The CHAIRMAN. The report in this case is very short, and it may be read if there is no objection.

Mr. HOLMAN. The uniform ruling has been what I state.

The CHAIRMAN. The Chair would hold that the reading of the report is consideration of the bill; and when the passage of a bill is objected to its further consideration cannot take place on that day.

Mr. HOLMAN. This is a question of such vital moment that if the Chair entertains any doubt about it I can show the uniform, unbroken ruling. The question has never been raised perhaps during this session, but the ruling is uniform on this point.

The CHAIRMAN. That may be the practice of the Committee of the Whole, but the rule is otherwise. If there be no objection, the Clerk will read the report.

The Clerk read as follows:

The Committee on War Claims, to whom was referred the claim of Thomas Day, of Indiana, beg leave to report:

That this claim was before the Forty-third Congress, and a favorable report thereon made by Mr. JAMES WILSON, of the War Claims Committee of that Congress, now a member of this committee,

This claim is for the use and occupation of nursery-grounds by the United States, situated in Jefferson County, Indiana. Said grounds were occupied and used during the war of the late rebellion as a military post for barracks and hospital purposes. Your committee believe, from the evidence, that the claimant is entitled to the sum of $640.75, as a compensation for the said use and occupation. They report the accompanying bill, and recommend its passage.

Mr. WILSHIRE. I withdraw my objection.

There being no objection, the bill was laid aside, to be reported favorably to the House.

W. H. NEWMAN AND L. A. VAN HOFFMAN.

The next business on the Private Calendar was the bill (H. R. No. 1654) for the relief of W. H. Newman and L. A. Van Hoffman.

Mr. FORT. I object.

Mr. HUNTON. I ask for the reading of the report in the hope that the gentleman from Illinois [Mr. FORT] will withdraw his objection upon hearing the report read. This bill has been favorably reported in two different Congresses.

The report was read.

Mr. HUNTON. There has been no adverse report.

Mr. FORT. I understand there was an adverse report. I must insist on my objection.

Mr. RANDALL. I move the committee rise.

The motion was agreed to; and the Speaker *pro tempore* having resumed the chair, Mr. SPRINGER reported sundry bills with the respective recommendations of the committee thereon.

DEATH OF HON. EDWARD Y. PARSONS.

Mr. KNOTT. I rise to perform the most melancholy duty that has ever devolved upon me in the course of my public life: to announce to this House the sudden and unexpected death of my colleague, Hon. EDWARD Y. PARSONS. I move the adoption of the resolutions which I send to the Clerk.

The Clerk read as follows:

Resolved, That a committee of seven members be appointed by the Speaker of the House to take order for superintending the funeral of Hon. EDWARD Y. PARSONS, late a member of this body from the State of Kentucky.

Resolved, That as a mark of the respect entertained by the House for the memory of Hon. EDWARD Y. PARSONS his remains be removed to Louisville, Kentucky, in charge of the Sergeant-at-Arms and attended by the said committee, who shall have full power to carry this resolution into effect.

Resolved, That the Clerk communicate these proceedings to the Senate.

Resolved, That as an additional mark of respect to the memory of the deceased the House do now adjourn.

The resolutions were unanimously adopted.

The SPEAKER *pro tempore* announced the appointment of the following committee in pursuance of the first resolution just adopted:

Mr. BLACKBURN, Mr. HOPKINS, Mr. HARTZELL, Mr. WALKER of Virginia, Mr. FORT, Mr. LAWRENCE, and Mr. CLARKE of Kentucky.

And then, in accordance with the concluding resolution, the House (at three o'clock and thirty-five minutes p. m) adjourned.

PETITIONS, ETC.

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

By Mr. ELY: The petition of James A. Whalen, that jurisdiction be conferred upon the Court of Claims to hear and determine his claim for damages against the United States for flour seized by the United States authorities at New York in 1862, to the Committee on War Claims.

By Mr. FENN: The petition of S. S. FENN, for re-imbursement of expenses incurred in contesting for a seat in the House of Representatives as a Delegate from the Territory of Idaho for the Forty-fourth Congress, to the Committee of Elections.

By Mr. PIPER: The petition of Benjamin S. Brooks, Egbert Judson, and John Center, owners of the island Yerba Buena, to be restored to the possession of the same, from which they have been ejected by United States authorities, to the Committee on the Judiciary.

By Mr. WELLS, of Missouri: Memorial of the city council and mayor of Saint Louis, Missouri, relating to the improvement of the Mississippi River at Saint Louis, to the Committee on Commerce.

IN SENATE.

MONDAY, *July* 10, 1876.

The Senate met at eleven o'clock a. m.

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

The Journal of the proceedings of Saturday last was read and approved.

HOUSE BILLS REFERRED.

The following bills from the House of Representatives were severally read twice by their titles and referred as indicated below:

The bill (H. R. No. 1574) to provide for the repeal of all laws authorizing the appointment of civil engineers in the Navy, &c.—to the Committee on Naval Affairs.

The bill (H. R. No. 3856) for the relief of William H. French, jr., United States Army, late Indian agent at Crow Creek, Dakota—to the Committee on Indian Affairs.

The bill (H. R. No. 3143) granting a pension to Daniel Clary—to the Committee on Pensions.

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

A bill (H. R. No. 2813) relieving the State of Kansas from charges on account of ordnance furnished to Kansas Territory; and

A bill (H. R. No. 3855) for the relief of George T. Olmstead, jr.

POST-ROUTE BILL.

Mr. HAMLIN. The bill of the House establishing certain post-roads in the country I am sure will interest more Senators than any other bill which may be brought before us, and I ask the Senate to allow me to take it up and have it passed this morning. It is House bill No. 3628, establishing post-roads.

Mr. MERRIMON. I ask the Senator from Maine to yield to me a moment that I may present a petition.

Mr. HAMLIN. If the Senator will allow me to get up the bill, I will suspend action upon it.

The PRESIDENT *pro tempore*. Is there objection to taking up the bill named by the Senator from Maine?

Mr. SARGENT. I object to the post-route bill, for the reason that there is not money enough to put it into operation. It would be a mere farce to pass another post-route bill without money enough under the general appropriation to put on a single route under it.

Mr. HAMLIN. I can give the Senator information which he has not got.

Mr. SARGENT. I have studied the matter carefully as a member of the Committee on Appropriations, and I assert boldly that if the Post-Office Department acts upon the previous post-route bill, and puts the service on under that act, there will not be a dollar left to carry out the service to be established by this bill.

Mr. HAMLIN. I tell the Senator there are $500,000 appropriated to meet this very case, and the money is there. The appropriations were made in gross by the Senate. As the bill came back from the committee of conference it appropriated a certain amount for what are called "star" bids, to wit, coach service, a certain amount for steamboat service, and a certain amount for railroads. Consequently the amount which is appropriated for railroads can only be used for railroad purposes. The amount passed by the House exceeds the estimates of the Department by about $500,000 for this branch of the service.

Mr. SARGENT. I have no doubt for this branch of the service; but we have already passed a bill of nearly a hundred pages making new post-routes. Here it is proposed to have another; and I still assert, after what the Senator has said, that from my examination of the matter I know there is not a dollar to put in operation any route to be established by this bill and keep up the present service.

Mr. HAMLIN. I know the Senator is mistaken.

Mr. COCKRELL. I desire to know if the bill has been printed.

Mr. HAMLIN. Long ago.

The PRESIDENT *pro tempore*. The bill has been printed. The question is on the motion of the Senator from Maine to take up the bill.

The motion was agreed to.

The PRESIDENT *pro tempore*. The bill is before the Senate.

Mr. HAMLIN. Let it be passed over for morning business.

The PRESIDENT *pro tempore*. The bill will be laid aside temporarily, if there be no objection, for the reception of morning business.

PETITIONS AND MEMORIALS.

Mr. MERRIMON. On Saturday last I presented the memorial of Samuel Strong and others, citizens of the District of Columbia, in favor of the passage of a bill now before the Committee on the District of Columbia, which provides for adjusting and paying claims unsettled against the District of Columbia. I now present the memorial of Thomas P. Morgan, William H. Groat, Morris Murphy, and others, contractors and creditors of the District, which is a concurrence in the former memorial which I presented. They join anxiously in the prayer for the relief prayed for in the former petition. I move that this additional memorial be also referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. BOGY presented the petition of H. Overstolz, mayor of the city of Saint Louis, Missouri, and Richard Walsh, city register, on behalf of the city of Saint Louis, praying for an appropriation to secure the bank of the Mississippi River opposite that city; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. WALLACE presented resolutions adopted at a meeting of soldiers of Allegheny County, Pennsylvania, in favor of the passage of a law for the equalization of bounties; which were referred to the Committee on Military Affairs.

Mr. SHERMAN. I present the petition of William Giles Dix, of Peabody, Massachusetts, at his request, praying that Congress may institute proper measures to convene a convention in the city of Philadelphia to modify the Constitution of the United States. I am informed that this gentleman is a respectable citizen of his State. He asks that his petition may be referred to a select committee; but I move that it be referred to the Committee on the Judiciary, which is properly charged with the subject.

The motion was agreed to.

Mr. SHERMAN. I also present the petition of a number of citizens of Iowa, who make very severe and bitter complaints against the action of Congress and different branches of the Government in regard to what are called the Des Moines River lands. They make charges of a very grave and serious character. I think similar petitions have been presented before and been referred, I think, to the Committee on Public Lands.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on Public Lands, if there be no objection. The Chair hears none.

Mr. EDMUNDS. I am very glad that reference has been made of the petition just presented. A similar petition was referred to the Committee on the Judiciary; and, in order not to have the jurisdiction divided, I move that the Committee on the Judiciary be discharged from the further consideration of the similar petition, and that it be referred to the Committee on Public Lands.

The motion was agreed to.

Mr. CAMERON, of Pennsylvania, presented the petition of W. L. Faulk, late captain in the Tenth United States Cavalry, praying the passage of a law authorizing the President to re-appoint him to his former rank and position in the Army; which was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. KERNAN, from the Committee on Patents, to whom was referred the bill (S. No. 691) for the relief of Edward A. Leland, reported it without amendment and submitted a report thereon; which was ordered to be printed.

Mr. CRAGIN, from the Committee on Naval Affairs, to whom was referred the bill (S. No. 667) for the relief of William Wheeler Hubbell, and to make just compensation for the past making, or use, or vending of his patent explosive shell-fuses and percussion-exploders by the United States, reported it with an amendment, the committee adopting the report made by them May 7, 1874.

He also, from the same committee, to whom was referred the bill (S. No. 776) to restore William J. Montgomery, late first assistant engineer United States Navy, to the active list of the Navy, reported adversely thereon; and the bill was postponed indefinitely.

Mr. THURMAN, from the Committee on Private Land Claims, to whom was referred the bill (S. No. 215) relative to the Santillan grant, a private land claim in the State of California, submitted an adverse report thereon; which was ordered to be printed, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the memorial of the San Francisco Land Association of Philadelphia, praying that certain records of grants of land in the Mission of Dolores, in and near the city of San Francisco, California, may be admitted in the establishment of their claim to said lands, which they allege to have been wrested from them by virtue of a decree of the United States Supreme Court, because of the absence of such records, asked to be discharged from its further consideration; which was agreed to.

Mr. WRIGHT, from the Committee on the Judiciary, to whom were referred various communications on the subject, reported a bill (S. No. 983) to extend the duration of the court of Alabama claims; which was read and passed to the second reading.

FORT KEARNEY RESERVATION.

On motion of Mr. HITCHCOCK, it was

Ordered, That Senate bill No. 894, to provide for the sale of the Fort Kearney military reservation in the State of Nebraska, be printed as passed.

TROOPS IN SOUTHERN STATES.

Mr. EATON. I offer the following resolution and ask for its present consideration:

Resolved, That the Secretary of War be directed to forthwith report to the Senate the number of United States troops of the various arms of the service now on duty in the States of Louisiana, Mississippi, Arkansas, Alabama, Florida, Georgia, South Carolina, and North Carolina, and, so far as is practicable, giving the location of each regiment, part of regiment, or separate command or detachment.

Mr. EDMUNDS. Let that go over.

Mr. EATON. I give notice that as soon as practicable, to-morrow, if possible, I will endeavor to get the floor for the consideration of the resolution in order to procure this information previous to action upon the joint resolution offered by the honorable Senator from Nebraska [Mr. PADDOCK] in regard to the volunteers against the Sioux.

AMENDMENT OF IMPEACHMENT RULES.

Mr. CAPERTON. I ask the Senate to proceed to the consideration of——

The PRESIDENT *pro tempore*. If the Senator rises to move to take up any measure, the Chair will state that if there is no further morning business the post-route bill is before the Senate.

Mr. EDMUNDS. I should like to ask the Senator from Maine, who has charge of the post-route bill, whether he would be willing to lay that aside in order to take up the resolution that I offered on Friday last, about the length of time occupied in arguing questions of the admission of evidence, &c., in the impeachment trial. Of course, if he is not willing, I shall not urge it; but I thought we might save time by acting upon the matter now.

Mr. HAMLIN. I have every disposition in the world to oblige the Senator, but I want to get rid of the post-route bill.

Mr. EDMUNDS. It is no obligation to me; it is only a suggestion which I make about the business before us.

Mr. HAMLIN. I think I shall run my chances for to-morrow morning to take up this bill, if it cannot be reached to-day. Therefore I will consent to let it be temporarily laid aside.

The PRESIDENT *pro tempore*. The post-route bill will be temporarily laid aside.

Mr. EDMUNDS. I move to take up the resolution about amending the twentieth impeachment rule.

The motion was agreed to; and the Senate proceeded to consider the following resolution, submitted by Mr. EDMUNDS, July 8:

Ordered, That Rule 20 of the rules for impeachment be so amended that on offers of and objections to evidence and other interlocutory and incidental questions one counsel or manager may open, one counsel or manager be heard in opposition, and one counsel or manager be heard in reply; and that the whole argument on each side shall not exceed thirty minutes without leave of the Senate.

The PRESIDENT *pro tempore*. The pending question is upon the amendment of the Senator from New York [Mr. CONKLING] which will be reported.

The CHIEF CLERK. It is proposed at the end of the resolution to insert:

And that consultations by the Senate upon any question shall, unless otherwise ordered, be had without clearing the galleries or closing the doors of the Senate Chamber, subject to the limitations on debate prescribed by the twenty-third rule; and questions may be asked by Senators of witnesses, managers, or counsel without reducing the same to writing.

Mr. KERNAN. Is an amendment to the original resolution now in order as to the length of time allowed?

Mr. EDMUNDS. No, sir. This is an amendment by addition. We must dispose of this first.

Mr. KERNAN. Very well. I was going to suggest a limitation of the time.

Mr. EDMUNDS. It is altogether too warm to say much, although every debate to-day must be heated; but I submit to the Senate and to my friend from New York [Mr. CONKLING] that his amendment I think would be somewhat disastrous in respect to prolonging the proceedings. As the rules now stand it appears to me, to say nothing of other causes, that we should not retire to consult except on matters that seem to be of considerable importance; and the result would be, as it has been so far on questions of evidence, that they would be decided by the Senate without any debate among Senators, but after hearing the arguments of counsel; and we should therefore get on faster without having that proposition in force. If it were in force, then of course every Senator on every question would be at liberty to occupy ten minutes of time, and I fear that the temptation to express our views would be so great—and I should feel it quite as much as anybody if the subject were open, I have no doubt—that a great deal of time would be occupied in that way.

In the next place, it does not appear to me that, considering what a consultation is and should be, a comparison of views, with liberty to retreat if one has stated an opinion which turns out not to be sound, the object would hardly be answered by a public consultation. Human nature is so constituted that I think we should be much more apt to stick to a false position after we had once publicly made it manifest than we should in a private consultation.

For these reasons I hope that the amendment of my friend from New York will not be adopted.

Mr. FRELINGHUYSEN. It seems to me that the order and the amendment are better omitted than enacted. Since we commenced taking testimony here I do not think we have had any debate in reference to the admissibility of evidence which has occupied an hour. This order is an invitation that it may occupy an hour. I do not think we have had any that occupied half that time.

Mr. EDMUNDS. The present rule gives them an hour on each side, and as many counsel as choose may speak.

Mr. FRELINGHUYSEN. But practically since we have commenced taking testimony we have not had any question debated that occupied an hour, or, I think, more than half an hour. As to the amendment of the Senator from New York, we have not been called upon once since the testimony was commenced to retire. Now, if we make a provision that we shall have a consultation with open doors, we shall, before we know it, run into these debates and time will be consumed.

The other provision of the amendment is a very proper one, that members of the Senate shall be at liberty to ask questions without reducing them to writing. The rule now requires them to be reduced

to writing; but practically that rule is not enforced. Therefore I think the best thing we can do in the way of saving time is to do nothing, but let the thing stand as it is.

It does seem to me that this trial ought not to occupy more than four or five days, and would not in an ordinary court. We, as members of the court, ought to give all the aid we can to bring it to a speedy termination.

Mr. MERRIMON. Mr. President, I beg to ask the Senator from Vermont a question about the nature of his resolution. I noticed, if I heard it correctly reported, that it provides that thirty minutes shall be consumed in debating any question arising on evidence, and that counsel on either side may speak. I beg to ask him how that thirty minutes are to be distributed? It does not make provision for that.

Mr. EDMUNDS. Why, Mr. President, exactly in the same way that under a similar rule debate is distributed in the Supreme Court in the adjoining chamber. Each side may use half an hour on an argument of an interlocutory question, instead of an hour as the present rule provides.

Mr. MERRIMON. I thought the resolution provided but thirty minutes for the whole debate.

Mr. EDMUNDS. No; thirty minutes on each side. The present rule is an hour on each side. The present rule as hitherto construed by the present occupant of the chair, following the decisions of the Chief Justice in the last impeachment trial, is made to mean that counsel and managers may occupy their whole hour, just as we do in a debate, whenever they can get the floor. There is no beginning and no end; but there is a running debate on all hands on a little simple question, so that the only effect of my proposition is to reduce the time on each side one-half; and then to say that one person shall be heard on one side in support of the objection that is made or in support of the offer made, and one person against it, and one person in reply, and there it ends.

Mr. MERRIMON. I want to add one word. I concur in the proposed amendment of the Senator from New York. I believe that a brief debate in open session here might very often elucidate a question that the Senate would otherwise act upon sometimes very hurriedly. I think with a brief debate the other day I should have given a different vote on one point raised than I did. I do not feel exactly satisfied about it now. It was a vote against the defense.

The Senator from New Jersey says that in an ordinary court this case ought to be disposed of in five or six days. I have no doubt it could be; but he ought to remember that it is a great state trial and this is not an ordinary court. It is a trial that ought to be proceeded with very cautiously. There ought to be great deliberation about everything. It is to be a high precedent in the face of the nation and the world, and I think we ought to proceed quietly and cautiously, and deliberate about every point that is at all of importance, and I think it ought to be done in public. Therefore, I trust that the amendment of the Senator from New York will prevail.

Mr. MORTON. I think the time fixed by the Senator from New York is twice as much as it ought to be. Fifteen minutes on a side are enough, sufficient I think to enable this court to understand a point without elaborate argument. I think the rule in regard to the admission of testimony is very liberal, and there is not any great danger of this court being misled by the admission of any improper testimony.

Mr. SHERMAN. I agree entirely with what the Senator from New Jersey says, that this is time wasted. I believe the good sense of the managers and counsel on any question that is likely to arise in this case will not allow them to consume much time. Therefore, if no other Senator desires to speak on it, I move that the resolution and amendment be laid on the table.

Mr. CONKLING. I want to say a word.

Mr. SHERMAN. I withdraw the motion, expressing my opinion that the better way is to do nothing.

Mr. CONKLING. If there was nothing before the Senate except the original resolution of the Senator from Vermont, I think I could vote with the Senator from Ohio to lay it on the table, for really I have seen no occasion for any rule abbreviating the opportunities of counsel or managers in the argument of any interlocutory question. I think the Senator from New Jersey was within bounds when he said that not half an hour had yet been occupied on an interlocutory question, and if my recollection is right, if you except one instance in which there was a colloquy about various things which may all be deemed to have pertained to one single interlocutory question, I do not think that anything like half an hour has been occupied; and therefore it seems to me it is hardly worth while for us, in anticipation of an evil which has not arisen, to shorten the rule in that respect.

But there are two other things in regard to this resolution, and I begin with the last. We violate systematically the rule in reference to putting questions. I do it and everybody does it with constraint, feeling that he should not do it. The Senator from Ohio awkwardly, as far as I can say he ever does anything awkwardly, tries to put a question and he says, "Mr. President, through the Chair, if that is the way to do it." Sure enough, "if that is the way to do it;" the Senator does not know; nobody knows. He can sit down and write out a question, and as I understand the rule that question must be addressed to the witness. If the Senator wants a manager to read a paper, if he wants to make an inquiry of any sort, there is no way under the rule in which he can get at it, feeling *de trop*, he inquires through the Chair. I think it is worth while to spend a moment in obviating that and allowing every Senator to put a simple question to enlighten himself and save time, without the necessity of putting it in writing.

Now, as to the matter of consultations, the Senator from Vermont does not understand my amendment as I do; else he would not say that it would authorize every Senator all the time to express his opinions. If that is what it means, I was unfortunate in draughting it. The amendment says that consultations, when they do take place, may be without clearing the galleries unless the Senate order them to be cleared; and it did not occur to me that the effect of that was to be to multiply consultations; but it occurred to me that it would have two effects, both of which are good, I think. I appeal to the RECORD, if it is noted there, to show, as I am confident it will show, that every time the Senate has retired or cleared the galleries upon the most insignificant question, if it be the question of an adjourned day, hours have elapsed before that decision was announced; when, had it been in open session, I do not believe, on one occasion particularly, one-fifth of the time would have been consumed. Now, I think that is an evil. I think it is a great mistake to turn out all the visitors in these galleries in order that the Senate may have what in open session would be a few moments' consultation, or that the Senate should retire to the Marble Room and there engage in that sort of consultation or conversation which has occurred heretofore. I think time would be saved by doing it just as we sit in our seats.

But again, I think it is wholesome and proper that the people of this country should understand what takes place upon this trial. If I do not regard its dimensions as great as those ascribed to it by the honorable Senator from North Carolina, I do remember that it is a trial before the Senate of the United States; and, if it is fit to be here, it is fit to be conducted decently and in order; and enough consequence attends it to make it a matter of interest to the people of the country, of as much interest as a great deal of the other business that transpires in the Senate. It has been made the occasion to discuss the question whether all citizens at large are impeachable and triable before this tribunal; and that question, which is one of dimensions as large as those referred to by the Senator from North Carolina, has been discussed by the Senate locked up in this iron box; and I judge from headings that I see in the RECORD that some members of the body have published "opinions," as they are called, upon that question. Senators who wrote or have been able to write since have published what they said, or what it is to be supposed they said, or what they supposed they ought to have said, or, as my friend from Illinois [Mr. LOGAN] suggests what they intended to say, or, as I will add, what they have thought since they intended to say. Some one of these forms of expression applies to what appears in the RECORD. Other Senators who expressing such opinions as they had at the time, and expressing them as they express opinions in debate, expressed opinions which were writ in water because they could not have the advantage of a stenographer or scribe to preserve even in substance what they said; and this is one of the inequalities, I think I may call it, (for, although every Senator has had as much time as every other Senator, every Senator does not have the gifts of his fellows or the facility of expressing himself clearly upon paper,) this is one of the inequalities which have grown out of the present condition of things. I think it has been a loss to the country. I think I see Senators around me now whose expressions on this subject have not appeared, and I imagine, will not appear in the RECORD, which expressions were valuable, and would be valued, and ought to have been produced, and ought to have been heard openly.

Now, Mr. President, I do not know how much of any serious question remains in this trial, whether a question of law or a question of fact; but whatever there may be, I submit that unless the Senate sees occasion at the time to direct that a consultation be secret, we might go on and express our opinions upon the remaining questions in this case. That is the purpose of my amendment, and its purpose is not at all, as suggested, to require consultations where they would not be required otherwise, to multiply them, nor even to deprive the Senate of the power, when it chooses to say so, of deciding that a consultation shall be secret; but it is to prevent the necessity on all occasions of having the Senate fly to a place of safety or seclusion, or unpeople the galleries here when they proceed to determine a question whether a certain thing shall be done on one day or another, or whether a piece of evidence is admissible or not, or whether some other incident in the trial shall occur or whether it shall be admitted or forbidden.

If the motion prevails to lay the original resolution on the table, of course I shall not feel at liberty to persevere in the amendment that I have offered; but if we consider it at all, I hope the Senate will consider the two subjects together.

J. T. KING AND L. B. CUTLER.

A message from the House of Representatives, by Mr. G. M. ADAMS, its Clerk, announced that the House had passed the bill (S. No. 872) for the relief of the family of the late John T. King and of L. B. Cutler, with an amendment; in which it requested the concurrence of the Senate.

Mr. MORRILL, of Vermont. I ask unanimous consent to use up one minute of the time of the Senate in concurring with an amend-

ment of the House to the bill just returned from the House of Representatives.

There being no objection, the President *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. No. 872) for the relief of the family of the late John T. King and of L. B. Cutler.

Mr. MORRILL, of Vermont. The House has stricken out the proviso, and I move that the Senate concur.

Mr. EDMUNDS. Let us hear it read,

The PRESIDENT *pro tempore*. The amendment of the House will be read.

The CHIEF CLERK. The amendment of the House is to strike out the words:

Provided, That a further sum equal to the amount of the previous regular compensation of the said King and the said Cutler from the 19th day of May to the 30th day of June, inclusive, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended immediately by the Secretary of the Interior in manner as aforesaid.

Mr. EDMUNDS. How much does this bill give as it stands?

Mr. MORRILL, of Vermont. Three thousand dollars.

The amendment was concurred in.

PERSONAL EXPLANATION.

Mr. CAMERON, of Pennsylvania. I wish to make an explanation that affects some other gentlemen as well as myself. A week or ten days ago, when I was about going home, I went to the Senator from Georgia [Mr. GORDON] and asked him to pair with me during my absence. He very graciously consented to do so, and said that he would then go home, and we paired. After I got to my home, I remembered that some days before the Senator from Delaware [Mr. BAYARD] had called upon me and asked me to pair with him, and the moment that occurred to me I wrote a note to the Senator from Georgia stating the fact; but he had left the city of Washington and it was too late, and I put him in a wrong position which I desire to amend as much as I can. I regret very much that the lapse of my memory made me do wrong to him or to anybody else; but I want to state distinctly that the pair was made at my solicitation with the Senator from Georgia for my benefit, as I was not well.

ANDREW EVARTS.

Mr. ALLISON. The Committee on Pensions, to whom was referred the bill (S. No. 897) granting a pension to Andrew Evarts, have instructed me to report it back with an amendment. I ask that the bill be considered now. I think there will be no objection.

By unanimous consent, the bill (S. No. 897) granting a pension to Andrew Evarts was considered as in Committee of the Whole. It proposes to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Andrew Evarts, private in Company B, Fourth Ohio Volunteers, at the rate of $8 per month.

The Committee on Pensions reported the bill with an amendment, which was to add at the close of the bill the words "from and after the passage of this act."

The amendment was agreed to.

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

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

AMENDMENT OF IMPEACHMENT RULES.

Mr. EDMUNDS. Now, let us have the regular order.

The Senate resumed the consideration of the resolution submitted by Mr. EDMUNDS on the 8th instant, the question being on the amendment offered by Mr. CONKLING.

Mr. CONKLING. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. SARGENT. The Senator from Vermont [Mr. EDMUNDS] on Saturday expressed his opinion that it would be proper to suspend for a moment the court proceedings in order to receive a message from the House. I understand that to-day shortly after twelve o'clock, or after the court goes into session, there will probably be a ten-day bill from the House, and it will be necessary to receive that and act upon it, as it is the last day when the existing legislation reaches. I will ask that there may be an understanding that that message from the House may be received.

Mr. CONKLING. The court can take a recess for a moment and the Senate can go into legistative session.

The PRESIDENT *pro tempore*. It will be subject to the order of the Senate.

