

# CONGRESSIONAL RECORD.

## PROCEEDINGS AND DEBATES OF THE FORTY-SEVENTH CONGRESS.

### SPECIAL SESSION OF THE SENATE.

#### IN SENATE.

FRIDAY, *March 4, 1881.*

Hon. CHESTER A. ARTHUR, Vice-President of the United States, having taken the oath of office at the close of the last regular session of the Forty-sixth Congress, took the chair.

#### PRAYER.

Rev. J. J. BULLOCK, Chaplain to the Senate, offered the following prayer:

Almighty and ever-living God, the Father of all our mercies and the Supreme Ruler of the Universe, whose power no creature can resist, as Thy dependent creatures and as the subjects of Thy moral government it becomes us to make acknowledgment of Thee in all our ways and to render obedience to all Thy commandments, ever remembering that all our prosperity comes from Thee. We thank Thee, O God, for all Thy great and continued goodness to us as a people, for Thou hast blessed us above all the nations of the earth; Thou hast given us this goodly land as our heritage, a land of light and of liberty and of rich abundance. We pray that we may never forfeit by our ingratitude and disobedience the inestimable blessings of civil and religious liberty bequeathed to us by our fathers and purchased with their blood; but may we long remain a united and godly and prosperous people, ever enjoying Thy favor, which is life, and Thy loving kindness, which is better than life.

And now, our Father, we would offer our sincere and earnest prayers for Thy servants, the President and Vice-President elect of the United States, who are this day to be inaugurated in the highest offices within the gift of this great people. May they be plenteously endowed with wisdom from on high to guide and assist them in the discharge of the high trust that has been committed to them; may they be a blessing and an honor to their country and to the whole world.

We would also pray for the Senators called to meet in executive session to co-operate in carrying on the affairs of this Government. May all that they do redound to Thy glory and the best interests of our common country.

These blessings we ask for Christ our Redeemer's sake. Amen.

#### PROCLAMATION.

The VICE-PRESIDENT. The Secretary will read the proclamation of the President convening the extraordinary session of the Senate.

The Secretary (Mr. JOHN C. BURCH) read as follows:

*By the President of the United States of America.*

#### A PROCLAMATION.

Whereas objects of interest to the United States require that the Senate should be convened at twelve o'clock on the 4th of March next, to receive and act upon such communications as may be made to it on the part of the Executive:

Now, therefore, I, Rutherford B. Hayes, President of the United States, have considered it to be my duty to issue this my proclamation declaring that an extraordinary occasion requires the Senate of the United States to convene for the transaction of business at the Capitol, in the city of Washington, on the 4th day of March next, at twelve o'clock at noon on that day, of which all who shall at that time be entitled to act as members of that body are hereby required to take notice.

Given under my hand and the seal of the United States, at Washington, the 28th day of February, in the year of our Lord 1881, and of the Independence of the United States of America the one hundred and fifth.

R. B. HAYES.

(SEAL.)  
By the President:  
WM. M. EVARTS,  
*Secretary of State.*

#### SWEARING IN OF SENATORS.

The VICE-PRESIDENT. The Senators-elect will now be sworn.

As their names are read by the Secretary they will advance to the chair to take the oath of office prescribed by law.

The Secretary called the names of—  
Thomas F. Bayard, of Delaware.  
Ambrose E. Burnside, of Rhode Island.  
Omar D. Conger, of Michigan.  
Henry L. Dawes, of Massachusetts.  
George F. Edmunds, of Vermont.  
James G. Fair, of Nevada.  
Arthur P. Gorman, of Maryland.

As their names were called the respective Senators-elect, with the exception of Mr. EDMUNDS, of Vermont, who was absent, came forward, and the oaths prescribed by the acts of June 1, 1789, and July 2, 1862, were administered to them.

The Secretary called the names of—  
Johnson N. Camden, of West Virginia.  
Francis M. Cockrell, of Missouri.  
James Z. George, of Mississippi.  
Howell E. Jackson, of Tennessee.  
Charles W. Jones, of Florida.  
William Mahone, of Virginia.  
Sam. Bell Maxey, of Texas.

As their names were called the respective Senators-elect, with the exception of Mr. MAHONE, of Virginia, who was absent, came forward, and the oath prescribed by the act of July 11, 1868, was administered to them.

The Secretary called the names of—  
Eugene Hale, of Maine.  
Benjamin Harrison, of Indiana.  
Samuel J. R. McMillan, of Minnesota.  
John F. Miller, of California.  
John I. Mitchell, of Pennsylvania.  
Thomas C. Platt, of New York.  
Philetus Sawyer, of Wisconsin.  
William J. Sewell, of New Jersey.  
John Sherman, of Ohio.

Charles H. Van Wyck, of Nebraska.

As their names were called the respective Senators-elect came forward, and the oaths prescribed by the acts of June 1, 1789, and July 2, 1862, were administered to them.

