of next week.

Mr. BUTLER, of Massachusetts. That committee is next in call, is it not?

Mr. DAWES. I know we are, and we have been for three weeks.

Mr. BUTLER, of Massachusetts. Why not bring in your reports, then?

Mr. DAWES. Because the business of the House has been such that I could not force a morning hour.

The SPEAKER. It is very difficult at this period of the session, with the number of reports authorized to be made at any time and the privileged reports, to force a morning hour.

Mr. DAWES. I have been trying to force a morning hour for the Committee on Ways and Means for three weeks. I would like to have Tuesday of next week for our committee.

Mr. RANDALL. If your committee is next to be called, why not take to-morrow?

Mr. DAWES. Unfinished business will come up then, immediately after the reading of the Journal.

Mr. BUTLER, of Massachusetts. I ask next Saturday for the Committee on the Judiciary.

Mr. ELDREDGE. I must object.

Mr. BUTLER, of Massachusetts. Then I will say Friday.

Mr. ELDREDGE. Let next Tuesday be fixed for the Committee on the Judiciary. I think we should have a day as early as that.

The SPEAKER. Say Tuesday of next week for the Committee on Ways and Means, and Wednesday of next week for the Committee on the Judiciary.

Mr. ELDREDGE. Very well; I will agree to that.

No objection being made, it was so ordered.

Mr. COBURN. I ask unanimous consent that Saturday next, one hour after the reading of the Journal, be set apart for reports from the Committee on Military Affairs. We have had no opportunity to report for some time, and have a great deal of business before us.

No objection being made, it was so ordered.

L. L. LOMAX.

Mr. HUNTON. I ask unanimous consent to introduce for consideration at this time a bill to remove the disabilities of L. L. Lomax, of Virginia.

Mr. MAYNARD. What is the use of peddling out amnesty in this way? We passed a general amnesty bill and sent it over to the Senate; and I trust it will be acted upon. It seems to me invidious to take up individual cases in this way. I have no doubt this is as meritorious a case as any.

Mr. HUNTON. I hope the gentleman will not object.

Mr. MAYNARD. I do not like to object to this bill. I introduced the original bill and favor it. Gentlemen around me make suggestions

privately which I am not at liberty to mention publicly so as to go upon the record why this bill should pass. I will not object to it.

No objection being made, the bill (H. R. No. 3408) was introduced, read three times, and passed; two-thirds voting in favor thereof.

STAMPING OF UNSTAMPED DOCUMENTS.

Mr. WHITELEY. I ask unanimous consent to put on its passage at this time a bill to provide for the stamping of unstamped instruments, documents, and papers.

The bill was read.

Mr. G. F. HOAR. I hope the gentleman from Georgia [Mr. WHITELEY] will modify his motion so that the bill may come before the House for consideration.

The SPEAKER. That can be done only by unanimous consent.

Mr. WHITELEY. Would it be in order to move to suspend the rules and pass the bill?

The SPEAKER. It would not.

Several members called for the regular order.

The SPEAKER. The regular order being called for, the House proceeds to the consideration of reports from the Committee on the District of Columbia.

BRIDGE OVER ANACOSTIA RIVER.

Mr. ELDREDGE. I am instructed by the Committee on the District of Columbia to report a bill (H. R. No. 3409) to authorize and provide for the construction of a substantial iron and masonry bridge and of a causeway across the Anacostia or Eastern Branch of the Potomac at or near the site of the present navy-yard bridge. I suppose this bill will be subject to the objection that it makes an appropriation. If the House desires to send it to the Committee of the Whole, of course it will go there. But I ask for the reading of the report as well as the bill.

The bill was read. It directs the Secretary of War to cause to be constructed across the Anacostia River, at or near the present navy-yard bridge, an iron bridge and causeway; and it appropriates \$146,000 for this purpose; but the Secretary of War is not to expend any money for the building of this bridge unless he shall first satisfy himself that the same can be built for the sum appropriated in the bill.

Mr. ELDREDGE. I ask for the reading of the report.

Mr. WILLARD, of Vermont. I suppose that this bill is subject to a point of order.

Mr. ELDREDGE. I suppose the point of order will lie, if the gentleman insists on it. But I would like to have the report read.

Mr. HOLMAN. The reading of the report will not waive the point of order.

The SPEAKER. Of course not.

The Clerk read the report. It states that the committee have had under consideration the memorial of certain citizens of the United States respecting the necessity for rebuilding the Government bridge near the navy-yard across the Anacostia River, as reported by the committee at some length in a report of the present session. The committee report that they have not changed their opinion as to the necessity for Congress making a sufficient appropriation to rebuild said bridge. But in view of the expression of the House on a former occasion that the sum heretofore recommended was too great, the committee have caused a careful survey and estimate to be made for a less expensive bridge than then recommended; and they now recommend to the House the passage of the accompanying bill, which provides for an appropriation sufficient for the erection of a substantial iron structure supported by stone piers resting upon piles to be constructed substantially in accordance with the plan dated April 18, 1874, and explanatory letter now before the committee. According to the plan and report, the details and items of expense as estimated by John A. Partridge, civil engineer, will be as follows:

Bridge superstructure of wrought iron as per plan attached; seven spans, each one hundred and twenty-five feet long, having clear roadway twenty-four feet wide, and with footway on each side; flooring of oak plank; the bridge to be sixty feet above mean low tide at channel.

Piers and abutments of stone masonry upon foundations of piles and timber; foundations to be protected by loose rubble-stone placed in and around the piles; timber to be placed one foot below low water.

Causeway of earth-work having gravel roadway thirty feet wide between curbstones with brick sidewalks and paved gutters; the slopes of causeway to be faced with stone walls resting upon rubble foundations, to be extended four hundred and seventy-five feet beyond the end of present causeway.

Estimated cost of bridge and causeway.

Iron bridge superstructure, 875 linear feet, \$74 a foot.....	\$64,750
Stone masonry in piers and abutments, including foundations.....	30,196
New causeway, including slope walls.....	36,100
Old causeway reconstructed.....	5,850
Washington approach, foot of Eleventh street.....	1,950
Contingent expenses—superintending, engineering, &c.....	6,848
Total cost.....	145,694

This plan is the result of careful examination and estimates by a competent civil engineer, and accompanying the report is the offer by a responsible bridge-builder to construct it for the sum named in the bill, to wit, \$146,000.

The ownership of the present bridge being in the United States its importance to the Government as the channel of supply for its Insane Institution and its forts, and the present dangerous condition of the old decayed structure, as well as the general advantage to the people at large, impel the committee to urge strongly some favorable action at the present session of Congress.

Mr. ELDREDGE. If any gentleman makes the point of order, of course this will have to go to the Committee of the Whole on the state of the Union. I hope, however, gentlemen are prepared to consider the bill now. It is a most important matter. This bridge is in a dangerous condition. I should for one, knowing what I do in regard to it, feel reluctant to take the responsibility of this bridge falling, and the destruction of human life which might follow as a consequence. I hope gentlemen will consider it now. If gentlemen do make the point of order, I ask that the report be printed so we may have it before the House.

The SPEAKER. The effect of the Committee on the District of Columbia having Monday instead of Friday suggests some intimations in regard to the present rule which may be important. The regular time for receiving reports from the Committee on the District of Columbia, although on Monday, yet the Chair would hold a motion to suspend the rules would not apply to such reports, but the committee would have to take its opportunity to move to suspend the rules on some other Monday, as any other committee.

Mr. WILLARD, of Vermont. Could they not have the opportunity to suspend the rules by a two-thirds vote?

The SPEAKER. This day being fixed for the reception of regular reports from the Committee on the District of Columbia, the Chair would hold that under the rule the committee could not take advantage of reporting on Monday to move to suspend the rules.

Mr. RANDALL. It was not contemplated when the rule was changed that the committee should have the power to move to suspend the rules while making their regular reports on Monday.

The SPEAKER. As the gentleman from Pennsylvania states, that was not in contemplation when the change was made.

Mr. ELDREDGE. The report presents the case to the House and the responsibility is on them. I of course know the point of order sends the report to the Committee of the Whole on the state of the Union. The House, however, must be judge of the propriety of doing that.

