have these guards and checks. It seems to me pretty hard to refuse to pay this man a claim when he can make proof clearly and satisfactorily, not only to Congress, but to the Commissioner of Internal Revenue.

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

WILLIAM S. ROBINSON.

Mr. INGALLS. When I was temporarily in the chair a short time since, on the motion of the Senator from Iowa (Mr. WRIGHT) the bill (S. No. 486) for the relief of William S. Robinson, of Maiden, Massachusetts, was indefinitely postponed. It has recurred to my recollection since I took my seat that the Senator from Massachusetts [Mr. BOUTWELL] spoke to me in regard to bills that were upon the Calendar with an adverse report and asked me if they did not grover with out further suggestion. There is no doubt, from what he said, that he left the Chamber supposing the bill would not be called up; and in order to protect myself against the suspicion of having been tentative or negligent in this matter I ask unanimous consent that the vote by which the bill was indefinitely postponed may be reconsidered and that the bill go upon the Calendar.

Mr. WRIGHT. I desire to make one remark in that connection. Of course it is impossible that I can remember what connection each Senator may have with a bill. I remember now, my attention being directed to it, that upon the motion of the Senator from Massachusetts, who is absent from the city, [Mr. DAVIES,] this case was re­stored to the Calendar. I think therefore it is but fair to him (a fact that I have been aware of also) and that the adverse vote may be reconsidered.

I ask that the bill go on the Calendar as it was before that action was had.

The PRESIDENT pro tempore. It takes its place on the Calendar as it was before.

Mr. McCReERY. I move that the Senate adjourn.

The motion was agreed to; and (at four o'clock and thirty-five minutes p. m.) the Senate adjourned.

C. C. HUTCHINSON.

The SPEAKER, by unanimous consent, laid before the House a letter from the Secretary of War, transmitting to the House, in compliance with the provisions of the river and harbor act of March 3, 1875, a report of Major W. E. Merrill on continuation and completion of the Chesapeake and Ohio Canal; which was referred to the Committee on Commerce.

CLAIMS IN QUARTERMASTER AND COMISSARY DEPARTMENTS.

The SPEAKER also, by unanimous consent, laid before the House a letter from the Secretary of War, transmitting to the House, in response to a resolution of the 14th February, a report of the Acting Quartermaster-General on the amount of claims allowed and rejected by the Quartermaster Department and Commissary Department under the act of July 4, 1864; which was referred to the Committee on Military Affairs, and ordered to be printed.

C. C. HUTCHINSON.

The SPEAKER also, by unanimous consent, laid before the House a letter from the Secretary of the Interior, transmitting, in response to a House resolution of the 1st ultimo, a report of the Commissioner of Indian Affairs in relation to the definition of C. C. Hutchinson, late United States agent for the Ottawa Indians; which was referred to the Committee on Indian Affairs, and ordered to be printed.

ALLOTMENTS OF LANDS TO INDIANS.

The SPEAKER, by unanimous consent, laid before the House a letter from the Secretary of the Interior, transmitting a report from the Commissioner of Indian Affairs relative to allotments of lands to certain bands of Indians, and a draught of a bill providing for such legislation as may be necessary to that end; which was referred to the Committee on Indian Affairs.

CONTESTED ELECTION—SEAL VS. LYNCH.

The SPEAKER. The Chair has received this morning testimony in the contested election case of Roderick Seal against John R. Lynch, from the State of Mississippi, which, if there be no objection, will be referred to the Committee on Elections, without printing.

There was no objection, and it was so ordered.

AMENDMENT TO REVISED STATUTES.

Mr. SOUTHWARD, from the Committee on the Revision of the Laws, reported, as a substitute for House bills Nos. 1676 and 1675, a bill (H. R. No. 485) to supply an omission in the Revised Statutes; which was read a first and second time, recommitted to the committee, and ordered to be printed, not to be brought back by a motion to reconsider.

TREATY BETWEEN THE UNITED STATES AND THE HAWAIIAN ISLANDS.

Mr. MORRISON, by unanimous consent, presented and asked leave to have printed the views of the minority of the Ways and Means Committee to accompany the bill (H. R. No. 212) to carry into effect the proposed treaty between the United States and the Hawaiian Islands.

There was no objection, and the order to print was made.

PRINTING AND ENGRAVING BUREAU OF THE TREASURY.

Mr. RANDALL, by unanimous consent, from the Committee on Appropriations, reported a bill (H. R. No. 2459) to provide for a deficiency in the service of the Printing and Engraving Bureau of the Treasury Department and for the issue of the silver coinage of the United States in place of the fractional currency; which was read a first and second time.

Mr. RANDALL. I desire to have the bill read.

The bill was read.

The section appropriates the sum of $163,000 to provide for engraving and printing and other expenses in making and issuing United States notes.

The second section directs the Secretary of the Treasury to issue silver coin of the United States of the denomination of ten, twenty, twenty-five, and fifty cents, standard value, in redemption of the full amount of fractional currency; whether the same is now in the Treasury awaiting redemption or whenever it may be presented for redemption.

It provides further that the Secretary of the Treasury may, under the regulations of the Treasury Department, provide for such redemption and issue by the substitution, at the regular subtreasuries and public depositories of the United States, until the whole amount of fractional currency shall be redeemed.

Mr. RANDALL. I desire to state, under instructions from the committee, that I will call this bill up at the first opportunity. I desire to refer to state, under instructions from the committee, that the question of extending the amount of legal-tenders for silver was not, in their judgment, within the province of our committee, but they did discuss the subject; and they also instructed me to say that they will permit an amendment to be offered, either from the Committee on Ways and Means or from the Committee on Banking and Currency when this bill shall come up for consideration, to increase the amount of legal-tenders and silver coin. I ask unanimous consent that when the bill comes up for consideration it shall be considered in the House.

Mr. PAGE. I would like to ask the gentleman to admit an amendment to allow the issue of coin of twenty cents.

Mr. RANDALL. That is already in the bill. If the gentleman had listened to its reading he would have found it there. At the suggestion of the Speaker, I move that the bill be recommitted to the Committee on Appropriations, and when that motion is agreed to I will move a motion to reconsider it. I would further ask unanimous consent that when the bill is reported back it shall be considered in the House as in Committee of the Whole.

The bill was recommitted to the Committee on Appropriations and ordered to be printed.

Mr. RANDALL entered a motion to reconsider the vote by which the bill was recommitted.

And then, no objection being made, it was ordered that when the bill was reported back from the Committee on Appropriations it should be considered in the House as in Committee of the Whole.

PENSION CLAIMS IN MISSISSIPPI.

Mr. WELLS, of Mississippi, by unanimous consent, submitted the following resolution: which was read, considered, and agreed to:

Resolved by the House of Representatives, That the Commissioner of Pensions be required to furnish information and the names of colored claimants filed in his office from the State of Mississippi, the number allowed, the number rejected, and the number unsatisfied and the cause of delay in adjudicating those unsatisfied; if awaiting investigation, the steps taken to secure such investigation; the number of agents employed for that purpose, and the number of claims investigated by such agents.

THOMAS CRAWFORD.

Mr. NEW, by unanimous consent, introduced a bill (H. R. No. 2451) restoring the name of Thomas Crawford, a soldier of the Mexican war, to the pension-roll; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ORDER OF BUSINESS.

Several members called for the order of business.

The SPEAKER. The regular order being called for, the morning hour begins at half past twelve o'clock, and the regular order this morning is the calling of committees for reports of public nature, and the call rests with the Committee on Public Lands.
ENTRIES OF PUBLIC LANDS.

Mr. SAYLER, from the Committee on Public Lands, reported back, with a favorable recommendation, a bill (H. R. No. 2452) to amend sections 2450 and 2451, and to repeal section 2452, title 39, chapter 11, of the Revised Statutes.

The bill was read, as follows:

"An act to amend the Interior and the Attorney-General, Treasury of the General Land establishment of the Interior Department, named the Secretary of the purpose of the bill to substitute the words

years; and in 1856 it

that it may occupy as little time as possible in its

never, and very properly, served upon this board. The Secretary of

of the establishment of the Interior Department in 1849,

shall

of timber on western

At any rate the Secretary of the Treasury has

bears, or cuttings under proper restriction, as set forth in the section,

as a member of this board

section 2452, title 39, chapter 11, of the Revised Statutes, be, and the same is hereby, repealed.

Mr. SAYLER. In order that this bill may be fully understood and

by the Commissioner of the General Land Office has decided that patents shall issue, and which have been declared invalid by the Secretary of the Interior and the Attorney-General, are hereby declared valid to the same extent as though confirmed by the Secretary of the Interior and the Attorney-General, as provided in the acts of 1848 and 1851.

the previous question, decided substantially

in the year in which such plague comes upon them, destroying the trees they have attempted to cultivate, shall not be counted against them as under the

The second section of the bill provides that the planting of seeds, nuts, or cuttings under proper restriction, as set forth in the section, shall be considered as a concurrent use of the land by the Secretary of the Interior was established. By the third section of the act establishing this Department it is provided that the Secretary of the Interior shall perform all duties, in relation to the business of the Office, of such nature as shall be assigned to him by the Secretary of the Treasury. In 1853, without any recognition whatever of the establishment of the Interior Department in 1849, the act of 1846, which had been limited in its operation to two years, was reenacted in 1849 and 1851, and in 1856 it was made perpetual. It seems that the commissioners of revision, without reference to the act establishing the Department, simply followed the enactments of 1846, 1851, and 1856, and throughout their revision used the words "Secretary of the Treasury" as a member of this board instead of the words "Secretary of the Interior." As a matter of fact the Secretary of the Treasury has never had anything whatever to do with these adjudications; he has never, and very properly, served upon this board. The Secretary of the Interior, up to the present time, has discharged all of the duties.

The enactment of the revision of the laws would seem to throw some doubt upon these adjudications, and it is therefore thought best by the Committee on Public Lands that the repeal of section 2452, as above adopted, be confirmed, in order to confirm these adjudications and to render them valid beyond all question.

The bill provides for the repeal of section 2452, which directs that the Commissioner of the General Land Office shall report to Congress, at the first session after any such adjudications have been made of the same nature as the conditions prescribed by law. I hold in my hand a list which was reported to Congress after the adoption of the revision of the statutes. No such lists have been made for a long number of years. Reports were made under the act of 1846, but the one now surviving is that to which I have referred. I do not believe that there is anything in the act of 1853 or in the act of 1856 which even by implication repeals the provisions of the act of 1846 requiring such report and publication. Yet the fact is that it has fallen into disuse; it conveys information of no great importance, and is a matter of considerable labor and considerable expense. It is the opinion of the Department, and it is the unanimous opinion of the Committee, that report might as well be dispensed with.

Mr. SKEANER, unless some gentleman has a question to ask or an objection to interpose, I will 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 and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Motion 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 agreed to.

TIMBER CULTURE.

Mr. SAYLER, from the same committee, reported back, with a recommendation that the same do pass, a bill (H. R. No. 2427) to amend the act entitled "An act to amend an act to encourage the growth of timber on the public lands," which act was ordered to be engrossed and read a third time.

The question was read, as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the act entitled "An act to amend the act entitled "An act to encourage the growth of timber on the public lands," be, and the same is hereby, repealed."

The question was then put, and the same was agreed to.

Mr. SAYLER 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 agreed to.

FORESTED RAILROAD LANDS IN KANSAS.