Mr. HAMLIN. I do not like to consume the time of the Senate, and yet I want to say a word in relation to the amendment that has been presented by the Senator from New York. I think if the Senate are wise they will adopt the amendment. I think the experience that we have already had in the progress of this trial ought to convince us all that our discussions, be they what they may, should be in public and not in secret. On Saturday we had a very large volume of the RECORD containing the opinions of the several Senators who had seen fit to prepare their opinions for publication. I have nothing to say about that. I did not participate in the debate; but I suppose I may say that the RECORD itself shows that in all that publication the interlocutory proceedings do not appear, which are quite as important in a proper estimate and quite as important in coming to a sound conclusion upon the questions there discussed as the abstract opinions are. I think if we had all of that debate it would be useful to the country, and would throw quite as much light upon the decision at which we arrived as the opinions which have been published.

I know the Senator from Vermont has told us, and I think he has repeated it certainly on one or two occasions, and there is much in it, that in an open debate one is not as willing to yield an opinion once expressed as he is in a consultation. While I may not refer to what took place in secret session, I think I may appeal to Senators to say that of all consultations it was the queerest that man ever beheld. It was as earnest, as determined, as positive a debate as ever took place in this body.

Mr. EDMUNDS. I do not think you ought to say that.

Mr. HAMLIN. The Senator says I ought not to say it, and I will take it all back. [Laughter.] I will then say that I ask Senators to recall to their minds what was the character of the debate that there took place, and I ask them in all candor if in a public debate anything would be said or done by any Senator from which he could not and would not as readily withdraw an opinion expressed as he did or would in the debate as it did take place? I think, therefore, that the experience of the body negatives entirely the suggestion of the Senator from Vermont, a suggestion which I thought had a good deal in it, and which, had the consultation been what I supposed a consultation would be, certainly would have been correct; but I can say, I think without violating any rule, that the consultation differed entirely from what I supposed it would be.

Again, I think it is not in accordance with the genius and spirit of the Government or the times that our discussion should be here in secret upon this matter. What is the question submitted to us for our consideration I know not and I care not; but we are called upon to decide it, and we decide it not only for ourselves but for the public as well; and why is it that that discussion which is to instruct or enlighten us in our judgment in the conclusion which we shall arrive at in a private consultation should not be made public for the instruction of the whole world? In other words, they may know truly what are the reasons which influence our judgment upon every question that is presented to us.

I do not recollect the precise phraseology of the amendment submitted by the Senator from New York, but I would make this suggestion that our consultations be here in open Senate, and I would not object to this qualification, "unless the Senate should otherwise order."

Mr. CONKLING. That is the way it is in my amendment.

Mr. HAMLIN. Then it meets my idea precisely. If, then, there be that which in the judgment of Senators should not be discussed publicly—and I am one who can see no such question—the rule will not be in force and we may hold a private consultation.

As to the consumption of time upon these interlocutory questions, the Senator from New Jersey has overstated it by more than half. I do not call to mind a single question that has occupied fifteen minutes, and I am sure the questions have not averaged ten minutes, and I do not, therefore, in the light of economy of time see any reason why each question should not be discussed in open Senate.

Mr. EDMUNDS. I want to ask, as this debate has got to go on a while longer, that the Chair will lay before the Senate a House bill which I understand is now here and which ought to be referred.

Mr. CONKLING. Let this be disposed of. I insist on the regular order; I want a vote on this question.

Mr. EDMUNDS. Then, Mr. President, I have a word to say. I was in hopes my friend from New York would allow that bill to be referred.

Mr. CONKLING. We have allowed so many things to be done that I think we ought to have a vote on this.

Mr. EDMUNDS. You ought to treat us all alike.

Mr. CONKLING. My honorable friend demanded the regular order himself. I am only following him. I want to vote on this question. We can do it as soon now as ever.

Mr. EDMUNDS. I will not bandy words with my friend from New York about demanding the regular order, because he has a perfect right to do it, and whatever anybody has a right to do he ought not to be complained about for doing.

I want to say one word in reply to the Senator from Maine. I do not feel at liberty, as the Senator from Maine did, to make any reference to either the character or nature of any discussions that have taken place when the doors have been closed or when the Senate has withdrawn. I supposed that, like the proceedings of an executive session, they were not to be made use of either directly or indirectly. So much for that.

Now, Mr. President, the Senator urges this amendment of the Senator from New York, as the Senator from New York does, upon the ground that the American people have a right to know the views and opinions of Senators. So they have. They have a right to know the views and opinions of all the judges of the United States courts when they are acting officially; they have a right to know the views and opinions of grand jurors and of petit jurors; but they have a right to know them all in the methods that human experience has shown to be most perfect for the security of purity in administration and orderly and seemly procedure in administering justice and in carrying on public affairs; and therefore there is the same force in the argument of the two Senators who have addressed you in support of this amendment to be applied to requiring the consultations of a jury

or the consultations of judges, after they have heard a point argued before them, to be stated in the hearing of the audience and of the counsel, that there is in requiring this, as it appears to me. What the American people have a right to know, and what everybody else has a right to know, is the opinion of the court which acts as a body, and where there is a difference of opinion they have a right to find it out and do find it out by dissenting opinions being filed just as in the case that has already taken place before the Senate. The American people do know what the judgment of the Senate was, because that was given in a public vote, and if in a private vote it was made public by us. They do know what were the views of Senators who chose to reduce them to writing and have them published according to the order of the Senate. How many Senators were convinced either way, if any, is a matter that they have no right to know any more than they have to know how many jurors in a given case where the jury are out for five, or six, or twelve hours, or six days, were brought over from one side to the other by the reason that their fellow-jurors gave. So in the case of a court, the public has no right to know how many of the judges, when the case is first stated in the consultation-room, lean to one side or the other and finally conclude that the side they did not lean to is after all the true one and afterward vote accordingly, and the judgment is so announced.

So it does seem to me, being as brief as possible in order to let this be voted on, that we, instead of securing a fundamental principle of public propriety, are violating one in opening the doors of the Senate to what are truly and really, no matter how much warmth there may be about them, consultations of judges in arriving at a conclusion, which, so far as the tribunal goes, is the conclusion of the body upon points that are presented.

But, Mr. President, I will not take any more time, for the reason that the hour is almost up, and I do not want to prevent a vote.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from New York, [Mr. CONKLING,] upon which the yeas and nays have been ordered.

Mr. MORTON. It seems to me that the amendment offered by the Senator from New York is a little too broad. The theory is that this is a court for the trial of impeachments, and the proposition is that when we are called upon to make up our opinions about a given question we are to consult in public.

Mr. CONKLING. Unless we choose to consult in private.

Mr. MORTON. I do not know of any court composed of more than one judge that holds its consultations in public. The judges announce their opinions in public when they agree; but when they consult together about making up their opinions that is a private matter, and the public is not interested in that. So far as we are a court, I think our consultations should be in private ordinarily. The public is not interested.

Mr. CONKLING. That is just what the amendment provides we may do.

Mr. STEVENSON. Is the question susceptible of division, or will the Senator from New York modify his proposition so that questions may be put in writing?

Mr. CONKLING. The rule is habitually disregarded now. Not one question has been so put in writing. A Senator rises and says "I want to put through the Chair, if it may be allowed, this question; is that a letter from so and so?" Suppose he stops to write that down. The rule requires that. The only way we proceed conveniently now is by a disregard of the rule. I do not care anything about that part of it. If my honorable friend from Kentucky wants to sit down every time that he desires to know the date of a paper and cut himself off from the privilege of just inquiring from his seat "what is the date of that paper," very well; it is a mere matter of convenience, and I do not insist upon it.

Mr. STEVENSON. I have never put a question myself since the trial has been going on. I have, therefore, no personal solicitude in it. I favor this proposition so far as open sessions go. It occurred to me, however, that if you allow every sort of question to be put without being reduced to writing we might get into a difficulty. That was my only reason for making the suggestion.

Mr. CONKLING. It is allowed now, practically, in disregard of the rule.

Mr. FRELINGHUYSEN. What became of the motion to lay the resolution on the table?

The PRESIDENT *pro tempore*. It was withdrawn.

Mr. SHERMAN. I did not renew it, because I did not wish to cut off debate.

Mr. FRELINGHUYSEN. I renew that motion.

The PRESIDENT *pro tempore*. The Senator from New Jersey moves to lay the resolution and amendment on the table.

Mr. CONKLING. I beg to appeal to the honorable Senator from New Jersey. It will require no longer to take the yeas and nays upon this amendment than upon the other question.

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

The PRESIDENT *pro tempore*. The roll-call will proceed on the amendment offered by the Senator from New York.

The question being taken by yeas and nays, resulted—yeas 23, nays 24; as follows:

YEAS—Messrs. Allison, Booth, Boutwell, Conkling, Cragin, Davis, Dawes, Ferry, Hamilton, Hamlin, Harvey, Howe, Kernan, Logan, McMillan, Merrimon, Paddock, Patterson Ransom, Stevenson, Wallace, West, and Windom—23.

NAYS—Messrs. Anthony, Bayard, Bogy, Cameron of Wisconsin, Caperton, Cockrell, Cooper, Edmunds, Frelinghuysen, Hitchcock, Ingalls, Kelly, Key, McCreery, McDonald, Maxey, Mitchell, Morrill of Vermont, Morton, Robertson, Sargent, Sherman, Withers, and Wright—24.

NOT VOTING—Messrs. Alcorn, Barnum, Bruce, Burnside, Cameron of Pennsylvania, Christiancy, Clayton, Conover, Dennis, Dorsey, Eaton, Goldthwaite, Gordon, Johnston, Jones of Florida, Jones of Nevada, Morrill of Maine, Norwood, Oglesby, Randolph, Saulsbury, Sharon, Spencer, Thurman, Wadleigh, and Whyte—26.

So the amendment was rejected.

The PRESIDENT *pro tempore*. The question recurs on the resolution.

Mr. KERNAN. I move to amend by inserting "fifteen" instead of "thirty" minutes.

The amendment was agreed to; there being on a division—yeas 27, nays 13.

The PRESIDENT *pro tempore*. The question is on the resolution of the Senator from Vermont as amended.

Mr. MCMILLAN. I ask for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 26, nays 16; as follows:

YEAS—Messrs. Anthony, Boutwell, Cameron of Wisconsin, Caperton, Cockrell, Davis, Edmunds, Ferry, Gordon, Hamilton, Hamlin, Harvey, Hitchcock, Kelly, Kernan, Logan, McDonald, Morrill of Vermont, Morton, Paddock, Patterson, Ransom, Robertson, Sargent, Wallace, and Withers—26.

NAYS—Messrs. Bayard, Bogy, Booth, Conkling, Cooper, Frelinghuysen, Ingalls, Key, McCreery, McMillan, Merrimon, Sherman, Stevenson, West, Windom, and Wright—16.

NOT VOTING—Messrs. Alcorn, Allison, Barnum, Bruce, Burnside, Cameron of Pennsylvania, Christiancy, Clayton, Conover, Cragin, Dawes, Dennis, Dorsey, Eaton, Goldthwaite, Howe, Johnston, Jones of Florida, Jones of Nevada, Maxey, Mitchell, Morrill of Maine, Norwood, Oglesby, Randolph, Saulsbury, Sharon, Spencer, Thurman, Wadleigh, and Whyte—37.

So the resolution was agreed to.

Mr. MITCHELL. I move to reconsider the vote by which the amendment of the Senator from New York was defeated.

Mr. CONKLING. On that motion I beg to say a word. I learn that several Senators, who were in favor of allowing the Senate to consider questions openly in place of considering them privily, of putting it in the hands of the Senate to say whether consultations should be open or secret, were deterred from voting for the amendment because of the latter clause which permitted questions to be put without their being reduced to writing. If the vote is reconsidered, as I hope it will be, I will withdraw the latter part of the amendment, so as to take the sense of the Senate upon the simple question whether the Senate may be permitted, if it chooses, to deliberate openly and not privately.

Mr. SARGENT. I rise to a point of order. The resolution, as amended, has been passed on the yeas and nays, and I understand it was carried—the Chair will inform me if I am mistaken—by a vote of nearly two to one, 26 to 16. It is not in order to move to reconsider a vote upon an amendment prior to that vote which passed the resolution itself.

The PRESIDENT *pro tempore*. The resolution has passed, as stated by the Senator from California, and the Chair sustains the point of order raised by the Senator from California.

Mr. HAMLIN. I voted with the majority. I move to reconsider the vote adopting the resolution. That will give us a chance to get at the other.

The PRESIDENT *pro tempore*. It is in order now to reconsider the vote by which the resolution was passed.

Mr. EDMUNDS. I call for the regular order.

IMPEACHMENT OF WILLIAM W. BELKNAP.

The PRESIDENT *pro tempore*. The hour of twelve o'clock having arrived, the legislative and executive business of the Senate will be suspended and the Senate will proceed to the consideration of the articles of impeachment exhibited by the House of Representatives against William W. Belknap.

The Senate then proceeded to the trial of the impeachment of William W. Belknap, late Secretary of War.

During the proceedings of the trial Mr. SARGENT said: I move that the court take a recess until further order, that we may receive a message from the House of Representatives and act upon it.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message was received from the House of Representatives, by Mr. GEORGE M. ADAMS, its Clerk, announcing that the House had passed a bill (H. R. No. 3858) to continue the provisions of an act entitled "An act to provide temporarily for the expenses of the Government;" in which the concurrence of the Senate was requested.

TEMPORARY PROVISION FOR EXPENDITURES.

Mr. SARGENT. I ask that the bill just received from the other House be taken up and read.

The PRESIDENT *pro tempore*. Is there objection? The Chair hears none; and the Secretary will report the bill.

The Chief Clerk read the bill at length.

Mr. SARGENT. I ask that the bill may be put upon its passage.

By unanimous consent, the bill was read twice and considered as in Committee of the Whole. It extends the provisions of the act to provide temporarily for the expenditures of the Government, approved June 30, 1876, and continues that act in full force and effect for the

period of ten days from and after the 10th day of July, 1876, and no longer.

Mr. ANTHONY. I understand that this bill continues the precise act that we passed ten days ago.

Mr. SARGENT. For ten days longer.

Mr. ANTHONY. It was the opinion of some of the legal Senators that that bill did not cover the public printing, and a separate act was introduced to continue that branch of the service. I should like to know whether this act covers the public printing.

Mr. SARGENT. The Senate afterward modified the former general act, to which the Senator refers, by making it unquestionably cover the public printing. The act with reference to public printing was introduced at a time when it was supposed the general act would not cover that branch of the public service; but the general act has been modified so as to cover it.

Mr. ANTHONY. I only wished to call the attention of the Senate to the fact.

Mr. SARGENT. I think this act will cover it.

Mr. ANTHONY. Then there will be no necessity for passing the other bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

IMPEACHMENT OF W. W. BELKNAP.

Mr. CONKLING. Now, let us go on with the court.

Mr. SARGENT. I call for the regular order.

The PRESIDENT *pro tempore*. The Senator from California asks that the recess close. The Chair hears no objection, and it is closed. The Senate sitting for the trial of the impeachment resumes its session.

The trial was further interrupted to receive the following:

MESSAGE FROM THE HOUSE.

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

A bill (H. R. No. 629) for the relief of Jonathan White;

A bill (H. R. No. 1427) for the relief of H. P. Jones & Co.;

A bill (H. R. No. 1479) granting a pension to Dalton Hinchman;

A bill (H. R. No. 1566) granting a pension to Elizabeth D. Stone;

A bill (H. R. No. 2120) granting a pension to Thomas W. Hewitt;

A bill (H. R. No. 2472) granting a pension to John Frey;

A bill (H. R. No. 2768) granting a pension to Juliett A. Hendrickson, widow of William L. Hendrickson, late private Company E, Twenty-eighth Regiment Illinois Infantry Volunteers;

A bill (H. R. No. 2894) for the relief of J. E. Pankey, of Fulton County, Kentucky;

A bill (H. R. No. 3319) granting a pension to Lemuel L. Lawrence, late second lieutenant of Company B, in the Sixth Regiment Illinois Cavalry Volunteers;

A bill (H. R. No. 3496) for the relief of James W. Love, postmaster at Patriot, Indiana;

A bill (H. R. No. 3497) granting a pension to James B. Treadwell, major Eighty-fifth Regiment Pennsylvania Volunteers;

A bill (H. R. No. 3498) granting a pension to Arthur W. Irving, late private Company C, One hundred and fourth New York Volunteers;

A bill (H. R. No. 3499) granting a pension to Willian Buckley, private Company C, Fiftieth Ohio Volunteers;

A bill (H. R. No. 3500) granting a pension to Nelson Ainslie;

A bill (H. R. No. 3501) granting a pension to Catharine Hagan;

A bill (H. R. No. 3502) granting a pension to Maggie A. Nobles and Daniel G. Nobles;

A bill (H. R. No. 3503) for the relief of Philip Rohr, of Virginia, for tobacco seized for use of the Army;

A bill (H. R. No. 3504) for the relief of Thomas Day;

A bill (H. R. No. 3859) to remove the political disabilities of Manning M. Kimmell, late of Cape Girardeau County, Missouri; and

A bill (H. R. No. 3011) granting a pension to Mrs. Ann Annis.

The message also announced that the House had passed the bill (S. No. 627) making an appropriation to pay the claim of Butler, Miller & Co.

The message further announced that the House insisted upon its disagreement to the first amendment of the Senate to the joint resolution (H. R. No. 109) for the issue of silver coin; insisted upon its amendment to the second amendment of the Senate to the said resolution disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HENRY B. PAYNE of Ohio, Mr. SAMUEL J. RANDALL of Pennsylvania, and Mr. FRANKLIN LANDERS of Indiana, managers at the conference on its part.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. No. 3858) to continue the provisions of an act entitled "An act to provide temporarily for the expenses of the Government;" and it was thereupon signed by the President *pro tempore*.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. G. M. ADAMS, its Clerk, announced that the House further insisted upon its disagreement to the amendments of the Senate to the bill (H. R. No. 1594) making appropriations for the consular and diplomatic service of the Government for the year ending June 30, 1877, and for other purposes, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. OTHO R. SINGLETON of Mississippi, Mr. WILLIAM M. SPRINGER of Illinois, and Mr. JAMES MONROE of Ohio managers at the conference on its part.

The message also announced that the House had passed a bill (H. R. No. 3884) to continue the act entitled "An act to continue the public printing;" in which it requested the concurrence of the Senate.

THE PUBLIC PRINTING.

Mr. SARGENT. It seems that the House is of a different opinion from myself in reference to the general law covering the matter of public printing, and have passed a bill which is sent to us to cover the public printing. I do not wish it to rest on my judgment alone, but I ask that the Senate act upon that bill—it will take but a moment to pass it—so that it can be signed to-day.

The PRESIDENT *pro tempore*. The Chair hears no objection.

By unanimous consent, the bill (H. R. No. 3884) to continue the act entitled "An act to continue the public printing" was read three times, and passed. It provides that the provisions of the act to continue the public printing approved June 30, 1876, be extended and continued in full force and effect for a period of ten days from and after the 10th day of July, 1876, and no longer.

The Senate sitting for the trial of the impeachment then resumed its session.

The Senate sitting for the trial of the impeachment of William W. Belknap having adjourned then resumed its

LEGISLATIVE SESSION.

The PRESIDENT *pro tempore*. The Senate resumes its legislative business.

Mr. CAMERON, of Pennsylvania. I move that the Senate proceed to the consideration of executive business.

Mr. HOWE. I ask the Senator to withdraw that motion a moment, if he will. I move that the Senate proceed to the consideration of the bill (H. R. No. 2404) for the relief of John S. Dickson, late captain of paroled prisoners.

Mr. CAMERON, of Pennsylvania. I think we had better have an executive session.

The PRESIDENT *pro tempore*. Does the Senator from Pennsylvania insist on his motion?

Mr. CAMERON, of Pennsylvania. Yes, sir.

The motion was agreed to.

EXECUTIVE SESSION.

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

HOUSE OF REPRESENTATIVES.

MONDAY, *July* 10, 1876.

The House met at twelve o'clock m. Prayer by the Chaplain, Rev. I. L. TOWNSEND.

The Journal of Saturday last was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of their clerks, informed the House that the Senate was ready to proceed upon the impeachment of William W. Belknap and to receive the managers on the part of the House, and that the Senate Chamber was prepared with accommodations for the reception of the House of Representatives.

TEMPORARY APPROPRIATIONS.

Mr. RANDALL. Mr. Speaker, I ask unanimous consent of the House, before proceeding with the call of States in the morning hour, to report from the Committee on Appropriations a bill (H. R. No. 3858) to continue the provisions of an act entitled "An act to provide temporarily for the expenditures of the Government."

The SPEAKER *pro tempore*. The Chair hears no objection.

The bill was received and read a first and second time.

The bill, which was read, provides that the provisions of an act entitled "An act to provide temporarily for the expenditures of the Government," approved June 30, 1876, be extended and continued in full force and effect for a period of ten days from and after the 10th day of July 1876, and no longer.

Mr. RANDALL. I demand 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. RANDALL 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.

PRINTING FOR WAYS AND MEANS COMMITTEE.

Mr. MORRISON. I ask unanimous consent to submit from the Committee of Ways and Means the following resolution:

Resolved, That the Committee of Ways and Means be authorized to have printed any documents for the use of said committee that they may deem necessary in connection with subjects being considered by said committee.

Mr. KASSON. That is rather broad. Cannot the gentleman limit it by naming the objects in reference to which he wishes documents printed?

Mr. MORRISON. I do not understand the gentleman from Iowa.

Mr. KASSON. Cannot that be limited to some class of subjects. It seems to me to authorize the printing of almost anything, investigations or anything else.

Mr. MORRISON. It provides for the printing of necessary documents in connection with subjects now being considered by the Committee of Ways and Means, which I think is entirely proper.

Mr. KASSON. It seems to me that is rather too broad. We ought to know exactly what printing it provides for. Let the gentleman limit it to any class of subjects, so the House may be advised what is proposed to be printed.

Mr. DUNNELL. Let the resolution be again read.

The resolution was again read.

Mr. KASSON. I must object to that in its present broad terms. It will authorize the printing of almost anything.

Mr. MORRISON. I am willing to insert the words "in relation to the revenue," if that will please the gentleman.

Mr. KASSON. Anything in relation to the revenue, I have no objection to.

The SPEAKER *pro tempore*. Is there objection to the consideration of the resolution as modified?

There was no objection, and the resolution, as modified, was adopted.

Mr. MORRISON moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MILITARY EXPEDITION AGAINST THE INDIANS.

Mr. BANNING. I ask unanimous consent to submit for adoption now the following resolution:

Resolved, That the Secretary of War be, and he is hereby, directed to report to the House the object of the military expeditions under Generals Crook and Terry now operating against the Northwest Indians and the circumstances leading to their necessity, with copies of all correspondence bearing upon the origin of the expedition; also copies of all military orders issued by the War Department directing these expeditions under Generals Terry, Crook, and Gibbon.

Mr. HURLBUT. I should like to amend the resolution offered by the chairman of the Committee on Military Affairs by inserting also the expedition under General Gibbon.

Mr. BANNING. I have no objection to that amendment or to naming all the commanders of expeditions, Terry, Crook, and Gibbon.

Mr. HURLBUT. There are three expeditions now operating, one under General Terry, one under General Crook, and another under General Gibbon, and we want information in reference to all of them.

The SPEAKER *pro tempore*. Is there objection to the resolution as modified.

There was no objection; and the resolution, as modified, was adopted.

Mr. BANNING moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. BANNING. Mr. Speaker, I hold in my hand an official document showing the present distribution of the troops of the United States, showing the number under General Crook's command to be only 1,790 men; the number under General Terry's command to be only 1,123; the number in the Territories to be 7,930; the number in the Southern States, excluding Texas, to be 3,334; the number in Texas to be 3,718; in short, an accurate statement of the distribution of United States troops at the present time; and as there is an uneasiness in the public mind, many wanting to know exactly the location of the troops, I move, if there be no objection, that the paper be printed for the information of the House in the RECORD, and also as a document of the House.

Mr. COX. At what date?

Mr. BANNING. Last Saturday. And shows we have enough troops, if they are property distributed, to conquer the Indians against whom we have sent a very small force.

Mr. HURLBUT. Is it official?

Mr. BANNING. Yes, sir; official, and bears date last Saturday.

The SPEAKER *pro tempore*. Is there objection to the printing of the document in the RECORD and also as a House document?

There was no objection, and it was ordered accordingly.

The document is as follows:

Distribution of United States troops.

MILITARY DIVISION OF THE ATLANTIC.

Posts.	Number of troops.	Remarks.
Fort Preble, Maine	42	Artillery.
Fort Independence, Massachusetts	51	Do.
Fort Warren, Massachusetts	87	Do.
Fort Adams, Rhode Island	251	Do.
Fort Trumbull, Connecticut	100	Do.
Fort Porter, New York	85	Infantry.

Distribution of United States troops—Continued.

MILITARY DIVISION OF THE ATLANTIC—Continued.

Posts.	Number of troops.	Remarks.
Fort Niagara, New York	46	Artillery.
Fort Ontario, New York	46	Do.
Fort Hamilton, New York	230	Do.
Fort Wadsworth, New York	83	Do.
Fort Wood, New York	46	Do.
Madison Barracks, New York	85	Do.
Plattsburgh Barracks, New York	45	Do.
Willet's Point, New York	211	Engineers.
Fort McHenry, Maryland	197	Artillery.
Fort Foote, Maryland	50	Do.
Fort Wayne, Michigan	146	Infantry.
Fort Gratiot, Michigan	39	Do.
Fort Brady, Michigan	81	Do.
Fort Mackinac, Michigan	81	Do.
Fort Monroe, Virginia	400	Artillery.
Fort Johnston, North Carolina	40	Do.
Fort Macon, North Carolina	79	Do.
Raleigh, North Carolina	72	Do.
Morganton, North Carolina	44	Do.
Charleston, South Carolina	187	Do.
Columbia, South Carolina	266	Infantry.
Greenville, South Carolina	42	Do.
Yorkville, South Carolina	43	Do.
Atlanta, Georgia	255	Do.
Savannah, Georgia	48	Artillery.
Fort Barrancas, Florida	114	Do.
Fort Brooke, Florida	82	Do.
Saint Augustine, Florida	84	Do.
Lebanon, Kentucky	37	Infantry.
Newport Barracks, Kentucky	82	Do.
Nashville, Tennessee	158	Do.
Chattanooga, Tennessee	42	Do.
Total Military Division of the Atlantic	4,077	

MILITARY DIVISION OF THE MISSOURI.

Fort Leavenworth, Kansas	331	Infantry.
Fort Riley, Kansas	42	Do.
Fort Dodge, Kansas	153	Cavalry and infantry.
Fort Hays, Kansas	96	Do.
Fort Larned, Kansas	37	Infantry.
Fort Wallace, Kansas	156	Cavalry and infantry.
Fort Lyon, Colorado Territory	157	Do.
Fort Garland, Colorado Territory	114	Do.
Fort Gibson, Indian Territory	40	Infantry.
Fort Sill, Indian Territory	552	Cavalry.
Fort Reno, Indian Territory	190	Cavalry and infantry.
Camp Supply, Indian Territory	68	Do.
Fort Elliott, Texas	199	Do.
Fort Marcy, New Mexico Territory	76	Infantry.
Fort Union, New Mexico Territory	277	Cavalry and infantry.
Fort Wingate, New Mexico Territory	229	Do.
Fort Craig, New Mexico Territory	59	Infantry.
Fort Stanton, New Mexico Territory	184	Cavalry and infantry.
Fort McRae, New Mexico Territory	64	Cavalry.
Fort Bayard, New Mexico Territory	169	Cavalry and infantry.
Fort Selden, New Mexico Territory	103	Do.
Omaha Barracks, Nebraska	117	Infantry.
Fort McPherson, Nebraska	105	Cavalry and infantry.
Sidney Barracks, Nebraska	105	Infantry.
North Platte, Nebraska	45	Do.
Camp Robinson, Nebraska	190	Cavalry and infantry.
Camp Sheridan, Nebraska	115	Infantry.
Fort Hartsuff, Nebraska	43	Do.
Fort D. A. Russell, Wyoming Territory	100	Do.
Fort Sanders, Wyoming Territory	85	Do.
Fort Fred Steele, Wyoming Territory	61	Do.
Fort Bridger, Wyoming Territory	183	Do.
Camp Brown, Wyoming Territory	123	Cavalry and infantry.
Camp Stambaugh, Wyoming Territory	74	Do.
Fort Laramie, Wyoming Territory	95	Infantry.
Fort Fetterman, Wyoming Territory	101	Do.
Cheyenne Depot, Wyoming Territory	51	Do.
Camp Douglas, Utah Territory	321	Do.
Fort Cameron, Utah Territory	146	Do.
Fort Hall, Idaho Territory	51	Do.
Fort Snelling, Minnesota	111	Do.
Fort Ripley, Minnesota	40	Do.
Fort Abercrombie, Dakota Territory	112	Do.
Fort Wadsworth, Dakota Territory	60	Do.
Fort Totten, Dakota Territory	85	Do.
Fort Pembina, Dakota Territory	86	Do.
Fort Randall, Dakota Territory	281	Do.
Fort Sully, Dakota Territory	206	Do.
Fort Rice, Dakota Territory	88	Do.
Fort Stevenson, Dakota Territory	65	Do.
Fort Buford, Dakota Territory	168	Do.
Fort Seward, Dakota Territory	42	Do.
Fort A. Lincoln, Dakota Territory	155	Do.
Lower Brulé Agency, Dakota Territory	53	Do.
Cheyenne Agency, Dakota Territory	76	Do.
Standing Rock Agency, Dakota Territory	69	Do.
Fort Shaw, Montana Territory	153	Do.
Fort Ellis, Montana Territory	68	Do.
Fort Benton, Montana Territory	45	Do.
Camp Raker, Montana Territory	49	Do.
Fort Bliss, Texas	52	Do.
Fort Brown, Texas	601	Cavalry and infantry.