Mr. NEGLEY. I suggest to the gentleman from Wisconsin to move to refer the bill to the Committee on Commerce. That committee has had control of the construction of bridges over navigable streams.

Mr. ELDREDGE. The gentleman from Pennsylvania well knows that to refer it to the Committee on Commerce would be simply to defeat the bill.

Mr. HOLMAN. I insist on the point of order.

The SPEAKER. The point of order being made, the bill goes to the Committee of the Whole on the state of the Union.

Mr. ELDREDGE. I ask that the bill and report be printed.

The motion was agreed to.

The SPEAKER. The same rule applies which applied heretofore where a bill is reported from the Committee on the District of Columbia, and the point of order being made it is referred to the Committee of the Whole on the state of the Union. If the House goes into committee on that day it will be the first bill in order, so that it gives the Committee on the District of Columbia the opportunity, if they choose, to consider it on that day.

GEORGE F. RIDER.

Mr. RIDER. I am instructed by the Committee on the District of Columbia to report back a bill (H. R. No. 2606) for the relief of George F. Rider, and to move that it be referred with the accompanying papers to the Committee on Claims.

The motion was agreed to.

COLUMBIA RAILWAY COMPANY.

Mr. RIDER, from the same committee, reported back a bill (H. R. No. 3154) amendatory of the act to incorporate the Columbia Railway Company of the District of Columbia, approved May 24, 1871, with the recommendation that it do pass with an amendment.

The bill was read. The first section provides that the act to incorporate the Columbia Railway Company of the District of Columbia, approved May 24, 1871, be, and the same is thereby, amended so as to extend the rights under said charter giving the said company the right and power to lay down a single or double track railway, with the necessary switches and turnouts, on, through, and along the following avenues, streets, and highways in the city and county of Washington, in the District of Columbia, subject to all the provisions and regulations of the original charter and amendments thereto, commencing at the eastern terminus of Maryland avenue, now the eastern terminus of said company; thence along Maryland avenue westwardly to its intersection with North B street; thence along North B street to its intersection with North Capitol street; thence along North Capitol street northwardly to its intersection with H street north, with the right to run public carriages thereon drawn by horse-power.

The second section provides that should a majority of the stockholders so elect at any time within three years after the completion of said extension of said railway as is hereinbefore provided, the said

company shall have the right to extend said road, either with a single or double track, with the necessary switches and turnouts, along the line of North Capitol street from its intersection with H street north to its intersection with Lincoln avenue, in the county of Washington; thence along Lincoln avenue to its intersection with the county road leading to the Old Soldiers' Home, thence along said county road to the gate at said Old Soldiers' Home, receiving therefor a rate of fare not exceeding five cents a passenger for any distance on said extension of said road; the carriages on the extension of said road or roads to be propelled either by horse-power or any accepted improved noiseless propelling power that may meet the approval of the authorities of the District of Columbia.

The third section provides that section 9 of the original act to incorporate the Columbia Railway Company be, and the same is hereby, amended so that the capital stock of said company shall not be less than \$100,000 nor more than \$800,000.

The fourth section provides that said Columbia Railway Company shall have the right of running on and over the tracks of any other company (with their carriages) that may have tracks laid on any of the avenues, streets, or highways along the route hereby granted, provided said Columbia Railway Company pay to any company (that may have their tracks laid down and being used by them) a reasonable portion of the cost of laying down and keeping said track so used by said Columbia Railway Company in good order and repair.

The fifth section provides that all acts and parts of acts heretofore passed which are inconsistent with any of the provisions of the act be, and the same are, for the purposes of the act, hereby repealed so far as the same are inconsistent therewith.

Mr. RICE. I am instructed by the committee to move the following amendment to that bill.

The Clerk read as follows:

Add at the end of section 5:
Provided, This act may be altered, amended, or repealed by the Congress of the United States.

The amendment was adopted.

Mr. WILLARD, of Vermont. I notice this bill provides for the repealing of all acts which may conflict with this act. Now what will be the effect of that repealing clause? Why should there be any such provision included at all? If there be no necessity for such a provision in the bill it ought not to be there. It may repeal the charter and privileges of some other railroad. I hope the gentleman from Illinois will state the necessity for any such clause in the bill.

Unless the gentleman can give some reason why that last section should be in the bill, I move to strike it out with the exception of the proviso just adopted.

Mr. RICE. I have no objection to that whatever.

The amendment of Mr. WILLARD, of Vermont, to strike out the last section, with the exception of the proviso, was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. RICE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

DEFECTIVE TITLES IN THE DISTRICT.

Mr. LOFLAND, from the Committee on the District of Columbia, reported as a substitute for House bill No. 2511 a bill (H. R. No. 3410) to cure defective titles in the District of Columbia; which was read a first and second time.

The bill was read. It provides that the title to all real property lying and situate in the District of Columbia which has vested in the United States by escheat *per defectum sanguinis*, in cases of persons heretofore held in slavery, be, and the same is thereby, vested in the children of such persons and in the descendants of such children, if deceased; and such children are thereby capacitated to inherit one from the other or others, in the same manner and to the same extent as if born in lawful wedlock.

The bill in its second section provides that whenever conveyances have been made by any person or persons having defective blood as aforesaid, the party or parties purchasing under such conveyances, their heirs and assigns, shall have the same title under the law as the grantors in such conveyance, would have had or could have acquired under the act.

Mr. HOLMAN. I hope there will be some explanation of the bill.

Mr. LOFLAND. Mr. Speaker, I will say in explanation of this bill that the common-law doctrine prevails in the District that whenever a party died intestate seized of real estate, leaving no heirs, the estate of such person escheated to the United States. Now, under the law, slaves were not allowed to contract marriage, and consequently their children being born out of wedlock had no inheritable blood, and though free themselves could not inherit from each other. The United States never availed itself of this law, and the property acquired by former slaves remains in the main in the possession of their children, though the legal title is in the Government. But if some person, having no title whatever, was to get into possession, an action of ejectment would not lie on the part of the children of such slaves, because the title being in the Government it would only be necessary for the defendant in such action to plead this fact

to defeat the recovery of the claimant, as the claimant would necessarily be compelled to recover on the strength of his own title. This bill is intended to cure this defect. I move the previous question on the engrossment and third reading of the bill.

Mr. HOLMAN. I ask that the bill may be again read.

The bill was again read.

Mr. WILLARD, of Vermont. I do not know how much attention the committee may have given to this bill. But it occurs to me that this is a bill very important both in the amount of property that may possibly be affected by it and also in the principle which the bill seeks to establish. And it occurs to me that the bill ought to have the consideration of the Judiciary Committee. I do not desire to antagonize the bill, so far as its future operation is concerned, so far as it provides that the persons of defective blood spoken of here may convey property hereafter, or that their descendants may inherit property. But this is retroactive in its operation, and there is no statement here to show what property may be affected by it, what titles may be disturbed by it, or in what way this is going to operate. Without meaning to antagonize the bill directly, it occurs to me that it should have the consideration of the Judiciary Committee. Unless therefore there is some immediate necessity that the bill should pass—and that I cannot see—I would move that it be referred to the Committee on the Judiciary.

Mr. CHIPMAN. Will the gentleman from Vermont allow a letter in relation to the necessity for the bill to be read?

Mr. ARCHER. I ask the gentleman from Delaware if the bill is open to amendment? I think there ought to be some provision in it that it should not affect cases now pending.

Mr. SCHUMAKER, of New York. Where does this bill come from?

The SPEAKER. It is reported by the Committee on the District of Columbia.

Mr. SCHUMAKER, of New York. I think it is certainly very extraordinary that a bill of this nature should come from the Committee on the District of Columbia. Such a bill as this should come from the Committee on the Judiciary, and I think there can be no question about the propriety of its being referred to that committee.

The SPEAKER. That motion would be in order if the House should refuse to second the demand for the previous question.

Mr. HOLMAN. I hope that the gentleman from Delaware will consent that the bill shall be referred to the Committee on the Judiciary.

Mr. G. F. HOAR. I understood the Delegate from the District to ask for the reading of a letter. Let that letter be read.