Mr. GODDIN, from the Committee on Public Lands, reported back, with a recommendation that the same do pass, a bill (H. R. No. 1771) to de

Mr. SAYLER 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 agreed to.
The bill was read. It provides that all lands which were granted by act of Congress approved March 6, 1833, to the State of Kansas to aid in the construction of a railroad from the city of Lawrence in Kansas, and running, by way of the town of Lawrence and the Ohio City crossing of the Osage River, to the southern line of the State, in the direction of Galveston, Bay, by act of a railroad company in Kansas, and running, by way of the town of Lawrence and the Ohio City crossing of the Osage River, to the southern line of the State, in the direction of Galveston, Bay, by act of certain railroads named in the act, a large amount of public lands. Among the railroads to be benefited by the act was a road to be constructed by the Leavenworth, Lawrence and Galveston Railroad, (now the city of Ottawa,) to the southern line of the State, in the direction of Galveston Bay. In aid of that road every alternate section of land was granted within ten miles of each side of the United States road, and in order to make the amount equal to every alternate section within the ten-mile limit, there was also an indemnity grant extending ten miles farther on each side, equal to the amount of land which might have been previously selected and entered under the various laws of Congress.

The railroad company was to have ten years in which to complete the road. That time expired, of course, on the 3d day of March, 1873. The road has been constructed from the city of Lawrence to the southern boundary of the State; but it has never been extended beyond the line of the Ohio City to the southern line of the State, in the direction of Galveston Bay, Texas.

There is on file in this Office a map of constructed road from Lawrence to the southern boundary of the State of Kansas. This map is certified by the governor of Kansas, showing the city, Leavenworth, by the way of the city of Lawrence to the Ohio City crossing of the Osage River, (now the city of Ottawa,) to the southern line of the State, in the direction of Galveston Bay, Texas. The act providing for the creation of the railroad company was passed on March 23, 1863, in the Thirty-seventh Congress, second session, and it is ordained, among other things, that the grant to the railroad company made by the United States under the act, which has expired by limitation of law, are hereby declared forfeited to the United States, and subject to entry only under the provisions of the homestead laws of the United States.

Mr. GOODIN. Mr. Speaker, in the year 1833 there was granted by act of Congress, State of Kansas, the construction of certain railroads named in the act, a large amount of public lands. Among the railroads to be benefited by the act was a road to be constructed by the Leavenworth, Lawrence and Galveston Railroad, (now the city of Ottawa,) to the southern line of the State, in the direction of Galveston Bay. In aid of that road every alternate section of land was granted within ten miles of each side of the United States road, and in order to make the amount equal to every alternate section within the ten-mile limit, there was also an indemnity grant extending ten miles farther on each side, equal to the amount of land which might have been previously selected and entered under the various laws of Congress.

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After this decision was rendered by the Commissioner of the General Land Office I communicated with the Interior Secretary, with the view of getting a proclamation from the Secretary of the Interior declaring the reservation of certain lands which are now occupied by actual settlers who are living thereon with their families, and who, knowing of the failure of the railroad company, have felt secure in their possession of these lands.

The provisions of this bill, after declaring the forfeiture of the lands, provide that all such lands shall be opened up to settlement under the provisions of the homestead law only. I understand, from the temper of the House as manifested on two or three previous occasions when propositions were before it, that there is a disposition here to enact, so far as practicable, that the public domain susceptible of agricultural settlement be held subject to entry under the provisions of the homestead law. Inasmuch as these lands have been taken, nearly all of them by actual settlers, it only seemed right to provide, as I have done by this bill, that they shall remain open for homestead entry by those already upon them. I go then another step in the right direction, as I believe, and secure to those who may hereafter settle the same right.

I will call the attention of members of the House to the fact that a short time since the gentleman from Nebraska [Mr. CROUSE] introduced a bill which came in the construction of a railroad, passed, providing for the sale of a certain military reservation in the State of Nebraska, and further that the lands embraced within the limits of that reservation should be considered open to entry and settlement under the provisions of the homestead law only. And that simply is what this law provides.

I do not know that this railroad company makes any objection to the passage of the bill. I think there is no claim on the part of anybody that there has been a compliance with the requirements of the grant in the construction of the road.

Mr. HOLMAN. Will the gentleman yield to me?

Mr. GOODIN. I will for a question.

Mr. HOLMAN. I ask the gentleman from Kansas [Mr. GOODIN] if he is able to give the public interest requisite, in view of the vast number of grants made within the last fifteen years upon certain conditions which have not been complied with, that there should be some general law providing for the return to the public domain, of the lands so granted. Should there not be a general provision enacted for the forfeiture of all such grants the conditions of which have not been complied with, as so to return those lands to the public domain and subject them to the homestead law? Does he not think such a general law desirable?

Mr. GOODIN. I will answer the gentleman from Indiana very frankly that I do.

Mr. HOLMAN. Then I trust the Committee on Public Lands, of which the gentleman is a member, will bring to the House a bill which will not accomplish that purpose, and especially in view of the decision of the Supreme Court of the United States and the opinions expressed under that decision by the Department of the Interior.

Mr. GOODIN. Now, Mr. Speaker, as I took occasion to observe in the discussion of another bill in this House, I think there is a disposition on the part of the Committee on Public Lands to disregard the view just expressed by the gentleman from Indiana. We have several bills pending before that committee in reference to the public lands, and so far as we can be undaunted to incorporate the provisions of one general bill, which is in the nature of a substitute for all others. While I agree, therefore, with the gentleman from Indiana that some
such general law as he suggests may be adopted very properly, I hope he does not mean to throw out the suggestion at this time with any desire to impede the passage of the pending bill.

Mr. HOLMAN. Not at all, for I am in favor of any measure looking in that direction. In any case, the same principle applied to the whole body of the public lands under grants actually forfeited by non-compliance with the conditions upon which the grant was made.

Mr. GOODIN. Do so, I, and I will cheerfully support such a measure when it is brought into shape and will also give cheerful assistance to the gentleman, for the purpose of furnishing additional accommodations for the indigent insane and idiotic persons resident in the State of Alabama.

Mr. TOWNSEND, of Pennsylvania. I desire to know from the gentleman from Kansas whether or not this road will pass through the over-crowded cities of our own country and of the States of the South.

Mr. GOODIN, in answer to the question from Pennsylvania, I will state that I know of no effort having ever been made, either by the State of Kansas or by this railroad company, to secure any such extension of time. As remarked by me in the beginning, I was not informed of the railroad road asked for an extension of time for the completion of the road.

Mr. GOODIN. In answer to the question from Pennsylvania, I will state that I know of no effort having ever been made, either by the State of Kansas or by this railroad company, to secure any such extension of time. As remarked by me in the beginning, I was not informed of the railroad road asked for an extension of time for the completion of the road.

I believe, Mr. Speaker, I have detained the House about as long as I thought I would get before it a true understanding of the purpose of this bill. I cannot, however, close without saying that in my judgment the legislation of the country in the future should be such as will advance the interests of the people who pioneer civilization and who pretend itself of the financial condition, and who are left, at the hands of our National Legislature. The policy from this time onward should be to mitigate as well as can be done the ills of mischiefs and miseries which have been entailed upon the people by this process of developing the broad acres of this region. The wealth which, when brought in contact with the broad acres of this region, will state an almost inexhaustible fund, will state an almost inexhaustible fund.

Mr. Speaker, I have said enough; and, unless some gentleman may have any inquiries concerning this bill, I demand the previous question.

Mr. TOWNSEND. Of Pennsylvania. I desire to make a remark if the gentleman who has reported this bill will allow me.

Mr. GOODIN. I yield to the gentleman.

Mr. TOWNSEND. Of Pennsylvania. In regard to the remark of the gentleman, as to a general law, I desire to say that every railroad grant stands on its own peculiar circumstances, and Congress has had occasion in various instances to extend the time because of peculiar circumstances and because of difficulties under which the road labored. A general law, therefore, making a forfeiture immediately upon the expiration of the time is not economical, nor is it equitable; it is unjust. I trust the committee will not report any bill having that object in view.

Mr. GOODIN. If there be no further questions to be made in reference to the provisions of this bill, I move the previous question.

The previous question was seconded and the main question ordered; and the main question was ordered to be read a second time and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. GOODIN. I propose 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.

SWAMP AND OVERFLOWED LANDS IN ALABAMA.

Mr. GAUSE, from the Committee on Public Lands, reported back, with the recommendation that it do pass, the bill (H. R. No. 336) to give the consent of the United States to the appropriation of certain swamp lands in Alabama for the purpose of furnishing other and additional accommodations for the indigent, insane, and idiotic persons resident in said State.

The bill was read. It gives consent on the part of the United States to the appropriation of the proceeds arising from the sale of certain swamp and overflowed lands in Alabama for the purposes and in the manner provided in the act of the General Assembly of the State of Alabama entitled "An act to appropriate the proceeds from the sale of certain swamp lands passed by Congress for the purpose of furnishing additional accommodations for the indigent insane and idiotic persons, residents of the State of Alabama," approved January 20, 1876.

Mr. GAUSE. In 1850, Congress granted to Arkansas, Alabama, and other States certain swamp and overflowed lands, the proceeds of the sale of which were to be applied exclusively to the reclamation of these lands and the lands are still in the hands of our National Department of the Interior. Acting Commissioner of the General Land Office, and are entitled to be referred to as the appropriation of the proceeds arising from the sale of swamp lands and overflowed lands in Alabama for the purpose of furnishing additional accommodations for the indigent insane and idiotic persons, residents of the State of Alabama, in the act of the General Assembly of the State of Alabama.

Mr. GAUSE. In 1850, Congress granted to Arkansas, Alabama, and other States certain swamp and overflowed lands, the proceeds of the sale of which were to be applied exclusively to the reclamation of these lands and the lands are still in the hands of our National Department of the Interior. Acting Commissioner of the General Land Office, and are entitled to be referred to as the appropriation of the proceeds arising from the sale of swamp lands and overflowed lands in Alabama for the purpose of furnishing additional accommodations for the indigent insane and idiotic persons, residents of the State of Alabama, in the act of the General Assembly of the State of Alabama.

An act to appropriate the proceeds from the sale of the swamp lands granted by Congress to States, for the purpose of furnishing other and additional accommodations for the indigent insane and idiotic persons, residents of the State of Alabama, in the States of Arkansas and Alabama, by act of Congress of March 3, 1873, and on the 7th day of January, 1876, it was provided that the proceeds of said lands, whether from sale or by direct appropriation, shall be, and the same shall be, appropriated to and for the indigent insane and idiotic persons, residents of the State of Arkansas, and on the 2nd day of February, 1876, it was provided that the proceeds of said lands, whether from sale or by direct appropriation, shall be, and the same shall be, appropriated to and for the indigent insane and idiotic persons, residents of the State of Alabama.

It is, therefore, the act of the General Assembly of Arkansas and Alabama, for the purpose of furnishing other and additional accommodations for the indigent insane and idiotic persons, residents of the State of Arkansas, and the act of the General Assembly of Arkansas and Alabama, for the purpose of furnishing other and additional accommodations for the indigent insane and idiotic persons, residents of the State of Alabama.

The Clerk read as follows:

"An act to appropriate the proceeds from the sale of the swamp lands granted by Congress to Arkansas and Alabama, for the purpose of furnishing other and additional accommodations for the indigent insane and idiotic persons, residents of the State of Arkansas, and on the 7th day of January, 1876, it was provided that the proceeds of said lands, whether from sale or by direct appropriation, shall be, and the same shall be, appropriated to and for the indigent insane and idiotic persons, residents of the State of Arkansas, and on the 2nd day of February, 1876, it was provided that the proceeds of said lands, whether from sale or by direct appropriation, shall be, and the same shall be, appropriated to and for the indigent insane and idiotic persons, residents of the State of Alabama.

It is therefore, the act of the General Assembly of Arkansas and Alabama, for the purpose of furnishing other and additional accommodations for the indigent insane and idiotic persons, residents of the State of Arkansas, and the act of the General Assembly of Arkansas and Alabama, for the purpose of furnishing other and additional accommodations for the indigent insane and idiotic persons, residents of the State of Alabama.