Distribution of United States troops—Continued.

MILITARY DIVISION OF THE MISSOURI—Continued.

Posts.	Number of troops.	Remarks.
Fort Clark, Texas	303	Cavalry and infantry.
Fort Concho, Texas	490	Do.
Fort Davis, Texas	313	Do.
Fort Duncan, Texas	239	Do.
Fort Griffin, Texas	271	Do.
Fort McIntosh, Texas	54	Infantry.
Fort McKavett, Texas	406	Cavalry and infantry.
Fort Quitman, Texas	50	Infantry.
Fort Richardson, Texas	182	Cavalry and infantry.
Ringgold Barracks, Texas	304	Do.
San Antonio, Texas	55	Infantry.
Fort Stockton, Texas	199	Cavalry and infantry.
Baton Rouge, Louisiana	103	Infantry.
Bayou Sara, Louisiana	50	Do.
Coushatta, Louisiana	39	Do.
New Orleans, Louisiana	123	Infantry.
Natchitoches, Louisiana	40	Do.
Pineville, Louisiana	76	Do.
Shreveport, Louisiana	37	Do.
Saint Martinsville, Louisiana	38	Do.
Holly Springs, Mississippi	200	Do.
Jackson, Mississippi	78	Do.
McComb City, Mississippi	41	Do.
Port Gibson, Mississippi	44	Do.
Vicksburgh, Mississippi	98	Do.
Little Rock, Arkansas	78	Do.
Mount Vernon Barracks, Alabama	88	Do.
Livingston, Alabama	40	Do.
Mobile, Alabama	48	Do.
Huntsville, Alabama	38	Do.
In the field with General Terry	1,123	Cavalry and infantry.
In the field with General Crook	1,790	Do.
Total Military Division of the Missouri	15,110	

MILITARY DIVISION OF THE PACIFIC.

Alcatraz Island, California	118	Artillery and infantry.
Angel Island, California	109	Infantry.
Benicia Barracks, California	29	Cavalry.
Presidio of San Francisco, California	294	Cavalry and artillery.
San Diego, California	49	Cavalry.
Point San José, California	47	Artillery.
Camp Bidwell, California	112	Cavalry and infantry.
Camp Gaston, California	36	Infantry.
Camp Halleck, Nevada	91	Cavalry and infantry.
Camp Independence, California	50	Infantry.
Camp McDermit, Nevada	59	Cavalry.
Fort Yuma, California	90	Infantry.
Camp Apache, Arizona Territory	280	Cavalry and infantry.
Camp Bowie, Arizona Territory	132	Do.
Camp Grant, Arizona Territory	255	Do.
Camp Lowell, Arizona Territory	196	Do.
Camp McDowell, Arizona Territory	123	Do.
Camp Mojave, Arizona Territory	66	Infantry.
Camp Verde, Arizona Territory	280	Cavalry and infantry.
Fort Whipple, Arizona Territory	126	Do.
Prescott, Arizona Territory	26	Infantry.
Fort Boisé, Idaho Territory	34	Do.
Fort Lapwai, Idaho Territory	91	Do.
Fort Canby, Washington Territory	36	Artillery.
Fort Colville, Washington Territory	68	Cavalry.
Fort Townsend, Washington Territory	39	Infantry.
Fort Vancouver, Washington Territory	180	Do.
Fort Walla Walla, Washington Territory	187	Cavalry and infantry.
Camp Harney, Oregon	97	Do.
Fort Klamath, Oregon	107	Do.
Fort Stevens, Oregon	38	Artillery.
Fort Wrangel, Alaska Territory	33	Infantry.
Sitka, Alaska Territory	98	Artillery.
Total military division of the Pacific	3,576	

RECAPITULATION BY MILITARY DIVISIONS.

Atlantic	4,077
Missouri	15,110
Pacific	3,576
Aggregate	22,763

NOTE.—The foregoing statement exhibits only the number of officers and enlisted men serving at regular garrisoned posts or operating in the field against Indians, making a total of 22,763. Adding to this 4,216 belonging to the detachments at West Point, Ordnance Corps, non-commissioned staff of the Army, recruits at depots, in rendezvous and *en route*, and all other officers and men not serving at garrisoned posts would swell the force now in service to 26,979.

The foregoing distribution will be changed by sending six companies of the Twenty-second Infantry from the lake posts, and six companies of the Fifth Infantry from Kansas to General Terry, and five companies of the Fourteenth Infantry from Utah to General Crook.

RECAPITULATION BY STATES AND TERRITORIES.

Maine	42
Massachusetts	138
Rhode Island	251
Connecticut	100
New York	877
Maryland	247
Virginia	400
North Carolina	275
South Carolina	538
Georgia	303
Florida	280
Alabama	214
Mississippi	461
Louisiana	506
Tennessee	200
Kentucky	119
Arkansas	78
Texas	3,718
Michigan	347
Kansas	815
Colorado	271
Indian Territory	850
New Mexico	1,161
Nebraska	720
Wyoming	873
Utah	467
Idaho	176
Minnesota	151
Dakota	1,546
Montana	315
California	934
Nevada	150
Oregon	242
Arizona	1,484
Washington	510
Alaska	131
In the field under General Terry	1,123
In the field under General Crook	1,790
Total	22,763

Number of troops in southern States, exclusive of Texas.

Virginia	400
North Carolina	235
South Carolina	538
Georgia	303
Florida	280
Alabama	214
Mississippi	461
Louisiana	506
Tennessee	200
Kentucky	119
Arkansas	78
Total	3,334

THOMAS M. VINCENT,
Assistant Adjutant-General.

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
July 8, 1876.

PRIVATE BILLS PASSED.

Mr. TERRY. Before going on with the morning hour I suggest, Mr. Speaker, that the bills which were reported from the Committee of the Whole House on the Private Calendar last Saturday and which are now on the Speaker's table on their passage be taken up and passed. It will take but a very short time, as the bills were passed in committee without objection, Saturday having been made objection day in the Committee of the Whole House on the Private Calendar.

The SPEAKER *pro tempore*. That can be done by unanimous consent.

Mr. REAGAN. I do not object if it does not interfere with the morning hour.

The SPEAKER *pro tempore*. Does the gentleman object?

Mr. REAGAN. I object if it interferes with the morning hour. But if we are to have the morning hour, then I do not object.

The SPEAKER *pro tempore*. It will not do away with the morning hour if these bills are taken up and passed at this time.

Mr. REAGAN. If it does not interfere with the morning hour of course I do not object.

The SPEAKER *pro tempore*. Does the Chair understand the gentleman as waiving his objection?

Mr. REAGAN. I do waive my objection if it does not interfere with the morning hour.

The SPEAKER *pro tempore*. The morning hour will only be postponed to a later period of the day.

Mr. HOLMAN. I rise to a parliamentary inquiry. What is the question before the House?

The SPEAKER *pro tempore*. The gentleman from Virginia [Mr. TERRY] asks by unanimous consent that bills reported from the Committee of the Whole House on the Private Calendar last Saturday be taken up and passed.

Mr. TUFTS. I object until after the morning hour.

Mr. TERRY. It will not interfere with the morning hour, and I hope the gentleman will withdraw his objection.

Mr. TUFTS. I withdraw my objection.

The following House bills, reported from the Committee of the Whole House on the Private Calendar, with the recommendation that they do pass without amendment, were taken from the Speaker's table, severally read a first and second time, ordered to be engrossed and read a third time; and being engrossed, were accordingly read the third time, and passed:

A bill (H. R. No. 629) for the relief of Jonathan White;

A bill (H. R. No. 3490) for the relief of James W. Love, postmaster at Patriot, Indiana;

A bill (H. R. No. 3319) granting a pension to Lemuel L. Lawrence, late second lieutenant Company B, in the Sixth Regiment Illinois Cavalry Volunteers;

A bill (H. R. No. 3497) granting a pension to James B. Treadwell, major Eighty-fifth Regiment Pennsylvania Volunteers;

A bill (H. R. No. 3498) granting a pension to Arthur W. Irving, late private Company C, One hundred and fourth New York Volunteers;

A bill (H. R. No. 2768) granting a pension to Juliett A. Hendrickson, widow of William L. Hendrickson, late private Company E, Twenty-eighth Regiment Illinois Infantry Volunteers;

A bill (H. R. No. 1479) granting a pension to Dalton Hinchman;

A bill (H. R. No. 2120) granting a pension to Thomas W. Hewitt;

A bill (H. R. No. 2472) granting a pension to John Frey;

A bill (H. R. No. 3499) granting a pension to William Buckley, private Company C, Fiftieth Ohio Volunteers;

A bill (H. R. No. 3011) granting a pension to Mrs. Ann Annis;

A bill (H. R. No. 3500) granting a pension to Nelson Ainslee;

A bill (H. R. No. 3501) granting a pension to Catharine Hagan;

A bill (H. R. No. 1566) granting a pension to Elizabeth D. Stone;

A bill (H. R. No. 3502) granting a pension to Maggie A. Nobles;

A bill (H. R. No. 3503) for the relief of Philip Rohr, of Virginia, for tobacco seized for use of the Army: and

A bill (H. R. No. 3504) for the relief of Thomas Day, of Indiana.

The following House bills reported from the Committee of the Whole House on the Private Calendar, with the recommendation that they do pass with amendments, were taken up, the amendments concurred in, and the bills, as amended, severally ordered to be engrossed and read a third time; and being engrossed, they were accordingly read the third time, and passed:

A bill (H. R. No. 1427) for the relief of H. P. Jones & Co.; and

A bill (H. R. No. 2894) for the relief of J. E. Pankey, of Fulton County, Kentucky.

The following Senate bill, reported from the Committee of the Whole House on the Private Calendar, with the recommendation that it do pass, was also taken up and ordered to a third reading; and it was accordingly read the third time, and passed:

An act (S. No. 627) making appropriation to pay the claim of Butler, Miller & Co.

Mr. WALLING moved to reconsider the votes just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MANNING M. KIMMELL.

Mr. HATCHER. I ask unanimous consent to introduce a bill (H. R. No. 3859) to remove the political disabilities of Manning M. Kimmell, late of Cape Girardeau County, Missouri, and to put it on its passage at this time. It is accompanied by a petition requesting the removal of his disabilities.

There was no objection, and the bill was read a first and second time.

The bill, which was read, provides (two-thirds of each House concurring therein) that the political disabilities imposed upon Manning M. Kimmell, late of Cape Girardeau County, Missouri, by the fourteenth amendment of the Constitution of the United States by reason of participation in the late rebellion, be removed.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed; two-thirds voting in favor thereof.

Mr. HATCHER 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.

CHINESE IMMIGRATION.

Mr. FAULKNER. I ask unanimous consent to report from the Committee on Foreign Affairs in reference to a matter I think ought to be considered at once. I send up a preamble and resolution which I ask the Clerk to read.

The Clerk read as follows:

Whereas there are now in California and the adjacent Pacific States about one hundred thousand Chinese and other persons of the Mongolian race; and whereas the said population is increasing at the rate of from eight hundred to one thousand a week; and whereas it is estimated that 90 per cent. of said immigration consists of coolies, peons, or persons held in like condition of service or temporary bondage, having no sympathy and seeking no association with the political, social, or Christian elements of said States; and whereas it is asserted that the introduction of this large and rapidly increasing immiscible population has tended to produce demoralization, to disturb the natural functions of labor, and has proved injurious to the States in which it is found; and whereas it is believed by many persons that this class of immigration was not contemplated by the spirit of our Constitution nor by the policy of our early legislation, and, in any view, that it is of such doubtful expediency that it should not be encouraged or stimulated by treaty obligations. With a view, therefore, of throwing light upon the important and interesting questions here involved—

Resolved, That a committee of five members of this House be appointed to examine into the questions here presented, with full powers in the premises, and that the same are hereby instructed to report to this House at its next session.

Also resolved, That said committee shall have authority to employ a stenographer, and to send for persons and papers.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this resolution?

Mr. SEELYE. I do not object, if the preamble states that it is alleged that such and such difficulties have occurred. If the preamble states facts, and if the facts be as stated, the commission is a work of supererogation.

Mr. FAULKNER. The preamble uses the language "it is estimated," "it is asserted," "it is believed."

Mr. SEELYE. I desire to have that distinctly expressed.

Mr. HURLBUT. I object to any special commission for that purpose, but am quite willing that the Committee on Foreign Affairs shall take charge of this matter. We are loaded down now with special committees, and I think this should be intrusted to the Committee on Foreign Affairs, whose duty it is to take charge of it.

Mr. TOWNSEND, of New York. I object to the present consideration of the resolution.

SETTLERS UPON CERTAIN LANDS IN MINNESOTA.

Mr. STRAIT. I ask unanimous consent to take from the Speaker's table and have put upon its passage at this time the bill (S. No. 547) for the relief of settlers upon certain lands in the State of Minnesota.

The SPEAKER *pro tempore*. Is there objection to the consideration of this bill at this time?

Mr. HOLMAN. Let the bill be read.

The bill was read.

Mr. HOLMAN. Withholding my objection for the moment, if I may be permitted to do so, I wish to say that I have no objection to this bill provided the grant to this road may be declared forfeited by the bill itself. I propose to add the following words:

And the grant of lands heretofore made to the said company is hereby annulled.

Mr. STRAIT. I must decline to accept that amendment.

Mr. HOLMAN. Then I object.

FUNERAL OF THE LATE HON. EDWARD Y. PARSONS.

The SPEAKER *pro tempore*. The gentleman from Illinois, [Mr. HARTZELL,] appointed on the committee of seven to take order for superintending the funeral of the late Hon. EDWARD Y. PARSONS, being detained at home by reason of sickness in his family, the Chair has appointed in his place the gentleman from Kentucky, Mr. WHITE.

SILVER COIN BILL.

The SPEAKER *pro tempore*. The Chair also desires to announce as the managers of the conference on the part of the House on the disagreeing votes of the two Houses on the bill commonly known as the silver bill Mr. PAYNE of Ohio, Mr. RANDALL of Pennsylvania, and Mr. LANDERS of Indiana.

RESIGNATION OF HON. JAMES G. BLAINE.

The SPEAKER *pro tempore*. The Chair also desires to lay before the House at this time the following communication received by telegraph from the Governor of Maine.

The Clerk read as follows:

AUGUSTA, MAINE, *July* 9, 1876.

To Hon. MILTON SAYLER,
Speaker of the House of Representatives:

Having tendered to the Hon. JAMES G. BLAINE the appointment of Senator in Congress, he has placed in my hands his resignation as Representative from the third district of Maine, to take effect Monday, July 10.

SELDEN CONNER,
Governor of Maine.

ORDER OF BUSINESS.

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

DEWITT C. CUMMINGS.

Mr. MACDOUGALL introduced a bill (H. R. No. 3860) for the relief of Dewitt C. Cummings; which was read a first and second time, and, with the accompanying petition, referred to the Committee on Patents, and ordered to be printed.

IMPROVED TRANSIT IN POSTAL SERVICE.

Mr. HOSKINS introduced a bill (H. R. No. 3861) to provide for testing certain methods of improved transit in the postal service, and for extending the same when in successful operation; which was read a first and second time.

Mr. KASSON. I ask that the bill may be read.

The bill was read in full, and was referred to the Committee on the Post-Office and Post-Roads.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of their clerks, informed the House that the Senate had agreed to the amendment of the House of Representatives to the bill (S. No. 872) for the relief of the family of the late John T. King and of L. B. Cutler.

The message also informed the House that the Senate had passed without amendment the bill (H. R. No. 3858) to continue the provisions of an act entitled "An act to provide temporarily for the expenses of the Government," &c.

CAPTAIN W. L. FOULK.

Mr. COCHRANE (by request of Mr. HOPKINS) introduced a bill (H. R. No. 3862) for the relief of Captain W. L. Foulk; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

MANN'S MARINE DANGER SIGNAL.

Mr. DOUGLAS introduced a bill (H. R. No. 3863) to authorize the

Secretary of the Treasury to test Mann's improved marine danger-signal, and for other purposes; which was read a first and second time.

Mr. KASSON. Let that bill be read.

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

COMMISSION TO VISIT THE INDIAN TERRITORY.

Mr. SCALES introduced a joint resolution (H. R. No. 142) appointing a commission to visit the Indian Territory to look into and report on the condition and management of the Indians, &c.; which was read a first and second time.

Mr. TOWNSEND, of Pennsylvania. I desire to have that resolution read.

The joint resolution was read at length, and was referred to the Committee on Indian Affairs, and ordered to be printed.

JAMES H. GARDNER.

Mr. WALLACE, of South Carolina, introduced a bill (H. R. No. 3864) for the relief of James H. Gardner, of South Carolina; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

GIBBES & CO.

Mr. WALLACE, of South Carolina, also (by request) introduced a bill (H. R. No. 3865) for the relief of Gibbes & Co., of Charleston, South Carolina; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

MARY M'INTOSH.

Mr. WALLACE, of South Carolina, also introduced a bill (H. R. 3866) granting a pension to Mary McIntosh; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ELIZABETH WINTER.

Mr. BANNING introduced a bill (H. R. No. 3867) granting a pension to Elizabeth Winter; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

H. T. JOHNSY.

Mr. MONEY introduced a bill (H. R. No. 3868) for the relief of H. T. Johnsy, of Alcorn County, Mississippi; which was read a first and second time.

Mr. BURCHARD, of Illinois. I call for the reading of the bill.

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

COURTS OF THE UNITED STATES.

Mr. ELLIS introduced a bill (H. R. No. 3869) to confirm and satisfy orders, decrees, and judgments of the provisional courts of the United States for the State of Louisiana; which was read a first and second time.

Mr. EAMES. I ask that the bill be read.

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

MARTHA J. DODSON.

Mr. YOUNG introduced a bill (H. R. No. 3870) for the relief of Mrs. Martha J. Dodson, of Hardeman County, Tennessee; which was read a first and second time.

Mr. HURLBUT. I call for the reading of the bill.

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

ISAAC RAINS.

Mr. McFARLAND introduced a bill (H. R. No. 3871) for the relief of Isaac Rains, late corporal of Company K, Eighth Regiment Tennessee Volunteer Cavalry of the war of 1861; which was read a first and second time.

Mr. HURLBUT. Let that bill be read.

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

GALLERS KERCHNER.

Mr. NEW introduced a bill (H. R. No. 3872) for the relief of Gallers Kerchner, of North Vernon, Indiana, praying that the Court of Claims be given jurisdiction to hear and determine his claim; which was read a first and second time.

Mr. HURLBUT. I call for the reading of the bill.

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

DANIEL M. FROST.

Mr. WELLS, of Missouri, introduced a bill (H. R. No. 3873) for the relief of Daniel M. Frost and the heirs and executors of William M. McPherson, all of the State of Missouri; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

AWARDS OF MEXICAN MIXED COMMISSION.

Mr. HURLBUT introduced a joint resolution (H. R. No. 143) relating to awards of the Mexican mixed commission; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

LAURIE TATUM.

Mr. TUFTS introduced a bill (H. R. No. 3874) for the relief of Laurie Tatum; which was read a first and second time.

Mr. FOSTER. I call for the reading of the bill.

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

JACOB B. CASEBEER.

Mr. AINSWORTH introduced a bill (H. R. No. 3875) for the relief of Jacob B. Casebeer; which was read a first and second time.

Mr. KASSON. I call for the reading of the bill.

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

TRANSPORTATION OF DYNAMITE.

Mr. PIPER introduced a bill (H. R. No 3876) to prohibit the transportation of liquid nitro-glycerine, and to regulate the transportation of dynamite; which was read a first and second time.

Mr. HURLBUT. I call for the reading of the bill.

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

TAXES ON DEPOSITS IN SAVINGS-BANKS.

Mr. PAGE introduced a bill (H. R. No. 3877) relating to the taxes upon deposits in savings-banks; which was read a first and second time.

Mr. HURLBUT. I call for the reading of the bill.

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

GEOGRAPHICAL SURVEYS.

Mr. ELKINS introduced a joint resolution (H. R. No. 144) authorizing the printing of geographical surveys west of the one hundredth meridian for 1875; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

SETTLERS ON THE SAN JUAN AND OTHER ISLANDS.

Mr. JACOBS introduced a bill (H. R. No. 3878) for the relief of settlers on the San Juan and other islands, lately in dispute between the United States and Great Britain; which was read a first and second time.

Mr. HURLBUT. I call for the reading of the bill.

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

SUFFRAGE IN THE TERRITORIES.

Mr. KIDDER introduced a bill (H. R. No. 3879) in relation to the right of suffrage in the Territories; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

RESURVEYS OF LAND.

Mr. KIDDER also introduced a bill (H. R. No. 3880) to authorize the resurveys of lands where the surveys are fraudulent, erroneous, or obliterated and to legalize certain resurveys of the public lands; which was read a first and second time, referred to the Committee on Public Lands, and ordered to be printed.

The SPEAKER *pro tempore*. The call of States and Territories has now been completed, but the Chair hopes that an opportunity will be afforded to gentlemen to introduce bills who were absent from their seats when their States were called.

Mr. GARFIELD, by unanimous consent, introduced a joint resolution (H. R. No. 145) authorizing the Secretary of State to publish the history of the several surveys and scientific expeditions by the United States during the present century; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

APPRAISEMENT OF IMPORTED MERCHANDISE.

Mr. FROST, by unanimous consent, introduced a bill (H. R. No. 3881) relating to the appraisement of imported merchandise; which was read a first and second time, referred to the Committee of Ways and Means, and ordered to be printed.

Mr. FROST. I ask unanimous consent to have that bill printed in full in the RECORD.

There was no objection.

The bill is as follows:

Be it enacted, &c., That the provision in section 2939 of the Revised Statutes authorizing the Secretary of the Treasury to prescribe the number of packages to be examined by appraisers be, and the same is hereby, amended by adding at the end of the section the words "and may in his discretion, under like circumstances, make the like regulation for any principal port of entry in the United States."

SUPPRESSING THE HOSTILITIES OF THE SIOUX INDIANS.

Mr. STEELE, by unanimous consent, introduced a bill (H. R. No. 3882) to authorize the President of the United States to enlist recruits for the Army of the United States, to serve not more than six months, to aid in suppressing the hostilities of certain bands of Sioux Indians; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

HOT SPRINGS RESERVATION.

Mr. WILSHIRE, by unanimous consent, introduced a bill (H. R. No. 3883) granting a right of way over the Hot Springs reservation of Arkansas to the Little Rock and Hot Springs Railway; which was

read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

ENROLLED BILLS SIGNED.

Mr. HARRIS, of Georgia, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled a bill of the following title; when the Speaker *pro tempore* signed the same:

An act (H. R. No. 3858) to continue the provisions of an act entitled "An act to provide temporarily for the expenditures of the Government," &c.

COUNTERFEITING OF TRADE-MARK GOODS, ETC.

Mr. COX. I ask unanimous consent to take from the Speaker's table the bill to punish the counterfeiting of trade-mark goods and the sale or dealing in of counterfeit trade-mark goods; and I shall ask to put it upon its passage. I will say to the House that this bill was very thoroughly considered in the Senate by the Committee on the Judiciary of that body, and that our Committee on the Judiciary will hardly have time to report upon it at this session. Such Senators as Mr. CONKLING and Mr. THURMAN have thoroughly considered it. Its object is to protect honest merchants and manufacturers. I hope, therefore, there will be no objection to its consideration.

The Clerk began the reading of the bill, but before concluding,

Mr. COX said: I will not ask that the time of the House be taken up by the reading of this bill at length, but will ask that it be referred to the Committee on Patents, with leave to report it back at any time.

No objection being made, the bill (S. No. 846) was accordingly taken from the Speaker's table, read a first and second time, and referred to the Committee on Patents, with leave to report at any time.

SALE OF GOODS IN CENTENNIAL EXHIBITION.

Mr. MORRISON, by unanimous consent, reported from the Committee of Ways and Means a joint resolution (H. R. No. 146) to amend the act approved June 18, 1874, relating to the admission of articles intended for the international exhibition of 1876; which was read a first and second time.

The question was upon ordering the joint resolution to be engrossed and read a third time.

The joint resolution provides that the act approved June 18, 1874, entitled "An act to admit free of duty articles intended for the international exhibition of 1876," shall be amended so as to permit the sale and delivery during the exposition of goods, wares, and merchandise heretofore imported and now in the exhibition building, subject to such regulations for the security of the revenue and the collection of duties thereon as the Secretary of the Treasury may in his discretion prescribe; that the entire stock of each exhibitor, consisting of the goods, wares, and merchandise imported by him, and now in said buildings, shall be liable for the payment of duties accruing on any portion thereof, in case of the removal of such portion from said buildings without payment of the lawful duties thereon; and that the penalties prescribed by and the provisions contained in section 3082 of the Revised Statutes shall apply in the case of any goods, wares, or merchandise now in said buildings, sold, delivered, or removed without payment of duties, in the same manner as if the goods, wares, or merchandise had been imported contrary to law, and the article or articles so sold or delivered or removed shall be deemed and held to have been so imported with the knowledge of the parties respectively concerned in such sale, delivery, or removal.

The joint resolution was then ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. SINGLETON submitted the following report, which was read by the Clerk:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. No. 1594) making appropriations for the consular and diplomatic service of the Government for the year ending June 30, 1877, and for other purposes, having met, after full and free conference have been unable to agree.

O. R. SINGLETON,
SAM. J. RANDALL,
CHAS. FOSTER,
Managers on the part of the House.
A. A. SARGENT,
FRED. T. FRELINGHUYSEN,
R. E. WITHERS,
Managers on the part of the Senate.

Mr. SINGLETON. I am instructed to ask the House further to insist upon its disagreement to the amendments of the Senate and to request another conference on the disagreeing votes of the two Houses thereon.

I will not detain the House by a lengthy speech, but it is proper that I should make a few remarks in reference to the grounds of disagreement between the two Houses. It will be remembered that at an early day of this session this bill was passed by the House after a very thorough consideration and honest investigation on the part of the Committee on Appropriations, and I believe there were but one or two dissenting votes on its final passage. Some objections were made to the bill, it is true, by members on the other side of the House, while it was being considered; but when the vote came to be taken upon its passage there were but one or two recorded against it.

The bill was at once sent to the Senate for its action, and from the course pursued it does appear to me, without intending any reflection upon that body to any extent whatever, that it did not show that courtesy in dealing with it which was due to this House. It will be found upon examination of the bill that, although they now admit in conference that large reductions may be properly made in this branch of the public service, yet when it came to be considered in the Senate that body struck out every proposed reduction made by the House and made but two amendments themselves, proposing reductions amounting, I believe, to but a few hundred dollars. One was the striking out of the House bill an allowance made to the amanuensis of Mr. Schenck while minister to England. At the time the bill was framed in the committee and passed by the House Schenck had not resigned his place as minister and having but one arm an amanuensis was indispensable; but by the time the bill came to be considered in the Senate his resignation had been tendered and accepted, and the Senate very properly struck out the provision for his amanuensis. The other proposed reduction by the Senate was the striking out the salary of a clerk whose services could be dispensed with amounting to $600. Those were the *only* amendments which the Senate proposed to the consular and diplomatic appropriation bill in the way of reducing expenditures. They restored every salary of every minister and all the consuls to old figures, and where we had proposed to dispense with consuls they re-instated the whole of them and sent the bill back to the House in that form.