Mr. CHIPMAN. I presume there is no necessity for the immediate passage of the bill, and there can be no objection to the Judiciary Committee examining the question; but I ask that a letter, on which the bill is based, sent here by an attorney at law, be read, that it may go into the RECORD along with the argument of the gentleman who reported the bill.

The Clerk read as follows:

WASHINGTON, D. C., March 7, 1874.

DEAR SIR: I inclose herewith a draught of bill I spoke to you about two weeks ago. The bill necessarily assumes the concession of two legal propositions, to wit: First, that if a person dies seized of lands in the District of Columbia intestate and without leaving heirs, the land escheats to the United States; second, that slaves cannot contract a valid marriage, and hence that children of slave parents, even if free themselves, cannot inherit from each other, not having inheritable blood. These two propositions cannot well be controverted. For the first see Greenleaf's Cruise, (volume 3, page 198, *in note* and cases there cited); Hall vs. Gittings, (2 Howard, 112,) and Sewell vs. Lee, (9 Massachusetts.) For the second, see opinion of Daniel Dulaney in 1 Harris & McHenry, (appendix, page 539.)

The United States has merely the legal title to such property, and does not enjoy the possession which is controlled by the children of the persons heretofore slaves, or by the freedmen themselves. However, if any of them should be constrained to sue for the recovery of the possession, the defendant in ejectment can thwart the suit by showing title not in himself but in the United States, and then defeat the recovery. This, as you see, is very unjust. The colored people should have a remedy, and this act gives it to them.

Hoping that you will introduce this bill, I am, truly yours,

GEO. F. APPLEBY.

Hon. N. P. CHIPMAN.

The SPEAKER. The gentleman who has charge of the bill intimates that he has no objection to its being referred to the Committee on the Judiciary.

Mr. ARCHER. I ask to have the following amendment referred with it:

Add to the bill the following:

But nothing herein contained shall be considered to apply to any case now pending in any court of law or equity in said District.

The bill, with the amendment, was referred to the Committee on the Judiciary.

FOUNDRY METHODIST EPISCOPAL CHURCH.

Mr. HENDEE, from the Committee on the District of Columbia, reported back, with the recommendation that it do pass, the bill (H. R. No. 2738) for the relief of the Foundry Methodist Episcopal church, of Washington City.

The bill authorizes the trustees of the Foundry Methodist Episcopal church, of Washington, District of Columbia, to sell, for the benefit of said church, the following-described real estate, situate in said city, to wit, the east half of lot numbered 9, in square numbered 153.

Mr. HOLMAN. What has the Government to do with this matter?

Mr. HENDEE. This association was created by the Government and was authorized to acquire and hold real estate, but was not

authorized to sell it. They have sold this lot for the purpose of obtaining money to pay their debts, but the purchaser is not inclined to take the title without this act.

Mr. PELHAM. I would suggest, in addition to what the gentleman has said, that when the church was to be built some parties gave money and some subscribed property for the purpose of being sold, and this bill merely enables the intention of the men who subscribed real estate to be carried out.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. HENDEE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORPHAN ASYLUMS IN GEORGETOWN AND WASHINGTON.

Mr. PELHAM, from the Committee on the District of Columbia, reported a bill (H. R. No. 3411) to amend an act entitled "An act to incorporate the trustees of the Female Orphan Asylum in Georgetown, and the Washington City Orphan Asylum in the District of Columbia," approved May 24, 1824; which was read a first and second time.

The bill was read.

It provides that section 3 of the act to incorporate the trustees of the Female Orphan Asylum of Georgetown and the Washington City Orphan Asylum in the District of Columbia, approved May 24, 1823, be so amended as to authorize the said corporations or either of them to increase the annual income on the property acquired or to be acquired by either of said corporations, to a sum not exceeding \$25,000 per annum.

Mr. PELHAM. I desire to state for the information of the House that these orphan asylums were chartered in 1828 by an act of Congress. At that time there were very few inhabitants in Washington, and it was deemed that an income of \$3,000 per annum would be sufficient to take care of all the orphan children of the District and afford them shelter and temporary homes. But the city has increased to a great extent and the number of orphan children has increased in proportion to the population of the city, so that now an income of \$3,000 a year is insufficient to carry out the object of these institutions. The bill simply repeals the third section of the act chartering these institutions, which restricts them to an income of \$3,000 a year. They only ask to be allowed to increase their incomes to \$25,000 a year.

Mr. CHIPMAN. I would add that some bequests have been made to these asylums which cannot be accepted on account of the limitation in the original law.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. PELHAM moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

THE LONG BRIDGE.

Mr. COTTON. There have been referred to the Committee on the District of Columbia a number of petitions in relation to what is known as the Long Bridge and the draw in that bridge, and I am instructed by the committee to report a bill on the subject.

The bill (H. R. No. 3412) in relation to the bridge across the Potomac River used by the Baltimore and Potomac Railroad Company, was read a first and second time.

Mr. NEGLEY. I shall object to the consideration of this bill as coming from the Committee on the District of Columbia.

The bill was read. It requires the Baltimore and Potomac Railroad Company to remove obstructions from the channel and draw through the railroad bridge used by the said company across the Potomac River from Washington City to the State of Virginia, and to cause the channel through the said draw to be unobstructed to navigation for a width of at least sixty-six feet, and provides that in default of the said company complying with this requirement within three months after the passage of the bill, the right of the company to use the bridge shall be forfeited.

The second section requires the company to open the draw in said bridge day and night whenever called upon to do so by any steamer, sailing, or other craft, making the request for the same by signal or otherwise.

Mr. NEGLEY. I object to the consideration of this bill, because it did not properly belong to the Committee on the District of Columbia. This bridge is not wholly in the District, because the river is the boundary of the District.

The SPEAKER. The gentleman from Pennsylvania objects to the consideration of the bill.

Mr. NEGLEY. I move that it be referred to the Committee on Commerce.

The SPEAKER. The question of consideration must first be settled.

Mr. COTTON. Is that question debatable?

The SPEAKER. It is not.

Mr. COTTON. Within no limits?

The SPEAKER. It is not debatable at all.

Mr. DAWES. Was not this bill referred to the Committee on the District of Columbia?

Mr. COTTON. I ask unanimous consent to make a brief statement to the House.

Mr. NEGLEY. I have no objection, of course, to the gentleman making a statement.

Mr. COTTON. This bill relates to a bridge over which the Committee on the District of Columbia has always exercised jurisdiction, and it also relates to the Baltimore and Potomac Railroad which now occupies this bridge under a bill reported from the same committee. There have been referred to this committee petitions from Boston and many other northern cities, as well as from the boards of trade of Georgetown and other cities, and from many owners of vessels that navigate the Potomac River. After our committee had considered this matter for some two months, the gentleman from Illinois [Mr. RICE] prepared a bill to be introduced into this House to be printed and recommended. When he introduced that bill the gentleman from Pennsylvania, [Mr. NEGLEY,] who now makes objection, asked to have it referred to the Committee on Commerce. That was on the 17th of March last. The gentleman from Illinois [Mr. RICE] at that time objected to that reference. The gentleman from Pennsylvania said that if the bill could then be referred to his committee he would have it back before the House in time for action on the day set apart for the Committee on the District of Columbia, which was the Friday following. We wish to have some law passed on this subject, and therefore we now report this bill. I ask the Clerk to read the discussion which took place on the day the bill was introduced by the gentleman from Illinois [Mr. RICE] upon the question of referring it to the Committee on Commerce, to show what was then promised to be done in regard to it.

The Clerk read as follows:

NAVIGATION OF THE POTOMAC RIVER.

Mr. RICE, by unanimous consent, introduced a bill (H. R. No. 2543) to secure unobstructed navigation on the Potomac River; which was read a first and second time.

Mr. RICE. I move that the bill be referred to the Committee on the District of Columbia, and be ordered to be printed.

Mr. NEGLEY. The bill should be referred to the Committee on Commerce. It relates to the navigation of one of our rivers.