An act to appropriate the proceeds from the sale of the swamp lands granted by Congress to States, for the purpose of furnishing other and additional accommodations for the indigent insane and idiotic persons, residents of the State of Alabama, in the States of Arkansas and Alabama, by act of Congress of March 3, 1873, and the bill was passed.

As the bill was passed, it was agreed by the non-compliance with the provisions of this bill, I move the previous question.

Mr. GOODIN. Seconded.

Mr. GAUSE. As the bill was passed, it was agreed by the non-compliance with the provisions of this bill, I move the previous question.

Mr. GOODIN. Seconded.

Mr. GAUSE. As the bill was passed, it was agreed by the non-compliance with the provisions of this bill, I move the previous question.

Mr. GOODIN. Seconded.

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Mr. GOODIN. Seconded.

Mr. GAUSE. As the bill was passed, it was agreed by the non-compliance with the provisions of this bill, I move the previous question.

Mr. GOODIN. Seconded.
Mr. BAKER, of Indiana. I desire to ask the gentleman reporting this bill how many acres of land are there that will be diverted from the use for which they were originally granted.

Mr. GAUSE. I do not exactly know the number of acres; but I am informed that the proceeds of the lands already sold amount to about $2,000,000, by which they were originally granted.

Mr. BAKER, of Indiana. Is there any large quantity remaining unsectored?

Mr. GAUSE. No, sir. 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 and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. GAUSE 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.

SCHOOL LANDS.

Mr. HATHORN, from the Committee on Public Lands, reported back, with the recommendation that it do pass, the bill (H. R. No. 290) to amend the act entitled "An act to appropriate lands for the support of schools in certain townships and fractional townships not here provided for," approved May 20, 1856.

The bill was read. It provides that in all cases where section 16 has been reserved for the support of schools in such township, and said section 16, or any part thereof, has not been set apart or acceded to the said township, on account of paramount title, legal appropriation to any person, or use other than the support of schools, or for any other reason whatever, it shall be the duty of the Secretary of the Interior, on the application of the proper and legal school officers of said township, or of any person so authorized by the laws of the State, or the township for which any tract or tracks of land to which each of said townships may be entitled by virtue of the act and to which it is amenable, out of any unappropriated land within the State in which the township for which any such tract or tracks of land is or may be held in the State where such township shall be situated.

Mr. TOWNSEND, of Pennsylvania. I desire to ask the gentleman from Missouri [Mr. Harmon] whether that is not the law already?

Mr. HATHORN. It is not the law in the State of Missouri.

Mr. TOWNSEND, of Pennsylvania. Is there not a general law that embraces what is provided in this bill?

Mr. HATHORN. Not that I am aware of.

It appears that in 1856 a law was passed donating the State of Missouri for school purposes certain tracts of land, but some of those tracts, consisting of section 16, were in some of the townships described and disposed of before that law was passed. Now it is asked in behalf of the school officers that they may take the same amount of land out of any unappropriated land within the State, if the gentleman from Missouri [Mr. Buckner] who introduced this bill desires to make any further remarks upon it, I will yield to him for that purpose.

Mr. BUCKNER. I did not very distinctly hear the reading of the bill as reported from the committee, and I would like to know, when the act is extended by virtue of paramount title, whether the selection is to be confined to that township? Is there any amendment of the bill in that respect?

Mr. HATHORN. There is not. When the land has been all sold in the particular township, they may select from other parts of the State.

Mr. BUCKNER. Is there any amendment to the original bill?

Mr. HATHORN. There is not. 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 and read a third time; and being engrossed, it was accordingly read the third time.

The question was on the passage of the bill.

Mr. BUCKNER. I would like to hear the bill again reported.

The bill was again read.

Mr. UTTLE. I wish to inquire of the gentleman who reports the bill whether its operation is confined to the State of Missouri?

Mr. HATHORN. It is.

Mr. BUCKNER moved to reconsider the vote by which the bill was passed; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

EXTENSION OF TIME TO PRE-EMPTORS.

Mr. McDILL, from the Committee on Public Lands, reported back the bill (H. R. No. 1001) to extend the time to pre-emptors on the public lands in certain counties in the State of Minnesota and the bill (H. R. No. 2452) to extend the time to pre-emptors on the public lands in the Territory of Dakota one year, with a substitute (H. R. No. 2453) to extend the time to pre-emptors on the public lands; the bill having had a first and second reading.

The substitute extends the time at which pre-emptors on the public lands and Indian reservations are now required to make final proof and payment for the period of two years whenever the crops on said pre-empted lands have been destroyed by grashoppers within the last two years so granted.

Mr. McDILL. By the legislation of the last Congress was granted to pre-emptors who had suffered from the ravages of grasshoppers by extending the time permitted by said laws, the bills for which we have reported a substitute were brought into the House, one by the Delegate from Dakota extending the time for two years in the Territory of Dakota, and the other by a gentleman from Minnesota extending the time for two years to pre-emptors on the public lands in Minnesota. The Committee have thought that relief should be extended to all pre-emptors who have suffered from the ravages of grasshoppers. The reason why the time is extended for two years exists in the fact that the misfortune which comes to these settlements in the whole term of two years. They have the very same misfortune in which the grashoppers come and destroy their crops and the whole of the succeeding year. The effect of this law is to extend the time in which the homesteads are to be made up; and it seems to me to be a very reasonable and just and proper. If no gentleman desires to ask any question, I will move 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 and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. McDILL 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.

LANDS IN IOWA.

Mr. McDILL, from the same committee, reported back, with a favorable recommendation, the bill (H. R. No. 1736) to restore certain lands in the State of Iowa to the United States for other purposes.

The bill was read, and is as follows:

Passed by the Senate and House of Representatives of the United States of America, in Congress assembled. That all the lands in the State of Iowa, in the territory of the Iowa and the Illinois and Michigan Railroads, which shall have been reserved to the Government should be restored to market, by published notice, all vacant unappropriated lands, not sold, sold for less than $2.50 per acre, and not transferred to the public domain by law already passed, and within ten years from the date of the act approved May 15, 1856; Provided, That the price of said lands shall not be less than $2.50 per acre; and provided further, That all actual settlers now residing upon said lands shall be entitled to enter not exceeding sixty acres of land for one year, and each single man over twenty-one years of age, embracing improvements, in preference to any other person, on making proof of such settlement and paying for the lands in accordance with rules by prescribed by the Secretary of the Interior.

Mr. McDILL. The history of the selection upon this subject is this: In the year 1856 certain lands were granted for railroad purposes to the State of Iowa, and the road was allowed to make a selection within fifteen miles of their line indefinitely located. The railroad company known as the Mississippi and Missouri River Railroad Company, following the language of the act, made its selection in accordance therewith, but later the Chicago and Rock Island Railroad, which became the successor of the Mississippi and Missouri River Railroad, changed its route so that it passed through the city of Des Moines, now the capital of the State and considerably south of the line of the newly located line, which had not been the subject of the original selection. The Land Office holds that these lands must be restored to market before they can be severally entered. The sole object of this bill is simply to restore to market the unappropriated lands lying north of the present extreme limits of the railroad grant. As gentlemen will observe, the bill protects settlers now on the lands so as to allow them to enter one hundred and sixty acres of land for each head of a family and each single man in preference of other persons.

Mr. DUNNELL. I would ask the gentleman who has charge of this bill the reason as to the price of the lands thus restored to market being kept at $2.50 per acre?

Mr. McDILL. The reason is that the original land-grant bill made a reservation that the lands reserved to the Government should be sold for not less than $2.50 per acre.

Mr. PHILLIPS, of Kansas. Are all these lands occupied by settlers? Are they all taken up?

Mr. McDILL. I am not able to answer that question with certainty; any impression is that the larger portion of these lands are occupied by settlers.

Mr. PHILLIPS, of Kansas. Will the gentleman accept an amendment providing that all the lands not already taken up by settlers shall be confined to homestead settlements?

Mr. McDILL. I have no objection, as a member of the Committee on Public Lands, to that amendment being offered; I am quite willing to make the final proof and payment for the period of two years.

The SPEAKER. The gentleman cannot accept it; his bill is a report from a committee.

Mr. PHILLIPS, of Kansas. Then I offer this amendment: that all the portions of these lands not occupied by settlers be reserved for homestead settlers.
The SPEAKER. Does the gentleman from Iowa yield for that amendment?
Mr. McDILL. I do yield.
Mr. HOLMAN. I move 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. HOLMAN. The title would not seem to harmonize with the bill, because it now is a bill to restore to market, but to restore the provisions of the homestead law. I call the attention of the gentleman from Iowa to that fact.

The SPEAKER. The title of the bill as it stands will be read.
The Clerk read as follows:
A bill to restore certain lands in the State of Iowa to market, and for other purposes.
Mr. McDILL. I move to strike out the word "market" and to insert in lieu thereof the words "settlement under the homestead laws."
Mr. McDILL. I think the amendment adopted upon the general order from Kansas [Mr. Phillips] makes necessary still another amendment to the bill. His amendment has the effect of opening all this land to homestead entry; another portion of the bill provides that the "primary entry" shall not be less than 250 acres. Therefore, there should be an amendment striking out that provision of the bill.
Mr. SAYLER. I move to reconsider the vote by which the bill was passed in order to move the amendment indicated by the gentleman from Iowa, [Mr. McDill.]

The SPEAKER. The motion to reconsider has already been submissed upon the same matter.
Mr. McDILL. I ask unanimous consent to strike out the portion of the bill to which I have referred.

The SPEAKER. The bill has already been passed, and is beyond the power of amendment.

SCHOOL-INDENIETY LANDS IN NEBRASKA.
Mr. CROUSE, from the Committee on Public Lands, reported back, with a recommendation that the same do pass, the bill (H. R. No. 1969) to confirm certain school-indemnity selections of public lands by the State of Nebraska.
The question was upon ordering the bill to be engrossed and read a third time.

ORDER OF BUSINESS.
Mr. WOOD, of New York. Has the morning hour expired? The SPEAKER. The morning hour has expired.
Mr. WOOD, of New York. I then move that the House resolve itself into Committee of the whole on the State of the Union for the purpose of taking up and proceeding with the consideration of the special order.
The motion was agreed to; and accordingly the House resolved itself into Committee of the whole on the State of the Union, Mr. Sayler, pro tempore.

The CHAIRMAN. The House is now in Committee of the whole for the purpose of considering the special order, which is House bill No. 3812, a convention bill from the United States of America and His Majesty the King of the Hawaiian Islands, signed on the 29th day of January, 1875.

The bill was read, as follows:

BE IT KNOWN, etc., as amended, was ordered to be printed for further reading of the majority of the House.

The reports are as follows:
The Committee of Ways and Means, to whom was referred the bill (H. R. No. 3812) to convert into effect a convention between the United States and His Majesty, the King of the Hawaiian Islands, signed on the 20th day of January, 1875; report:

The convention, as agreed upon by the President and the Senate on the part of this Government and His Majesty the King of the Hawaiian Islands, is as follows:

Whereas a convention between the United States of America and His Majesty the King of the Hawaiian Islands, on the subject of commercial reciprocity, was concluded and signed in Honolulu, the 1st of May, 1875, and as an equivalent thereof, the United States of America hereby agree to admit all the goods, wares, and things named in the following schedule, the same being all manufactory or produce of the Hawaiian Islands, into all the ports of the United States of America free of duty.

SCHEDULE.
Arrow-root; castor-oil; bananas, nuts, vegetables, dried and undried, preserved and unpreserved; hides and skins, dressed or undressed; rice, potatoes, or yams; sugar-cane, mehado, palo, cocoanut, and other unreduced sugar; meaning hereby the state, sugar, and sugar-cane known in the markets of San Francisco and Portland as "Sandwich Island sugar;"); strips of sugar-cans, melado, and macaroons, tallow.