It must be manifest to every fair-minded man that if the Senate had been disposed to consider in a proper spirit the question of retrenchment and reform in this service, they could have found some merit in the work of this House, and could then, as they now propose to do, have made some important changes looking to reform. But their wholesale rejection of our work manifests a determination to antagonize this House at every point. It has been asserted, and I believe it has never been disputed, that when this bill first went over to the Senate they determined to restore all the provisions contained in the corresponding bill of last year. Be that as it may, the result of their action shows that they were not willing to allow any retrenchment whatever, although when we come into conference with them now they admit that much can be done in that way.

The first committee of conference met, and I think the gentleman from Pennsylvania [Mr. RANDALL] will bear me out in the statement that when the question was distinctly asked of the conferees on the part of the Senate whether they intended to make any point on changes of law proposed by the House, they answered that they did not intend to stand upon that, did not intend to make any fight on that ground.

We then went earnestly to work, and first took up the diplomatic part of the bill, in order to see how near we could get together upon the salaries of our first-class ministers abroad. We very soon found that the conferees on the part of the Senate were not disposed to meet the House, as we believed, in a spirit of proper liberality on that point. It was contended that the salaries of $17,500 were but just and proper and ought not to be changed, while the House conferees stood to the provisions of the House bill. It was at this point that the disagreement took place.

That fact was reported to the House and a new conference was ordered. The Speaker of the House re-appointed the same committee for reasons satisfactory to himself, and the President of the Senate did the same thing, and it turned out to be exactly the old committee. We met again a few days ago, and when we went into session gentlemen may imagine our surprise when the conferees on the part of the Senate receded from the position they had first taken and declared that they never would recognize the right of this House to insert in appropriation bills any changes of existing law for the purpose of reducing salaries unless it suited the Senate to agree thereto. Although they had waived this objection in the first instance, we found that at our next meeting they took that ground to which they now adhere, declaring that under no circumstances whatever will they assent to the principle that this House has a right to change salaries without the consent of the Senate.

Now, in view of all the facts, it does seem very strange that the Senate should think proper to take this position with them. I cannot but regard it as more a matter of punctilio than a contest for any grand prerogative belonging to the Senate, because, sir, the doctrine for which that body now contends has been in times past departed from again and again. New legislation of every description has been incorporated into appropriation bills. Need I name a few instances? Why, sir, the first civil-rights bill passed by Congress was put on to an appropriation bill, although it was not germane to it and had no connection with it whatever, and it was forced through against the wishes of a minority.

More than that, it will be remembered that several years ago the bill of Mr. Orth, of Indiana, changing our whole consular system from beginning to end, making new classifications and re-arranging the salaries of all the consuls, was put upon an appropriation bill and in that form passed through the two Houses of Congress, both branches being then republican; and no objection whatever was made to it. So it has been again and again that changes of existing laws affecting almost every subject of legislation have been made in appropriation bills without protest upon the part of the Senate.

But, sir, all those changes were in the interest of office-holders—to in-

crease salaries, not to reduce them. As long as the movement was in that direction, as long as you were giving to the officers of the Government more than they already received under the existing laws, as long as they were made the recipients of the people's money, not one word of complaint ever came from the Senate. If they are sincere in asserting the prerogatives of the Senate and in contending for the rights and privileges of that body, how does it happen that this is the first time we have heard any complaint of changes of law upon appropriation bills? It is not easily accounted for. At the beginning of this session the Committee on Appropriations understood the difficulties that were in their way. They knew perfectly well that under the construction which had been given to the one hundred and twentieth rule of this House they could not cut down salaries, they could not retrench expenses; that under this rule the only movement which could be made toward changing the law was to increase salaries and enlarge the expenses of the Government. Therefore, at the first meeting, I believe, of the Committee on Appropriations, we considered that matter and proposed to the House that the rule should be so amended as not simply to give us power to increase, but to authorize us to reduce salaries; for under the operation of that rule many of them had gone up to exorbitant amounts. Under that rule the salaries of the minister to Germany and the minister to Russia were both raised from $12,000 to $17,500 upon an appropriation bill. There is no law now which authorizes those officers to receive this amount of salary except a provision tacked on to an appropriation bill. Thus it has been that all the tracks were found going into the giant's cave but none coming out.

The House, seeing the necessity of retrenchment and the difficulty that lay in the way of the Committee on Appropriations, granted at once the request of the committee; and the rule was changed. It was done after debate, gentlemen on the other side of the House opposing it, declaring that the amended rule would throw too much power into the hands of the Committee on Appropriations. Yet the House by a decided majority did change that rule and authorized the committee to report to the House any amendments, being germane and looking to a reduction of expenses, which in their judgment would accomplish the end contemplated. This bill was reported upon that basis; and, after long discussion and mature consideration, it passed this House, reducing the appropriations for the civil and diplomatic service about $450,000. And I here wish it to go to the country as a fact, that there were cast against it only a few votes, one or two, so fully were all satisfied that they could not afford to record their votes in opposition to it.

This difficulty has been sprung upon us at the other end of the Capitol, and Senators seem determined to maintain their position. They cannot consistently do it in the face of their former course. They cannot go before the country and justify themselves in this new assumption of power. They cannot convince plain people that the consequences of their course will not be to throw large amounts of money into the hands of friends to be used as heretofore for electioneering purposes. I do not charge this purpose upon the Senate; but this will be the effect, whether they intend it or not.

We propose that the expenses of the Government shall be reduced to the very lowest amount consistent with the public welfare. It must be apparent to every man who will think a moment about it that what was said by the gentleman from Pennsylvania [Mr. RANDALL] the other day is entirely true. There are but three modes of escape from our present embarrassments: first, to retrench to the very lowest point that will not injure the service of the Government; second, to add to the already grievous burdens of the people by increasing the tariff duties upon imported goods, (for we find now that our revenues under the law as it stands are falling off from $1,000,000 to $2,000,000 a month;) or, in the third place, we must raise money by a sale of interest-bearing bonds, thus increasing instead of diminishing the national debt.

Now, when these alternatives are presented, (and I should like gentlemen to point out any other mode by which we can get out of the difficulty,) what is the proper course to pursue? What should we do in the present emergency? Shall we borrow money and sell our bonds in market, avert drawing interest for the purpose of paying these enormous salaries and other Government expenses? No man in his senses will advise such a course at the present time. Shall we increase the tariff duties on imported goods? We should be equally far from taking that position. There is then but one other left, and that is retrenchment. That is retrenchment, sir, to the very lowest point consistent with the public good; and that is what we now propose to do, and that is what we feel to-day the Senate is attempting to prevent us from doing.

Mr. Speaker, it is very strange indeed that Senators, well-informed and patriotic as they are, should insist on keeping these salaries up to the present figures. As I remarked a moment ago, the salaries of ministers to Germany and Russia were fixed by law at $12,000 each, and yet by an amendment to an appropriation bill these salaries were increased to $17,500. So of other salaries. If they could be increased at this fearful rate by such an amendment, why may they not be reduced to $14,000 by the same process when the necessity of the times and our finances demand retrenchment? There surely can be nothing wrong in our efforts to bring them back again, not to $12,000, that is not the proposition of the House at all, but to $14,000. Yet the Senate will not agree to this change, but insists upon holding these missions up to $17,500.

Mr. HALE. Let me ask the gentleman a question.

Mr. SINGLETON. Very well, sir.

Mr. HALE. The gentleman referred to the increase of salaries of certain missions as having been put by the House upon an appropriation bill, did he not?

Mr. SINGLETON. I say they were ingrafted upon appropriation bills; that is, the salaries of ministers to Germany and England.

Mr. HALE. Yes, sir; and let me put this question to him.

Mr. SINGLETON. Very well, sir.

Mr. HALE. The House upon an appropriation bill put on an increase of certain salaries and sent it to the Senate, thereby changing the law. Now, does the gentleman hold that when the House did that it had the right to say to the Senate, "We have put on this increase of salaries and you must submit to it, or we will not let your bill go through?

Mr. SINGLETON. No, sir; you do not understand me as saying anything of the sort.

Mr. HALE. The gentleman says that he could not take that ground. The Senate would have the right to resist this change of the law. The Senate yielded to the demand of the House for increase of salaries. The Senate consented to the bill coming from the House. Two years later the House takes another position in reference to those salaries and proposes to put them back.

Mr. SINGLETON. That is a different issue.

Mr. HALE. The Senate has the same right, precisely the same right to its discretion in reference to the change of law that it had when the House sent over an increase of salaries.

Mr. SINGLETON. Do you call that a question or a speech?

Mr. HALE. Do you say yes or no?

Mr. SINGLETON. I do not like so many little speeches injected into my remarks, but I will answer in due time.

Mr. HALE. Has not the Senate the same right now as it had then?

Mr. SINGLETON. I am free to admit the House and Senate are co-ordinate branches of the legislative department of the Government, but they are not co-equal in every respect. That is my declaration, and I will make it good. If they are co-equal, then whatever the House can do the Senate can do, and whatever the Senate can do the House can do. And yet the gentleman knows perfectly well that is not the case, because here we prefer articles of impeachment against the Secretary of War or other officers guilty of malfeasance. The Senate takes up these articles and tries the case, and we have nothing to do with that trial except simply to have managers there to conduct it. They are to all intents and purposes the jury which decides the case. In this instance, then, they are co-ordinate, but not co-equal.

Mr. HALE. I admit that.

Mr. SINGLETON. Wait a moment.

Mr. HALE. Does the gentleman acknowledge that one is above the other?

Mr. SINGLETON. Yes, in some respects I do, and I will show it.

Mr. HALE. Each has certain privileges the other has not. Neither is above the other.

Mr. SINGLETON. I hope the gentleman will let me answer the question he put.

Again, the Senate is the treaty-making power. What has this House to do with making treaties? Further, the Senate has the veto power upon the nominations of the President for offices. Have we any voice in that matter? Are we equal with the Senate in these respects? Unquestionably not, because we have no voice in them whatever.

Again, there are certain privileges which belong to this House which do not belong to the Senate. One is the power to originate revenue bills, and it has been construed that revenue bills mean not only bills to raise money, but applies with equal force to bills proposing to disburse the money which has been already raised. No man will deny that, I apprehend.

Mr. KASSON. That is not agreed to.

Mr. HALE. It is not agreed to.

Mr. SINGLETON. Not under the Constitution? I assert that to be the case. The House has power to originate a revenue bill. Can the Senate originate such a bill?

Mr. BURCHARD, of Illinois. They pass bills making appropriations every day.

Mr. SINGLETON. Can the Senate originate a revenue bill? Has the Senate under the Constitution any power to originate such a bill? Certainly not.

Mr. KASSON. Not for raising money.

Mr. HALE. But the Senate can amend revenue bills coming from the House.

Mr. SINGLETON. I am coming to that point in a moment. Yes, sir; the Senate can concur with amendments.

Mr. HALE. It can put on its own amendments.

Mr. SINGLETON. I ask the gentleman not to interrupt me so often. The Senate can concur in amendments to a House bill when those amendments are proposed by the House itself. To *concur* implies that the amendment has been proposed by the House. The Senate has the right to propose amendments, but if the House reject them it

neither comports with the letter nor the spirit of the Constitution that the Senate may so far insist on those amendments as to stop the wheels of Government if not adopted by the House.

Mr. HALE. Let me ask the gentleman a question right here, right on this point.

Mr. SINGLETON. I will let the gentleman ask his question, and then I must insist upon going on unmolested.

Mr. HALE. Does the gentleman mean to advance the opinion here that there is nothing in the Constitution that gives the Senate the right to amend and insist on its amendment as we have the right to originate revenue bills?

Mr. SINGLETON. I mean to say just what the Constitution declares.

Mr. HALE. No, but——

Mr. SINGLETON. I will answer the question if the gentleman will only wait.

Mr. HALE. Let me put the question so the gentleman can understand it. Is there any more right given in the Constitution to the House to originate a revenue bill and insist upon it than there is in the Senate to propose amendments and insist upon them? Is there any more right in one than in the other?

Mr. SINGLETON. Why, sir, the gentleman must see there is a vast difference between the powers in reference to revenue bills. The Senate cannot originate a revenue bill under any circumstances.

Mr. HALE. Will not the gentleman answer?

Mr. SINGLETON. The House alone, under the Constitution, can originate such bills, and therefore has greater power over the subject than the Senate.

Mr. HALE. Will not the gentleman answer my question?

Mr. SINGLETON. Mr. Speaker——

Mr. HALE. Both of us are perfectly good natured; will not the gentleman answer that question? Let me repeat it again. Under the Constitution has not the Senate as much right to insist on its amendments to revenue bills as the House has to insist on its originating revenue bills?

Mr. SINGLETON. I do not believe it has, and I will give you the reason why.

Mr. HOLMAN. Certainly it has.

Mr. HALE. My friend from Indiana [Mr. HOLMAN] says certainly it has. The gentlemen disagree.

Mr. SINGLETON. I am not responsible for the opinions of anybody but myself. You asked me a question, and when I answered you openly, fairly, you tell me what somebody else says. Now I hope the gentleman will sit down, and let me go on.

Mr. HALE. I understand the gentleman to say——

Mr. SINGLETON. I cannot yield further.

The SPEAKER *pro tempore*. The gentleman from Mississippi declines to yield further.

Mr. HALE. I think the gentleman will certainly——

The SPEAKER *pro tempore*. Does the gentleman from Mississippi yield?

Mr. SINGLETON. I do not.

Mr. HALE. Will the gentleman——

Mr. SINGLETON. You will have an opportunity to respond.

Mr. HALE. I want to understand that last proposition of the gentleman.

Mr. SPRINGER. Will the gentleman from Mississippi yield to me for one moment?

The SPEAKER *pro tempore*. The gentleman from Mississippi is entitled to exclusive possession of the floor; and other gentlemen will allow him to proceed without interruption when he declines to yield.

Mr. SINGLETON. I propose to state again the opinion which I entertain in reference to this matter. As I have already stated, all revenue bills must originate with the House. They cannot originate anywhere else. And if that be true, then the powers of the Senate and the powers of the House in reference to such bills are not equal the one with the other. If they were, a revenue bill could originate in the Senate as well as in the House. But the Senate is entirely precluded from originating revenue bills.

Well, sir, I grant you that the Constitution provides that the Senate may, in regard to revenue bills, "concur with amendments;" that is, as I said a moment ago, with amendments put on by this House. The word "concur," I believe the learned gentleman from Massachusetts [Mr. SEELYE] will agree I am correct in stating, is derived from "*con*," meaning "together with," and "*curro*," meaning "I run." The Senate can run or agree with this House so far as amendments put on by the House are concerned. It may also, as the Constitution provides, "propose amendments." But I will not admit that it can by insisting upon its amendments defeat all revenue bills of this House.

The principle of changing existing laws by amendments to appropriation bills has been practiced so long by the party in power that, whether originally right or wrong, it has now grown into a *lex non scripta*, a common-law principle by which that party at least should feel itself bound. It is too late for the Senate to insist on their amendments to appropriation bills, and if this House refuse to agree to them it has the right to withhold all the appropriations for the support of the Government. I believe the explanation I have given expresses the spirit and intention of our fathers in framing that instrument.

It is a known fact that our Government, though different in many respects from that of Great Britain, is modeled after the English government to a certain extent. Our President here answers to the king, or, as it is now, the queen of Great Britain. Our Senate answers somewhat to the House of Lords, and this body, the House of Representatives, represents the House of Commons in England. Well, sir, it was demonstrated on this floor a few days ago by the gentleman from New York [Mr. COX] and it is a historical fact that at this day the House of Lords of Great Britain does not pretend to claim the power to restrict or control the appropriations made by the House of Commons. And the members of the Senate heretofore for the most part by their waiver of the right, if it were ever allowed, seem to have concurred in that idea in reference to our own Government. I believe this is the first time—at least it is the first time within my knowledge—where the Senate has come forward and made the point distinctly and proposed to stand upon it, and withhold necessary appropriations from the Government.

Before passing from this point, I wish to say that this may be a refinement, a very nice point, which is understood by the Senate and which may be understood by gentlemen on that side of the House; but I tell you the common people of the country will not and cannot appreciate it. The Senate has never objected to the power and practice of putting new laws on appropriation bills which had the effect of increasing expenditures, of increasing offices, of increasing salaries. But now, when it is proposed that we shall reduce instead of increasing expenditures, Senators take their stand on this point. I apprehend the country will not understand, will not appreciate the argument made in support of their position. And what is stranger to me than all else is that gentlemen on the other side of this House, as if they thought perhaps there was not determination enough in the Senate to stand up to this point, are constantly speaking words of encouragement to them and saying they hope the Senate will not recede from its position and that the wheels of the Government should be stopped rather than concession should be made. Members of this House who for years in the presence of the whole country have disregarded that rule, which they now claim to be inflexible, and have utterly set it at defiance in every possible shape and form, occupy a strange position when at this late day they think it necessary to encourage this disposition on the part of the Senate.

Mr. Speaker, I will be through what I have to say in a few moments. The first committee of conference, as I have said, reported disagreement not upon the question of law, but upon the amount of salaries, and another committee was appointed. When it came together instead of the conferees on the part of the Senate waiving the point of law in the second instance, as they had done in the first, they took the position that it was interfering with the Senate's prerogative and declaring that there they meant to stand, let the consequences to the country be what they might. Well, sir, as members of that committee of conference, backed up by the voice of this House and backed up by the sentiment of the country everywhere, we did not feel ourselves at liberty to yield that point. We did not feel ourselves at liberty to give up the bill which had been passed by the House and allow the Senate to say the Government shall be run in the old groove, that there should be no adequate retrenchment of our expenses, but that we must continue as heretofore spending our slender means extravagantly for a corrupt administration of the Government.

Mr. KASSON. Will the gentleman state what the difference in amount of money is between the House bill and the bill as passed by the Senate?

Mr. SINGLETON. It is about $435,000. I cannot state just the exact amount, because they have not offered, so far as any formal proposition is concerned, unless upon conditions to which we could not accede, to abate one single dollar contained in the bill as amended and sent back to the House.

Mr. KASSON. In their amendments did they propose any amendments except to make the bill to conform with the existing law? Were not the amendments proposed by the Senate simply restoring the appropriations where the existing law fixed them?

Mr. SINGLETON. The law, if you call that a law which gave to this amanuensis of Mr. Schenck a certain salary for one year; yet they struck it out and went back upon the principle they proposed to adhere to as they did in the case of the clerk, because by the law, as you call it, that was ingrafted upon an appropriation bill, they struck down the salary of the clerk, which was $600, and therefore went back upon the principle just as effectually as if the reduction had been $6,000,000.

Mr. KASSON. The gentleman from Mississippi did not understand my question. The principle of the Senate is that they will agree to changes of the law whenever their judgment approves of those changes. The point I raise is whether the amendments of the Senate making a difference of $400,000 in the amount appropriated by the bill were not simply amendments that made the amount appropriated conform to the principle of existing law.

Mr. SINGLETON. I have answered that question time and again. They struck out every amendment that we made and proposed to leave the salaries and expenses where the appropriation bill of last year left them, reducing nothing.

Mr. KASSON. Just as the law fixes it.

Mr. SINGLETON. There is no law regulating many of these salaries and expenses except that which was attached to an appropriation bill.

Mr. KASSON. It was a permanent law, not limited to a single year. The point is a very distinct one, and the gentleman can answer it. A law exists upon the statute-book fixing certain amounts to be paid under that law, and the amendments of the Senate are only designed to make the amounts of the appropriation conform to that law.

Mr. SINGLETON. I do not exactly understand what you mean. If you consider that the appropriation bill of last year with the amendments was a law to reach beyond that year, then the action of the Senate is in conformity to the law, but there is no separate statute upon the statute-book in relation to these salaries.

Mr. FOSTER. Why, there is.

Mr. SINGLETON. There is not in reference to ministers to Germany and Russia, and I defy the gentleman to show it.

Mr. KASSON. Does the gentleman deny that Congress has heretofore passed laws fixing the salaries of ministers and consuls?

Mr. RANDALL. Yes; in appropriation bills.

Mr. KASSON. This is a little colloquy between the gentleman from Mississippi and myself. Such a law exists on the statute-book. My inquiry is a practical one, whether the amendments of the Senate do anything but carry out the existing law?

Mr. SINGLETON. Now, if the gentleman will only sit down and wait I will answer his question. I say that there was a law passed giving a salary of $17,500 to the minister to England, $17,500 to the minister to France, $12,000 to the minister to Germany, and $12,000 to the minister to Russia, and yet the Senate have done what? Have they declared their willingness to abide by that law? Not at all, but it insists that the salaries of the ministers to Germany and Russia shall be $17,500 instead of $12,000 as fixed by law, thus changing said law by an amendment to an appropriation bill.

Mr. KASSON. But it was a permanent law, and not an appropriation for a single year; and now the question is whether the Senate proposes that the salaries shall be paid to the amount of the existing law.

Mr. SINGLETON. I say that there was no law passed fixing these salaries to $17,500, except by amendment to an appropriation bill, and by the same means we propose to bring them back to the act giving to each of them $12,000.

Mr. KASSON. Was it not the law?

Mr. SINGLETON. Was that a permanent law fixing these salaries, or only an appropriation for one fiscal year?

Mr. RANDALL. We propose to make this a permanent law.

Mr. KASSON. This is a little colloquy between the gentleman from Mississippi and myself, and I hope the gentleman from Pennsylvania will not interfere.

Mr. SINGLETON. I think I understand this matter fully. We propose to do now precisely what the Senate did when it raised these salaries from $12,000 to $17,500. This bill proposes to go in the opposite direction and bring the salaries down to $14,000 and not to $12,000, as fixed by the act regulating salaries.

Mr. KASSON. That is a correct statement.

Mr. RANDALL. Will the gentleman from Mississippi allow me a moment?

Mr. SINGLETON. Yes; I will allow the gentleman a moment now, although I have something else which I want to say.

Mr. RANDALL. A few words will suffice me to explain what I consider the differences between the two Houses on this bill. I have here in my hand a copy of an appropriation bill of 1874 for the year ending June 30, 1875, and in that bill are clauses re-arranging the entire diplomatic and consular service of the United States, both as to salaries and as to their respective positions.

It was stated when it was incorporated in the appropriation bill that it was a reduction. Subsequently it was ascertained, as I am informed, to have increased the expenses of the service $53,000. And I have here the figures which go to sustain this fact. The appropriations for this service for 1873 and 1874 amounted to $1,311,759. The appropriations for 1874 and 1875, which was a bill in which the entire diplomatic and consular service was changed, amounted to $1,370,185, or nearly $60,000 more than the year previous. Now, it will be observed that in that bill the Senate opposed legislation in an appropriation bill raising the salaries of the diplomatic and consular officers. We are in the position to-day of asking the Senate to lower the salaries of the diplomatic and consular service in the identical bill in which they raised them two years ago; and we propose to do it to the extent in the diplomatic service of $173,500 and in the consular service of $193,350.

The Senate in the recent conference took the ground that they would not go directly to the law, but directly to the details. The Senate offered to take the amount which the House appropriated for the diplomatic service and give to the President of the United States the disposition of that amount for the current year ending June 30, 1877. The difference therefore is thus far whether the President shall arrange the diplomatic service either by a reduction of the salaries of certain officers in connection with that service, or by withdrawing certain ministers, so as to make the entire service come within the limits of that amount.

Mr. KASSON. I suppose there was coupled with that a provision that the President should not in any case authorize the payment of any salary beyond the amount already authorized by law.

Mr. RANDALL. I think that clause was in the proposition. So far well. The House conferees, as I understand it, were willing to accept that, provided there was also incorporated in the bill a provision that these were the amounts of the salaries respectively that should be paid for the year. In other words, the House conferees desired that this bill should be in full for the diplomatic service for the year, and that it should be so expressed that no claim should come from any diplomatic officer for any additional sum unless it should be provided for hereafter in a different manner, looking very much to the same result as the proposition submitted on the legislative appropriation bill. There is where we separated. The Senate were willing to take the aggregate amount of money contained in the House bill, and to give the President the right to distribute it in the way I have indicated; but they were unwilling to go far enough, as the House conferees thought was desirable, and to say that this amount should be in full for the diplomatic service for this year. That is the point of difference.

Mr. KASSON. A little further information, if the gentleman pleases. The consular service was proposed to be included in the same arrangement, as I understand it.

Mr. RANDALL. The proposition did not point to the consular service with the same distinctness as I have given it as to the diplomatic service, because it was suggested that perhaps an additional sum beyond the amount agreed upon for that service by the House would be asked for by the Senate. The House conferees said that whenever that question arose they would be prepared to say whether they would advance on the amount the House had fixed for the consular service.

Mr. KASSON. In view of that fact, I beg to call the attention of the gentleman to this distinction: that the consular service more than pays for itself. It is not paid for out of our own Treasury, but out of the charges imposed upon the commerce of the country. I therefore desire to call his attention to the propriety of liberality in the direction of the number of consuls for the benefit of American commerce.

Mr. RANDALL. We never got far enough to be able to show whether we had any liberality or not in that particular. But I will admit—for I am very frank in my statements—that I have far more consideration for the consular service than I have for the diplomatic service. And I will now express the opinion here that if the entire diplomatic service was to fail for want of appropriations and our ministers were all brought home, I do not believe any material interest of the country would suffer.

Mr. KASSON. But the national honor would.

Mr. RANDALL. I know not in what respect. Perhaps there might be an allowance for the minister to the Court of St. James, a temporary minister in connection with the Winslow extradition case, though I am advised that that is being arbitrated directly between Washington and London by the respective secretaries of the two governments.

Mr. KASSON. I hope the gentleman does not desire to advertise our partisan dissensions to every country in the world by a proposition to withdraw our representatives abroad.

Mr. RANDALL. I believe the consular service is of great benefit to the commercial interests of the country; but I cannot see the use of the diplomatic service to the same degree. I believe I have stated correctly, as far as I am able, the differences between the two Houses.

Mr. SINGLETON. I want to make a few more remarks and then I will yield the floor.

The SPEAKER *pro tempore*. The gentleman has fifteen minutes of his hour remaining.

Mr. FOSTER. I hope the gentleman from Mississippi [Mr. SINGLETON] will allow me a part of the fifteen minutes or ask leave to have the time extended.

Mr. SINGLETON. Does the gentleman want it now?

Mr. FOSTER. I will take it when the gentleman pleases.

Mr. SINGLETON. I will yield to the gentleman now for ten minutes.

Mr. FOSTER. I may want more time than that. The gentleman from Pennsylvania, [Mr. RANDALL,] I think, has correctly stated the difference between the two conference committees on the diplomatic bill, although my friend from Mississippi, [Mr. SINGLETON,] in the fervor of his stump speech, forgot to state the ground of difference entirely.

Mr. SINGLETON. I intended to do it before I got through, but I was interrupted so much I could not do it.

Mr. FOSTER. As I understand it, this is the difference: The two conference committees, at the suggestion of the conference committee of the Senate, agreed to appropriate a gross sum, aggregating the amount appropriated in the House bill for the diplomatic service. I think I may say that it was understood that for the consular service a gross sum should be appropriated amounting to the gross sum of the House bill and dividing the difference between the two Houses, with the further provision that the President of the United States should be authorized to reduce salaries and to withdraw the diplomatic-consular service to the end that the total cost of that service should not exceed the amount appropriated. I do not believe that there was a single member of that conference committee who believed that under the provision proposed one dollar more would be used by the President or the Secretary of State than the amount agreed upon by the conference committees.

But the House, determining to humiliate the Senate and to compel

them to eat their own words, so to speak, insisted upon the clause that this aggregate sum should be a payment in full; in other words, that the law known as the Orth law should be repealed. To that the Senate conferees totally dissented from.

Now, there is no difference between these two committees; there is no difference between the House and the Senate as to the amount to be appropriated. I do not suppose that the gentleman from Mississippi or the gentleman from Pennsylvania [Mr. RANDALL] believes that the President would use one dollar more than we shall agree to appropriate.