Mr. STARKWEATHER. Allow me to say to the gentleman from Pennsylvania [Mr. NEGLEY] that this bill refers to the obstruction to navigation by the Potomac bridge. Counsel and parties have been heard very fully on this subject before the Committee on the District of Columbia, and as the question has received a great deal of consideration from that committee, I hope that this bill will be referred to them.

Mr. NEGLEY. It is not my purpose at all to antagonize the bill; but I desire to reserve to the Committee on Commerce its rights in regard to the question of bridges upon the navigable streams of the United States.

Mr. RICE. This subject has been very fully considered by the Committee on the District of Columbia, and a report upon it has been prepared. It is the object of the committee to bring the bill before the House on Friday next and ask its passage, as the time has now arrived when the passage of such a measure is necessary, as every one must see who is acquainted with the subject.

Mr. NEGLEY. No legislation has been passed by this House for a number of years which has imposed so much hardship upon navigation interests as the construction of bridges across navigable streams. It has imposed on the sub-committee of the Committee on Commerce a labor few gentlemen in the House are aware of. I beg of gentlemen (and I make the request in no querulous mood) to allow the Committee on Commerce to offer their bills with such amendments as experience and the recommendation of the Engineer Department may propose.

Mr. STARKWEATHER. Allow me to say that the whole matter of obstruction in the Potomac River has been fully heard before the Committee on the District of Columbia. That committee has had eminent engineers before them. They have had witnesses and counsel before them. They have had a sub-committee appointed to consider the question in every point of view. That committee has been examining it for a month. It seems to me, therefore, that committee, with the report of engineers before them, having heard witnesses and counsel, having considered it, and being now ready to report, should have the consideration of the bill introduced by the gentleman from Illinois.

Mr. NEGLEY. Let the gentleman agree to the proposition I suggested, that this bill shall be referred now to the Committee on Commerce, and I will agree they shall consider it in time to act on it and make such disposition as their judgment may determine.

Mr. RICE. Then I understand there is no objection to the bill being referred to the Committee on Commerce.

The bill was referred to the Committee on Commerce, and ordered to be printed.

Mr. COTTON. We had jurisdiction of this matter, because these petitions had been referred to our committee. We now report this bill on the subject. On the 17th of March last, just two months ago to-day, the gentleman from Pennsylvania [Mr. NEGLEY] promised that if that bill was referred to the Committee on Commerce, they would have it back in time for us to act on it on the next District day, which was two days thereafter.

The question was upon considering the bill at the present time; and being taken, it was agreed to.

The question was upon ordering the bill to be engrossed and read a third time.

Mr. NEGLEY. I desire to say to the gentleman from Iowa [Mr. COTTON] that I am authorized to state that the officers of the Baltimore and Potomac Railroad Company are now making preparations for such changes as they are required by law to make and which the interests of commerce demand. The House will act upon this proposition in a very hasty manner if they force upon this company the execution of this law without a proper statement to the House as to its conditions and effect. I think there should be no haste in the passage of such a bill.

Mr. COTTON. There is no trouble about the bill at all.

Mr. NEGLEY. The railroad company intends to make all alterations which are required to protect the interests of commerce.

Mr. COTTON. I will explain this bill. The first law in regard to

a bridge over the Potomac at this point was passed July 14, 1832. It provided for the purchase by the United States of the old bridge at that time over the river, and appropriated a sum of money to construct a new bridge. It provided that the draw in the bridge should be sixty-six feet wide. Then, on the 13th of March, 1833, a further appropriation was made; and on the 30th of June, 1834, an act was passed reducing the appropriation and providing that the draw at the southern channel of the river (that is the draw to which the pending bill relates) should not be less than sixty-six feet wide, and the draw of the northern channel thirty-five feet wide. That was when the bridge was a Government bridge. On the 21st of June, 1870, Congress enacted the following:

That the Baltimore and Potomac Railroad Company be, and they are hereby, authorized and empowered to extend their lateral branch, authorized by the act to which this is a supplement, and by former supplements to said acts, by the way of Maryland avenue, conforming to its grade, to the viaduct over the Potomac River, at the city of Washington, known as the Long Bridge, and to extend their tracks over said bridge, and connect with any railroads constructed, or that may hereafter be constructed, in the State of Virginia. To effect these purposes the said Baltimore and Potomac Railroad Company are hereby authorized and empowered to take possession of, hold, change, and use the said bridge, and the draws connected therewith, in perpetuity free of cost: *Provided*, That the said Baltimore and Potomac Railroad Company will maintain in good condition the said bridge for railway and ordinary travel; and the bridge shall at all times be and remain a free bridge for public use for ordinary travel: *And provided further*, That the said Baltimore and Potomac Railroad Company shall erect and maintain the draw-bridges, so as not to impede the free navigation of the Potomac River, in efficient working condition at all times; and that until such time as the needful changes are made to accommodate railroad and other traffic, as contemplated by this supplement, it shall be the duty of the said Baltimore and Potomac Railroad Company to repair without delay all damages to the present bridge, and maintain it without cost to the United States: *Provided*, [That] said railroad company shall give other railroad companies the right to pass over said bridge upon such reasonable terms as may be agreed upon, or Congress prescribe.

SEC. 2. *And be it further enacted*, That if the said Baltimore and Potomac Railroad Company shall at any time neglect to keep said bridge in good repair, and free for public use for ordinary travel, the Government of the United States may enter into possession of the said bridge; and Congress reserves the right to alter or amend this law.

Under that provision Congress might no doubt require an enlargement of the draw; but we are informed that the draw is now obstructed by some piles; and this bill proposes to remove them. I ask that a letter from General Babcock in regard to the opening of this draw in the manner we recommend may be read.

The Clerk read as follows:

OFFICE OF PUBLIC BUILDINGS AND GROUNDS,
Washington, D. C., February 27, 1874.

GENTLEMEN: I have the honor to acknowledge the receipt of your communication of the 30th ultimo, relative to the draw of Long Bridge, and in reply to report as follows, namely:

1. The present draw of Long Bridge affords a water-way sixty-two feet wide in the clear. The law (see Statutes, volume 4, section 2, page 582, and section 2, page 727.) requires the draw to be not less than sixty-six feet wide.
2. By removing the fender (a line of piles driven along the south side of draw channel) a clear channel sixty-six feet in width, as required by law, can be secured.
3. To the best of my information the vessel requiring the widest channel-way is the Lady of the Lake, which measures from outside of wheel-houses fifty-eight feet. The other vessels passing through, propellers and sailing, have a width of beam varying from thirty-three feet to the smallest sized vessels.

I am, gentlemen, very respectfully, your obedient servant,

O. E. BABCOCK,

Colonel of Engineers, United States Army.

The COMMITTEE ON THE DISTRICT OF COLUMBIA,
House of Representatives.

Mr. COTTON. This bill proposes to remove those piles and open the draw sixty-six feet; and it is further provided that the bridge shall be opened during the night on signals from vessels as well as during the day-time.

Mr. MYERS. Not long ago I presented memorials from owners and masters of coasting-vessels interested in the navigation of the Potomac River, (among others the Vessel-Owners and Captains' Association of Philadelphia, the latter alone representing over \$12,000,000 of capital), stating the great risk and peril to vessels passing through this draw-bridge at the Virginia channel of the Long Bridge over the Potomac, and asking that Congress require said draw and bridge to be altered to accommodate the increasing trade; the water-way of the draw to be enlarged to the full legal width and the draw to be opened at any hour upon reasonable signal from vessels. This bill, which comes up unexpectedly to me, may be all right, but I wish to know whether these memorials have been considered and whether the bill embodies that which is so much desired by the petitioners in the interest of navigation and commerce.

Mr. COTTON. Some of the memorials ask for a draw of one hundred feet, which would necessitate the reconstruction of the bridge. The committee have gone only so far as to report a bill to remove the obstruction to the old channel and to provide that the draw shall be open by night as well as by day.

Mr. MYERS. Will that remove the ground of the complaints heretofore made?

Mr. COTTON. I believe the commissioners are satisfied with this measure; at least it is some improvement.

Mr. MYERS. A step in the right direction?

Mr. COTTON. Yes, sir; and it involves no trouble to the company. It does not affect the structure of the bridge, but provides for removing the piles which now, as General Babcock says, obstruct the channel.