ARTICLE II.
For and in consideration of the rights and privileges granted by His Majesty the King of the Hawaiian Islands to the United States of America, as aforesaid, and as an equivalent thereof, the United States of America hereby agree to admit the following goods, wares, and things named in the following schedule, the same being all manufactory or produce of the United States of America, into all the ports of the Hawaiian Islands free of duty.

SCHEDULE.
Agricultural implements; animals; beef, bacon, pork, ham, and all fresh, smoked, or commercial hams; beans, and all fresh, dried, and preserved; biles and skins, preserved and unpreserved; hides and skins, dressed and undressed; rice, potatoes, or yams; sugar, refined or unreduced; salt; soap; absinths, and staveds, and headings; wool, other than that of the wool of the United States; and for the purposes of agriculture or of drayage, wood and manufactures of wood, or of wood and metal except furniture either upholstered or carved and cassetts; textile manufactures, made, a combination of wool, cotton, silk, linen, or of any two or more of them other than when ready-made clothing; harness and all manufactures of leather; starch; and tobacco, whether in leaf or manufactures.
come into operation; and further, until the expiration of twelve months after either of the parties shall give a notice of its intention to rescind any or all of the parties to this reciprocal trade engaging at the end of seven years, or at any time there

**ARTICLE VI.**

The present convention shall be duly ratified and the ratifications exchanged at Washington City within eighteen months from the date hereof; or if possible, at the expiration of nine months from the date of either of the respective ratifications were made public, to the end that the same may be in force with effect to the year ending June 30, 1875, which state

HAMILTON FISH.

ELEZABETH H. ALLEN.

EXCEY A. H. CARTER.

[seal]

And whereas the said convention, as amended, has been duly ratified by both parties and the respective ratifications were exchanged in this city this day, the said Secretary of State, in pursuance of the said convention, do hereby ratify and confirm the same in all respects, and cause the said convention to be made public, and the said convention to take effect in all respects as of the same date.

The First Annual Congregational Meeting of the Chinese at San Francisco, held at the Chinese room, July 3, 1875, and the said Secretary of State, in pursuance of the said convention, do hereby ratify and confirm the said convention, as amended, and cause the said convention to be made public, and the said convention to take effect in all respects as of the same date.

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The English government and people are always on the alert to increase their commercial advantages. Their vast Pacific possessions, already of inestimable value, render the English eager for commerce, as there can be no danger of their interest in procuring a monopoly of this trade.

The increasing interest of the islands has been for years in a depressed state, but it is probable that the trade with Fiji, New Zealand, and those of the South Pacific Islands, Fiji and New Zealand, especially, may reduce their revenues from customs, and impose upon them direct taxes, they being in a precarious condition, and subjected to disadvantages.

It has been said that the United States will surely have this trade if they do nothing to encourage it. This is surely admissible, for production must diminish and the trade lessen by the imperishable condition of the people, or they will be compelled to make commercial relations with some other country.

There is now communication by steamer from San Francisco to Australia, touching the Hawaiian Islands, and, although they are for freight, and are heavily freighted with coal, which affords reasonable freight for return cargo.

The Pacific commercial relations with some other country, for present and future commerce of the ocean which surrounds them, the problem as some other power, are to be considered in the intimation that the French have taken."}

This is an entire recording of the United States.

The United States derives advantages from the treaty superior to the islands in some respects.

If the exports and imports are equal, as they probably will be, it would be an equal bargain. But as the islands have no vessels, the United States will have the carrying trade, a monopoly of sugar and fruits trade.

It is thought that there were no reciprocity of commerce in this treaty, that the commercial advantages were largely against us, and that we were to lose even $600,000 annual revenue, yet there are rational reasons of sufficient magnitude to warrant us to make it. We should consider it as a question of comprehending interests, and it is gratifying to see our commercial relations improved.

It involves matters of higher interests, of greater importance, and greater sacrifice. What advantage is it to reciprocal advantages likely to result from a free exchange of commodities?

Private interests should be subordinate to national interests and commercial exchanges.

The geographical position of the Hawaiian Islands, their relation to our Pacific ocean, and the fact that the Pacific becomes more the American ocean, their historical capabilities of production, the character of their harbors and commerce, the present condition of the islands, and the direction of the British, the very important circumstances of their position, will affect their future political status, together with the certainty that they cannot maintain it, as their territory is not commercial, and not bestowing any other power, are to be considered in determining the question as to the policy of the United States.

Against us, and we are a maritime power, has been that they have no home market, and are more dependent upon the trade of other countries, and hence the necessity of encouraging them.

This treaty is designed to improve the conditions of California, declared that the Government of the United States would look with displeasure upon any effort by any other government to acquire any prepard infidelities or to control the islands, and further, as related, in relation to an influence that the French would probably take possession of the islands, that it was not desirable to take possession of the islands, and if it were lodged, if it took the whole power of this Government to do it, if his advice were taken.

Subsequently, in view of the importance of more intimate commercial relations with the islands, that the President is desirous of procuring a treaty, he has negotiated a treaty similar in principal, and he left on record his opinion that he regarded it as "a measure of great importance to both countries," but, from considerations peculiar to that day, it was not reported by the Committee on Foreign Affairs to the Senate.

The question, however, was regarded with great importance by the government of so much importance that the administration of the Government for many years, and there has been an entire unanimity of opinion that the United States must have such commercial relations with the islands as would prevent them from inland affairs, and it was here on the Senate before the time at the same time it was there on the treaty, which was not the act of a moment. And it was there on the treaty, which was not the act of a moment.

The treaty, after the most thorough discussion in the Senate, was ratified by a vote of 2d to 1st. It will be seen, therefore, that the principles of the treaty have been approved by many of the other nations of the world and by almost every country and by almost every European power.

The trade of the islands on the free list, to the exclusion of Great Britain and Germany and similar in principle, is one of the most lucrative of the islands, and if it had been there for a treaty, it would have been there for years, and there would be a treaty. It was a treaty in the treaty of the islands free of duty under the first and second articles of this convention. It is agreed that the islands of Hawaii, Tahiti, and New Zealand are open to the trade of all nations, and that the United States is free of duty under the treaty, for which it has been the privilege of the United States, and that the Hawaiian Islands have been open to the trade of all nations.

It contains the additional provisions that no export duty or charges shall be imposed in the Islands of Hawaii, or in the United States upon any of the articles proper for the consumption of the people of the United States or the protection of the islands free of duty under the first and second articles of this convention. It is agreed that the islands of Hawaii and Tahiti are open to the trade of all nations, and that the United States is free of duty under the treaty, for which it has been the privilege of the United States, and that the Hawaiian Islands have been open to the trade of all nations.

The islands are a favorite naval station of all nations, and some of the American vessels which have been there for years. This treaty on the United States has not made the treaty with the United States, and it is not the treaty with the United States. It is not the treaty with the United States.

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day come when these islands are, as it were, a wall on the ocean, they would come nearer to us as a barrier, without traffic, without profitable trade; and it would be infinitely more important, without a conflict with any great nation of the world. Other nations want them, but this country has the vague-ground and the preference; for, in a way, we are the benefactors by these influences.

In view, therefore, of these considerations, the committee report in favor of the bill of admission, with the following reservations:

1. The slight loss of revenue from sugar itself as compared with the general average of revenue from all imports to the port of Washington, the market of American produce.

2. The Pacific Ocean is an American ocean, destined to hold a far higher place in the history of the world than has hitherto been assigned to the states and the other nations of the world. These states, the United States, and the Hawaiian Islands, are the true representatives of the American race, and the true representatives of the American people, and it is the duty of the American people to unite in protecting both hemispheres from European influence and aggressor.

A.

Population of the Hawaiian Islands.

<table>
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<tr>
<th>Year</th>
<th>Foreigners</th>
<th>Natives</th>
<th>Total number</th>
<th>Decrease, Years</th>
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<td>1792</td>
<td>70</td>
<td>400</td>
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<td>1823</td>
<td>1,050</td>
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<td>3,610</td>
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<tr>
<td>1830</td>
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<td>6,084</td>
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<tr>
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<td>2,712</td>
<td>6,084</td>
<td>8,796</td>
<td>6</td>
</tr>
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</table>

Decrease in twenty-two years: 33,119

Fifty and one-third per cent., or 63 per cent. annually, including half-castes, 3,433.

The undersigned, a minority of the Committee of Ways and Means, submit their views in support of the bill H. R. 18, to carry into effect the proposed treaty between the United States and the Hawaiian Islands, signed January 18, 1875. The proposed treaty is as follows:

CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND HIS MAJESTY THE KING OF THE HAWAIIAN ISLANDS—COMMERCIAL RECIPROCITY.

Concluded January 20, 1875; ratified by Senate March 18, 1875; ratified by President May 31, 1875; ratified by King April 17, 1875; ratifications exchanged at Washington June 3, 1875; proclaimed June 3, 1875.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

Whereas a convention between the United States of America and His Majesty the King of the Hawaiian Islands, on the subject of commercial reciprocity, was concluded and signed by their respective plenipotentiaries, at the City of Wash­ington, on the 9th day of January, 1875, which convention, as amended by the con­tract of January 20, 1875, is as follows:

The United States of America and His Majesty the King of the Hawaiian Islands, equally anxious to promote the development and welfare of each other, do hereby reciprocate the friendly relations which have heretofore uniformly existed between them, and to consolidate their commercial interests, do hereby enter into a convention for commercial reciprocity.

For this purpose, the President of the United States has conferred full powers on Hamilton Fish, Secretary of State, and His Majesty the King of the Hawaiian Islands has conferred like powers on his plenipotentiary, Silas H. A. Carter, of the supreme court, chancellor of the kingdom, member of the privy council of state. His Majesty's extraordinary plenipotentiary is appointed plenipotentiary of the United States of America, and Hon. Henry A. P. Carter, member of the privy council of state, His Majesty's special commissioner to the United States of America, and the said plenipotentiaries, after having exchanged their full powers, which were found to be in due form, have agreed to the following articles:

ARTICLE I.

For and in consideration of the rights and privileges granted by His Majesty the King of the Hawaiian Islands to the United States of America, hereby agree to admit all the articles named in the following schedule, the same being the growth and manufacture of the Hawaiian Islands, into the ports of the United States free of duty.

Schedule:

Arrowroot; castor-oil; bananas, nut, vegetables, dried and undried, preserved and unpreserved; beans, hay, and all fresh, smoked, or preserved meats; beef, mutton, and all fresh meat, salted, cured, dried, or preserved, on the most advantageous terms, either by barter or by the payment of money; planters, plants, fish, or trees; mauve, brown, and all other unrefined sugar, meaning hereby the greater part of the common sugar, or the greater part of the sugar known in the market of San Francisco and Portland as "Sandwich Island sugar," steeps of sugar-cane, molasses, and molasses, and all sugar, and all products made therefrom.

ARTICLE II.

For and in consideration of the rights and privileges granted by the United States of America to His Majesty the King of the Hawaiian Islands, hereby agree to admit all the articles named in the following schedule, the same being the growth and manufacture of the Hawaiian Islands, into all the ports of the Hawaiian Islands free of duty.

Schedule:

Agricultural implements, animals, bees, bees, pork, ham, and all fresh, smoked, or preserved meats; beef, mutton, and all fresh meat, salted, cured, dried, or preserved, on the most advantageous terms, either by barter or by the payment of money; planters, plants, fish, or trees; mauve, brown, and all other unrefined sugar, meaning hereby the greater part of the common sugar, or the greater part of the sugar known in the market of San Francisco and Portland as "Sandwich Island sugar," steeps of sugar-cane, molasses, and molasses, and all sugar, and all products made therefrom.

This is giving and receiving nearly one dollar of duty to the islands for the privilege of selling another dollar's worth of products.

By the President:

HAMILTON FISH.

Secretary of State.

A statement from the Secretary of the Treasury shows the imports into the United States last fiscal year amounted to $456,777, from which the Government of the United States received in revenues from import duties $40,379.