Mr. RANDALL. That is not the point. The point in controversy is whether these officers would not have a claim.

Mr. FOSTER. They would not have a claim, because we authorize the President to reduce their salaries; we authorize him to withdraw the service. They could not have a claim if this proposition becomes the law.

Now, the Senate took the position that they are not to be dragooned into legislation to which they object. I think, Mr. Speaker, that the remarks of the gentleman from Mississippi justify me in going into the history of this diplomatic bill to a certain extent. I think I am justified in this by the statements which he has made and by his arraignment of the Senate. Now, I want to ask the gentleman from Mississippi whether he was not the chairman of a subcommittee who had charge of this matter, and whether he did not report to the Committee on Appropriations the identical amount of the Orth bill?

Mr. SINGLETON. I did not.

Mr. FOSTER. Then I am greatly mistaken.

Mr. RANDALL. Well, suppose he did?

Mr. FOSTER. I want to find out exactly when the yearnings of the gentleman from Mississippi for economy had their origin. I dislike to refer to matters which occurred in committee, but if I am not mistaken the gentleman from Mississippi was the chairman of a subcommittee having this matter in charge, and did make to that committee a report substantially in accordance with the Orth bill; and it was not until after the committee had a conference with one Keim that the reductions were made. I do not say that the committee got all their information from this man Keim, and I do not undertake to say a word against him. He may have known more about the proper appropriations to be made in this bill than the Secretary of State and everybody else; but until he was consulted no reductions were made. I want to say further that I do not believe the Secretary of State was consulted in a single instance on this matter after the reductions were determined upon. We took that man Keim into our committee-room, and accepted his suggestions as to what these appropriations should be.

Mr. TOWNSEND, of Pennsylvania. Who is Keim?

Mr. FOSTER. He is a gentleman from Pennsylvania.

Mr. RANDALL. I do not think he ever gave any testimony——

Mr. FOSTER. He came into our committee-room and stated item by item what appropriations should be made and what should be withheld.

Mr. RANDALL. He had been sent out by your administration to inspect the consulates. We consulted your own agent for the purpose of getting information as to the requirements of the service.

Mr. FOSTER. I want the House and the country to understand how this appropriation bill was made up.

Mr. SINGLETON. Does the gentleman from Ohio [Mr. FOSTER] say that the Secretary of State was never consulted?

Mr. FOSTER. The Secretary of State was consulted by the gentleman from Mississippi; and after that consultation he reported to the main committee appropriations precisely in accordance with the Orth bill.

Mr. SINGLETON. That is not true.

Mr. FOSTER. Practically it is.

Mr. SINGLETON. No, sir.

Mr. FOSTER. There may have been slight differences, but substantially the report was in accordance with the Orth bill. I think my friend from Maine [Mr. HALE] will corroborate me in this statement.

Mr. SINGLETON. Let me state the facts. The Secretary of State was consulted on two or three occasions, as the gentleman from Maine [Mr. HALE] very well knows, and we did to some extent conform to his views upon that matter. But afterward when we came into the committee-room we got other light.

Mr. FOSTER. You found Keim.

Mr. SINGLETON. We found Mr. Keim, whom your administration had sent out to make a report upon these very things. He came before us, and after we heard what he had to say there were changes made.

Mr. FOSTER. I yield to my friend from Maine, [Mr. HALE.]

Mr. HALE. As this matter has been brought up, I will state what were the facts. The gentleman from Mississippi and myself were appointed a subcommittee of the Committee on Appropriations to mature and report this appropriation bill to the committee. In conjunction with him, (for we worked together,) on full conference with the Secretary of State, and upon examination of the matter, we did report the consular and diplomatic bill to the whole committee, changing only certain discretionary appropriations or not interfering with any salary whatever. Our report was taken (as the committee had the right to take it if they chose) and was so torn and dismembered that I have never recognized it since.

Mr. RANDALL. That was all right; that is the way we ought have done.

Mr. FOSTER. That may be all right; but I want to get at the facts and to show the precise time when my friend from Mississippi was attacked with this spasm of economy. It was certainly after the report of the subcommittee was made, and it required one Keim, of Pennsylvania, to enlighten the gentleman on that subject.

Mr. RANDALL. Mr. Keim is a very well informed gentleman.

Mr. FOSTER. I know nothing about him.

Mr. RANDALL. He has visited nearly all these consulates; he was sent there by the Government.

Mr. FOSTER. He may know more about them than the Secretary of State; he may know more about them than the Committee on Foreign Affairs who two years ago made the present arrangement.

Mr. RANDALL. If the Administration did not think him competent for this service, why did it send him out? Was it not our duty as legislators to hear the judgment of your own appointee?

Mr. FOSTER. I want the country to know how this bill was made up. I want the country especially to understand just when my friend from Mississippi was attacked with this spasm of economy.

Mr. SINGLETON. And I want the country to understand how you came in here and voted for this bill, and how afterward you "turned tail" and took the directly opposite view. I want the people to understand that.

Mr. FOSTER. Now, Mr. Speaker, the Committee on Appropriations reported this bill under the circumstances I have named. It went to the Senate. The Senate amended it, making the appropriations conform to the law as contained in the Orth bill.

It has been stated here this morning that the Orth bill was passed by being put upon an appropriation bill. Now, how was the Orth bill passed? The Committee on Foreign Affairs, of which I remember my distinguished friend from Maryland, [Mr. SWANN,] the present chairman of that committee, was a distinguished member, had this matter under consideration for six months. They were in daily consultation with the Secretary of State. They came into this House and asked one Monday morning that the rules might be suspended so they could offer this bill as an amendment to the consular and diplomatic appropriation bill. It was offered as such an amendment. It went on the appropriation bill under those circumstances after most mature and careful consideration, and was passed. And it is a law today. Now the Senate are surrendering——

Mr. SINGLETON. I want ten minutes myself.

The SPEAKER *pro tempore*. The time of the gentleman from Ohio has expired, and the gentleman from Mississippi has five minutes left.

Mr. SINGLETON. I am informed that I have but five minutes left, and therefore I cannot yield any further.

Mr. FOSTER. The time of the gentleman I have no doubt will be extended.

The SPEAKER *pro tempore*. The time of the gentleman from Ohio has expired, and the gentleman from Mississippi has but five minutes left.

Mr. CONGER. I move by unanimous consent the gentleman from Ohio be allowed five minutes longer.

Mr. SINGLETON. I do not object if it does not interfere with my time.

Mr. CONGER. I ask this inasmuch as this is one of the conferences upon which there has been a republican member, and I learn there are several upon which there was not any member from this side.

Mr. RANDALL. What is that last statement? I should like to have the gentleman from Michigan make it again.

Mr. CONGER. I understand there are several conference committees upon which there are no members from this side.

Mr. RANDALL. That is a reflection that ought to be met right here. What is the history of the conferences on the part of the two Houses?

Mr. FOSTER. Let that go.

Mr. RANDALL. We have in every instance conferred with that side of the House as to who should be the minority member of the committee of conference. I appeal to the gentleman from Ohio and the gentleman from Maine if that is not true.

Mr. SINGLETON. Does this come out of my time? If it does I must insist on going on.

Mr. RANDALL. No; the gentleman from Michigan made a charge and it is one which ought to be answered right here. He made the charge that upon every conference committee——

Mr. CONGER. No, I did not make any such charge.

Mr. RANDALL. I know you made it loosely.

The SPEAKER *pro tempore*. This discussion is out of order.

Mr. RANDALL. I dare not speak of any other body, but I can imagine a body doing the thing referred to. They have not put a representative democrat upon committees of conference. But in this House I defy any member of the Committee on Appropriations to say we have not in every instance consulted the minority as to whom they wanted as the minority member of the committee.

Mr. HALE. I believe that has been done.

Mr. FOSTER. That is true so far as the Committee on Appropriations is concerned.

The SPEAKER *pro tempore*. The gentleman from Mississippi has five minutes of his time left.

Mr. FOSTER. I understand that my time has been extended.

The SPEAKER *pro tempore*. That can only be done by unanimous consent. How much time does the gentleman want?

Mr. FOSTER. I should like to have five minutes.

The SPEAKER *pro tempore*. Is there objection to the gentleman from Ohio going on for five minutes longer?

A MEMBER. I object.

Mr. CONGER. I do not withdraw what I said.

Mr. RANDALL. It does not matter whether you withdraw it or not; it is not true.

Mr. FOSTER. Does any one object?

The SPEAKER *pro tempore*. Is there objection to continuing the time of the gentleman from Ohio five minutes. The Chair hears no objection, and the gentleman will proceed.

Mr. FOSTER. Mr. Speaker, I was saying I believe that the Senate, exercising the prerogative to which they are entitled and which no one denies, amended this diplomatic bill in accordance with existing law. That is the sum of their offending; nothing more and nothing less.

Now, Mr. Speaker, the House takes the position that unless the Senate yields this bill shall fail. The Senate meets us in conference, and says to us, "We will agree to appropriate a gross sum, to be placed in the hands of the President, that sum aggregating the amount appropriated by the House bill to be used for this purpose, and we will permit the President to curtail both salaries and service to the end that the service may not cost more than the appropriation made." The Senate meets us in that spirit, and then say to us, "Do not ask us to repeal existing law; we stand there, and we object to that." They say, "The House will come to us next and ask us to reduce the Army; that you will come to us and ask us to transfer the Indian Bureau."

Mr. RANDALL. Let me ask the gentleman a question.

Mr. FOSTER. They will say that "you will ask us to repeal the enforcement act, by which we only can have a fair election in New York and Mississippi." They say "we are compelled to make a stand somewhere, and we object to this legislation. We will give the money, we will appropriate the money according to the House bill. We will give you every guarantee that not one dollar more will be expended," but the House comes in and says "unless you repeal the existing law we will not accept your proposition." That is where we stand to-day, and the country will understand it as well as the gentleman from Mississippi or the gentleman from Pennsylvania.

Mr. RANDALL. Now will the gentleman answer me a question? Does not the proposition of the Senate conference committee give the President the right to change the law as to the amounts of salary and as to the continuance of certain officers?

Mr. FOSTER. Yes, sir.

Mr. RANDALL. Now we only want it to go a step further and say it shall be in full of the salaries.

Mr. FOSTER. The Senate does not want to go that far. That is what the Senate objects to. It is the repeal of existing law. And that is where we stand now.

One House or the other must yield, or the diplomatic and consular service will not be provided for.

According to all precedent this House must in the end fail to coerce the Senate to give legislative sanction to measures obnoxious to them.

Mr. CANNON, of Illinois. The gentleman from Ohio [Mr. FOSTER] yields to me for a moment. I want to make a single remark. I have been learning something this morning as to the appointment of these conference committees. I understand they are appointed by the Speaker on the suggestion of the Appropriations Committee; the democratic members on that side and the republican member on this.

Mr. RANDALL. Who said so?

Mr. CANNON, of Illinois. I judged that to be the case from the colloquy between the gentleman from Pennsylvania and the gentleman from Ohio.

Mr. RANDALL. That has not been stated.

Mr. CANNON, of Illinois. Now I wish further to say that if you want an agreement on this bill—and a similar course might bring about an agreement on other bills—I would mildly suggest that the chairman of the Foreign Affairs Committee, the gentleman from Maryland, [Mr. SWANN,] the gentleman from New York on that committee, [Mr. HEWITT,] and the gentleman from Massachusetts on that committee, [Mr. BANKS,] be appointed, or that some similar appointment be made outside the Appropriations Committee, if there be any wisdom outside of it. If such gentlemen were appointed they might mature a proposition to be submitted to the House and the Senate and let us vote on it.

Several MEMBERS. Good!

Mr. SINGLETON. I would like to know upon what authority the gentleman from Illinois makes the charge that the members of the conference committees on the part of the House were suggested by the Committee on Appropriations.

Mr. CANNON, of Illinois. I said that because of the statement of the gentleman from Pennsylvania [Mr. RANDALL] that he deferred to the gentlemen on the republican side to name the republican member of the committee of conference.

Mr. RANDALL. I did not say that. I said the minority member had always been put on after conference with the minority of the House.

Mr. CANNON, of Illinois. The minority of the House; who are they? The gentleman from Maine [Mr. HALE] and the gentleman from Ohio, [Mr. FOSTER?]

Mr. RANDALL. The minority of the Appropriations Committee, of course.

Mr. CANNON, of Illinois. Is that not precisely what I said?

Mr. SINGLETON. The gentleman from Ohio [Mr. FOSTER] has thought proper to assail the course taken by the conferees on the part of the House. I wish distinctly to state here that so far as that gentleman is concerned he has not once nor twice, nor a dozen times, but perhaps fifty times during this session of Congress, surprised the members of the Committee on Appropriations by the course he has pursued. He has shown himself the most pliable gentleman in the committee-room I ever knew in my life. But when he comes into this House he goes back on everything done in the committee-room; and in doing so he has surprised the members of that committee time and again. We do not know where to find him. What he says in the committee-room gives us no idea of what he may say when he comes into the House.

Mr. FOSTER. I say that the gentleman absolutely and intentionally misstates.

Mr. SINGLETON. Misstates what?

Mr. FOSTER. Misstates my position.

Mr. SINGLETON. Do you charge me with a lie?

Mr. FOSTER. I do if you say that.

Mr. SINGLETON. I say again what I have just stated. I say that time and again the gentleman has agreed to a proposition in the committee as understood by all the members, and when he has come into the House here he has risen and attacked it.

Mr. FOSTER. I say that is absolutely untrue.

Mr. SINGLETON. Very well, sir. We will have something to say about that after a while and elsewhere.

Mr. FOSTER. Here or elsewhere.

The SPEAKER *pro tempore*. Order, gentlemen.

Mr. SINGLETON. So far as the gentleman's statement here to-day of what has taken place in the conference committee is concerned, let me say that he knew nothing about what took place in the first conference, because he was not upon it.

Mr. FOSTER. I did not say I was.

Mr. SINGLETON. And yet he undertakes to state what took place in that committee on the part of the Senate and on the part of the House. I make the statement that, when we met together the proposition was made by the conference on the part of the Senate that they would take the amount which was intended by the House bill to be appropriated to the diplomatic service, provided we would give it to them and allow it to be paid out to the different officers upon account. It was not to be a final settlement. In other words, they would take $175,000, or about that amount, and would use it; but all the officers to whom it was paid were after all to have a claim upon the Government for the balance of their salary under the old law. Now, am I right about that? I ask the gentleman from Pennsylvania to say if that is so.

And when we proposed that this amount should be a finality, that they might take the whole sum and use it as the President and Secretary of State thought best for the service, but that was to be the whole amount appropriated for that purpose, the Senate conferees declined to accept it, and said that they would leave the whole question open. The proposition was then discussed of a commission to consist of two members of the House and two members of the Senate who should determine the question of whether anything more should be paid in this way of salaries, and if that committee composed of members of the Senate and of the House declared that nothing more should be paid, then the appropriation was to be a finality; but if they disagreed among themselves, the law was to stand as it now stands, and the salaries were to remain as at present.

[Here the hammer fell.]

Mr. SPRINGER. I yield ten minutes to the gentleman from Mississippi.

The SPEAKER *pro tempore*. The gentleman from Illinois then takes the floor in his own right.

Mr. CANNON, of Illinois. I rise to a parliamentary inquiry. I have no objection to the gentleman from Mississippi continuing his remarks; but this is a report, as I understand it, from a committee of conference, and according to the rule enforced against me when I was cut off the other day there can be but one hour for debate upon such a question, and therefore the gentleman from Illinois can have no time.

The SPEAKER *pro tempore*. The Chair would state to the gentleman from Illinois that the Chair ruled as to him that he could control the floor but for an hour, and he has now made the same rule that the gentleman from Mississippi now surrendering the floor, his hour having expired, has given it into the hands of the gentleman from Illinois. The Chair did not limit debate, and he had no right to do so.

Mr. RANDALL. The Chair will recollect that he stated to the gentleman from Illinois, who the other day made a conference report, that he was compelled at the end of the hour to call the previous question or else yield the floor.

The SPEAKER *pro tempore*. He must have called the previous question or surrendered the floor; but the Chair did not limit the debate.

Mr. SINGLETON. The proposition to appoint two members of the Senate and two members on the part of the House to whom this matter should be referred was of course with the understanding that it would result in a disagreement, and then under the old law these officers would have power to institute suits against the Government for the balance of the salaries due them under the old law. It would have engendered such a number of suits as would have cost us more than if we had given up the whole amount demanded by the Senate. We could not agree to that, as a matter of course. We wanted to make the appropriation a finality. When the Senate conferees said that they were willing to take for the diplomatic service the amount which the House proposed to give to that service but leave the matter open for further claims, I submitted an amendment which I ask to have read as a part of my remarks.

The Clerk read as follows:

And the President is hereby authorized and empowered to discontinue such missions as he may think will not be detrimental to the foreign service of the country, or he may apportion the salaries in such manner as he may in his judgment deem equitable and just, and the amount so appropriated shall not exceed the amount provided for in the House bill, and shall be in full of all services and expenses for the fiscal year ending June 30, 1877, so far as the diplomatic service of the country is concerned.

Mr. SINGLETON. A word more. It will be observed that in order to enable the Senate conferees to get out of the difficulty in which they had placed themselves, we proposed to give them exactly the amount appropriated by the House bill, but at the same time to give power to the President to continue the salaries of the first-class ministers at $17,500 and withdraw certain other unimportant ministers, or he might apportion the amount as he thought best for the public foreign service. We proposed to make it purely a matter of discretion with the President whether the one course or the other should be adopted; but the Senate conferees declined to agree to that proposition and so the matter ended, and this disagreement is here reported to this House for its action.

Mr. Speaker, let me state one fact in conclusion. I find that we receive twenty-two ministers and we send out thirty-one. There is not a nation on the earth that sends out as many ministers to foreign governments as the United States. We receive but twenty-two from all the world, and yet we send out thirty-one. Now, it is not necessary that this should be done. As already remarked by gentlemen to-day, our Government has been negotiating with Great Britain with regard to the matter of extradition of certain escaped criminals from the United States in the absence of a minister to the court of St. James in just as satisfactory a manner as if we had a minister there. What we need is not ministers at a salary of $17,500, but intelligent consuls at reasonable pay.

I believe that the whole service could be carried on satisfactorily with but two ministers, one in England and the other in some part of Germany. That is all that is absolutely necessary. I think that we ought to stand by our bills. The people are at our backs in this matter. We ought not to yield, and I trust the House will show in good faith an earnest desire to keep the pledges which every one of us made in our canvasses, and which have been made in the platforms both of the republican and democratic parties to cut down expenditures so that they shall not reach a larger amount than is absolutely necessary for the public good.

Mr. SPRINGER. Mr. Speaker, I propose on this occasion to submit some remarks in reference to the difficulty in which the two Houses of Congress now find themselves upon this and other appropriation bills, and to refer to some authorities in support of the views which I shall offer. The committee of conference upon the disagreeing votes of the two Houses on the consular and diplomatic appropriation bill have just submitted their report to the House, in which they state they are unable to come to any agreement thereon. The gentleman from Mississippi [Mr. SINGLETON] has stated the position of the House and also that of the Senate in relation to this particular bill. It appears that the same difficulty has been made in the consideration of the disagreeing votes upon this bill that arose upon the legislative, executive, and judicial appropriation bill heretofore reported to this House; and a similar state of affairs exists with reference to the other appropriation bills pending and not yet passed by the two Houses.

The position of the two Houses at this time, as it appears from the discussions had in this House, on this and other bills, is substantially this: The House of Representatives, acting under the provisions of the great rule of retrenchment adopted by this House at the commencement of the session, which is, that provisions may be inserted in appropriation bills changing existing laws which are germane to the subject-matter of the bills, and which shall retrench expenditures—the House acting under this rule has passed the usual appropriation bills for the support of the Government, by reducing salaries of nearly all officials, including the President of the United States, members of Congress, and diplomatic and consular officers, as well as the heads of the bureaus and the clerks in the various Departments of the Government. These reductions change the existing law in relation to salaries, but such changes have been made in every instance in the direction of the retrenchment of expenditures.

It has been estimated that these reductions in the appropriation bills already passed are $64,000,000, in round numbers, below the estimates of the various Departments for the fiscal year in which the Government has just entered, and also that the appropriations made by this House are over $39,000,000 less for the year ending June 30, 1877, than were the like appropriations made by the last Congress for the year ending June 30, 1876. I know that this statement has been controverted by gentlemen on the other side of the House; but even upon that side of the House it is admitted that the reductions made by this House of Representatives are thirty millions below the appropriations made by the last Congress for the fiscal year just ended. The reduction of the expenditures of the Government for a single year of $30,000,000 even is a matter of the greatest importance to the tax-payers of the country, and one which was hardly anticipated by the people who elected us. It is equal to the interest at 6 per cent. upon five hundred millions of the national debt; and the annual saving of that amount is a practical reduction of the national debt so far as the annual interest upon the same is concerned to the amount of one-fourth of the bonded debt.

On the 9th day of February last I had the honor to address the House upon the bill now under consideration. It was then pending in this House and under discussion. On that occasion I said:

And this House will not have finished its work until it shall have cut off all manner of official extravagance, abolished all sinecures, exposed corruption and peculation, reduced the public expenses $30,000,000, and thus have carried out the pledges made to the people when we were elected, to establish in all the branches and departments of the Government retrenchment, economy, and reform.

Therefore the reduction of expenditures as is admitted upon the other side of the House to the amount of $30,000,000 below the expenses of last year is as much as I expected at the commencement of the session could be accomplished, and even more than was anticipated by a large majority of members upon this side of the House.

Such is the position which the House has assumed in reference to appropriation bills, and such is the amount of the reduction that has been accomplished in the bills as passed by the House. The House insists upon its right to originate these bills and to reduce the salaries and other expenses of the Government in the manner provided.

Upon the other hand, it is contended by the Senate that all appropriations made by the House of salaries below those heretofore established by law, unless voluntarily agreed to by the Senate, cannot be insisted upon by the House; and this House is admonished that to adhere to its reductions of official salaries will be an act of revolution. A distinguished gentleman has said elsewhere than upon this floor—for I desire to make no references not according to parliamentary rules—that such action on the part of the House of Representatives would be nullification. I had the privilege of hearing some remarks made upon the legislative, executive, and judicial appropriation bill when the conference report upon that bill was submitted in the other branch of Congress.

I presume it will not be unparliamentary to refer to the present Secretary of the Treasury. When he announced the disagreement of the two Houses upon that bill he occupied a most anomalous position. I know of no parallel in the history of legislation in this country. I see a partial analogy in the position which he occupied to that of the "mighty angel" of the Revelations, who came down from heaven clothed with a cloud, having a rainbow upon his head, and with one foot upon the sea and the other upon the earth, swore by Him that liveth forever, and with other solemn asseverations, that there should be time no longer. The Secretary on this occasion, standing with one foot upon the turbulent sea of legislation and the other upon the firm vaults of the Treasury Department, announced that there was an end of all agreement between the two Houses upon that and other bills changing existing laws by the reduction of salaries of public officials. Having made this announcement, he left the subject and the Senate, and immediately repaired to the other end of the Avenue, and took the oath of office as Secretary of the Treasury.

In order that the position of the honorable Secretary of the Treasury may not be misunderstood, and regarding him as a representative of the party in power, I will quote a portion of his remarks. He said:

The Senate could not recede from its amendments and take the action of the House of Representatives changing by absolute law the entire salaries of the whole civil service in the Executive Departments. The Senate could not do that; especially the Senate could not do that if demanded as the price of any appropriation at all. To do that, was to concede that we were no longer a co-ordinate branch of the legislative department of the Government. It was abdication, as my honorable friend sitting near me [Mr. SHERMAN] says, absolute abdication. Well, if adhered to it is revolution. As long as the House of Representatives simply insists, we are to confer; but when the House of Representatives gets so far that it adheres, it is revolution. That is what it is, absolute revolution. It is a defiance of the law, and that is revolution in this country. I maintain that in the Senate, in the House of Representatives, or out of it, the rule of right for our action here or elsewhere is the law, and it is equally obligatory on all; and whoever rebels against it is revolutionary.

Here it is asserted that the House of Representatives may simply propose reductions of salaries, may propose to the Senate what amount of money shall be expended by the Government, and as the money which is to be expended is also to be raised by taxation the House would thereby be limited to the power to propose to the Senate what amount of money should be contributed by the tax-payers of this country. It is asserted with great confidence that while this House may propose amendments to existing law it may also insist upon its amendments and ask a committee of conference upon the disagreeing votes. But should this House, the immediate representatives of the people of this country, adhere to their measures of retrenchment,

adhere to the bills which have been passed reducing the expenses of the Government at least $30,000,000 below the past year, adhere to the position that the House of Representatives has the exclusive power to originate money bills, such adherence on our part would be absolute revolution. From this position I most respectfully dissent. This House, if it understands its proper functions and powers, will also dissent; and I am sure that the people of this country, already bowed down by the weight of taxation which has been heaped upon them year after year in the past, struggling now for a reduction of public expenditures, as well as denying themselves the luxuries of life by a reduction of their domestic expenses, will also dissent from this position.

I desire to call the attention of the House to another position assumed by the honorable Secretary of the Treasury. He said on the occasion above referred to:

> Where an amendment of a statute is proposed by one side and the other side dissents, the party proposing is the innovating party, and so far as I know in the whole history of the country the innovating party always retires.

This brings me to the consideration of the question of the power of the House of Representatives over money bills. The first clause of the seventh section of the first article of the Constitution of the United States declares:

> All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments, as on other bills.

The term "revenue bills" used in this connection was meant to include all bills on the subject of taxation and governmental supplies. Such bills are technically called "money bills," and the provisions in our Constitution in reference to them were borrowed from the British House of Commons, which body for five hundred years has exercised the right to originate all bills for raising revenue and meeting the necessary expenses of the government. For three hundred years previous to 1671 the House of Lords had exercised the right of amending such bills; but the right to originate them by the House of Commons had never been disputed. The Commons, however, in that year took an advanced position, to the effect that the House of Lords could not amend revenue or supply bills, but must pass them as they came from the Commons or not at all.

On the 3d of July, 1678, the following resolution was adopted by the House of Commons:

> *Resolved*, That all aids and supplies and aids to His Majesty in Parliament are the sole gift of the Commons; and all bills for the granting of such aids and supplies ought to begin with the Commons; and that it is the undoubted and sole right of the Commons to direct, limit, and appoint in such bills the ends, purposes, considerations, conditions, limitations, and qualifications of such grants, which ought not to be changed by the House of Lords. (3 Hatsell, page 440.)

This resolution has ever since been accepted by the House of Lords as part of the British constitution. Since that time it has been held "that the Lords could not amend so as to alter the intention of the Commons with regard to the amount of the rate or charge, whether by increase or reduction, its duration, its mode of assessment, levy, collection, appropriation, or management, or the persons who shall pay, receive, manage, or control it, or the limits within which it is proposed to be levied."

In commenting upon the above resolution of the Commons, Mr. May, in his work on Parliamentary Law, page 407, says:

> It is upon this latter resolution that all proceedings between the two houses in matters of supply are now founded. The principle is acquiesced in by the Lords, and, except in cases when it is difficult to determine whether a matter be strictly one of supply or not, no serious difference can well arise. The Lords rarely attempt to make any but verbal alterations in which the sense or intention is not affected; and even in regard to these, when the Commons have accepted them, they have made special entries in their journal, recording the character and objects of the amendments and their reasons for agreeing to them.

Mr. Blackstone, in his Commentaries, (volume 1, page 168,) says:

> It is the ancient indisputable privilege and right of the House of Commons that all grants, subsidies, Parliament aids, do begin in this House and are bestowed by them.
>
> The general reason given for this exclusive privilege of the House of Commons is that the supplies are raised upon the body of the people, and therefore it is proper that they alone should have the right of taxing themselves.
>
> It would, therefore, be extremely dangerous to give the Lords any power of framing new taxes for the subject. It is sufficient that they have the power of rejecting, if they think the Commons too lavish or improvident in their grants.