Mr. MYERS. I am afraid the bill does not go far enough; but, as I understand the gentleman, it is all we can get at present.

Mr. COTTON. I call the previous question.

The previous question was seconded and the main question ordered; and under the operation thereof the bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. COTTON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. COTTON. There are no further reports from the Committee on the District of Columbia.

STAMPING OF UNSTAMPED DOCUMENTS.

Mr. WHITELEY. The gentleman from Massachusetts [Mr. G. F. HOAR] withdraws his objection to the bill which I asked to have passed a short time ago, to provide for the stamping of unstamped instruments, documents, or papers.

The SPEAKER. The bill will be again read.

The bill was read. It provides that all instruments, documents, and papers heretofore made, signed, or issued, and subject to a stamp duty or tax under any law heretofore existing and remaining unstamped, may be stamped by any person having an interest therein, or, where the original is lost, a copy thereof, at any time prior to the 1st of January, 1866. And said instruments, documents, and papers, and any record thereof, shall be as valid to all intents and purposes as if stamped when made, signed, or issued; but no right acquired in good faith before the stamping of such instrument, document, or paper, or copy thereof, shall in any manner be affected by such stamping as aforesaid.

Mr. HOLMAN. It is quite manifest that this is a very proper measure; but I would suggest the propriety of inserting 1878 instead of 1876.

The SPEAKER. If there be no objection that modification will be made, and the bill as thus modified will be passed.

There was no objection; and the bill (H. R. No. 3413) was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. WHITELEY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

DISTURBANCES IN ARKANSAS.

Mr. POLAND. I move to suspend the rules and adopt the following resolution:

Resolved, That a select committee of five members be appointed by the Speaker who shall be charged with the duty of inquiring into the disturbed condition of governmental affairs in the State of Arkansas, and to ascertain whether said State has a government republican in form, the officers of which are duly elected, and as now organized under the Constitution ought to be recognized by the Government of the United States; and for this purpose said committee may proceed to said State, send for persons and papers, employ a stenographer, and have leave to report at any time by bill or otherwise.

The question being taken on seconding the motion to suspend the rules, there were—ayes 64, noes 48; no quorum voting.

Tellers were ordered; and Mr. POLAND and Mr. RANDALL were appointed.

The House divided; and the tellers reported—ayes 86, noes 64.

So the motion to suspend the rules was seconded.

The question recurring on the motion to suspend the rules,

Mr. RANDALL called for tellers.

Mr. WILLARD, of Vermont. We may as well have the yeas and nays at once. I call for them.

The yeas and nays were ordered.

Mr. NIBLACK. Will the gentleman from Vermont consent to include South Carolina in his resolution?

The SPEAKER. That can only be done by unanimous consent.

Mr. NIBLACK. It needs it quite as much as Arkansas.

Mr. RANDALL. It would not hurt to have Louisiana in.

The question was taken; and decided in the negative—yeas 93, nays 105, not voting 92; as follows:

YEAS—Messrs. Albert, Averill, Barber, Barrere, Barry, Bradley, Bromberg, Bundy, Benjamin F. Butler, Roderick R. Butler, Cain, Cason, Cessna, Amos Clark, jr., Clements, Stephen A. Cobb, Coburn, Cotton, Crounse, Crutchfield, Dobbins, Donnan, Dunnell, Farwell, Fort, Foster, Freeman, Gooch, Gunckel, Benjamin W. Harris, Harrison, Havens, John B. Hawley, Hays, Gerry W. Hazelton, Hodges, Hoskins, Houghton, Hubbell, Hunter, Hurlbut, Hynes, Kasson, Lampont, Lawrence, Lawson, Loughbridge, Maynard, Alexander S. McDill, McNulta, Moore, Morey, Myers, Negley, Orr, Orth, Packard, Packer, Isaac C. Parker, Pendleton, Poland, Rainey, Rapier, Ray, Ross, Sawyer, Henry J. Scudder, Isaac W. Scudder, Sener, Shanks, Sheats, Sheldon, Sloan, A. Herr Smith, George L. Smith, H. Boardman Smith, Snyder, Sprague, Stuard, Starkweather, St. John, Stowell, Sypher, Todd, Tremain, Tyner, Waldron, Wallace, Walls, Jasper D. Ward, Whiteley, Wilber, and Jeremiah M. Wilson—93.

NAYS—Messrs. Adams, Archer, Arthur, Ashe, Atkins, Bass, Beck, Bell, Blount, Bowen, Bright, Brown, Buffinton, Burchard, Burrows, Caldwell, Cannon, John B. Clark, jr., Clymer, Comingo, Cook, Corwin, Crittenden, Crossland, Danford, Daves, Durham, Eden, Eldredge, Giddings, Glover, Eugene Hale, Robert S. Hale, Hamilton, Hancock, Henry R. Harris, Hatcher, Joseph R. Hawley, Hendee, Herndon, E. Rockwood Hoar, Holman, Hunton, Hyde, Kellogg, Kendall, Lansing, Leach, Lofland, Lowe, Lowndes, Magee, McCrary, James W. McDill, MacDougall, McLean, Merriam, Milliken, Mills, Mitchell, Monroe, Morrison, Niblack, O'Brien, Hosea W. Parker, Parsons, Perry, Pierce, Thomas C. Platt, Pratt, Randall, Rice, Ellis H. Roberts, James C. Robinson, Rusk, Henry B. Sawyer, Scofield, Sessions, Sloss, J. Ambler Smith, John Q. Smith, Southard, Stone, Strait, Swann, Christopher Y. Thomas, Thornburgh, Vance, Waddell, Marcus L. Ward, Wells, Whitehead, Whitehouse,

Whitthorne, Charles W. Willard, George Willard, William Williams, William B. Williams, Willie, Wilshire, James Wilson, Wood, Woodworth, John D. Young, and Pierce M. B. Young—105.

NOT VOTING—Messrs. Albright, Banning, Barnum, Begole, Berry, Biery, Bland, Buckner, Burleigh, Freeman Clarke, Clayton, Clinton L. Cobb, Conger, Cox, Creamer, Crocker, Crooke, Curtis, Darrall, Davis, DeWitt, Duell, Eames, Elliott, Field, Frye, Garfield, Hagans, Harmer, John T. Harris, Hathorn, John W. Hazelton, Hereford, Hersey, George F. Hoar, Hooper, Howe, Jewett, Kelley, Killinger, Knapp, Lamar, Lamison, Lewis, Luttrell, Lynch, Marshall, Martin, McJunkin, McKee, Mellish, Neal, Nesmith, Niles, Nunn, O'Neill, Page, Pelham, Phelps, Phillips, Pike, James H. Platt, jr., Potter, Purman, Ransier, Read, Richmond, Robbins, William R. Roberts, James W. Robinson, Milton Saylor, John G. Schumaker, Sherwood, Lazarus D. Shoemaker, Small, Smart, William A. Smith, Speer, Standiford, Stephens, Storm, Strawbridge, Taylor, Charles R. Thomas, Townsend, Wheeler, White, Charles G. Williams, John M. S. Williams, Ephraim K. Wilson, Wolfe, and Woodford—92.

So (two-thirds not having voted in favor thereof) the rules were not suspended.

During the vote,

Mr. VANCE said: I am requested to state to the House by Mr. WHITE, of Alabama, that he is absent on account of sickness.

The vote was then announced as above recorded.

DISTRICT OF COLUMBIA INVESTIGATION.

Mr. WILSON, of Indiana. I ask unanimous consent of the House that the joint committee to investigate into the affairs of the District of Columbia be allowed to report at any time for consideration in the House.

There was no objection, and it was ordered accordingly.

EVENING SESSION FOR DEBATE.

Mr. NIBLACK. I am requested by several gentlemen who wish to speak to move that to-morrow evening a session be held for debate only, no business whatever to be transacted.

There was no objection, and it was ordered accordingly.

BUDD'S INLET AND PUGET SOUND.

Mr. HOSKINS. I ask unanimous consent to have put on its passage at this time the bill (S. No. 253) to authorize the county commissioners of Thurston County, Washington Territory, to issue bonds for the purpose of constructing a railroad from Budd's Inlet to Puget Sound, to intersect the Northern Pacific Railroad at or near Tinino.