And whereas the said convention, as amended, has been duly ratified on both parts, and the respective ratifications were exchanged in this city on this day:

Now, therefore, be it known that I, Ulysses S. Grant, President of the United States of America, have caused the said convention to be published, as it shall be, in the United States of America, to which the said convention shall remain in force, and the ratifications exchanged at Washington City, within eighteen months from the date hereof, or earlier if possible.

Done at the city of Washington this 24 day of June, in the year of our Lord 1875, and of the Independence of the United States the ninety-sixth.

By the President:

HAMILTON FISH.

Secretary of State.

The Secretary of the Treasury now further states that in the six months of the current fiscal year, ending December 31, 1875, the importation of sugar into the United States from those islands amounted to $40,379. At the present rate of sugar in the year ending June 30, 1876, would reach $456,777, from which the United States would receive $40,379 in duties.

This is giving and receiving nearly one dollar of duty to the islands for the privilege of selling another dollar's worth of products.

As a result, the treaty would have added to the United States' revenue from sugar imports.

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Secretary of State.

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By the President:

HAMILTON FISH.

Secretary of State.
would cost us a dollar for the privilege of selling goods of the value of another, and during the year ending March 31, 1875, the States Law under this treaty was the rate of 90.60 per cent. of our consumption, nor can it exceed for natural causes, such as the limited quant-
in the market of the United States for the years 1874 and 1875 would have been the rate of 90.60 per cent. of our consumption; and this cannot reduce the prices in our market.

Thus it is that the forty or fifty sugar-planter homes of whom are Sandwich-
less than for the United States, if the treaty were to come into operation, and the sugar market prices from our citizens, while our citizens will receive no benefit from it be-
type to our own cultivation of sugar, the cultivation of the islands, but to the sugar-planter.

On an examination of the listing of articles which may import into the United States, as sugar, rice, sugar, wool, and very many articles with which the people of the Islands supply themselves, or do not need, while liquors and spirits and ready-made cloths which have come up about one-seventh of our exports to the Islands, are carefully omitted. In short, the undersigned are of the opinion that this group of the trade of the Islands, but to the sugar-planter.

Mr. WOOD, of New York. Mr. Chairman, I have rarely attempted to talk to this House with such positive conviction of the rectitude and correctness of my position that I now feel in rising to advocate this measure. Indeed it is very seldom that the House of Representatives is allowed the same opportunity to examine any question, and to form any conclusion of any question relating to our international diplomacy.

The undersigned are thus brought to the conclusion that the policy proposed by the law of the islands, for the freedom from duty will be contrary to the present treaty, and this is done by the existing treaty without any subjection to protect our possession in them as it is now plausibly argued the possession of the like products now paying duties.

In a communication to the House of Representatives, 39th of March, 1790, he said that to him “it was perfectly clear that the assent of the House of Representatives is not necessary to the validity of a treaty.” The treaty-making power was absolute in the President and Senate. There are also opinions of Judge Story, of Chancellor Kent, and of eminent and distinguished members of the United States looking very far in that direction.

Such, however, has not been the practice. While it has been conceded that the treaty-making power was vested in the President and the Senate, it has been the practice that this power did not extend to those treaties requiring the appropriation of public money or to the changing of existing laws with reference to duties and revenue. Hence it is in pursuance and in the line of that practice that the treaty made with His Majesty the King of the Hawaiian Islands is now presented to this House for its concurrence, so far as its execution and effect are concerned.

Mr. Chairman, I have said that I have never arisen with a graver sense of the importance of a measure than now, I say because I look to the Pacific Ocean as that vast sea which in the not distant future will be more essential and indispensable to the prosperity and material interest of this great nation than the Atlantic Ocean twice over. That this treaty if consummated will be a grand step toward the permanent security of these interests, laying the foundation of a permanent prosperity, and the obtaining of rights and exclusive privileges which will be as advantageous in war as they will be valuable in peace.

The neutrality of the commercial nations as to these islands, the hospitable entree-

The many hundreds of millions of people inhabiting countries which border upon that sea look to America, look to the United States not only for their own progress, but for something of the spirit of Christi-

The treaty already existing, ratified under the administration of President Tay-

W. R. MORRISON

PHILIP P. THOMAS.

While withholding assent from some of the foregoing propositions, I concen-

generally in dissenting from the recommendation of the majority of the committee, and in recommending the rejection of the bill.

W. M. D. KELLEY.
It has ratified this treaty and performed its part of the obligation in order to give it effect and force. It remains for us now to do our part.

This is a practical age. The American people of all other people are probably the most practical. We approach every question with a practical commodity. We count more to see. We generalize sometimes for our purposes; but my observation in recent Congresses is that every day we are becoming more and more practical. When a proposition is presented to us, we grasp its strong points and discard its merits with reference to the interests involved. We expect subjects of a public nature to be determined upon through the relative merit or demerit they may possess. We will not listen to the swell of the sentiment in any comprehensive scope, and reach conclusions, sometimes it is true erroneously, but generally for the public weal as we understand it. When we deviate from this principle we do so from the sophistry of interested advocates, or the narrow prejudices of sections, parties, or leaders. The measure under consideration may be viewed in many lights, and from many standpoints. So, whose vision cannot penetrate a far-off advantage, will look at it solely as a question of immediate interest—as a bargain between nations to be settled upon homely principles of profit and loss at the present moment, without reference to remote advantages or distant returns. Others will see in it "a job," or a speculation. This class of critics are frequently troubled with night-mare. They are dyspeptic men who, never healthy or happy themselves, will allow no one to be so if they can help it. There are others who are naturally disputations and love opposition, and to be opposed. Therefore I anticipate objection from such quarters to the passage of this measure that gentleman may do so without reference to their motives or their objects.

I am willing, if you please, to shut my eyes to all the greater and higher interests. I am willing to concede, as it may be attempted in this discussion to prove, that we are not to derive from this treaty the great commercial, political, and military advantages which I hope we shall obtain from its ratification. We will look at it simply in its most humble, practical, everyday sense: Upon its face, this is a profitable treaty for the United States to conclude.

What does it propose? It proposes that certain articles enumerated in the schedules, the growth and product of these islands, shall be admitted free of duty; and that certain articles, the growth and product of our country, shall be admitted free of duty into those islands. The precise cost in dollars and cents to the Government of the United States has been figured up; how much we are to lose in the way of revenue and what gains we are to receive in return? This is putting it in the most practical way in the world. I do not object to its consideration in that spirit; for looking at it in the light of a purely business transaction, if the Government of the United States were to suffer by the bargain, while I might be willing for greater considerations to give it my assent, it might hardly have an influence in my mind if our loss was to be very great. But I do not concede that.

Ever since a treaty like this has been agitated, the opinions of the advocates of the Treaty of the Pacific are then obtained; the probable effect of the free admission of these articles upon the revenue, the trade, and commerce of the country. Among those Secretaries, Mr. Boutwell, and the present Secretary, Mr. Bristow. In reply to inquiries, official communications have been made to the State Department from heads of the Executive Department that there could be no objection to the treaty upon the simple ground of loss of revenue. The present Secretary replied in a communication of a most intelligent character, which is referred to in the reports accompanying the bill. The following extracts from this document are worthy of special consideration:

The effect on the revenue of admitting the articles named in the schedule free of duty is admitted to be the amount levied on the quantity which was in 1873, ($54,771). The duty on the article is 15%.

<table>
<thead>
<tr>
<th>Commodity</th>
<th>Quantity</th>
<th>Rate of duty</th>
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</thead>
<tbody>
<tr>
<td>Sugar, brown, pounds</td>
<td>17,861,090</td>
<td>10c. per lb.</td>
</tr>
<tr>
<td>Molasses</td>
<td>2,36,720</td>
<td>10c. per lb.</td>
</tr>
<tr>
<td>Wool</td>
<td>812,980</td>
<td>10c. per lb.</td>
</tr>
<tr>
<td>Total</td>
<td>1,628,499</td>
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</tbody>
</table>

This is the first and only attempt to raise the sugar duty.

The Secretary, in conclusion, further states:

The proof this treaty would probably increase this trade, and its increase would go far toward compensating for the loss resulting from the release of sugar from duty.

Should the sugar product so released increase to 25,000,000 pounds yearly, the export trade would probably equal its value.

In addition to the particular articles of commerce affected by the treaty there are general commercial advantages likely to follow, which can only be alluded to. The endeavors so long before proved at these islands for the effect of the Pacific in still needed; and with the increasing commerce of all the seas bordering the Pacific the demand for sugar and aid and facilities would be affected by the establishment of American interests in the Hawaiian Islands proceeds from the sources.

I present a statement of the amount of duty collected on the articles enumerated in the schedule sent to treaty reported from official sources.

Statement of the imports into the United States from the Sandwich Islands during the fiscal year ended June 30, 1875, with the estimates made for the present rates of duty; being the same articles proposed to be admitted free of duty under the treaty concluded January 17, 1875.

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This it will be seen that taking the past as a basis of calculations as to the probable loss of revenue, which I contend is not reliable, we shall see far less than alleged by the opponents; and an increase of sugar with the Pacific Ocean imported into the Pacific ports of this country, and sugar grown in Louisiana? We annexed California in 1846, thirty years ago. The influx of population began in 1848 when gold was discovered, and there has since grown up there a vast empire possessing a large commerce and a bold, enterprising, and prosperous people, paying the highest prices. The sugar imported into our ports is, therefore, of small importance, and the statements made in this report are not correct. The sugar imported into our Pacific ports are from Manila, in the Philippine Islands, belonging to Spain, Batavia, an East India Island belonging to Holland, China, Formosa, Swatow, Central America, and Honolulu, which is the sugar in question. It is from those islands and from those alone that ninety-nine percent of the sugar imported comes into our ports. It is very true that recently, owing to the present depression of business, sugar refiners in New York, where bankruptcy has nearly ruined all except one or two, some persons have sent on commission the highest grade.
of refined sugar at their own risk across the Pacific Railroad and have supplied much of the sugar that was protected by the old duties. Sugar from the Atlantic to the Pacific, either from Louisiana, New York, or anywhere else, was far more expensive than sugar from the Sandwich Islands, which enters into the United States free of duty. Therefore we have no assurance that the present treaty will fail, instead of getting as we now do some $450,000 a year revenue by duties levied on certain articles, my prediction is that we will not only not lose anything, but will lose golden opportunities to gain advantages which are indispensable to our Pacific commerce.

We do not gentlemen recollect that the amount of revenue we collect on sugar is according to the amount of duty we lay upon it? Have we any guarantee that the present rate of duty will be continued? Until lately did we not lay fifteen cents per pound upon tea and coffee? Do we not propose, by the treaty far more favorable to the Sandwich Islands than this would be, but also to make a loan to that government of $1,000,000, if necessary, for the extension of other favors in return.

The report of the committee, Mr. Chairman, refers to some remarkable intriguers which have been going on in the British possessions for the purpose of diverting this trade entirely from the United States to those British possessions in the southern Pacific Ocean. If this treaty fails, instead of getting as we now do some $450,000 a year revenue by duties levied on certain articles, my prediction is that we will not only not lose anything, but will lose golden opportunities to gain advantages which are indispensable to our Pacific commerce.

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to the Pacific coast to San Diego, five hundred miles south of San Francisco. San Diego is directly in line with Honolulu, the capital of the Sandwich Islands. This is the natural stopping-place, whether coming from or going to the east or from our shore. They touch at this port of call before proceeding to either the American coast or the Sandwich Islands. This is the natural stopping-place, whether coming from or going to the east or from our shore. They touch at this port of call before proceeding to either the American coast or the Sandwich Islands.

Indeed, the States of the South have a much larger interest in this question than we of the North. We are already provided with the present Pacific railway, which runs now due west from New York. New York is the great entrepôt which receives the treasures of their own interests which has so sufficiently built up their more northern sisters in the American Union.