But it is unnecessary to quote further upon this subject. The uniform practice of the House of Commons for two hundred years past has been in correspondence with this principle. It was well known to the framers of the Federal Constitution, and was the subject of much discussion in the constitutional convention. In fact the subject of taxation and the manner in which revenue should be raised was the most difficult subject before the convention. At that time it was not anticipated that the revenue arising from tariffs would be sufficient to meet the requirements of the General Government. Under the Articles of Confederation the expenses of the General Government were apportioned among the several States, to be raised in such manner as the States themselves might indicate. But this manner of raising revenue was found to be inefficient and impracticable, and the failure of this feature of the Articles of Confederation was one of the chief reasons for the formation of the Federal Constitution. The discussions in the convention all go to show the delicacy and importance of the question. The contest was between the larger and the smaller States. The equal representation in the Senate and the representation in the House of Representatives according to population and the manner of providing for the original revenue bills were subjects of compromise and concession. Inasmuch as the smaller States are allowed equal representation in the Senate with the larger ones, the larger States insisted upon retaining the power of originating money bills in the House of Representatives. So intimately is the subject of appropriation connected with the raising of the necessary revenue to meet such appropriations that the phrase "bills for raising revenue" has always been construed to cover all bills making appropriations.

Mr. BURCHARD, of Illinois. I desire to ask the gentleman if he maintains that the Senate has no power to originate bills to appropriate money, no power to act upon or pass an appropriation bill originating in the Senate taking money out of the Treasury?

Mr. SPRINGER. I will answer that question. I understand that by virtue of the Constitution of the United States all revenue bills must originate in the House of Representatives, but the Senate may propose or concur in amendments as in other bills.

I understand also that the writers on constitutional law almost universally construe the term "revenue bills" to include appropriation bills, and that the power and authority of the House to originate appropriation bills is exclusively in this body, although the Senate may propose amendments thereto.

Mr. BURCHARD, of Illinois. I desire to ask the gentleman if it has not been the practice for nearly a century past for the Senate to pass bills and send them to the House, and the House to concur in those bills, appropriating money out of the Treasury, pension bills and other bills appropriating money, not general appropriation bills; and if that has not been the practice from Congress to Congress?

Mr. SPRINGER. I will state that during the past ten or fifteen years, since the party of which my colleague is a member has been in power, it has been the practice to violate the Constitution on nearly every occasion when it was in their power to do so, and that we are not responsible for the repeated violation of that instrument by the gentleman's party. And yet we have the statement from the other end of the Capitol that if the House of Representatives shall insist upon its right to have control of revenue bills we will become revolutionists and nullifiers of the Constitution.

But my colleague has asked the question in good faith, and I will answer him in the same spirit. He desires to know whether it has not been the practice for nearly a century past for the Senate to originate and pass appropriation bills. I answer that such has not been the uniform practice of that body; on the contrary, from the adoption of the Federal Constitution down to the year 1832, the right of the House of Representatives to originate not only revenue bills, but also appropriation bills, was universally conceded to this body. I believe there is no instance on record from the adoption of the Constitution to 1832 where such bills have originated in the Senate of the United States. This fact is of the highest importance. It shows the contemporaneous interpretation of the Constitution by those who framed it, for many framers of the Constitution were afterward members of the Senate and of the House of Representatives. It shows also that the framers of the Constitution, by incorporating that clause in reference to the origin of revenue bills in the House of Representatives, had in mind the practice of the British Parliament on this subject. This provision was taken from the British system, and it was well known to the framers of the Constitution. The only modification in our Constitution of the British system is the incorporation into the Constitution of the right of the Senate to alter and amend money bills, which right was denied by the Commons to the House of Lords. Acting upon the theory of the British constitution, and with a full knowledge of the debates in the constitutional convention on this subject, the uniform practice of both branches of Congress from the organization of the Federal Government to 1832 was in favor of the origin in the House of Representatives of all money bills. At that time Mr. Clay, then a Senator from Kentucky, submitted a resolution in relation to the tariff, which proposed to reduce or repeal certain tariff duties. Mr. Clay's resolution was introduced in the Senate on the 9th of January, 1832, and is as follows:

> *Resolved*, That the existing duties upon articles imported from foreign countries, and not coming into competition with similar articles made or produced within the United States, ought to be forthwith abolished, except the duties upon wines and silks, and that they ought to be reduced; and that the Committee on Finance be instructed to report a bill accordingly.

This resolution provoked an exhaustive discussion. There were in the Senate at that time Daniel Webster, William Marcy, George M. Dallas, Theodore Frelinghuysen, Felix Grundy, Thomas H. Benton, and many other distinguished statesmen. In this debate, while some affirmed the right of the Senate to originate bills for reducing taxation, as contradistinguished from bills for raising the revenue, yet the weight of authority was upon the side of those who maintained that all bills in any way affecting the public revenues and taxation ought to originate in the House of Representatives. In pursuance of this resolution a bill was reported, and that bill was also discussed at length; but on the 22d day of April, 1832, the bill was, on motion of Mr. Dallas, laid upon the table by a vote of 27 in the affirmative to 19 in the negative. Mr. Tazewell, a Senator from Virginia, just previous to the vote on laying upon the table, entered into a full and luminous exposition of the constitutional question, and after concluding his remarks he proposed that the bill should lie on the table, with the understanding that it was not to be taken up until the com

mittee had a reasonable time to make additional reports, or until a bill came from the other House. The bill having been laid upon the table, as stated, the question was disposed of for the present.

On the 12th of February, 1833, Mr. Clay addressed the Senate at length on the subject of the tariff, and submitted a bill "to modify the act of the 14th of July, 1832, and all other acts imposing duties on imports." The discussion on the merits of the bill and on the constitutional question was again renewed. The discussion extended over several days, and took a wide range, and questions not immediately connected with the bill were extensively discussed. The arguments on the constitutional question are not reported at length.

Mr. Chambers, of Maryland, said it was impossible for him to vote for the bill, as a measure originating in the Senate, while it contained a provision for increasing the duties. By the Constitution, he contended, the Senate could originate no such measure. He regarded the constitutional objection as insurmountable. (February 23, 1833.)

Mr. Dickerson, of New Jersey, said whether the rate of duty was raised or lowered the law was equally one for raising revenue within the Constitution. The distinction he regarded as an absurdity.

Mr. Silsbee, of Massachusetts, said he could not vote for the bill in the face of the Constitution, which expressly prohibited its originating in the Senate.

Mr. Frelinghuysen, of New Jersey, regarded the constitutional difficulty as altogether insuperable. He said, having taken a solemn oath to support the Constitution he could not, agreeable to his wishes, give his assent to a measure originating in the Senate in violation of its express provisions.

Mr. Webster was one of the principal characters in this great debate. He said:

The constitutional question must be regarded as important, but it was one which could not be settled by the Senate. It was purely a question of privilege, and the decision of it belonged alone to the House. The Senate, by the Constitution, could not originate bills for raising revenue. It was of no consequence whether the rate of duty were increased or decreased; if it was a money bill it belonged to the House to originate it. In the House there was a Committee of Ways and Means organized expressly for such objects. There was no such committee in the Senate. The constitutional provision was taken from the practice of the British Parliament, whose usages were well known to the framers of the Constitution, with the modification that the Senate might alter and amend money bills, which was denied by the House of Commons to that of Lords. This subject belonged exclusively to the House of Representatives. The attempt to evade the question by contending that the present bill was intended for protection and not for revenue afforded no relief, for it was protection by means of revenue.—*February* 23, 1833.

In this debate Mr. Clay insisted that the main object of the bill was protection and not revenue, and upon this ground he maintained that such a bill might originate in the Senate. He had presented the measure as one of conciliation and compromise, and urged its passage upon that ground. The question was never taken in the Senate upon the final passage of the bill, nor was any test-vote had upon the constitutional question, independent of the merits of the bill. But Mr. Clay, on the 26th of February, 1833, abandoned his bill, giving as a reason that the House of Representatives had just passed a bill of substantially the same purport, and that the Senate could take up and consider the House bill, stating that this would "supersede the objections of some Senators who believed the Senate was not the proper place for the origin of this bill." Thus ended the attempt of the Senate in 1833 to originate and pass a bill not for raising revenue but to reduce taxes and for protection. The Senate bill was laid on the table, and the House bill taken up, considered, and passed, the vote being—yeas 29, nays 16. The abandonment by Mr. Clay of his bill and the taking up and passage of the House bill to the same purport constitute a strong precedent in favor of the right of the House to originate such bills.

The Senate on the 26th of March, 1838, passed a bill for the establishment of the independent treasury. This bill was entitled "A bill to impose additional duties as depositaries upon certain public officers, to appoint receivers of public money, and to regulate the safe-keeping, transfer, and disbursements of public moneys of the United States." The vote upon the passage of it was—yeas 27, noes 25. This was not a bill for the raising of revenue, nor for repealing or reducing taxation. It was, however, regarded by the House as a money bill, having reference, as its title indicates, to the safe-keeping, transfer, and disbursements of the public moneys of the United States. Mr. Pickens, of South Carolina, said in the House that he considered this a question which, according to the theory of our Government, was peculiarly under the jurisdiction of the House, and upon that consideration alone he preferred to consider the House bill on that subject instead of the Senate bill. Mr. Cambreling, of New York, a member of the Committee of Ways and Means of the House, said that he could answer for himself as well as every one of his colleagues on that committee, and that the committee infinitely preferred the House bill to the Senate bill. He said they had seriously and thoroughly examined all the provisions of the Senate bill, and they had serious objections to many of its details; that some of its details besides those advanced by the member from South Carolina involves principles of a very grave importance. For one, he said, he should not depart from one single section or feature of the House bill, and he certainly felt it his duty as a measure of this character should emanate from the House to give the House bill the preference. A motion was made thereupon to lay the Senate bill upon the table; which was agreed to—yeas 106, noes 98. While the vote upon laying this bill upon the table cannot be claimed as a test-vote upon the constitutional question, yet it certainly indicated that the House regarded this bill as embracing the subject of legislation which should originate in the House of Representatives. So the bill was laid on the table. (Congressional Globe, second session Twenty-fifth Congress, volume 6, page 267.)

This question was again brought before Congress at the first session of the Twentieth Congress. Mr. McDuffie, of South Carolina, introduced into the Senate a bill to revive the compromise tariff act which was passed on the 2d of March, 1833. This bill was referred to the Committee on Finance in the Senate. The Committee on Finance at that time consisted of Mr. Evans, of Maine, chairman; and Messrs. McDuffie, Huntington of Connecticut, Levi Woodbury of New Hampshire, and John J. Crittenden. On the 9th of January, 1844, Mr. Evans, from this committee, reported that a majority of the committee had instructed him to ask that it be discharged from the further consideration of the subject, stating that the committee had come to this conclusion under the impression that the bill could not originate in the Senate, being one within the meaning of the Constitution to raise revenue; and for the purpose of enabling Mr. McDuffie to discuss the question, reported the bill back without amendment, and submitted the following resolution:

Resolved, That the bill entitled "A bill to revive the act of the 2d of March, 1833, usually called the comqromise act and to modify existing duties upon foreign imports in conformity with its provisions," is a bill for raising revenue within the meaning of the seventh section of the first article of the Constitution, and cannot, therefore, originate in the Senate: Therefore,

Resolved, That it be indefinitely postponed.

Mr. Berrien, a Senator from Georgia, discussed these resolutions at length on the 9th of April, 1844. He said that it was not on account of the representation of the people in the Senate or the House in different modes that he opposed the initiation of the bill now the subject of discussion. It was because the restriction was plainly written on the face of the Constitution; and however important might be the discussion on the merits of the bill, there stood in advance of it a question far more important, which was whether the Senate of the United States would confine its legislation within the limits of the Constitution or usurp a power which the Constitution had not conferred upon it. He is thus reported in the Globe:

Entertaining these opinions, not only upon the question itself but upon its comparative importance, he desired to state as briefly as possible the question involved in the inquiry whether the Senate had the constitutional power to entertain this bill, to originate a bill, which was now under discussion. He did not refer Senators to that particular clause in the Constitution, because it was well known to all present. It was simply that "All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur in amendments as in cases of other bills." Now here was a bill which was for raising revenue. He spoke of it in these general terms. The question involved was, what was a bill for raising revenue? The Senator from South Carolina [Mr. McDuffie] said if it were in any article essentially such a bill, the Senate had no right to entertain it. But he [Mr. McDuffie] denied that it was so; because, in the first place, it did not propose to raise by the imposition of new or increased duties, but to reduce taxation by the reduction of duties. Mr. Berrien maintained that this distinction was more specious than solid, inasmuch as the bill proposed a repeal of one kind of duty and prescribed that of another. Mr. Berrien proceeded to show that the bill would necessarily in its progress have to be so amended as to impose a different rate of duty; and therefore would be a bill for raising revenue. He next examined the argument that, the object being to reduce duties, not to increase them, the bill could not be within the terms of the inhibition in the Constitution; and he referred to the journal of the debates of the convention which framed the Constitution to show that the object of the inhibition with regard to the Senate was to prevent the Senate from originating bills for raising or appropriating money for revenue—a power that was reserved for the House of Representatives. He quoted several motions for amendment in the debates of the convention to show that such bills were always spoken of as money bills, including all revenue bills, the object of which was to raise money by taxation for revenue. Hence he argued there was no constitutional authority for the origination of this bill in the Senate.

Mr. Benton, of Missouri, in this debate said:

In all cases of doubtful jurisdiction between the two Houses, my rule is to solve the doubt in favor of the House, which, by the Constitution is charged with the general subject. Taxation and representation go together. The burdens of the people and the representation of the people are put together. The immediate and full representation of the people is in the House of Representatives.

The resolutions reported from the Committee on Finance of the Senate, after a debate extending through a period of sixty days, were finally, on the 31st of May, 1844, adopted—yeas 33, nays 4.

The sole question involved in this discussion was as to the constitutional power of the Senate to originate such bills, and the emphatic vote agreeing to these resolutions which they received establishes a precedent of the greatest importance. When it is considered that this vote denying jurisdiction in the Senate was given by the Senate itself, which body, like all other legislative bodies, is disposed to assume all the jurisdiction which the Constitution will give it, the precedent becomes all the more important and conclusive upon this subject.

I will now cite another important precedent in the legislation of Congress upon this subject. On the assembling of the first session of the Thirty-fourth Congress in December, 1855, there was a contest in the election of Speaker, lasting until the 2d day of February, 1856, at which time the honorable gentleman from Massachusetts, [Mr. BANKS,] now a member of this House, was chosen. The Senate being impatient on the subject of the appropriation bills, Mr. Brodhead, of Pennsylvania, on the 11th of December, submitted the following resolution:

Resolved, That the Committee on Finance be directed to inquire into the expediency of reporting the appropriation bills for the support of the Government or adopting other measures with a view of obtaining more speedy action on said bills.

Upon the introduction of this resolution Mr. Brodhead said that he did not ask the Senate to consider the resolution at that time, but when he did call it up he would ask the Senate to consider the question of the power and the right of that body to originate the general appropriation bills. On the 7th of January Mr. Brodhead called up his resolution for consideration. He discussed the subject at length, stating that his object was to have these bills considered by the Senate in consequence of delay on the part of the House of Representatives in considering and sending to the Senate appropriation bills. In order to illustrate this delay on the part of the House he submitted a statement showing the days on which the principal appropriation bills for the support of the Government were received in the Senate from the House of Representatives, and the number of days of each session expended by the House of Representatives before maturing and passing each bill, and the number of days left of each session to the Senate for its action upon each bill. He also argued that the Senate had power to originate appropriation bills. The same view was taken by Mr. R. M. T. Hunter, Senator from Virginia; by Mr. Toombs, of Georgia; by Mr. Clayton, of Delaware, and others. But Mr. Seward, of New York, arguing upon the subject from a constitutional stand-point, took a different position. He said:

It is true that according to the letter of the Constitution appropriation bills may be originated by the Senate, for they are not strictly revenue bills; yet we all know that in point of fact they have come into the place of revenue bills. We make a revenue bill but once in ten or twelve years, and these appropriation bills are in fact what were intended, I suppose, by the framers of the Constitution as bills of revenue. They appropriate the revenue which is only regulated by a bill passed once in a period of several years. Now, notwithstanding all the inconveniences attendant on the present mode of transacting business, I am quite satisfied that this branch of the national legislation is more safely reposed in the House of Representatives of the United States—representatives from limited districts, the direct representatives of the people themselves and not of the States; representatives responsible to the people directly and immediately at the expiration of every two years. I think it would be very much to be deplored, so far as concerns the appropriation of the public money, that it should in any degree be withdrawn from that House and concentrated in the Senate of the United States. As the tendency of things strikes me it is now, as it has for many years been, to concentrate in the Senate a larger share than in the House of the various legislation which the country requires. That happens so because the number of this body is smaller; because its rules, therefore, are more practicable and business can be more feasibly transacted; while, on the other hand, the constitution of the other House is such that the business is more slowly transacted and with great difficulty. But if I know anything of the constitution of the two Houses, what I do know has led me to believe that proposed appropriations are more carefully examined by committees in the House of Representatives than they naturally would be here; and that if this be not the fact, and if our committees are equal, yet there is a more strict sense of accountability on the part of members of that House in regard to the fiscal affairs of the Government. It is for these reasons, while I think some remedy is necessary for the inconveniences which have been suffered—and I am willing to vote for this resolution of inquiry—I yet at the same time am far from believing it will be right or safe or judicious or strictly within the spirit of the Constitution for us to assume this great branch of business, which properly belongs to the Commons of the country, the House of Representatives, according to the previous settled habit of the country.

Mr. Sumner, of Massachusetts, discussed the subject at great length, citing numerous authorities from the debates in the constitutional convention and from writers on parliamentary and constitutional law. His speech will be found on page 379 of the Congressional Globe, first session of the Forty-Fourth Congress, volume 32. I may be pardoned for quoting from this speech somewhat extensively from the fact that it bears directly upon the question which my colleague [Mr. BURCHARD] has put to me, and also is a subject of the greatest importance at this time. Mr. Sumner said:

We are carried first to the words of the Constitution, which are as follows:
"All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other bils."
Under this provision the annual appropriation bills for the Army, Navy, Post-Office, and civil and diplomatic service, from the beginning of the Government, have originated in the House of Representatives, and this has always been done, I believe, without question. It is now proposed to reverse this standing policy and to originate these bills in the Senate; and this proposition has the sanction of the Committee on Finance of this body.
The proposition is a clear departure from usage, and on this account must be regarded with suspicion. A slight examination will demonstrate that it tends to a subversion of well-established landmarks.

Mr. Sumner then proceeded to discuss the subject in the light of the debates on the Federal Constitution, showing that the provision in the Constitution which he had quoted was the result of a compromise between the larger and the smaller States; and also showing that the phrases "revenue bills," "money bills," and "appropriation bills" were used as synonyms in all the debates on this subject. He also showed from these debates that great stress was placed upon this provision of the Constitution in reference to revenue bills, Colonel Mason having stated in the convention that "to strike out the section was to unhinge the compromise of which it made a part." After citing these authorities, Mr. Sumner further said:

And this brings me, sir, to the precise meaning of this provision. The seeming indefiniteness of the term "bills for raising revenue" may perhaps furnish apology for the present effort. It may be argued that while the Senate is placed under certain restrictions it may nevertheless originate "appropriation bills." This of course is a question of interpretation. Does this interdict upon the Senate extend to the bills by which money is appropriated to the support of the Government as well as by those bills by which it is directly obtained? Are appropriation bills included under the term "bills for raising revenue?" Now, I cannot join in the opinion so confidently expressed by the Senator from Virginia [Mr. Hunter] and the Senator from Georgia [Mr. Toombs] that it was clearly the intention of the Constitution to concede to the Senate the power of originating all appropriation bills; nor on the other hand do I assert that such exercise of power is in the strict sense unconstitutional. I approach the question as an inquirer anxious to find the real purpose of the fathers. There are several considerations which seem to shed light on the path to our conclusion.
First. The compromise between the small States and large States can be made completely effective, according to the obvious intent of the authors of the Constitution, only by interdicting the Senate from originating the great appropriation bills. If this interdict is restrained simply to tariff bills, which occur only at rare intervals, it becomes only a very inadequate compensation for the surrender made by the larger States to the smaller States in the constitution of the Senate. According to the reason of the rule the great appropriation bills must be equally within its intendment; the reason is as strong in one case as in the other.
Secondly. There is a second consideration, founded on the familiar use of the term *money bills* throughout the debates in the convention, as applicable to the bills which the Senate cannot originate. I need not occupy time by reference to instances, but whoever takes the trouble to investigate the matter in Mr. Madison's reports of the debates, and also in the report of the Virginia convention, will find that this term is universally employed, unless indeed where Mr. Gouverneur Morris uses the broader term "money plans," (ibid., page 282;) and Mr. Gerry "money matters," (ibid., page 283.) Now, all of these phrases are already applicable to "appropriation bills," by which the Government is carried on, and the inference seems irresistible that the parties who used them must have had such bills in mind.

The third reason advanced by Mr. Sumner was founded on the example of England, which was obviously in the minds of the framers of the Constitution; and he proceeded to explain the English system at length. He then said:

Thus on three accounts, first, by the reason of the thing; secondly, by the familiar use of the descriptive term "money bills" in all the debates; and, thirdly, by the example of England, the conclusion seems irresistible that "appropriation bills," by which the Government is carried on, are within the spirit of the interdict upon the Senate, and that this body cannot originate such bills without a violation of a well-established principle inherited from English jurisprudence, and also without unhinging, according to the language of Colonel Mason in the Federal convention, that compromise by virtue of which the small States are admitted to an equality of representation on this floor.

Then follow in the course of Mr. Sumner's remarks the following question and answer:

Mr. TOUCEY. I would beg leave to ask whether he denies the power of the Senate to originate appropriation bills?
Mr. SUMNER. I have already said that the language in the Constitution seemed to me indefinite. It is not on the face of it clear. I am driven therefore to contemporaneous evidence in order to seek its precise meaning; and referring to that, my conclusion is that according to the spirit of the Constitution it does not belong to this body to originate appropriation bills.

Such was the position of Mr. Charles Sumner, of Massachusetts, upon this subject in 1856. At that time the Senate had a majority of democrats, while the House of Representatives had elected a republican for Speaker, and that party had a controlling majority in the House. While the views of Senator Sumner at that time, or even now, may not be conclusive upon democrats, yet I insist that they ought to be sufficient to satisfy my colleague and the gentlemen upon the other side of this House and the dominant party in the Senate.

But there was further discussion upon this subject at that time. Senator Wilson, of Massachusetts, late Vice-President of the United States, was then a Senator. He said that he should not detain the Senate at length by entering into a further discussion of the question. He only desired to say that he should vote against the proposition; for, said he—

Whatever may be the constitutional powers of the Senate to originate general appropriation bills, there can be no doubt of the fact that when the Constitution of the United States was framed, its framers supposed that this was a compromise between the States and the people, that the theory settled in the Constitution was that money bills—general appropriation bills—should originate in the House of Representatives. The debates in the convention referred to by my colleague—the debates in the State convention, as will appear if Senators will examine those debates—abundantly sustain that position.

He further said:

The practice of the Government, of the wise men who framed the Constitution, from the year 1789 to the year 1856, during two entire generations, has been to adhere to this policy.

He also said that he preferred that the House of Representatives, representing the people, should mature the general appropriation bills of the country and take the lead in the appropriation of the money of the country; therefore he hoped that the Senate would make no change whatever.

I commend these views to the gentlemen on the other side of the House. The resolution, however, being one simply of inquiry, was adopted without a division, and the Senate did actually prepare and pass at that session two of the general appropriation bills; but it appears upon examination of the records of Congress that the House paid no attention whatever to the appropriation bills which originated in the Senate, but proceeded, as was the unbroken custom of this body, to mature and pass all the great appropriation bills in the first instance. The House at that session, by disregarding the bills that came from the Senate, asserted its power over appropriation bills and its right to originate such bills to the exclusion of the Senate; and I may here remark that that was the first House of Representatives that ever assembled in this country in which the republican party had a majority sufficient to elect the presiding officer. In fact it was at the very organization of the party, if indeed it can be said to have been organized at all at that time. The majority of that House was rather an opposition majority, composed of all elements then in opposition to the administration of Mr. Pierce.

Mr. BURCHARD, of Illinois. Will my colleague inform me what party had control of this House when it passed a joint resolution in regard to the Washington Monument, requiring an appropriation, which originated in the Senate?

Mr. RANDALL. There was no appropriation in it.

Mr. BURCHARD, of Illinois. It looks to an appropriation and promises one. Several pension bills have been passed that originated in the other House.

Mr. SPRINGER. Many things of that kind may have been done. I do not refer to penion bills and other minor matters. The Constitution, by its spirit, was framed with reference to the great appropriation bills—the supply bills of the House of Commons. In the Forty-first Congress the question was raised whether the Senate had the right to originate an act to repeal the income tax after the 31st day of December, 1869. The Senate passed the bill and sent it to this House. When it was taken up here, on the 27th of January, 1871, the House passed the following resolution:

Resolved, That the Senate bill (S. No. 1083) to repeal so much of the act approved July 14, 1870, entitled "An act to reduce internal taxes, and for other purposes," as continues the income tax after the 31st day of December, A. D. 1869, be returned to that body, with the respectful suggestion on the part of the House that section 7, article 1, of the Constitution vests in the House of Representatives the sole power to originate such measures.

The bill was returned to the Senate with a copy of said resolution

The Senate thereupon asked for a committee of conference on the resolution, with which the House at once complied, as an act of courtesy, the question involved being the *prirvilege* of the House.

The House conferees were Messrs. Samuel Hooper of Massachusetts, (now deceased,) WILLIAM B. ALLISON of Iowa, and Daniel W. Voorhees of Indiana, and the conferees on the part of the Senate were Messrs. Scott, CONKLING, and Casserly.

At the meeting of the conference committees, the Senate conferees submitted and maintained throughout the conference the following propositions:

First. That the words "all bills for raising revenue shall originate in the House of Representatives," in the seventh section of the first article of the Constitution, mean only bills the direct purpose of which is to raise revenue *by the levy of taxes, imposts, duties, or excises.*

Second. That a bill may originate in the Senate to repeal a law or portion of a law imposing such taxes, duties, imposts, or excise, even if the repeal of such repeal render necessary the imposition of other taxes; and Senate bill No. 1083 being such an act, it is within the constitutional power of the Senate to originate it.

The committee on the part of the House maintained in reply:

That, according to the true intent and meaning of the Constitution, it is the right of the House of Representatives to originate all bills relating directly to taxation, including all bills imposing or remitting taxes; and that in the exercise of this right the House of Representatives shall decide the manner and time of the imposition and remission of all taxes, subject to the right of the Senate to amend any of such bills originating in the House, before they have become a law.

The conference committees were unable to agree, and on the 27th of February Mr. Hooper, in behalf of the House conferees, submitted an elaborate report to the House, which was signed by all the House conferees. This report was printed, (Report No. 42, Forty-first Congress, third session,) but for want of time, the Congress expiring on the 4th of March thereafter, there was no action of the House thereon. But it is important for its intrinsic worth, as well as on account of its presenting the views of the distinguished gentlemen who signed it, if not of the whole House of that Congress. I commend it to my colleague and those upon the other side of this House. This report reviewed the whole history of the clause in the Constitution on this subject, and cited numerous extracts from the debates on the Federal Constitution in support of the position of the House conferees. I may be pardoned from quoting from this report, as its conclusions are important at this time. The House conferees, after the review of the constitutional history, thus present their conclusions in the report to which I have referred:

We have thus given a brief history of the first clause of the seventh section and the compromises and adjustments which led to its insertion in the Constitution. A careful study of the debates will disclose that in all the discussions the words inserted were used as synonymous with the words "money bills" as used in the British constitution. It seems to us, therefore, that a fair interpretation of this clause, whether derived from the interpretation given to it by reason of its analogy to the British constitution or from the debates of the convention, is, that all bills directly affecting the revenue shall originate in the House of Representatives.

And the report of the House conferees, as if in anticipation of just such questions as that which my colleague [Mr. BURCHARD] has put to me, further states:

There are instances where the House has acquiesced in the Senate bills merely for the purpose of facilitating legislation, as, for example, during the present Congress the Senate passed what was known as the funding bill or loan bill and sent it to the House, where it was referred to the Committee of Ways and Means; but the committee considered and matured a bill of their own, which was reported to the House and passed. Immediately afterward the committee reported back the Senate bill and moved the bill that had passed the House as a substitute, for the purpose of getting a ready conference upon the bill, thus on the record apparently acquiescing in the action of the Senate; but this could not be quoted as a precedent against the privilege of the House, because, for reasons of convenience, the question was not raised.