Mr. PARSONS. I object.

SOLDIERS' BOUNTIES.

Mr. WARD, of New Jersey. I move to suspend the rules for the purpose of passing a bill granting bounties to the heirs of soldiers who enlisted in the service of the United States during the war for the suppression of the rebellion for a less period than one year, and who were killed or who have died by reason of such service.

The bill, which was read, provides that the heirs of any soldier who was killed or died while in the military service of the United States, in the line of duty during the war for the suppression of the rebellion whose period of enlistment was for less than one year, or who shall have since died by reason of wounds received or disease contracted while in such service, shall be entitled to receive the same bounty as if said soldier had enlisted for three years, provided the heirs so entitled shall be such only as are named and in the order named and upon the same conditions mentioned in the first section of the act of July 11, 1862; and provided further that nothing in the act shall authorize the payment on account of any soldier who has received bounties from the Government of the United States.

Mr. HOLMAN. I trust the gentleman from New Jersey will use the words "for one year or for a less period," otherwise it will cut out quite a number.

Mr. COBURN. This whole subject has been before the Committee on Military Affairs. They have a bill ready to report covering these and all other possible cases, and have leave to report on next Saturday. It would be an act of injustice therefore to that committee, having thoroughly considered the matter, to attempt to pass this bill in this shape at this time.

Mr. WARD, of New Jersey. The gentleman is mistaken in reference to this being the same bill.

Mr. COBURN. It is not the same bill, but the bill of the committee covers this subject as well as all other cases of the kind.

Mr. HAWLEY, of Illinois. The very fact that this is not like the bill which the committee is to report is the reason why it ought not to pass.

Mr. MYERS. The motion is only that the bill be brought before the House for consideration.

Mr. HAWLEY, of Illinois. The Committee on Military Affairs have considered this subject carefully, and a day has been set apart for the consideration of the bill they are prepared to report. This is certainly a matter of too much importance to be passed in this way under a suspension of the rules.

Mr. MYERS. The gentleman makes a mistake. As I understand the motion of the gentleman from New Jersey, it is not for the passage of the bill under a suspension of the rules, but to bring it before the House for consideration.

The question being taken on seconding the motion to suspend the rules, there were—ayes 41, noes 81; no quorum voting.

Mr. WARD, of New Jersey. I ask for further count.

The SPEAKER. A quorum not having voted, the Chair will order tellers; and appoints the gentleman from New Jersey, Mr. WARD, and the gentleman from Indiana, Mr. COBURN.

The House again divided; and the tellers reported ayes 50, noes not counted.

So the motion to suspend the rules was not seconded.

REPORTS OF POST-OFFICE COMMITTEE.

Mr. CANNON, of Illinois. I now renew my request that one hour be assigned to the Committee on the Post-Office and Post-Roads on Saturday week after the reading of the Journal.

The SPEAKER. The Chair is reminded that on Saturday week the House will probably not be in session, as it is the 30th of May, decoration day.

Mr. CANNON, of Illinois. Then I will say Friday, the 29th.

The SPEAKER. That will be objection day.

Mr. CANNON, of Illinois. Then I ask that Saturday, the 6th of June, be assigned to the committee.

Mr. WILLARD, of Vermont. I shall not object to that arrangement being made, provided it is accompanied with the condition that the committee shall not report a bill reviving the franking privilege in whole or in part.

Mr. BUTLER, of Massachusetts. I desire to make a parliamentary inquiry. Cannot a bill to repeal the law abolishing the franking privilege be moved as an amendment to the amendment to the post-office appropriation bill made in order by the resolution adopted this morning?

The SPEAKER. The Chair thinks it can.

Mr. BUTLER, of Massachusetts. Then we are all right.

Mr. MYERS. That is the reason I voted for it.

The SPEAKER. Is there objection to the arrangement proposed by the gentleman from Illinois.

Mr. HALE, of New York. I object if there is to be any limitation.

Mr. WARD, of Illinois. I object absolutely.

Mr. CANNON, of Illinois. Then I move to suspend the rules.

The SPEAKER. The question is on seconding the motion so to suspend the rules that Saturday, the 6th of June, one hour after the reading of the Journal, shall be assigned to reports from the Committee on the Post-Office and Post Roads.

The question being taken, there were—ayes 103, noes 43.

So the motion was seconded, and (two-thirds having voted in favor thereof) the rules were suspended and the order was made.

RECONSIDERATION.

Mr. BUTLER, of Massachusetts. I move that all votes by which the several orders for the assignment of business have been made today be reconsidered, and I also move to lay on the table the motion to reconsider.

The latter motion was agreed to.

POSTAGE ON PRINTED MATTER.

Mr. CANNON, of Illinois, from the Committee on the Post-Office and Post-Roads, reported a bill (H. R. No. 3414) to provide for the prepayment of postage on printed matter, and for other purposes; which was read a first and second time, recommitted to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

RAILROAD FROM BUDD'S INLET TO TENINO.

Mr. HOSKINS. I move to suspend the rules and pass the bill (S. No. 253) to authorize the county commissioners of Thurston County, in Washington Territory, to issue bonds for the purpose of constructing a railroad from Budd's Inlet, Puget Sound, to intersect the Northern Pacific Railroad at or near Tenino.

The bill provides that the county commissioners of Thurston County, in Washington Territory, be, and they are thereby, authorized and empowered to contract with any legally authorized corporation or individuals, to construct and equip a railroad from Budd's Inlet, Puget Sound, to connect with the Northern Pacific Railroad at or near Tenino, all in the said county of Thurston, and to issue bonds of Thurston County in aid thereof, which bonds shall bear interest not exceeding 10 per cent. per annum, and the principal thereof shall not exceed in amount 10 per cent. of the value of the taxable property of said county of Thurston as legally assessed for territorial taxation, and shall not in any event exceed in the aggregate \$200,000, notwithstanding this sum may be less than 7 per cent. of such taxable valuation; and any such bonds issued in excess of said 7 per cent. of the territorial taxable valuation of the property of said county, or in excess of \$200,000 in the aggregate in any event, shall be absolutely void; and all persons interested are required to take notice thereof. And the said commissioners are thereby authorized and empowered to designate the time and manner of payment of the principal and interest of said bonds, and also to determine the class and gauge of said railroad; provided that no bonds shall issue until the full and final completion of said railroad; and provided further that said county of Thurston shall not contract with any person, firm, or corporation to construct said railroad until such person, firm, or company shall enter into a good and sufficient bond, in the penal sum of \$200,000, to be secured by first mortgage on said railroad, conditioned that they will operate said road with passenger and freight trains for a period of twenty-five years; and provided further that when the said county commissioners shall have agreed upon the terms for the construction of said railroad with any individual, firm, or corporation, they shall call a special election at such time as they may designate, by causing three notices of such election, which said notices shall embrace the terms of the proposed contract, to be posted for twenty days in each

election-precinct of said county of Thurston, at which the said proposed contract shall be submitted to the legal voters of said county; and if two-thirds of the said votes cast at the said election shall be in favor of the said contract, and such two-thirds shall be equal in number to a majority of the votes cast in said county at the then next preceding election for Delegate in the Congress of the United States, then the said county commissioners shall complete the said contract and issue the bonds provided for by the act, and not otherwise. Such election shall be held at the same places, in the same manner, and the returns thereof made by and filed with the same officers as is required in case of election for county officers under the laws of said Territory.

The question being taken on the motion to suspend the rules, there were—ayes 92, noes 28; no quorum voting.

Mr. HALE, of New York. I ask for a further count.

The SPEAKER. The Chair appoints as tellers the gentleman from New York, Mr. HALE, and his colleague, Mr. HOSKINS.

The House again divided; and the tellers reported—ayes 113, noes 34. So the motion was seconded.

The SPEAKER. The question is, will the House suspend the rules and pass the bill?

Mr. HALE, of New York. On that question I call for the yeas and nays.

Mr. HOLMAN. I hope we will have the yeas and nays.

The question being taken on ordering the yeas and nays, there were—ayes 22, noes 102; the affirmative not being one-fifth of the whole vote.