Mr. WOOD. of New York. I am advised by the gentleman from Pennsylvania [Mr. CLYMER] that the committee of which he is chairman has an important communication to make to the House of Representatives. I will, therefore, move that the committee now rise, with the understanding that when the Committee of the Whole shall again resume the consideration of the pending bill I shall be entitled to the floor.

The CHAIRMAN. There are fifteen minutes remaining of the hour to the gentleman is entitled.

Mr. WOOD of New York, was agreed to.

Mr. CLYMER. Will the gentleman yield a motion that the committee of the whole now rise?

An act (S. No. 322) to appropriate $1,000 to remove the remains of Hon. E. Runsey Wing, late minister to Ecuador, from Quito to the city of New York, in the United States.

An act (S. No. 431) granting a pension to Elizabeth H. Thomas, widow of General Lorenzo Thomas, late of the United States Army.

A joint resolution (S. No. 9) authorizing Hon. William L. Scroggs, United States minister at Bogota, to accept a present from the Queen of Great Britain.

IMPEACHMENT OF WILLIAM W. BELKNAP.

Mr. CLYMER. By direction of the Committee on Expenditures in the War Department, I ask unanimous consent to submit to the House a report from that committee of so grave a nature that I am quite certain that when it is heard, they will agree that I am justified in asking that permission at this time.

No objection was made.

Mr. CLYMER then went to the clerk's desk and read the report, as follows:

The Committee on Expenditures in the War Department would respectfully report:

That they found at the very threshold of their investigation such unquestionable evidence of malversation on the part of the late Secretary of War as to justify them in ordering, in the name of the House of Representatives, that they find it to be their duty to lay the same before the House, and that they do accordingly lay before the House a full and complete report of the matter of the resignation of the late Secretary of War, which is hereby submitted, together with such further evidence as may be desired to make the full and complete report of the matter of the resignation, which the President informs the committee was accepted about ten o'clock on the morning of the 24th of February last.

This is the full and complete report of the matter of the resignation, which the President informs the committee was accepted about ten o'clock on the morning of the 24th of February last.

The proposition of the House was taken up, together with the several statements and exhibits thereto attached, and also a rescript of the proceedings of the committee had during the investigation of this subject.

That William W. Belknap, late Secretary of War, be impeached of high crimes and misdemeanors.

Mr. CLYMER. I ask the still further privilege of reading the evidence and the accompanying papers, exhibits, and statements in the case.

Mr. GARFIELD. The gentleman has a right to do so without asking permission of the House.

Mr. CLYMER then read the following:

EXTRACTS FROM THE PROCEEDINGS OF THE COMMITTEE.

Tuesday Morning, February 28, 1876.

The committee met present: Messrs. Clymer, Blackburn, and Roberts. Mr. March, a witness, being present, was duly sworn by the chairman, and was examined.

Mr. CLYMER. The committee of which I have the honor to be chairman, having been notified of the meeting, appeared; whereupon they unanimously adjourned to meet at eleven o'clock the same day.

Mr. GHIBBS, Roberts, Barnwell, and Dawes.

The Secretary of War, having been notified of the meeting, appeared; whereupon the testimony of the witness, Caleb P. Marsh, taken yesterday, with the several exhibits thereto annexed, were read by the chairman.

The witness was adjourned to meet at eleven o'clock the same day.

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Dr. Tompkins appeared, and presented a letter addressed to the chairman, to the committee, on the subject of the new livery.

The witness, Mr. Marsh, being present, was recalled by Mr. Blair, counsel for General Belknap, for the purpose of cross-examining him.

The committee authorized the chairman to draft a report in the case to the House, for the ratification of the bill and the appointment of the committee; and, it having been unanimously approved, the chairman was ordered to make his report to the House.

Testimony.

Mr. Caleb P. Marsh, one of the witnesses ordered to be subpoenaed by the committee, being present, was duly sworn according to law:

By the Chairman:

Question. Where do you reside?

Answer. I reside at No. 30 West Fifty-seventh street, New York; have resided in New York about eight years.

Question. Have you ever held or tendered an appointment as a post-teacher; at Fort Sill, Indian Territory, in the fall of 1870, by the Secretary of War? If so, under what authority?

The witness said he was never appointed by the Secretary of War as a post-teacher; but if one was appointed by the Secretary of War, he had never been tendered or recommended to any such appointment.

By the Chairman:

Question. Have you, or have you ever had, any letters from the Secretary of War, or any other officer in the government, inquired by you to say anything to any man once in the Army and now residing near Fort Sill, Indian Territory, in connection with the making of our trip over, however, Mr. Evans went home absent.

I went to see him and told him I would mind the money coming from him, and that I would be able to make arrangements with him to purchase the trunk, if I wished to do so. He said, "If I go before the committee I will surely ruin you, for I will tell the truth." He was greatly excited. When I came down to leave, he followed me and asked me into the parlor, and said, "I want to make a last appeal to you to stay longer." If he said it with my hand out of my pocket, but I did not wish to make any arrangements with him, if I wished to do so, but I did not wish to make any arrangements with him, if I wished to do so.

I dined there and spent the evening, and staid all night, retiring about twelve o'clock. The next morning was spent in writing a statement which would hold water before the committee, and even if it would not hold water, but before the committee, I was determined not to let the money come from him, and that I would be able to make arrangements with him to purchase the trunk, if I wished to do so. He said, "If I go before the committee I will surely ruin you, for I will tell the truth." He was greatly excited. When I came down to leave, he followed me and asked me into the parlor, and said, "I want to make a last appeal to you to stay longer." If he said it with my hand out of my pocket, but I did not wish to make any arrangements with him, if I wished to do so, but I did not wish to make any arrangements with him, if I wished to do so.

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CONGRESSIONAL RECORD—HOUSE. March 2, 1876.

skeletal of Tomlinson; the endeavor was to exculpate the Secretary; there was no necessity of being sent; I did not know but it did not; my wife had said, therefore, truth; it was a very short letter. He took it with the contract enclosed. He said he

had sent it, and brought the letter to the former. The first thing I had un

opened. I told him I had. He began talking the whole thing over again, still

wishing to have the money. Mr. Thomas had sent him a letter about the next morning—my wife was sick and that I could not attend. My wife being sick, I could not attend that morning.

While we were talking, I said, I could not make the statement he desired. He said he had seen Mr. Blackburn in the interval, and had shown him the letter of Thursday night. It was true, he said, that he had been at the war department to-day—his wife was sick and he could not attend. I told him she would be having to have a lawyer to tell him how ridiculous the story he wanted me to tell would appear before the committee, not to have the money. I §I

We went down and called on Mr. Bartlett, and I told him the whole truth in the presence of Mr. Bartlett. Mr. Blackburn said he would not have this thing

shown at the war department, and stopped at the Arlington, my wife being with me. When she desired me to tell it to him. He said he did not see but that it was all right; that things could be

explained yet, if they could prove that this money was originally sent to General

Mr. Blackburn. I told him I had not told him about it, and he was still in doubt about the conversation with the

secretary. Next day I heard Mr. Bartlett had seen Black

burn, and that he still thought this matter could

be made the subject of some conversation at some future time. He said he had seen

John S. Evans, of Fort Sill, and the Secretary was going to Washington to inform the committee, and he having

asked me to come there, to be well prepared to state all the facts the Secretary

would require. Mr. Bartlett and John S. Evans were to be present at the interview with the Secretary. Mr. Blackburn had been with Mrs. Bower, the present Mrs. Belknap, by which arrangement

I had stated to the committee that on

Saturday morning about eight o'clock Dr. Tomlinson again appeared. He had

seen me at my sister's, in December, 1875, and in any other conversation had with her or any other person at any time, it was the understanding that the money you were to pay was to be the money of Mrs. Belknap, the present wife of the Secretary.

Q. When was the baby of the late Mrs. Belknap born and when did it die?

A. The present Mrs. Belknap, years ago, may have consulted me on a matter

business, but there was no nondisclosure transaction whatever between us other

of her horsetail.

I have never consulted Mr. Blackburn, Mr. Belknap, or the present Mrs. Belknap, or either of them, other than those arising from this Fort Sill transaction? Have you now, or you ever had, any other sum or sums of money, or any evidences of debt or credit or

sort or description whatever, belonging to either of them; or have you at any time been indebted to either of them?

I, as I have already stated, have never consulted Mr. Blackburn, Mr. Belknap, or the present Mrs. Belknap, or either of them, other than those arising from this Fort Sill transaction? Have you now, or you ever had, any other sum or sums of money, or any evidences of debt or credit or

sort or description whatever, belonging to either of them; or have you at any time been indebted to either of them;

Q. Is the Secretary of War not your brother-in-law, and how long has he been so?

A. Yes, the present Mrs. Belknap, years ago, may have consulted me on a matter

business, but there was no nondisclosure transaction whatever between us other

of her horsetail.

I have never consulted Mr. Blackburn, Mr. Belknap, or the present Mrs. Belknap, or either of them, other than those arising from this Fort Sill transaction? Have you now, or you ever had, any other sum or sums of money, or any evidences of debt or credit or

sort or description whatever, belonging to either of them; or have you at any time been indebted to either of them;

Q. Did you ever have any business relations of any kind or nature whatever with the late Mrs. Belknap, or the present Mrs. Belknap, or either of them, other than

these arising from this Fort Sill transaction? Have you now, or you ever had, any other sum or sums of money, or any evidences of debt or credit or

sort or description whatever, belonging to either of them; or have you at any time been indebted to either of them;

These arising from this Fort Sill transaction? Have you now, or you ever had, any other sum or sums of money, or any evidences of debt or credit or

sort or description whatever, belonging to either of them; or have you at any time been indebted to either of them;
Mr. KASSON. I beg that my friend from Pennsylvania [Mr. CLYMER] will give an opportunity for a moment's suggestion before asking the previous question on a matter of this great importance.

Mr. KASSON. I regret that I cannot oblige my friend.—[Several Members (Mr. CLYMER, Mr. DOUGLASS, Mr. HAWKINS, and Mr. ROSS) rose to speak.]—Mr. Speaker, I decline to yield. I demand the previous question.

Mr. KASSON. The gentleman will allow me to say that there is not the slightest opposition to their all being heard.

Mr. CLYMER. Mr. Speaker, I decline to yield. I demand the previous question.

Mr. COX. I call for the reading of the resolutions again.

The resolutions reported by the committee were again read.
Mr. BASS. As I understood, the intention was that members of the committee on this side should be entitled to be heard.

Mr. CLYMER. Yes, sir; but he who is the gentleman having one hour only, I understand him now to give away one-half of it.

Mr. CLYMER. I propose to give one-half hour to the gentleman from New York [Mr. BASS] and the gentleman from Ohio, [Mr. DANDRIDGE], that they may dispose of it as they wish.

Mr. BASS. If the gentleman has but an hour, how can he give away one-half hour and still leave the time it has been agreed we shall occupy?

Mr. CLYMER. I do not propose, if the gentleman from New York will understand—I do not propose to occupy one minute of that hour myself.

Mr. BASS. Then I do not understand the chairman of the committee to take away the half hour to which the members of the committee on this side of the House are entitled.

Mr. CLYMER. Certainly not; and the gentleman can dispose of his time as he may desire.

Mr. BASS. As I understand the chairman, he proposes to give one-half hour of his own time to the members on his side of the House, but not of our time. We propose—

Mr. CLYMER. If you do not desire it, say so. It is a mere matter of volition on your part to take it or not.

Mr. BASS. I desire to say—

Mr. CLYMER. My friend from New York permit me, in order that there may be no misunderstanding about this matter. I propose that the hour which under the rules belongs to me shall be divided, one half to the gentleman from New York and his colleague so choose or it may all be occupied by themselves.