The report contains among other and numerous citations of authority the following:

The commentators upon this clause of the Constitution, so far as they have undertaken to interpret its meaning, we think, sustain your committee in their interpretation.

Mr. Justice Story, in discussing this clause, says, (§ 876 of Story on the Constitution:)

"That it is fit the House should possess the exclusive right to originate money bills, since it may be presumed to possess more ample means of local information, and it more directly represents the opinions, feelings, and wishes of the people; and being directly dependent on them for support, it will be more watchful and cautious in the imposition of taxes than a body which emanates exclusively from the States in their political capacity."

Judge Tucker says:

"Now, as the relation between taxation and representation in one branch of the Legislature was fixed by an invariable standard, and as that branch of the Legislature possesses the exclusive right of originating bills on the subject of revenue, the undue weight of the smaller States is guarded against effectually in the imposition of burdens." (1 Tucker's Blackstone, appendix, 195.)

I call the attention of the House and the Senate also, where at least one of its members will recognize in this document principles which he so recently cherished, to the conclusion of this able report:

Your committee think the assertion of the proper privileges of this House in relation to money bills important, in order to preserve that balance of power and influence which the framers of the Constitution intended should be maintained when the clause under consideration was inserted in that instrument, and therefore present, for the consideration of the House, the accompanying resolution:

Resolved, That this House maintains that it is its sole and exclusive privilege to originate all bills directly affecting the revenue, whether such bill be for the imposition, reduction, or repeal of taxes; and in the exercise of this privilege, in the first instance, to limit and appoint the ends, purposes, considerations, and limitations of such bills, whether relating to the matter, manner, measure, or time of their introduction; subject to the right of the Senate to "propose or concur with amendments, as in other bills."

This is the last of the numerous precedents furnished by the legislation of Congress, so far as I am advised, in favor of the position now occupied by the majority of this House.

Mr. HURLBUT. Does the gentleman recognize no difference between an appropriation bill to pay money and a revenue bill to raise money?

Mr. SPRINGER. I recognize the difference that there may be in the provisions of the bills.

Mr. HURLBUT. Does the gentleman recognize the fact that an appropriation bill is not a revenue bill?

Mr. SPRINGER. I recognize the fact that an appropriation bill is that very kind of measure which was intended to be embraced by the terms of the Constitution, and especially in the clause which provides that all bills for raising revenue shall originate in the House of Representatives. At least such is the interpretation given to the clause by the framers of the Constitution, by the most authoritative writers on that instrument, and by the most enlightened statesmen of our country.

Mr. BURCHARD, of Illinois. If my colleague will allow me, I will say that I have been familiar with the discussions that have occurred upon this subject some years ago, and I never knew it maintained in the House that the Senate could not originate bills appropriating money. But it was contended that they had no right to originate revenue bills, and in the Forty-first and Forty-second Congresses we sent back to the Senate bills which had been passed by that body for the raising of revenue, tax bills, which we claimed that they had not the right to pass. But it was never held that the Senate had not the right to originate an appropriation bill. It has been a practice that the general appropriation bills should originate in this House, and it is a practice worthy of being maintained; but I never heard it claimed upon this floor until this session that they had no right to originate appropriation bills, and I think that if the gentleman will examine the debates on the Constitution and the original draught of the Constitution he will find that the power was conceded to the other branch to originate an appropriation bill. The practice in the British Parliament is different, for it is provided there that "*all grants and subsidies for parliamentary aid shall begin in the House of Commons*," and that language applies to appropriation bills as well as revenue bills. But the language of our Constitution is confined to bills for raising revenue. I hope the gentleman will answer this point in his remarks.

Mr. SPRINGER. I think I have cited authorities which are conclusive upon this subject. Appropriation bills which originate in the Senate have been uniformly rejected in the House. The constitutional right that the Senate has is to propose amendments, but when "it adheres it is revolution; that is what it is; absolute revolution." This House has the sole right to originate revenue bills. The Senate has the right to propose amendments to them, but if they are not acceptable to the House the Senate must recede. That is the condition of this bill and other appropriation bills. The Senate has exercised its constitutional right to propose amendments and this House insists on the passage of the bills as they came from the House. Now the Senate must recede or they will become responsible for all the consequences that may follow.

I have been somewhat lengthy in my remarks concerning the power of the House to originate all money bills. The question between the two Houses of Congress at this time does not turn upon the power of the House to originate the appropriation bills, for all these bills have originated in the House without question. But the question is of the highest importance in the present dead lock between the two Houses for this reason: If it be conceded that the House has the exclusive right to originate these bills, then the right of the Senate is limited to the power of proposing amendments. The party proposing is the innovating party; and after conference between the two Houses, if the House should insist upon its original bills, the Senate ought to recede. It must recede, else the power of the House to originate money bills is of no importance whatever; for the Senate may amend by incorporating upon the House bills amendments entirely changing the character thereof. The Senate, under the Constitution, may propose such amendments; but it cannot adhere to them. The Senate may propose and may insist and ask a con-

here is revolution; yes, it is nullification. It would ...d void one of the most important compromise provisions ...onstitution.

I thank the Secretary of the Treasury for his admission that the party proposing an amendment was the innovating party, and that the innovating party must in the end retire. The Secretary referred to appropriations which changed existing law in reference to salaries. But as to these, his innovating theory is not correct. There are but two classes of salaries protected by the Constitution, the salary of the President and those of the judges of Federal courts. Members of Congress are elected for a stated period, but their salaries have so often been changed during their terms of office that the subject is wholly within legislative control. So far as other officers of the Government are concerned—officers appointed by the President and removable almost at his will—there is no obligation on the part of the Government to pay any sum of money beyond what Congress may from time to time appropriate. If Congress does not appropriate a sufficient sum, any official who feels aggrieved may resign. The Government has no contracts to carry out in reference to such salaries.

I have been amazed at the assertion that the Government owed these officials the sums heretofore fixed by Congress, and that we must vote those amounts and continue to vote them until both Houses of Congress and the President should conclude to pass a general law changing such salaries. Upon this theory, should the House and the Senate both concur in reducing the salaries, the President would have the right to veto such bills, and thus prevent all measures of retrenchment, changing existing law, unless two-thirds of each House should override the executive veto. That the President might do this, that he has the power to do so, cannot be denied. But it is not a question of power; it is a question of right, of justice. Would the President be justified in such an unwarrantable exercise of the veto power? Upon questions of revenue and appropriations, I maintain that the House, in the exercise of its constitutional prerogatives, can alone originate the general measures of legislation; and that, when so originated and submitted to the other departments of Government, after all propositions of amendment and conferences have been ended, its judgment ought to be respected.

Gentlemen may quibble about the power of the Senate as a coordinate branch of Government and the power of the President to veto any measure, and use these terms with various and varied meanings. But when it comes to a disagreement between the two Houses upon revenue and appropriation bills, which House, I ask, by all the rules of legislative propriety, ought to have the controlling influence? The House is the most numerous body. It is elected directly by the people for a term of two years only. Its members are apportioned among the States according to population, giving an equal representation to all sections. By all the authorities it is agreed that bills to raise revenue must originate in the House, and that this power was conferred upon that body in order to give it the controlling influence upon such bills. Whether this includes appropriation bills or not, the spirit of the Constitution would include such bills. The Congress cannot appropriate a greater sum than can be raised by taxation or loans. If the Senate can insist upon larger appropriations than can be met by the revenue of the Government, the bills for which, the House alone can originate, then the superior power of the House over revenue bills becomes a meaningless platitude, a "barren ideality." For this reason, then, as a matter of common sense and legislative propriety, if for no more sacred reason, I maintain the superior authority of the House over all money bills.

The Senate is elected by the respective States. The little State of Rhode Island has the same voice in that body as does the great State of New York. Upon these appropriation bills and the disagreeing votes of the two Houses, the two Rhode Island Senators claim the same influence and voice as that exercised by the thirty-three Representatives of New York upon this floor. In the one State there is a population of 217,353; in the other of 4,382,759. In this House the representation is according to population, and the right of voting away the people's revenue is equalized. But when the Senate sets itself up upon this question as superior to the House it asserts the voice of two Senators as equal to that of thirty-three Representatives in a matter affecting taxation and appropriations. If there were no provision of the Constitution on the subject, which body ought to yield on a question of this kind? I appeal to the candid judgment of members upon the other side of this House on this subject; I appeal to the judgment of the Senate itself; and above all and before all, I appeal to the great body of the American people, who furnish the revenue to support the Government, for their decision upon this question of retrenchment. In reference to taxation and appropriations, which of the three law-making powers, the House, the Senate, or the President, should have the superior voice? The immediate Representatives of the people, in the most numerous branch of the legislative department, in the contest between the two Houses and before the country at this time, will insist upon their superior control over the purse-strings of the people.

We have tendered to all the Departments of the Government a sufficient sum of money for an honest and economical administration of every branch of the public service. In reducing salaries and other expenses, we are but carrying out the popular will and responding to the depressed condition of all the business interests of the country. We think we know what the people desire in this matter. We believe we are representing them and their best interests They have been compelled to reduce their own expenses. Merchants and manufacturers have reduced the salaries and the per diem of their clerks and employés. Thousands are out of employment and other thousands are begging for bread. The price of living has largely decreased in every part of the country. All classes and conditions of society, without exception, have been compelled to retrench and economize. But one class has defied hitherto hard times and the House of Representatives, I refer to the office-holders of the Government. These are merry and fat while the people mourn and are depleted of their substance.

Let panics come and sweep down the great business houses of the land like a tornado does the giant oaks; let the floods descend and destroy whole regions of growing crops; let the grasshopper, like the plagues of Egypt, light upon the Western States and consume every green substance; let debts oppress and mortgages harass; let crops fail and railroads go into the hands of receivers; let all these things and worse befall others, there is one class of our people who are undisturbed. They are the office-holders. They care not "for the pestilence that walketh in darkness, nor for the destruction that wasteth at noonday." Come what may they are still happy and still rely with confidence upon the credulity of the people and the Senate of the United States to protect them. They have eaten of the imperial meat of Cæsar—our Cæsar—until they have grown exceeding great, at least in their own imaginations. They bestride the continent, like a Colossus, and overshadow all interests and control all sections. Their name is legion. They elect Senators, nominate Representatives and Presidents, and control wards, cities, counties, and States. There is no place "where their voice is not heard." They are now demanding their usual allowances from the people's purse. They will suffer no reduction; they must have enough for themselves and for the campaign committees also. Now, of all other times, would be most inconvenient to them to submit to a reduction of salaries. The election must be carried for their favorite candidates, and this will cost money. The usual assessments for campaign purposes will soon be made. Every man must pay up or lose his official head. Hence no reductions will be tolerated. The Senate must stand firm for high salaries. The House must yield. The people's money must be appropriated for the benefit of those who live upon the taxes.

Such is the contest now presented to the country by the two Houses of Congress. It is to be remarked that no bill has passed this House at this session reducing taxation. And why? Because no such reduction is possible in the present condition of the country. We have cut down appropriations between thirty and forty millions of dollars, but this reduction was necessary to meet the falling off of the revenue consequent upon the general depression of business through the country. The Senate must agree to the reductions proposed by the House, or else both Houses must agree to increased taxation to the amount of these reductions. This is the alternative. The House, in the exercise of its constitutional prerogative, has not originated and passed any bill to raise additional revenue. The appropriation bills as passed by the House will consume all the revenue that existing laws will produce. How unreasonable, then, is it for the Senate to insist upon appropriating more money for the ensuing year than will come into the Treasury from the taxation provided by law. Will the Senate force a deficit, or acquiesce in such appropriations as can be met by the existing law of the land?

Sir, history repeats itself. In 1858 this House was engaged in a similar contest with the Senate, at least it would so appear to one who should read the debates of this House at that time. A distinguished leader of the party in power, Hon. JOHN SHERMAN, of Ohio, was then a Representative of the people upon this floor. No stronger argument in favor of the power of the House over money bills can be cited than the speeches of this gentleman at that time. I fear he has changed with the changing times; but the great principles which he then uttered will never change. On the 27th of May, 1858, Mr. SHERMAN, rising to the sublime height of a true Representative of the people and speaking more for posterity than for the then present, said:

> Sir, retrenchment and reform are now matters of imperative necessity. It is not the mere cry of demagogues, but a problem demanding the attention and worthy the highest ability of the representatives of the people. No party is fit to govern this country who cannot solve it. It is in vain to look to executive officers for reform. Their power and influence depend upon executive patronage, and while we grant they will squander. The Senate is neither by the theory of our system nor by its composition fitted for the task. This House alone has the constitutional power to perfect a radical reform. The Constitution provides that no money shall be drawn from the Treasury but in consequence of appropriations made by law, and that all bills for raising revenue shall originate in the House of Representatives. These provisions were designed to invest in this House the entire control of the public purse, the power of supply. This is invested in the House of Commons and has been jealously guarded by it. It is the pearl beyond price, without which constitutional liberty in England would long since have fallen under the despotism of the Crown. By the exercise of this power we may hold the Executive and the Senate in check. But instead of using it this House has by slow degrees allowed the other departments of the Government to evade and virtually overthrow its constitutional power.—*Congressional Globe*, first session Thirty-fifth Congress, volume 36, page 2432.

In what way had the House allowed the Senate thus to overthrow its constitutional power? Mr. SHERMAN answered this question fully. He said:

> The Senate also has been guilty of an invasion of our privileges. When we send bills there they are returned to us loaded down with amendments for the very sums

which we refused to give. They send these amendments here, and we are impliedly told that unless we agree to them the entire appropriation bill will fall and Congress be called back in extra session.—*Ibid.* page 2432.

This exactly expresses the situation at this time between the two Houses of Congress. The Senate has returned every general appropriation bill passed by this House loaded down with amendments. The legislative, executive, and judicial bill was literally snowed under with senatorial amendments to the number of nearly one thousand, and the amounts appropriated by the House bill were increased by these amendments nearly $4,000,000. If Representative SHERMAN could see in 1858 such an overthrowing of the constitutional rights of the House as eloquently described by him, what must be his utter horror at this time when he beholds the Senate of to-day piling Ossa on Pelion, amendment upon amendment, and heaping up millions on millions. Such conduct on the part of the Senate was fitly described by Mr. Representative SHERMAN in the speech on this floor from which I have already quoted. At that time Mr. SHERMAN said:

The Constitution of the United States gives to the Senate power to propose amendments to revenue bills, but expressly withholds from it power to originate such bills. But by the abuse of their limited power to amend they defeat the exclusive power of the House. But not only that, the Senate at this session by direct usurpation has exercised the power which the Constitution confers upon this House alone.

And further:

Instead of a representative republic we are degenerating into a bureaucracy governed by red tape and subaltern clerks. While the powers of the House are invaded the Executive takes care to extend by construction his just powers.

I have thus quoted from the distinguished author of these extracts and from Seward, Sumner, Henry Wilson, and others for the purpose of showing that the House of Representatives in its present efforts in behalf of retrenchment is sustained on principle by the very highest authorities in the republican party; not the republican leaders of to-day, perhaps, but as they represented themselves in the infancy of the party, that infancy which implies purity and honesty of purpose. If the authorities shall be sufficient to convince the gentlemen upon the other side of this House, or those at the other end of the Capitol or at the other end of the Avenue, I shall be more than repaid for the effort I have made to throw some light on this subject.

The present position of the House has been assailed on account of provisions ingrafted upon appropriation bills changing existing law. With a few exceptions, such provisions are reductions of official salaries, and all such provisions are in the line of retrenchment. No provision has been ingrafted upon an appropriation bill by this House which did not come within our new Rule 120. This rule has been strictly construed by this House, and in every instance it has appeared upon the face of the provision itself that it did retrench expenses. But whence came this new light upon this subject? Of all bodies in the country the Senate is the last that should complain of such legislation. It has been the uniform practice of the Senate and the House for many years to ingraft new legislation upon appropriation bills. But the difference has been this: At former sessions of Congress such new provisions invariably increased expenditures or had no reference to expenditures whatever.

To cite instances of such legislation by previous sessions of Congress would be almost a waste of time. The glaring cases of general legislation forced upon appropriation bills since the close of the war are too fresh in the minds of the people to need any specific reference to them. Provisions the most odious, the most extravagant, the most disgraceful I had almost said, have, from time to time, been forced through Congress on appropriation bills by means of conference committees and otherwise. The various bills raising the salaries of members of Congress and other officials, giving back-pay, &c.; the increase, in the interest of express companies, of the postage on third-class mail matter; the re-organization of the consular and diplomatic service by the first session of the last Congress, in which the salaries were largely increased; the provision for the appointment of a Public Printer, at the same session; and the provisions classifying postmasters; the first act ever passed giving colored persons the right to testify in the courts, and innumerable other acts of general legislation were all passed as parts of general appropriation bills.

If Representatives on the other side of the House and Senators desire to examine a notable case of this kind, I refer them to the post-office appropriation bill which passed June 23, 1874. (Statutes at Large, volume 18, pages 232 to 237.) Here will be found five pages of general legislation, and some of it of the most vicious character, all tacked upon an appropriation bill. But while a vast amount of legislation has been accomplished in this way, both Houses of Congress have, from time to time, and notably at the close of the last Congress, attempted to ride appropriation bills with the most obnoxious partisan legislation. These attempts failed. but no thanks to those who are now so earnest in denouncing the retrenchment legislation of this House upon appropriation bills. Nothing could defeat those attempts but the most stubborn resistance on the part of the minority on this floor and in the Senate.

In conclusion, and by way of recapitulation, permit me to say further that the Constitution of the United States, if not by its strict letter, at least by its evident intent and spirit, having lodged in the House the sole right to originate all money bills, and the Senate having only the right to propose amendments, it becomes important to consider the relative positions of the two bodies on the pending appropriation bills. The House has originated and passed these bills as provided by the Constitution and in pursuance of the unbroken practice of this House from the adoption of the Federal Constitution to the present time. The Senate has proposed numerous amendments to these bills. What is the meaning of the word "propose?" Webster defines it thus:

To offer for consideration, discussion, acceptance, or adoption; as, to propose a bill or resolve to a legislative body; to propose terms of peace; to propose a question for discussion; * * * to propose alterations or amendments in a law.

The power of the Senate, then, so far as appropriation bills are concerned, is limited to that of proposing amendments for the consideration, acceptance, or adoption by the House. If the House concur, very well; if not, the Senate must recede. It has no right to adhere to amendments; only the right to propose.

I know of no parliamentary meaning which the word has different from that which is here given from Webster. We are told that our bills change existing law in reference to salaries. But so far as this is concerned, I answer that we must change the law as to salaries by reducing them or we must change the laws in reference to taxes by increasing them. Shall we have reduced salaries or increased taxation? That is the question to be decided by this House. That is the question involved in the present dead lock.

In this centennial year of our nation's existence let us emulate the example of our fathers in their contests for the right.

In their ragged regimentals
Stood the old Continentals,
Yielding not.

So let us, their descendants, now enjoying the fruits of their sacrifices, stand firm for the right, "yielding not." If we do, I am sure we will receive the approval of a tax-burdened people and prove ourselves worthy of the new century upon which we have just entered.

Mr. CANNON, of Illinois. Will the gentleman allow me a single question?

Mr. SPRINGER. I cannot yield. I have agreed with the gentleman from Mississippi [Mr. SINGLETON] to move the previous question at the close of my remarks.

Mr. RANDALL. I hope the gentleman from Illinois [Mr. SPRINGER] will now call the previous question.

Mr. CANNON, of Illinois. I desire to ask the gentleman a question in the line of his remarks.

Mr. SPRINGER. I see the House is impatient; I do not desire to exclude any question of the gentleman.

Mr. CANNON, of Illinois. It is a little bit of a question.

Mr. SPRINGER. I must insist upon the previous question.

Mr. FOSTER. Before the previous question is put I desire to make a statement to the House upon a question of privilege, and I ask the attention of the gentleman from Mississippi, [Mr. SINGLETON.]

There was no objection, and leave was granted accordingly.

Mr. FOSTER. In the heat of the moment I applied epithets to the gentleman from Mississippi which after reflection I wish to retract and withdraw. I do not believe he intended to charge me with falsehood and deceit, as I at the moment thought he had. I wish no personal unkindness with the gentleman from Mississippi, or in any way to violate the proprieties of debate.

Mr. SINGLETON. I am very glad indeed the gentleman from Ohio [Mr. FOSTER] has said this. We have heretofore been upon the best footing in the world, and have never before had any misunderstanding. The gentleman pitched into me in a pretty strong way, and I came back at him in the same way. Now, as he withdraws his language, we are on exactly our old footing. I do not desire to have any difficulty with any one, but I have always felt it to be due to myself to maintain my rights.

Mr. SPRINGER. I now move the previous question, as I promised the gentleman from Mississippi to do so at this time.

The previous question was seconded and the main question ordered.

The SPEAKER *pro tempore*. The question is upon the motion of the gentleman from Mississippi [Mr. SINGLETON] that the House further insist upon its disagreement to the amendments of the Senate to the diplomatic and consular appropriation bill, and request a further conference on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

PUBLIC PRINTING.

Mr. RANDALL. I desire to report a bill from the Committee on Appropriations which should be passed to-day.

There was no objection, and the bill (H. R. No. 3884) to continue the act entitled "An act to continue the public printing" was received and read a first and second time.

The question was upon ordering the bill to be engrossed and read a third time.

The bill provides that the provisions of an act entitled "An act to continue the public printing," approved June 30, 1876, shall be extended and continued in full force and effect for a period of ten days from and after the 10th day of July, 1876, and no longer.

Mr. RANDALL. I now call the previous question on the bill.

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. RANDALL 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.

REPEAL OF RESUMPTION ACT.

Mr. HOLMAN. I ask unanimous consent to submit a resolution for adoption at this time.

The SPEAKER *pro tempore*. The Clerk will read the resolution, after which objection to its present consideration will be in order.

The Clerk read as follows:

Resolved, That the Committee on Banking and Currency be, and they are hereby, instructed to report to the House the following bill, and that the same be made the special order for Thursday next after the morning hour and be open for consideration and amendment, to wit:

A bill in relation to the currency.

Mr. KASSON. I object to that resolution.

Mr. RANDALL. Let the bill be read.

Mr. KASSON. I will object to it any way.

The Clerk read the bill, as follows:

Be it enacted, &c., That so much of the act entitled "An act to provide for the resumption of specie payments," approved January 14, 1875, as authorized the Secretary of the Treasury to redeem in coin United States notes be, and the same is hereby, repealed.

Mr. HOLMAN. This is simply to give the Committee on Banking and Currency authority to report such a bill for consideration and amendment.

Mr. KASSON. I object; the committee has ample power now.

Mr. HOLMAN. I move that the rules be suspended and the resolution be adopted.

Mr. SEELYE. Will the gentleman allow me a single inquiry?

Mr. RANDALL. Debate is not in order; I call for the regular order.

Mr. EAMES. I move that the House now adjourn.

The motion to adjourn was not agreed to.

The question recurred upon the motion of Mr. HOLMAN to suspend the rules and adopt the resolution read by the Clerk.

Mr. HOLMAN and Mr. HOSKINS called for the yeas and nays.

The yeas and nays were ordered.

The question was taken, and there were—yeas 105, nays 96, not voting 86; as follows:

YEAS—Messrs. Ainsworth, Anderson, Ashe, Atkins, John H. Baker, Banning, Bland, Blount, Boone, Bradford, Bright, John Young Brown, Buckner, Samuel D. Burchard, Cabell, John H. Caldwell, William P. Caldwell, Campbell, Cannon, Cason, Cate, Caulfield, John B. Clark, jr., of Missouri, Clymer, Cochrane, Cook, Cowan, Culberson, Davis, Dibrell, Dobbins, Douglas, Eden, Ellis, Evans, Faulkner, Felton, Finley, Fuller, Gause, Goodin, Gunter, John T. Harris, Harrison, Hartridge, Hartzell, Hatcher, Haymond, Hays, Henkle, Hereford, Hill, Holman, House, Hubbell, Hunter, Hunton, Jenks, Kelley, Knott, Franklin Landers, Lane, Lewis, Lynde, L. A. Mackey, McFarland, Milliken, Morgan, New, Phelps, John F. Philips, Poppleton, Randall, Rea, John Reilly, James B. Reilly, Rice, Riddle, Roberts, Robinson, Savage, Scales, Singleton, Slemons, William E. Smith, Southard, Sparks, Spencer, Springer, Stevenson, Stone, Terry, Turney, John L. Vance, Robert B. Vance, John W. Wallace, Walling, Walsh, Erastus Wells, Wigginton, James D. Williams, Jeremiah N. Williams, Benjamin Wilson, Yeates, and Young—105.

NAYS—Messrs. Adams, Bagby, George A. Bagley, John H. Bagley, William H. Baker, Ballou, Banks, Bell, Blair, Bradley, William R. Brown, Horatio C. Burchard, Burleigh, Candler, Caswell, Conger, Crapo, Crounse, Cutler, Davy, Dunnell, Durand, Eames, Ely, Foster, Freeman, Frost, Garfield, Hale, Robert Hamilton, Hancock, Hardenbergh, Benjamin W. Harris, Henderson, Abram S. Hewitt, Hoar, Hoskins, Hurd, Hurlbut, Kasson, Kehr, Ketcham, Kimball, George M. Landers, Lapham, Le Moyne, Levy, Luttrell, Edmund W. M. Mackey, Magoon, Maish, MacDougall, McDill, Meade, Miller, Monroe, Morrison, Mutchler, Norton, O'Brien, O'Neill, Page, Pierce, Piper, Platt, Potter, Powell, John Robbins, Miles Ross, Rusk, Sampson, Schleicher, Seelye, Sinnickson, Smalls, A. Herr Smith, Strait, Stowell, Tarbox, Thompson, Thornburgh, Martin I. Townsend, Washington Townsend, Tufts, Wait, Waldron, Alexander S. Wallace, Ward, G. Wiley Wells, Whiting, Wike, Willard, James Williams, William B. Williams, Willis, and Woodburn—96.

NOT VOTING—Messrs. Bass, Beebe, Blackburn, Bliss, Chapin, Chittenden, John B. Clarke of Kentucky, Collins, Cox, Danford, Darrall, De Bolt, Denison, Durham, Egbert, Forney, Fort, Franklin, Frye, Gibson, Glover, Goode, Andrew H. Hamilton, Haralson, Henry R. Harris, Hathorn, Hendee, Goldsmith W. Hewitt, Hoge, Hooker, Hopkins, Hyman, Frank Jones, Thomas L. Jones, Joyce, King, Lamar, Lawrence, Leavenworth, Lord, Lynch, McCrary, McMahon, Metcalfe, Mills, Money, Nash, Neal, Odell, Oliver, Packer, Payne, William A. Phillips, Plaisted, Pratt, Purman, Rainey, Reagan, William M. Robbins, Sobieski Ross, Sayler, Schumaker, Sheakley, Stenger, Swann, Teese, Thomas, Throckmorton, Tucker, Van Vorhes, Waddell, Charles C. B. Walker, Gilbert C. Walker, Warren, Wheeler, White, Whitehouse, Whitthorne, Andrew Williams, Alpheus S. Williams, Charles G. Williams, Wilshire, James Wilson, Alan Wood, jr., Fernando Wood, and Woodworth—86.

So (two-thirds not having voted in favor thereof) the rules were not suspended and the resolution was not adopted.

During the vote the following announcements were made:

Mr. GIBSON stated that he was paired with Mr. BLACKBURN, who, if present, would vote in the affirmative, while he would vote in the negative.

Mr. KNOTT. I wish to state, Mr. Speaker, that my colleagues, Mr. BLACKBURN and Mr. CLARKE, are absent by order of the House, and that my colleague, Mr. JONES, is detained from the House by illness.

Mr. MILLIKEN. I announce the absence of Mr. WHITE, who is also absent by order of the House.

Mr. KNOTT. And I also announce that my colleague, Mr. WHITE, is absent by order of the House.

Mr. WADDELL. I am paired with the gentleman from Iowa, Mr. WILSON, on all political questions. If present he would vote in the negative, while I would vote in the affirmative. I wish also to state that my colleague, Mr. ROBBINS, is detained from the House by sickness.