Mr. HOLMAN. I ask for tellers on the yeas and nays.

On the question of ordering tellers there were ayes 20; not one-fifth of a quorum.

So tellers were refused, the yeas and nays were refused, the rules were suspended, (two-thirds voting in favor thereof) and the bill was passed.

Mr. SMITH, of Ohio. I move that the House adjourn.

The SPEAKER. The gentleman from New York [Mr. TREMAIN] has been recognized to submit a motion to suspend the rules.

Mr. HALE, of New York. I rise to make a parliamentary inquiry. Would it be in order to move to take a recess for ten minutes to enable the democratic party to congratulate the Delegate from Washington Territory on the passage of the bill?

The SPEAKER. The House seems to be taking a recess without a motion.

Mr. RANDALL. I move that the House adjourn.

The SPEAKER. The House will come to order before any motion is submitted.

Mr. RANDALL. I made the motion so that their hilarity might continue.

INSANE CONVICTS.

Mr. TREMAIN. I move to suspend the rules and pass bill to provide for the care and custody of persons convicted in the courts of the United States who have or may become insane while imprisoned.

Mr. WADDELL. I move that the House do now adjourn.

The question was taken; and on a division there were—ayes 54, noes 76.

So the motion was not agreed to.

The bill was then read. The first section authorizes and directs the Secretary of the Interior, upon the application of the Attorney-General, to transfer to the Insane Asylum, in the District of Columbia, all persons who have been or shall be convicted of any offense in any court of the United States, and imprisoned in any State prison or penitentiary of any State or Territory, and who, during the term of their imprisonment, have or shall become and be insane, in case satisfactory arrangements for their care and custody shall not be made by said Attorney-General under other provisions of the act.

The second section provides that in all cases where any person convicted in a court of the United States shall, while imprisoned under such conviction in any State prison or penitentiary, become and be insane, the Attorney-General shall have power in his discretion to contract with any State insane or lunatic asylum, within the State in which such convict is imprisoned, for his care and custody while remaining so insane; and in all cases where such convicts shall have heretofore been, or shall hereafter be, transferred to a State asylum for insane convicts, in accordance with the laws of such State, it authorizes and directs the Attorney-General to compensate the said asylum, or the proper authorities controlling the same, for the care and custody of such insane convicts, until their removal or discharge, in such amounts as he shall deem just and reasonable.

Mr. MAYNARD. I think this is a bill which ought not to pass. We have a national insane asylum which we ought to make use of in cases of this sort. This bill contemplates the employment of State asylums for our prisoners who become insane.

Mr. RANDALL. Who determines the fact of insanity in such cases?

Mr. TREMAIN. It is determined according to the existing law where the party who becomes insane is in prison; if it be in the District of Columbia, then by the laws of the District; if in a State, then by the laws of that State.

Mr. YOUNG, of Georgia. I object to debate.

Mr. G. F. HOAR. I hope the gentleman will allow this matter to be explained. I want to ask the gentleman from New York [Mr. TREMAIN] if he thinks that we can impose upon the State courts the

duty of determining this question of insanity of persons convicted under United States laws? I understand that in many of the States if a prisoner becomes insane after conviction the judge of the State court passes on the question.

Mr. TREMAIN. When the United States law adopts the State machinery it has been held that it is entirely valid. Of course, if the State court should refuse to pass upon this question, different legislation might be necessary. The necessity for the passage of this bill arises from the fact that there are quite a number of convicts under United States laws in the State prison at Auburn who have become insane, and it is necessary that some provision should be made for their custody and care. This bill was prepared by the Attorney-General.

Mr. G. F. HOAR. It seems to me that the bill ought to provide that the United States judge of the circuit or district court should have authority to determine the question of insanity.

Mr. TREMAIN. It is much more simple to adopt the State machinery. It might be difficult to get a United States judge to pass upon the question. If the State officers should refuse to do it, then there might be a necessity for further legislation on the subject.

Mr. POLAND. It is hardly to be supposed that State officers would refuse to act in a matter of this sort.

Mr. TREMAIN. Hardly; it is a matter of humanity and charity. The motion to suspend the rules was seconded.

The question was then taken upon suspending the rules; and (two-thirds voting in favor thereof) the rules were suspended and the bill (H. R. No. 3415) was passed.

Mr. RANDALL. I move that the House do now adjourn.

Mr. HOLMAN. I hope before the gentleman makes that motion he will allow me to offer a resolution calling for some information from a Department.

POST-OFFICE APPROPRIATION BILL.

Mr. TYNER. I move that the House resolve itself into Committee of the Whole on the state of the Union, for the consideration of the post-office appropriation bill, and pending that motion I move that all general debate thereon be limited to half a minute.

Mr. RANDALL. I insist on the motion to adjourn.

The question was put; and on a division there were—ayes 64, noes 61.

Mr. TYNER. I call for tellers.

Tellers were ordered; and Mr. TYNER and Mr. RANDALL were appointed.

The House divided; and the tellers reported—ayes 82, noes 58.

So the motion was agreed to; and accordingly (at four o'clock and twenty-two minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following memorials, petitions, and other papers were presented at the Clerk's desk, under the rule, and referred as stated:

By Mr. ALBRIGHT: The petition of the District Medical Society for the County of Middlesex, New Jersey, for the passage of the bill (H. R. No. 862) giving increased rank to medical officers of the regular Army, to the Committee on Military Affairs.

By Mr. BARRERE: A paper relating to the claim of Bernard Sailer, for a pension, to the Committee on Invalid Pensions.

By Mr. BASS: The petition of 1,500 printers and publishers for a specific duty of thirty cents per pound upon all imported printed matter in addition to the present *ad valorem* duty, to the Committee on Ways and Means.

By Mr. BUTLER, of Massachusetts: The petition of Belva A. Lockwood, that no woman, otherwise qualified, shall be barred from practice before any United States court on account of sex or coverture, to the Committee on the Judiciary.

Also, the petition of John Ammahaic, for relief, to the Committee on Military Affairs.

Also, the petition of Robert Tarr and others, for payment for clothing lost while prisoners of war, to the Committee on Naval Affairs.

Also, the petition of Elizabeth Williams, for a pension, to the Committee on Invalid Pensions.

Also, the petition of Elizabeth M. Ditoe, for a pension, to the Committee on Revolutionary Pensions and War of 1812.

By Mr. BUTLER, of Tennessee: Papers relating to the claim of the estate of John G. Bynum, deceased, to the Committee on the Judiciary.

By Mr. CHIPMAN: The petition of George M. Oyster and 127 others, butchers, hucksters, and market-dealers of Washington, District of Columbia, for suspension of sale of stalls and stands in the Center Market and passage of an explanatory act to protect them from the oppression of the Washington Market Company, to the Committee on the District of Columbia.

Also, the remonstrance of E. E. White and others, of Washington, District of Columbia, against the passage of the bill (H. R. No. 3441) relating to deeds of trust, to the Committee on the Judiciary.

Also, the petition of Charles H. Wiltberger, to be reimbursed for property taken for the use of the United States Army, to the Committee on War Claims.

By Mr. CLARK, of Missouri: The petition of citizens of Carroll County, Missouri, for the passage of a law to authorize the manufacture of patent-right articles by others than patent-right owners upon payment of a reasonable royalty thereon, to the Committee on Patents.

By Mr. DONNAN: The petition of Catharine Elberth, widow of Jacob Elberth, late of Company F, Ninety-sixth Illinois Volunteers, for arrears of pension, to the Committee on Invalid Pensions.

By Mr. GIDDINGS: The memorial of Mingo, John Chickasaw, John Scott, John Walker, and Bill Blount, only chiefs of the Cooshetta, Alabama, and Muscogee Indians and representatives of their tribes, protesting against their removal from Texas to the Indian Territory, to the Committee on Indian Affairs.

By Mr. G. F. HOAR: The petition of many citizens of the United States, for the repeal of the first section of the act of June 17, 1870, exempting from taxation ecclesiastical property in the District of Columbia, to the Committee on the District of Columbia.