Mr. BASS. That is what I asked, whether I understood the gentleman to give an additional half hour to the gentleman from Iowa, which could only be done by taking away our half hour.

Mr. CLYMER. I propose no such thing. I demand the previous question, and decline to be further interrupted.

Mr. HOAR. Does the gentleman consider this a political question?

Mr. RANDALL. This report is unanimous; it is not political.

Mr. CLYMER. I demand a vote on the seconding of the previous question.

The previous question was seconded.

Mr. CLYMER. I now yield to the gentleman from North Carolina, Mr. ROBBINS, who is a member of the committee. I ask what time he desires?

Mr. ROBBINS, of North Carolina. Not more than the fifteen minutes allotted to me.

Mr. ROBBINS, of North Carolina, took the floor.

Mr. WADDELL. This disorder is-disreputable to the House, and I hope some order will be preserved while my colleague addresses the House on this occasion.

The SPEAKER. The Chair is resolved that this solemn business shall not proceed in such disgraceful disorder, and he therefore appeals to the gentleman personally to this chair, to aid him in restoring and maintaining order. It does not become us to attempt to proceed under such circumstances.

Mr. ROBBINS, of North Carolina, Mr. Speaker, it is my purpose to occupy but a very few minutes of time. I have been wearied with the physical labor and the mental strain of this investigation day and night for several days that I am in no condition to make a speech in regard to it, and I do not think any member of the American Congress has in his heart to wish to say very much about this great shame. It is one of those things which we need not take pains to spread before the inquiring and conscious world to the common disgrace of all American citizens, but, if duty permitted, might rather well be as a reproach to the American name. We of the committee have expressed our ideas in the report and resolutions unanimously submitted by us. Those resolutions, Mr. Speaker, I hope will be adopted with substantial possessions.

It has been intimated that a question arises as to whether they are in order, and whether it is proper to impeach an officer who has resigned from the House, or some member of his family, and not prepared to speak to that question worthily except to say this, that it certainly cannot be true that an officer who is being investigated, or the other, is to be prejudiced against the laws of the land can flee from justice by any act of his own.

The results of an impeachment, Mr. Speaker, are twofold; One is to protect the person of the other, and the other is to disqualify from holding office hereafter. The removal from office is accomplished by the resignation but the other portion of the penalty remains unaffected. Certainly, the power of the statute sitting is a court of impeachment to impose that penalty, and the officer cannot escape it by forced resignation, which is only a flight from justice. I shall not undertake to characterize the manner in which the apologists have been in this instance facilitated by the hasty acceptance of his resignation at such an untimely hour and at the last stage of the investigation. It is not necessary to dwell on that. It goes before the country. I would call the attention of the House to the cases of Warren Hastings and of Lord Francis Bacon, of whom the former was impeached by the House of Commons, and the latter by the House of Lords, and they had respectively ceased to hold the offices in which they had committed the crimes and misdemeanors for which they were impeached. These proceedings were found in the proceedings on the impeachment of Warren Hastings, he is described in the articles of impeachment as the late governor-general of India. So that these great and remarkable precedents are not only in the English jurisprudence, but in the laws of America, in the form in which they are presented in these cases, and it is in the evidence which is so consonant with reason, that, when a man is found in office corrupt, dishonest, and especially as we have jurisdiction of him by investiture, he must be brought to the bar of the high court of impeachment, and there tried in the name of the people and a adequate penalty inflicted, for if the officers of this country we may learn that the crimes the arm of the people can reach them and punish them however they may attempt to hide themselves away.

Let us, if American precedents are not clear on this question, make a precedent which shall be clear to those who shall come after us. In this extraordinary case let us make a notable example and do what in us lies to stem the tide of official peculation and plundering and malfeasance which deluges the land, sapping the foundations of our liberty, bringing discredit upon popular institutions and almost making a mockery of all faith in human integrity.

Mr. CLYMER. I now yield fifteen minutes to my colleague on the committee, the gentleman from New York, [Mr. BASS].

Mr. BASS. I have no desire, and I certainly have no ability in my present condition of health, to detain this House by any extended remarks upon this subject. I can only say that it is one so grave that it appals every American citizen.

I regret to have heard the statement that this peculiar instance of official corruption was the outgrowth in any way of our institutions. And I regret to have heard the statement that this instance of official corruption had no parallel either in this land or in any other. We should not have to go far, sir, and I think we would not have to leave our borders to find not only its parallel, but to find one compared with this as a criminal. There is no parallel.

But, sir, no man upon this floor can defend or in anywise extenuate the offense which has been disclosed by the testimony which has been laid before the House to-day. There is no excuse for it, there is no justification for it before the American people. The sale of office, the sale of a place, the sale of a contract under the laws of the United States by an officer thereof is not only an offense which strikes us as citizens as being one which should receive our earnest condemnation, but this Congress and this House of Representatives heretofore have had occasion to place upon the statute-book a denunciation of this offense. And it is already by the laws of the land not only made a crime punishable in our courts, but in this case, the offense having been committed by a high officer of the Government, it is punishable also by impeachment.

I have not time to review the testimony, but in brief I can only say that it seemed to the committee—and about this there was no doubt—there was no substantial doubt of the truthfulness of the statement made by the witness Marsch. That is in effect that in the year 1857 an arrangement was made by which the Secretary of the Navy, or some member of his family, was to receive equal to about the half of $12,500 per year for bestowing upon a man named Evans, through the witness Marsch, the office of post-master at Fort; for that that contract continued in existence for a period of a year and a half or two years; that then, being some complaints with reference to the Ill-treatment of the soldiers—which might have been notified from the sale of post-office stamps and the office of post-master to be blocked—may have been raised by the contract—complaints being made, the bonus was reduced to the half of the sum of $6,000 annually; and from that time the offenders continued to act, and the money, according to the testimony, has been remitted quarter by quarter in one form or another to this high officer of the Government in the position of post- master.
testimony is sufficient to justify the vote of every member of this House for the resolutions which have been presented by this committee.

Mr. LAMAR. Will it interrupt the gentleman for me to make an inquiry?

Mr. BASS. I think not, if I have time enough left.

Mr. LAMAR. I am simply to the question whether the resignation of the officer divests this body of the power to present articles of impeachment, and whether the gentleman's attention has been directed to this point?

Mr. BASS. I was about to say a few words on that question after I had said one or two more things on the facts of the case. I have already called the attention of the House to the fact, admitting that the point is a disputed one, that the offense has already been tried in the law in the statute-book as a crime liable to be punished by imprisonment; and also that it is a high crime and misdemeanor for which we are entitled to impeach.

Now this question is a very important one, whether the House of Representatives, which has the sole power of impeachment under the Constitution, has jurisdiction to impeach, as General Belknap is no longer Secretary of War, whether it has jurisdiction to frame and present to the Senate of the United States, for trial, articles of impeachment against him. The members of the committee have individually examined that question to some extent. I think it has been done more extensively by the gentleman last on the floor, [Mr. RON, of North Carolina,] but I have been convinced that we have the power, although, so far as I am concerned, I was not able to find direct authority in America; yet English authorities seem to maintain that, in the case of the extradition of a jury, there is a jurisdiction, but however, a jurisdiction of a constitutional question. We are sitting as a grand jury, and as it is a jurisdictional question, leave the officer to plead it before the tribunal which is to try him, and if they decide in his favor then well and good. There is perhaps a difficulty in this question, as the committee have not said a word about the trial. I am entirely free from doubt. But my own judgment is that that provision of the Constitution which says that any officer who shall be impeached shall not on account of the impeachment hold any office of honor, trust, or emolument under the United States Government, can be accomplished in no other way except by impeachment. Under the constitution all officers of the United States who are not impeachable by the House can be impeached if the House finds that offense. If we have impeachment, on the very day the articles of impeachment are to be presented can he evade the consequences of his guilt and shield himself from the law by sending in his resignation? I say under the circumstances of this case, if there is doubt about this matter, we, sitting as a grand jury to present articles of impeachment, should put him on trial and let the tribunal that tries him decide the question of jurisdiction. The very section of the Statutes at Large to which I have alluded provides that an officer convicted by a judicial tribunal of an offense like this shall be forever disqualified from holding office; but gentlemen will bear in mind that any man convicted before a court may be pardoned, but, if he be convicted by the Senate sitting as a court of impeachment, he is beyond the power of pardon, and his disability continues forever.

With these views upon the question, and having no doubt as to the facts found by the committee, and the burden of my convictions being that it is not in our power to do to shield and shelter from dishonor every one except those whose acts were or are, and were not contrary to investigation. I do not believe that the man from Massachusetts who has just preceded me [Mr. HOAR] shall make this a political or a personal question. I will not, in justice to the gentleman from Massachusetts, I will not stop to consider what peculiar advantage it is to the House to have the power to impeach, and the power to put him on trial. I am not going to say that this impeachment had no connection whatever with the question of the impeachment of Mr. Hastings. I am not going to say that this is unprecedented in more respects than one. It is the purpose of the impeachment of Mr. Hastings, and to the honor of the country be it said—that any one claiming manhood and holding an exalted position has sought to shelter himself by legitimate inquiry. The gentleman from Massachusetts [Mr. HOAR] says that Judge Story has decided this to be the case. I deny it. Mr. ROBBINS. The gentleman misunderstood me. I said that Judge Story had said it was a very doubtful question.

Mr. BLACKBURN. I decline to be interrupted. I read from section 801 of Story on the Constitution:

No country growing out of the War is, whether, under the Constitution, any acts are impeachable except such as are committed under color of office, and with the party can be imputed for the same after he has ceased to hold office. And in section 800 he says:

It is not intended to express any opinion on the Constitution as to which is the true exposition of the Constitution on the points above cited. They are brought before the learned reader as matters still in doubt, the final decision of which may be reasonably left to the high tribunal constituting the court of impeachment when the occasion arises.

Mr. HOAR. Will the gentleman read the close of section 801?

Mr. BLACKBURN. I decline to be interrupted. That is the uttermost of that great jury trial. It is a very different question. Rawle, in his commentaries on the American Constitution, says:

From the reasons already given, it is obvious that the only persons liable to impeachment are those who sit on the bench of the highest courts of justice. Now, sir, you may go back to the trial of Hastings, the record of which is before me. It shows that he was impeached more than one
Mr. NIBLACK. I understand it to be a settled rule—the gentleman from Massachusetts has investigated that subject more than I have done or have been required to do—that an officer cannot escape impeachment by reason of resignation. I beg therefore to inquire of the gentleman from Massachusetts if the committee have considered that question; whether they might not impose him still, if they think that the circumstances sufficiently justify it.

Mr. BUTLER, of Massachusetts. In answer to the question of the gentleman from Iowa, I will say that as the Constitution imposes the punishment of disability from holding office hereafter, it is entirely competent for the House to go on with the impeachment; and whether the gentleman from Iowa has a right to discharge that which rests upon you as an obligation, and say that, because there may be the mist or the shadow of a doubt, you will refuse to impeach this officer? You cannot do it.

In the Duren case, which was, I believe, before the Forty-third Congress, I find that the following discussion took place:

Mr. TOWNSEND. I desire in consideration of the fact that this officer comes from the State of Iowa, to yield to the gentleman from Iowa, [Mr. KASSON.] at his request, the remainder of my time.

The SPEAKER. The gentleman from Iowa has ten minutes.

Mr. KASSON. A few years ago, sir, there went from my State a young, well-educated, and gallant gentleman to fight the battles of his country. He passed through them all; and after the war was over the President of the United States invited him to the very distinguished honor of a seat in his Cabinet, putting him practically at the head of that Army of which he had been a humble but distinguished and meritorious officer. This morning for the first time the delegations, I made to the House for a moment were in the condition in which they would place their own official at the other end of the Avenue whom they have put in power if we were to adopt their view, I read from Bacon's Works, volume 16, page 39:

On the 16th of May, the seals having been sequestered, the House resolved to proceed to judgment on the next day. In this interval, on the evening of the 16th of May, the chancellor wrote to the King, "to save him from the sentence, to let the cup pass from him; for, if it is reformation that is sought, taking the seals will, with the general submision, be sufficient atonement." These, his last hopes, were vain; the King did not, he could not, intervene to stay the judgment.