Mr. COWAN said: My colleague, Mr. NEAL, who is absent, is paired with Mr. BRADLEY, of Michigan. If he were present he would vote in the affirmative.

Mr. FORNEY. I am paired with the gentleman from Pennsylvania, Mr. PACKER. If present he would vote in the negative, while I would vote in the affirmative.

Mr. DURAND. My colleague, Mr. A. S. WILLIAMS, is absent from the House attending to important business. If present he would vote in the negative.

Mr. COCHRANE. My colleague, Mr. STENGER, is absent from his seat on account of ill-health. If present he would vote in the affirmative.

Mr. REA. My colleague, Mr. DE BOLT, has been called away in consequence of sickness.

Mr. HARDENBERGH. My colleague, Mr. TEESE, is detained from the House by important business. If here he would vote in the negative.

Mr. TOWNSEND, of New York. My colleague, Mr. LEAVENWORTH, is confined to his house by sickness. If here he would vote in the negative.

Mr. OLIVER. I am paired on this question with my colleague, Mr. MCCRARY; if he were present he would vote "no," and I would vote "ay."

Mr. WHITING. My colleague, Mr. FORT, is absent by order of the House. If present he would vote in the affirmative.

Mr. RICE. My colleague, Mr. MCMAHON, is in attendance by order of the House in the Senate as one of the managers of the impeachment of the Secretary of War. If present he would vote in the affirmative.

Mr. SCHLEICHER. My colleague, Mr. REAGAN, is absent from the House on account of sickness in his family.

The vote was then announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. SYMPSON, one of their clerks, announced the passage of a bill (S. No. 897) granting a pension to Andrew Evarts; in which the concurrence of the House was requested.

CONSULAR AND DIPLOMATIC BILL.

The SPEAKER *pro tempore* announced as the managers of the conference on the part of the House on the disagreeing votes of the two Houses on the consular and diplomatic bill Mr. SINGLETON, Mr. SPRINGER, and Mr. MONROE.

REFRESHMENTS.

Mr. STONE. I ask unanimous consent and if that be not granted I shall move to suspend the rules and adopt the following resolution.

The Clerk read as follows:

Resolved, That the Committee of Accounts be, and they are hereby, instructed forthwith to provide the usual refreshments for members of the House during the remainder of the session in the cloak-rooms of this Hall in place of iced water.

The SPEAKER *pro tempore*. By the vote the resolution seems to be unanimously carried.

Mr. WILLIAMS, of Indiana. I demand the yeas and nays.

Mr. MACDOUGALL. What are usual refreshments?

The SPEAKER *pro tempore*. Debate is not in order.

The yeas and nays were ordered.

Mr. STONE. I move to modify the resolution by inserting the words "iced tea and lemonade."

Mr. BLAND. That does not preclude the drinking water? Some of us may wish water. [Laughter.]

The SPEAKER *pro tempore*. The Chair hears no objection, and the resolution will be modified accordingly.

Mr. WELLS, of Missouri. It should be under the control of the Clerk of the House, and I move to modify the resolution by inserting the words "the Clerk of the House."

The SPEAKER *pro tempore*. That can only be done by unanimous consent.

Mr. WILLIAMS, of Indiana. I object.

The question was taken; and it was decided in the negative—yeas 31, nays 147, not voting 109; as follows:

YEAS—Messrs. Ainsworth, George A. Bagley, Blair, William R. Brown, Horatio C. Burchard, Burleigh, Cowan, Dunnell, Eames, Ely, Hale, Hancock, Hartridge, Hays, Hubbell, Hurd, Hurlbut, Ketcham, Le Moyne, Levy, Edmund W. M. Mackey, MacDougall, Norton, Oliver, Piper, Platt, Strait, Stone, Washington Townsend, Alexander S. Wallace, and John W. Wallace—31.

NAYS—Messrs. Adams, Anderson, Ashe, Atkins, Bagby, John H. Bagley, jr., John H. Baker, William H. Baker, Banning, Bland, Boone, Bradford, Bradley, Bright, John Young Brown, Buckner, Samuel D. Burchard, Cabell, John H. Caldwell, William P. Caldwell, Campbell, Candler, Cannon, Cason, Caswell, Cate, Caulfield, John B. Clark, jr., of Missouri, Cochrane, Conger, Cook, Cox, Crapo, Culberson, Cutler, Davis, Davy, Dibrell, Douglas, Durand, Eden, Egbert, Ellis, Evans, Faulkner, Felton, Finley, Forney, Foster, Freeman, Frost, Frye, Fuller, Gause, Gibson, Goode, Goodin, Gunter, Robert Hamilton, Hardenbergh, Benjamin W. Harris, John T. Harris, Hartzell, Hatcher, Haymond, Hendee, Henderson, Abram S. Hewitt, Hill, Holman, Hooker, Hoskins, House, Hunter, Hunton, Kehr, Kelley, Kimball, Knott, Franklin Landers, George M. Landers, Lane, Lewis, L. A. Mackey, Magoon, Maish, McDill, McFarland, Milliken, Mills, Monroe, Morgan, Mutchler, New, Phelps, Pierce, Plaisted, Poppleton, Potter, Rea, John Reilly, James B. Reilly, Rice, Riddle, Robinson, Miles Ross, Rusk, Sampson, Savage, Scales, Seelye, Slemons, Smalls, A. Herr Smith, William E. Smith, Southard, Sparks, Spencer, Springer, Stevenson, Swann, Tarbox, Terry, Thompson, Thornburgh, Martin I. Townsend, Turney, John L. Vance, Robert B. Vance, Waddell, Wait, Walling, Walsh, Ward, Erastus Wells, Whiting, Wike, Willard, James Williams, James D. Williams, Jeremiah N. Williams, Willis, Wilshire, Benjamin Wilson, Woodburn, Yeates, and Young—147.

NOT VOTING—Messrs. Ballou, Banks, Bass, Beebe, Bell, Blackburn, Bliss, Blount, Chapin, Chittenden, John B. Clarke of Kentucky, Clymer, Collins, Crounse, Danford, Darrall, De Bolt, Denison, Dobbins, Durham, Fort, Franklin, Garfield, Glover, Andrew H. Hamilton, Haralson, Henry R. Harris, Harrison, Hathorn, Henkle, Hereford, Goldsmith W. Hewitt, Hoar, Hoge, Hopkins, Hyman, Jenks, Frank Jones, Thomas L. Jones, Joyce, Kasson, King, Lamar, Lapham, Lawrence, Leavenworth, Lord, Luttrell, Lynch, Lynde, McCrary, McMahon, Meade, Metcalfe, Miller, Money, Morrison, Nash, Neal, O'Brien, Odell, O'Neill, Packer, Page, Payne,

John F. Philips, William A. Phillips, Powell, Pratt, Purman, Rainey, Randall, Reagan, John Robbins, William M. Robbins, Roberts, Sobieski Ross, Sayler, Schleicher, Schumaker, Sheakley, Singleton, Sinnickson, Stenger, Stowell, Teese, Thomas, Throckmorton, Tucker, Tufts, Van Vorhes, Waldron, Charles C. B. Walker, Gilbert C. Walker, Warren, G. Wiley Wells, Wheeler, White, Whitehouse, Whitthorne, Wigginton, Andrew Williams, Alpheus S. Williams, Charles G. Williams, William B. Williams, James Wilson, Alan Wood, jr., Fernando Wood, and Woodworth—109.

During the roll-call,

Mr. RUSK. I move to dispense with the reading of the names.

Mr. CONGER. I object. I think all the usual forms should be gone through with on this solemn legislation. [Laughter.]

Mr. SINNICKSON. I am paired on all political questions, but as lemonade and iced tea are not democratic drinks I presume I have the right to vote, and will do so. [Laughter.]

The vote was then announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of their clerks, announced the passage without amendment of a bill (H. R. No. 3884) to continue an act entitled "An act to continue the public printing."

CHINESE IMMIGRATION.

Mr. PIPER. I move to suspend the rules and pass the following resolution.

The Clerk read as follows:

Whereas the Senate has passed a resolution authorizing the appointment of a committee of three Senators to visit the Pacific coast and report to Congress, at its next session, upon the character, extent, and effect of Chinese immigration into this country:

Resolved, That the Speaker is hereby authorized to appoint three members of this House to proceed to the Pacific coast, after the adjournment of Congress, to investigate, conjointly with said Senate committee or otherwise, the extent and effect of Chinese immigration into this country, with power to send for persons and papers, to administer oaths, to employ a stenographer, and to take evidence; said committee to report to Congress at its next session.

Mr. FAULKNER. Is it in order to move the reference of that resolution to the Committee on Foreign Affairs?

The SPEAKER *pro tempore*. It is not.

Mr. FAULKNER. I then give notice that the Committee on Foreign Affairs are ready to make a report on that very subject.

Mr. PIPER. I object to debate.

Mr. FAULKNER. The Committee on Foreign Affairs have instructed me to report a resolution, which I propose to submit to the House at the earliest possible moment.

The SPEAKER *pro tempore*. The gentleman from West Virginia is out of order.

The House divided; and there were—ayes 71, noes 76.

Mr. STONE demanded the yeas and nays.

The yeas and nays were ordered.

Mr. O'BRIEN. I move the House adjourn.

Mr. COX. Is it in order to move that when the House adjourns to-day it adjourn to meet on Thursday next?

The SPEAKER *pro tempore*. It is.

Mr. COX. I then make that motion.

The House divided; and there were—ayes 110, noes 71.

Mr. BRADLEY demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken, and decided in the negative—yeas 67, nays 117, not voting 104; as follows:

YEAS—Messrs. Ashe, Ballou, Banning, Bell, Blair, Blount, Buckner, Cabell, William P. Caldwell, Caswell, Cate, John B. Clark, jr., of Missouri, Cook, Cowan, Cox, Eden, Ellis, Foster, Frost, Gibson, Robert Hamilton, Hardenbergh, Hartridge, Hays, Hooker, House, Hurlbut, Kasson, Kehr, Knott, Lamar, Levy, Edmund W. M. Mackey, L. A. Mackey, MacDougall, McDill, Milliken, Monroe, Morrison, Mutchler, New, O'Brien, Phelps, Piper, Plaisted, Poppleton, Powell, Randall, Riddle, Roberts, Miles Ross, Scales, Seelye, Singleton, Slemons, Smalls, William E. Smith, Southard, Swann, Tarbox, Thompson, Martin I. Townsend, Waddell, Waldron, Willard, Jeremiah N. Williams, and Wilshire—67.

NAYS—Messrs. Adams, Ainsworth, Anderson, Atkins, Bagby, George A. Bagley, John H. Bagley, jr., William H. Baker, Boone, Bradford, Bradley, Bright, John Young Brown, Horatio C. Burchard, Samuel D. Burchard, Burleigh, John H. Caldwell, Campbell, Candler, Cannon, Cason, Caulfield, Conger, Crapo, Crounse, Culberson, Cutler, Davis, Davy, Dibrell, Dobbins, Douglas, Dunnell, Durand, Eames, Egbert, Ely, Evans, Faulkner, Felton, Finley, Forney, Freeman, Frye, Gause, Goode, Goodin, Gunter, Hancock, Benjamin W. Harris, John T. Harris, Hartzell, Hatcher, Hathorn, Haymond, Hendee, Henderson, Hereford, Abram S. Hewitt, Hill, Holman, Hoskins, Hubbell, Hunter, Hurd, Ketcham, Kimball, George M. Landers, Le Moyne, Lewis, Luttrell, Magoon, Maish, McFarland, Mills, Morgan, Norton, Oliver, Page, Payne, Pierce, Potter, John Reilly, James B. Reilly, Rice, John Robbins, Robinson, Rusk, Sampson, Savage, Schleicher, Sinnickson, A. Herr Smith, Sparks, Spencer, Springer, Strait, Stevenson, Stone, Terry, Thornburgh, Washington Townsend, Tufts, Turney, John L. Vance, Robert B. Vance, Wait, Alexander S. Wallace, Erastus Wells, G. Wiley Wells, Whiting, Wike, Alpheus S. Williams, James Williams, James D. Williams, William B. Williams, and Willis—117.

NOT VOTING—Messrs. John H. Baker, Banks, Bass, Beebe, Blackburn, Bland, Bliss, William R. Brown, Chapin, Chittenden, John B. Clarke of Kentucky, Clymer, Cochrane, Collins, Danford, Darrall, De Bolt, Denison, Durham, Fort, Franklin, Fuller, Garfield, Glover, Hale, Andrew H. Hamilton, Haralson, Henry R. Harris, Harrison, Henkle, Goldsmith W. Hewitt, Hoar, Hoge, Hopkins, Hunton, Hyman, Jenks, Frank Jones, Thomas L. Jones, Joyce, Kelley, King, Franklin Landers, Lane, Lapham, Lawrence, Leavenworth, Lord, Lynch, Lynde, McCrary, McMahon, Meade, Metcalfe, Miller, Money, Nash, Neal, Odell, O'Neill, Packer, John F. Philips, William A. Phillips, Platt, Pratt, Purman, Rainey, Rea, Reagan, William M. Robbins, Sobieski Ross, Sayler, Schumaker, Sheakley, Stenger, Stowell, Teese, Thomas, Throckmorton, Tucker, Van Vorhes, Charles C. B. Walker, Gilbert C. Walker, John W. Wallace, Walling, Walsh, Ward, Warren, Wheeler, White, Whitehouse, Whitthorne, Wigginton, Andrew Williams, Charles G. Williams, Benjamin Wilson, James Wilson, Alan Wood, jr., Fernando Wood, Woodburn, Woodworth, Yeates, and Young—104.

So the motion was not agreed to.

During the roll-call,

Mr. COCHRANE said: My colleague, Mr. STENGER, is absent on account of ill health.

The result of the vote was announced as above stated.

Mr. HOLMAN. I wish to say that to-morrow can be very conveniently employed by the committees of conference; and if the House will adjourn till the day after to-morrow it is believed that business will be thereby very materially facilitated. I therefore move that when the House adjourns to-day it be to meet on Wednesday next.

Mr. MILLS. I hope that motion will not be adopted.

The SPEAKER *pro tempore*. The question is not debatable.

The question being taken, there were—ayes 111, noes 47.

Mr. RUSK and others called for the yeas and nays.

The yeas and nays were ordered, there being—ayes 33, noes 120.

Mr. HOLMAN. I ask permission of the House to say one word.

Mr. CONGER. Regular order.

Mr. HOLMAN. I trust gentlemen will allow me to say one word. [Cries of "Regular order."] The business of the House will be very much facilitated by an adjournment over for one day.

Mr. PAGE. Is debate in order?

The SPEAKER *pro tempore*. It is not. The only thing in order is the call of the roll.

The question was taken; and there were—yeas 98, nays 88, not voting 102; as follows:

YEAS—Messrs. Ashe, Atkins, John H. Bagley, jr., Ballou, Banning, Blair, Bland, Blount, Boone, Bright, John Young Brown, Horatio C. Burchard, William P. Caldwell, Campbell, Caulfield, John B. Clark, jr., of Missouri, Clymer, Cook, Cowan, Cox, Crapo, Davis, Davy, Douglas, Eames, Eden, Ellis, Evans, Faulkner, Forney, Foster, Frost, Garfield, Gibson, Goode, Hardenbergh, Hartridge, Hatcher, Haymond, Hays, Henderson, Hereford, Abram S. Hewitt, Holman, Hooker, House, Hunter, Hunton, Hurlbut, Kasson, Kehr, Lamar, George M. Landers, Lane, Levy, Edmund W. M. Mackey, L. A. Mackey, McDill, Milliken, Morrison, Mutchler, New, O'Brien, Payne, Phelps, Pierce, Piper, Plaisted, Poppleton, Powell, Randall, Riddle, Roberts, Scales, Seelye, Singleton, Slemons, Smalls, William E. Smith, Southard, Sparks, Stone, Tarbox, Terry, Thompson, Martin I. Townsend, Washington Townsend, Robert B. Vance, Waddell, Wait, Waldron, John W. Wallace, Walling, Willard, Alpheus S. Williams, James D. Williams, Jeremiah N. Williams, and Yeates—98.

NAYS—Messrs. Adams, Ainsworth, Anderson, Bagby, George A. Bagley, John H. Baker, Bradford, Bradley, Samuel D. Burchard, Burleigh, Cabell, John H. Caldwell, Candler, Cannon, Cason, Caswell, Cate, Cochrane, Conger, Crounse, Culberson, Cutler, Dibrell, Dunnell, Felton, Finley, Freeman, Frye, Gause, Goodin, Hancock, Benjamin W. Harris, John T. Harris, Hartzell, Hendee, Hoar, Hoskins, Hubbell, Hurd, Jenks, Ketcham, Kimball, Lapham, Le Moyne, Lewis, Luttrell, Magoon, Maish, MacDougall, McFarland, McMahon, Mills, Morgan, Norton, Oliver, Page, Platt, Potter, John Reilly, James B. Reilly, Rice, John Robbins, Robinson, Miles Ross, Rusk, Sampson, Savage, Schleicher, Sinnickson, A. Herr Smith, Spencer, Springer, Stevenson, Stowell, Thornburgh, Tufts, Turney, John L. Vance, Alexander S. Wallace, Erastus Wells, G. Wiley Wells, Whiting, Wike, James Williams, William B. Williams, Willis, Benjamin Wilson, and Young—88.

NOT VOTING—Messrs. William H. Baker, Banks, Bass, Beebe, Bell, Blackburn, Bliss, William R. Brown, Buckner, Chapin, Chittenden, John B. Clarke of Kentucky, Collins, Danford, Darrall, De Bolt, Denison, Dobbins, Durand, Durham, Egbert, Ely, Fort, Franklin, Fuller, Glover, Gunter, Hale, Andrew H. Hamilton, Robert Hamilton, Haralson, Henry R. Harris, Harrison, Hathorn, Henkle, Goldsmith W. Hewitt, Hill, Hoge, Hopkins, Hyman, Frank Jones, Thomas L. Jones, Joyce, Kelley, King, Knott, Franklin Landers, Lawrence, Leavenworth, Lord, Lynch, Lynde, McCrary, Meade, Metcalfe, Miller, Money, Monroe, Nash, Neal, Odell, O'Neill, Packer, John F. Philips, William A. Phillips, Pratt, Purman, Rainey, Rea, Reagan, William M. Robbins, Sobieski Ross, Sayler, Schumaker, Sheakley, Strait, Stenger, Swann, Teese, Thomas, Throckmorton, Tucker, Van Vorhes, Charles C. B. Walker, Gilbert C. Walker, Walsh, Ward, Warren, Wheeler, White, Whitehouse, Whitthorne, Wigginton, Andrew Williams, Charles G. Williams, Wilshire, James Wilson, Alan Wood, jr., Fernando Wood, Woodburn, and Woodworth—101.

So the motion was agreed to.

The SPEAKER *pro tempore*. There is a pending motion of the gentleman from Maryland [Mr. O'BRIEN] that the House adjourn.

ENROLLED BILLS SIGNED.

Mr. PLAISTED, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills of the following titles; when the Speaker *pro tempore* signed the same:

An act (S. No. 872) for the relief of the family of the late John T. King and of L. B. Cutler; and

An act (H. R. No. 3884) to continue the act entitled "An act to continue the public printing."

Mr. HARRISON, from the same committee, reported that they had examined and found truly enrolled joint resolution and bills of the following titles; when the Speaker *pro tempore* signed the same:

Joint resolution (H. R. No. 134) donating two cannon and carriages to the warden and burgesses of Stonington, Connecticut;

An act (H. R. No. 1668) to supply an omission in the enrollment of the deficiency bill, approved March 3, 1875; and

An act (H. R. No. 3200) to change the name of the steam-barge Dolphin, of Clayton, New York.

MILITARY HISTORY OF HIRAM S. LATHE.

The SPEAKER *pro tempore*, by unanimous consent, laid before the House a letter from the Secretary of War, transmitting the military history of Hiram S. Lathe; which was referred to the Committee on Military Affairs.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. DURAND for the withdrawal from the files of the House of papers accompanying the bill of the Thirty-ninth Congress (H. R. No. 672) in relation to Michigan militia, there being no adverse report.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted—
To Mr. CHITTENDEN indefinitely;
To Mr. PHILIPS, of Missouri, for twelve days;
To Mr. PLATT for ten days;
To Mr. MONEY for two weeks;
To Mr. SEELYE for two weeks;
To Mr. HARRIS, of Georgia, indefinitely on account of sickness;
To Mr. WARREN for one week;
To Mr. WILSON, of Iowa, for two weeks;
To Mr. WALDRON for one week;
To Mr. STENGER indefinitely on account of ill health; and
To Mr. YEATES for fourteen days from Wednesday next.

ORDER OF BUSINESS.

Mr. O'BRIEN. I yield to the gentleman from Connecticut, [Mr. WAIT.]

Mr. WAIT. I rise to make a privileged report.

Several MEMBERS. Regular order.

The SPEAKER *pro tempore*. The regular order is the motion of the gentleman from Maryland [Mr. O'BRIEN] that the House adjourn.

The motion was agreed to; and accordingly (at five o'clock and twenty minutes p. m.) the House adjourned till Wednesday next.

PETITIONS, ETC.

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

By Mr. BANNING: The petition of Elizabeth Winter, widow of Jacob Winter, late a private in Company E, Twenty-eighth Ohio Volunteer Infantry, for a pension, to the Committee on Invalid Pensions.

By Mr. CANDLER: The petition of Larkin H. Davis, of Georgia, for a rehearing of his claim, rejected by the southern claims commission, to the Committee on War Claims.

By Mr. ELLIS: Papers relating to the claim of Mrs. May Barlow, of Louisiana, for property destroyed during the late war at Alexandria, Louisiana, to the same committee.

Also, papers relating to the claim of Michael Rourke, for compensation for losses sustained by him owing to the seizure of his distillery, rectifying establishment, and liquor store at New Orleans, Louisiana, by United States revenue officers, to the Committee of Claims.

By Mr. HOAR: The petition of Stephen Davis, of Oxford, Massachusetts, who was drafted in the war of 1812, and furnished a substitute who has since died, for the same pension as other soldiers or persons draw who rendered service during said war, and that he may draw all pay which his substitute might have drawn to the present time the same as if he had served in person, to the Committee on Revolutionary Pensions.

By Mr. HOPKINS: The petition of W. L. Foulk, late captain in the Tenth Cavalry, United States Army, to be restored to his former rank and command, to the Committee on Military Affairs.

By Mr. KETCHAM: Memorial of the board of trade of Scranton, Pennsylvania, urging the passage of House bill No. 3266, fixing the rates of postage on certain mail matter, and for other purposes, to the Committee on the Post-Office and Post Roads.

By Mr. LE MOYNE: Resolutions of the National Board of Trade, urging Congress to provide by law the means of continuing the special fast-mail service on all lines where the same is now in operation, and that it be extended where the necessities of the service demand it and it can be adopted at a reasonable cost, to the same committee.

By Mr. SEELYE: Remonstrance of Cherokee Indians against the establishment of a territorial government of the United States over the Indian Territory, to the Committee on Indian Affairs.

By Mr. SOUTHARD: The petition of clerks to the several regular committees of the House of Representatives that they be paid the same compensation per diem for past services as has been paid to the Senate clerks serving on like committees in the Senate of the United States, to the Committee of Accounts.

By Mr. THORNBURGH: The petition of Rehma Brown, widow of Henry Brown, late a private in Company K, Tenth Tennessee Volunteers, for pay, bounty, and commutation of rations due her late husband, to the Committee on Military Affairs.

By Mr. WILSHIRE: The petition of citizens of Hot Springs, Arkansas, for the grant of the right of way over the Hot Springs reservation to the Little Rock and Hot Springs Railroad, to the Committee on Public Lands.

By Mr. YOUNG: The petition of Milton W. Prewett and F. L. Pledge, trustees of the Grand Junction Baptist church, Hardeman County, Tennessee, for compensation for the destruction of said church in 1862 by United States troops, to the Committee on War Claims.

The following petition was presented at the Clerk's desk under the rule, without having indorsed thereon the name of any member of the House, and referred as stated:

The petition of citizens of Rienzi, Mississippi, that H. T. Johnsey, postmaster at said place, be re-imbursed the amount paid by him to the United States for property belonging to the United States mail service carried away and destroyed by a tornado on the 15th of March, 1875, to the Committee of Claims.

IN SENATE.

TUESDAY, *July* 11, 1876.

The Senate met at twelve o'clock m.

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

The Journal of yesterday's proceedings was read.

CORRECTION OF THE JOURNAL.

Mr. EDMUNDS. I rise to the Journal. I think, in regard to a report of the Senator from Ohio, [Mr. THURMAN,] from the Committee on Private Land Claims, the Santillan land grant, the Journal does not show that any action was taken on the report. My recollection is that the report was adopted and the bill was indefinitely postponed, if it was a bill.

Mr. THURMAN. Yes; the bill was postponed indefinitely and the committee were discharged from the further consideration of the petition.

Mr. EDMUNDS. I move the Journal be amended so as to show the fact.

The PRESIDENT *pro tempore*. That correction will be made.

The Journal was approved.

PROPOSED LEGISLATIVE SESSION.

Mr. THURMAN. I rise to request that half an hour be taken for legislative business before we proceed to the trial. There are several bills which ought to be considered to-day—it is very important that they should be—and there are some reports that ought to be made. I do not know whether we must first go into trial before we can postpone it or whether such an order can be made now.

The PRESIDENT *pro tempore*. It will be necessary to go into trial before the motion can be entertained.

Mr. THURMAN. Then I give notice that when we proceed to the trial I shall move that a recess be taken for half an hour.

IMPEACHMENT OF W. W. BELKNAP.

The PRESIDENT *pro tempore*. The hour of twelve o'clock having arrived, the Senate will proceed to the consideration of the articles of impeachment exhibited by the House of Representatives against William W. Belknap.

The Senate then proceeded to the trial of the impeachment of William W. Belknap, late Secretary of War.

The Senate sitting for the trial of the impeachment of William W. Belknap having adjourned then resumed its

LEGISLATIVE SESSION.

The PRESIDENT *pro tempore*. The Senate resumes its legislative business.

Mr. CONKLING. I move that the Senate do now adjourn.

Mr. ALLISON. I ask the Senator to withdraw his motion for a moment.

Mr. CONKLING. For what purpose?

Mr. ALLISON. In order to make a report from a committee.

Mr. CONKLING. I withdraw it for a report from a committee.

Mr. THURMAN. I ask the Senator who made the motion to adjourn to withdraw it in order that I may move that when the Senate adjourn its legislative session it be to meet at eleven o'clock to-morrow.

Mr. CONKLING. What is the special object of that?

Mr. THURMAN. It is necessary for the purpose of disposing of the legislative business of the Senate pressing upon us.

The PRESIDENT *pro tempore*. The Senator from New York moves that the Senate do now adjourn, the Chair understands.

Mr. CONKLING. I do. I do not want to meet to-morrow at eleven o'clock.

Mr. ALLISON. I ask leave to make a report.

The PRESIDENT *pro tempore*. Does the Senator from New York yield to the Senator from Iowa?

Mr. CONKLING. I do, for the purpose of allowing the Senator to make a report.

REPORTS OF COMMITTEES.

Mr. ALLISON, from the Committee on Appropriations, to whom was referred the bill (H. R. No. 3022) making appropriations for the construction, repair, preservation, and completion of certain public works on rivers and harbors, and for other purposes, reported it with amendments.

Mr. OGLESBY. I ask leave to make a report. I am directed by the Committee on Public Lands, to whom was referred the bill (H. R. No. 2284) to amend section 2324 of the Revised Statutes concerning mineral lands, to ask to be discharged from its further consideration, and that it be referred to the Committee on Mines and Mining. The subject is one entirely under the control of that committee, and has no relation to public lands whatever.

The report was agreed to.

AMENDMENT OF BANKRUPT LAW.

Mr. THURMAN. The Committee on the Judiciary, to whom was referred the amendment of the House of Representatives to the bill (S. No. 332) to amend the act entitled "An act to amend and supplement an act entitled 'An act to establish a uniform system of bankruptcy throughout the United States,' approved March 2, 1867, and for other purposes," approved June 22, 1874, direct me to report it