Also, the petition of Wyatt Smith and others, of Lynchburgh, Virginia, for the passage of the supplementary civil-rights bill, to the Committee on the Judiciary.

Also, the petition of Clarissa Adams, for a pension, to the Committee on Invalid Pensions.

By Mr. HURLBUT: The petition of W. F. Nelson, late hospital chaplain, for relief, to the Committee on Military Affairs.

By Mr. LAMPORT: The petition of Charles Parshall, of Ontario County, New York, for a pension, to the Committee on Invalid Pensions.

By Mr. LOWE: The petition of citizens of Kansas, for a post-route from Rockford to Summit, Kansas, to the Committee on the Post-Office and Post-Roads.

By Mr. LOWNDES: The petition of Eliza Civile, for a pension, to the Committee on Invalid Pensions.

By Mr. LUTTRELL: The remonstrance of citizens of Round Valley, California, against the bill relating to the Round Valley reservation and the report of Commissioners SHANKS and Cowan, to the Committee on Indian Affairs.

Also, the petition of J. F. Greeley and 150 others, of Truckee, California, for a post-route from Truckee to Downieville, to the Committee on the Post-Office and Post-Roads.

Also, papers for the establishment of certain post-routes in California, to the Committee on the Post-Office and Post-Roads.

By Mr. ORTH: The petition of the Women's Temperance League, of Lafayette, Indiana, for the passage of a law requiring all officers of the United States to take an oath to abstain from the use of intoxicating liquors as a beverage during their term of office, to the Committee on the Judiciary.

By Mr. PARSONS: Several petitions from citizens of Cleveland, Ohio, for the exemption of swine from the operation of the law regulating the transportation of live stock, to the Committee on Agriculture.

By Mr. SHEATS: The petition for relief of Rachael Turrentine, Charity W. Turrentine, and others, who nursed the soldiers of Colonel Straight's command wounded in engagement with the rebel General Forrest, to the Committee on Claims.

Also, the petition of the men belonging to the two companies of scouts or guides of North Alabama, commanded by Captains Gilbreath and Hawkins, for compensation for services in the late war, to the Committee on Military Affairs.

By Mr. Sr. JOHN: The petition of Henry Theysohn, late corporal Company H, Fifty-sixth New York Veteran Volunteers, for pension to date from disability, to the Committee on Invalid Pensions.

By Mr. SWANN: The petition of Betsey Weisenfeld, widow and executrix of the late Moses Weisenfeld, for relief, to the Committee on Claims.

By Mr. TOWNSEND: The petition of Job H. Jackson and others, that immediate measures be taken by Congress to second the movement inaugurated by the Parliament of Great Britain in relation to international arbitration, to the Committee on Foreign Affairs.

By Mr. VANCE: The petition of R. H. Cannon, H. G. Woodfin, and sixty others, citizens of Jackson County, North Carolina, for aid in building the Western North Carolina Railroad from Old Fort, North Carolina, to Ducktown, Tennessee, to the Committee on Railways and Canals.

Also, the petition of Susan Dayton Anderson, administratrix, for the payment of the half-pay due Joseph Wheeton, deceased, of the revolutionary Army, under the act of October, 1780, to the Committee on Revolutionary Pensions and War of 1812.

By Mr. WALLS: The petition of colored citizens of Florida, for the passage of the supplementary civil-rights bill, to the Committee on the Judiciary.

By Mr. —: The petition of Nathaniel Tarr, of Boston, Massachusetts, to be reimbursed for losses occasioned by unlawful seizure of his property during the late war, to the Committee on War Claims.

IN SENATE.

TUESDAY, May 19, 1874.

Prayer by the Chaplain, Rev. BYRON SUNDERLAND, D. D.
The Journal of yesterday's proceedings was read and approved.

JOSEPH MONTANARI.

The PRESIDENT *pro tempore* appointed as conferees on the part of the Senate upon the disagreeing votes of the two Houses on the bill (S. No. 311) for the relief of Joseph Montanari, and for other purposes, Mr. BUCKINGHAM, Mr. BOUTWELL, and Mr. DAVIS.

COMMITTEE ON COMMERCE.

On motion of Mr. CHANDLER, it was

Ordered, That the Committee on Commerce have leave to sit during the sessions of the Senate.

ADJOURNMENT SINE DIE.

Mr. EDMUNDS. I wish to give notice that when the call for resolutions is completed I shall ask the Senate to take up the resolution I offered yesterday respecting the final adjournment, for the purpose of disposing of it.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented the petition of the republican committee of the first congressional district of Georgia, praying for the passage of the civil-rights bill; which was ordered to lie on the table.

Mr. SCOTT presented the petition of Job H. Jackson, Thomas Gawthrop, R. B. Ewing, and others, praying Congress to aid in the movement for a conference of the various governments of the world on the subject of international arbitration as a substitute for war; which was referred to the Committee on Foreign Relations.

He also presented the petition of George Hubbell, praying compensation for a stock of goods at Charleston, West Virginia, destroyed during the war by order of military authorities of the United States; which was referred to the Committee on Claims.

Mr. CONKLING presented the petition of Dr. A. Tinsley, of West Virginia, representing that he was a surgeon in the confederate service and cared for the sick of the Union Army, and praying compensation therefor; which was referred to the Committee on Claims.

Mr. BUCKINGHAM. I present, by request, the printed memorial of Allen B. Wilson, praying the extension of his patents Nos. 346 and 314 relating to sewing-machines. I move that it be referred to the Committee on Patents.

The motion was agreed to.

Mr. PRATT presented the memorial of Nathan Branstetter, guardian of Louisa White, praying that she may be granted a pension on account of the services of her brother, Jesse J. White, late of Company F, One hundred and twenty-fifth Illinois Volunteer Infantry; which was referred to the Committee on Pensions.

Mr. CAMERON presented the memorial of Margaret A. Pierson and others, heirs of George Veile, praying to be indemnified for spoiliations committed by the French prior to the year 1801; which was ordered to lie on the table.

Mr. BOGY presented the petition of T. H. Porter and others, of Saint Louis, Missouri, praying the passage of a law directing the Secretary of the Treasury to have all Government issues, notes, bonds, &c., manufactured by different establishments so as to prevent counterfeiting of the same; which was referred to the Committee on Appropriations.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. BOREMAN, it was

Ordered, That the petition and papers of James Cummings be taken from the files and referred to the Committee on Claims.

AMENDMENT TO AN APPROPRIATION BILL.

Mr. TIPTON submitted an amendment intended to be proposed by him to the bill (H. R. No. 3030) making appropriations to supply deficiencies in the appropriations for the service of the Government for the fiscal years ending June 30, 1873, and 1874, and for other purposes; which was referred to the Committee on Indian Affairs, and ordered to be printed.

REPORTS OF COMMITTEES.

Mr. HAMLIN, from the Committee on Foreign Relations, to whom were referred the bill (S. No. 303) for the relief of Elisha E. Rice, and the petition of Elisha E. Rice, late commercial agent of the United States at Hakodadi, Japan, praying payment for property at Yokohama sold to the United States Government in 1871, asked to be discharged from the further consideration of the subject; which was agreed to, and leave was granted to the petitioner to withdraw his petition and papers that he may submit the same to the Department of State.

Mr. KELLY, from the Committee on Military Affairs, to whom was referred the petition of Berthold Hahn, of Illinois, praying compensation for wounds received and property destroyed at the battle of Milliken's Bend, reported adversely thereon, and asked to be discharged from its further consideration; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. No. 244) for the relief of Charles W. Berry, late private of the Thirty-sixth Regiment of Wisconsin Volunteers, asked to be discharged from its further consideration, the Senate having already acted upon a House bill of the same character; which was agreed to, and the bill was postponed indefinitely.

Mr. CLAYTON, from the Committee on Military Affairs, to whom was referred the petition of sundry citizens of Michigan, late officers of the Fifth Michigan Cavalry, claiming payment of a balance due them for services rendered in the late war, reported adversely thereon, there being no evidence before the committee to sustain the allegation, and asked to be discharged from its further consideration; which was agreed to.

He also, from the same committee, to whom was referred the bill (H. R. No. 1931) to authorize the sale of the military reservation of