What is it that members on the other side of the House would tell us? Will you say to the country to whom you have placed in power at the other end of this avenue is able to rob an American Citizen of his rights, that a King of Great Britain cannot take from Parliament? [Applause on the floor and in the galleries.] Is that your theory?

Mr. TOWNSEND, of New York. You do not give us an opportunity to say that.

Mr. BLACKBURN. It used to be the theory that the king could do no wrong; but the man has never yet been found in this land who was bold enough to say that the President could do no wrong, that man who uttered that memorable sentence, "Let no guilty man escape," holds it in his power to rob the representatives of the American people of their right to prefer accusations or pronounce sentence upon self-convicted official criminals, then tell me, some one, where is the barrier to be found beneath whose shelter the liberties of this people are kept secure?

Mr. HOAR. Does the gentleman claim?

Mr. BLACKBURN. I submit to no interruption.

Mr. HOAR. Then I make the point that the gentleman's time has expired.

The SPEAKER. The gentleman from Kentucky declines to be interrupted.

Mr. BLACKBURN. And I hope this interruption will not be taken out of my time.

Mr. HOAR. If it is simply desire in the moment or two that may be left to me to make but one additional statement. I am the last man who would introduce one atom of politics into this discussion. It is not advisable for me to consider whether members of this committee on the other side of the House were as earnest in their inculcation of this report as the gentlemen of the committee who sit around me. We have in our proceeding a sense so great as to be unavailing in the committee in which I have been on this committee before those articles were ever presented or that impeachment ever had.

I do say, and I assert it without fear of contradiction, with the authority of the President of that body which in England it is in England it is an open question. And, now the issue is submitted, will the American Congress say that in this state of facts, with the question undecided, with no adjudication to guide us, with the expressors or constitutional law indicating that the court of final resort which holds its sittings in the other wing of this Capitol should be left to pass upon this issue when the occasion shall arise, would the American Congress sit in a state of facts, that the power of the House is not changed. But Judge Blackwell is an old man, and there will be no practical benefit in going on with the impeachment.

Mr. TOWNSEND. There might be, as an example.

Sir, there is the record of a prominent member of the gentleman's own party, one who had made it a subject of special inquiry. He said that a resignation does not protect the officer from the impeachment; and that in the case of Mr. Van Buren, when the charge had been sufficiently considered, it would not be on this side of the House one single dissenting voice in agreeing to these resolutions.

I do not agree, sir, that the conduct of this officer is a legitimate one of the principles of the Constitution, and it is not from the other side. No; the shame which he has brought upon the country is an outrage upon the public party which he in part represented in the conduct of the President.

And I desire to say that it is my hope there will not be a single vote on this side of the House against these resolutions. Let us deal with this man in such a manner as to teach all persons in this future may occupy such high and exalted position that swift punishment follows in the wake of such an outrage as he has inflicted upon the people of this country.

Mr. Speaker, I desire in consideration of the fact that this officer comes from the State of Iowa, to yield to the gentleman from Iowa, [Mr. KASSON.] at his request, the remainder of my time.

The SPEAKER. The gentleman from Iowa has ten minutes.

Mr. KASSON. A few years ago, sir, there went from my State a young, well-educated, and gallant gentleman to fight the battles of his country. He passed through them all; and after the war was over the President of the United States invited him to the very distinguished honor of a seat in his Cabinet, putting him practically at the head of that Army of which he had been a humble but distinguished and meritorious officer. This morning for the first time the delegations from Iowa heard that this gentleman, who had served in his own State so much honored by the nation, had been found guilty of receiving compensation for some act of official function and that that compensation had been continuous. The House, judge of the case, never hesitated in the judgment that that court of impeachment should be able to make an appeal to the country by inviting my colleague on the other side of the House, and it is not for myself only, but for my colleagues, whose pride and the honor of whose State were so touched by the character of the report, for some months' delay, in order that we might find out what there was in that evidence in extenuation of what seemed to be so great a misdemeanor on the part of a public officer, we were met by a demand for the previous question. Not a word to be allowed except by grace to see whether this great stain ought to be put not only upon the nation, but upon that State which lightherto had been glad to honor such distinguished citizen.

I regret it, Mr. Speaker, for we desire in no respect to claim exemption for him from any of the penalties which his action deserved. If he could not rest with us, we could not ask that this should be done, justly due that officer upon the evidence should be withheld; but when, from the mere listening to that evidence, I find that one of the most odious features disclosed by it is in the fact that for three years, until the death that broke up a home had occurred—that not one syllable of evidence touches the officer in question, and I to be unable to say if I want a night to see the evidence, and to ascertain the extent of his personal wrong by reading the evidence in print? And when I find the most delicate relations of human life so hard to judge, that there is no hard to judge, that there is no evidence, domestic relations so delicate do I dare not allude to them in detail, is it astonishing that I think it but just we should have an opportunity to consider whether there was a mitigating extenuation of what appears by the resolutions which accompany the evidence to be so great a misdemeanor?

This is the occasion. We have been refused the opportunity, whether they do not need more time to ascertain whether this
Mr. HOAR. That is correct.

Mr. ROBBINS, of North Carolina. In reply to the gentleman from Iowa [Mr. KASSON] I would say in regard to Senators that it was decided in the Brong case in 1777 that a senator cannot be impeached, because he is not an officer of the United States.

[Here the hammer fell.]

The question was taken on the resolutions, and they were unanimously adopted.

Mr. CLYMER moved to reconsider the vote by which the resolutions were adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. CLYMER. I desire to ask that the report and testimony, with the accompanying exhibits, and exhibits, be printed in the usual form, and also in the Record.

There was no objection, and it was so ordered.

Mr. CLYMER moved, as the following is the committee called for in the second resolution:

Mr. CLYMER, Mr. ROBBINS of North Carolina, Mr. BLACKBURNE, Mr. BAIS, and Mr. DAVENPORT.

Mr. ROBBINS, of North Carolina. I just want to say, in reply to the gentleman from Massachusetts, [Mr. HOAR], who says that the same punishment may be inflicted by indictment as by impeachment, that they differ materially. Indictment and disqualified by indictment may be pardoned by the Executive, but a man convicted and disqualified by impeachment cannot.

Mr. CLYMER. I believe there is a shred of time left.

Mr. ROBBINS. There are two minutes left of the hour.

Mr. CLYMER. I yield to that my friend from North Carolina [Mr. ROBBINS.]

Mr. ROBBINS, of North Carolina. I just want to say, in reply to the gentleman from Massachusetts, [Mr. HOAR], who says that the same punishment may be inflicted by indictment as by impeachment, that they differ materially. Indictment and disqualified by indictment may be pardoned by the Executive, but a man convicted and disqualified by impeachment cannot.

Mr. ROBBINS. I do not object to proceed.

Mr. CLYMER. I move to strike out the words, and have it referred to the Speaker.

Mr. HOAR. Of course.

The motion to strike out the words, and have it referred to the Speaker, was agreed to.

Mr. CLYMER. I desire to amend the resolution, by striking out the words, 'to be laid on the table,' and insert the words 'to be considered.'

Mr. HOAR. Of course.

Mr. CLYMER. I desire to have this resolution referred to the Speaker.

Mr. HOAR. Of course.

Mr. CLYMER. I desire to have this resolution referred to the Committee on Ways and Means.

Mr. HOAR. Of course.

Mr. CLYMER. I desire to strike out the words, 'in his opinion, that the motion to reconsider the vote, and a motion to reconsider the motion to reconsider, be laid on the table,' and have the words, 'in the opinion of the Speaker, that the motion to reconsider the vote, and a motion to reconsider the motion to reconsider, be laid on the table,' inserted.
cating liquors may be prohibited in the District of Columbia and Territories, to the Committee on the Judiciary.

Resolved (H. Res. 171) that the petition of Phillip Bacon and other citizens of Pike Station, Wayne County, Ohio, and of J. E. Arnold, M. B. Beebe, and other citizens of Cadiz, Ohio, for a commission of inquiry concerning the navigation of the Miami tributary, be referred to the Committee on the Delaware.

By Mr. NORTON: Report of the Senate of the Seminole Nation of Indians, against the passage of the law recommended in Executive Document No. 106 so far as it applies to them, to the Committee on Indian Affairs.

By Mr. PHELPS: The petition of Eliza Edgar, for a pension, to the Committee on Invalid Pensions.

By Mr. RUSK: Resolutions of the Chamber of Commerce of San Francisco, relating to the amendment of the shipping act, to the Committee on Commerce.

Also, resolutions of the Chamber of Commerce of San Francisco, in relation to the pilot laws, to the same committee.

Also, the petition of Pope Talbot others that all vessels be exempted from the payment of pilotage unless the services of the pilot are requested and actually rendered, to the same committee.

Also, the petition of the Chamber of Commerce of San Francisco, for an appropriation for a fog-signal on the South Paraffin Island, California, to the Committee on Appropriations.

By Mr. RANDALL: The petition of Alfred H. Green, for an appropriation to compensate him for the use and occupation of his premises in Alexandria by the United States Quartermaster Department, to the Committee on War Claims.

By Mr. REAGAN: Two memorials of citizens of the counties of Harlin, Jefferson, Tyler, Jasper, Newton, and Orange, Texas, for an appropriation to deepen the mouths of the Sabine and Neches rivers, and the channel over Blue Buck Bar, to the Committee on Commerce.

By Mr. RUSK: The petition of Hugh MeLaughlin, for a pension, on account of the loss of his son John, killed at Frankford Arsenal by the explosion of condemned ammunition, to the Committee on Invalid Pensions.

By Mr. WILLIS: The petition of John C. Cheever and others, for the improvement of Harlem River, to the Committee on Commerce.

Also, the petition of William Glenn, for payment of moneys due for his son's services in the Army, to the Committee of Claims.

By Mr. WIGGINTON: The petition of A. Spencer and 450 others, citizens of Inyo County, California, that the desert lands of said county may be disposed of in the same manner as now provided by law for the disposal of the desert lands of Lassen County, California, to the Committee on Public Lands.

By Mr. WILLIAMS: The petition of 52 citizens of Detroit, Michigan, for authority for the construction of a bridge across the river at Detroit, Michigan, to the Committee on Commerce.

IN SENATE,
FRIDAY, March 3, 1876.

Prayer by the Chaplain, Rev. BYRON SUnderLAND, D. D.
The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATION.

The PRESIDENT pro tempore laid before the Senate a letter from the Secretary of the Interior, transmitting, pursuant to the requirements of the eighth section of the act approved July 22, 1854, two reports from the survey-general of New Mexico on private land claims in that Territory; which was ordered to lie on the table and be printed.

CREDENTIALS.
The PRESIDENT pro tempore presented the credentials of James B. Beck, elected by the Legislature of Kentucky a Senator from that State for the term commencing on the 4th day of March, 1877; which were read and ordered to be filed.

MESSAGE FROM THE HOUSE.
A message from the House of Representatives, by Mr. ISAAC STERNIN, one of its clerks, announced that the House had passed the following bills; in which the concurrence of the Senate was requested:

A bill (H. R. No. 288) to give the State of Kansas to the appropriation of certain proceeds arising from the sale of the swamp and overflowed lands in Alabama, for the purpose of furnishing land to newly-emigrated families and to the insane and idiotic persons resident in said State:

A bill (H. R. No. 289) to authorize the act entitled "An act to appropriate lands for the support of schools in certain townships and fractional townships not before provided for," approved May 30, 1838;