The Senators-elect having been sworn and taken their seats in the Senate, the following Senators were present:

From the State of—

*Alabama*—John T. Morgan and James L. Pugh.  
*Arkansas*—Augustus H. Garland and James D. Walker.  
*California*—James T. Farley and John F. Miller.  
*Colorado*—Nathaniel P. Hill and Henry M. Teller.  
*Connecticut*—Joseph R. Hawley and Orville H. Platt.  
*Delaware*—Thomas F. Bayard and Eli Saulsbury.  
*Florida*—Wilkinson Call and Charles W. Jones.  
*Georgia*—Joseph E. Brown and Benjamin H. Hill.  
*Illinois*—David Davis and John A. Logan.  
*Indiana*—Benjamin Harrison and Daniel W. Voorhees.  
*Iowa*—Samuel J. Kirkwood.  
*Kansas*—John J. Ingalls and Preston B. Plumb.  
*Kentucky*—James B. Beck and John S. Williams.  
*Louisiana*—Benjamin F. Jonas and William Pitt Kellogg.  
*Maine*—James G. Blaine and Eugene Hale.  
*Maryland*—Arthur P. Gorman and James B. Groome.  
*Massachusetts*—Henry L. Dawes and George F. Hoar.  
*Michigan*—Omar D. Conger and Thomas W. Ferry.

*Minnesota*—Samuel J. R. McMillan and William Windom.  
*Mississippi*—James Z. George and Lucius Q. C. Lamar.  
*Missouri*—Francis M. Cockrell and George G. Vest.  
*Nebraska*—Alvin Saunders and Charles H. Van Wyck.  
*Nevada*—James G. Fair and John P. Jones.  
*New Hampshire*—Henry W. Blair and Edward H. Rollins.  
*New Jersey*—John R. McPherson and William J. Sewell.  
*New York*—Roscoe Conkling and Thomas C. Platt.  
*North Carolina*—Matt. W. Ransom and Zebulon B. Vance.  
*Ohio*—George H. Pendleton and John Sherman.  
*Oregon*—La Fayette Grover and James H. Slater.  
*Pennsylvania*—James Donald Cameron and John I. Mitchell.  
*Rhode Island*—Henry B. Anthony and Ambrose E. Burnside.  
*South Carolina*—M. C. Butler and Wade Hampton.  
*Tennessee*—Isham G. Harris and Howell E. Jackson.  
*Texas*—Richard Coke and Sam. Bell Maxey.  
*Vermont*—Justin S. Morrill.  
*Virginia*—John W. Johnston.  
*West Virginia*—Johnson N. Camden and Henry G. Davis.  
*Wisconsin*—Philetus Sawyer.

Mr. GARLAND. Mr. President, I am requested to state that the Hon. WILLIAM B. ALLISON, of Iowa, is confined to his room by indisposition.

#### INAUGURATION CEREMONIES.

The persons entitled to admission on the floor of the Senate Chamber having been admitted to the places reserved for them, the President, Hon. JAMES A. GARFIELD, of Ohio, entered the Senate Chamber, accompanied by the late President, Hon. RUTHERFORD B. HAYES, and Mr. PENDLETON, Mr. BAYARD, and Mr. ANTHONY, members of the committee of arrangements, and was escorted to a seat in front of the Secretary's desk, and the late President and the members of the committee were seated on his right and left.

The VICE-PRESIDENT. The Sergeant-at-Arms will now execute the order of the Senate relative to the inaugural ceremonies of the President of the United States.

Those in the Senate Chamber proceeded to the platform on the central portico of the Capitol in the following order:

The marshal of the District of Columbia and the marshal of the Supreme Court.

Ex-Presidents and ex-Vice-Presidents.  
 The Supreme Court.  
 The Sergeant-at-Arms of the Senate.  
 The Committee of Arrangements.  
 The President and the President-elect.  
 The Vice-President and the Secretary of the Senate.  
 Members of the Senate.  
 The Diplomatic Corps.  
 Heads of Departments.  
 Members of the House of Representatives and Members-elect, governors and ex-governors of States, officers of the Senate and officers of the House of Representatives.  
 All other persons who have been admitted to the floor of the Senate Chamber.

The President-elect delivered the following

#### INAUGURAL ADDRESS.

FELLOW-CITIZENS: We stand to-day upon an eminence which overlooks a hundred years of national life—a century crowded with perils, but crowned with the triumphs of liberty and law. Before continuing the onward march, let us pause on this height, for a moment, to strengthen our faith and to renew our hope by a glance at the pathway along which our people have traveled.

It is now three days more than a hundred years since the adoption of the first written Constitution of the United States—the articles of confederation and perpetual union. The new Republic was then beset with dangers on every hand. It had not conquered a place in the family of nations. The decisive battle of the war for independence, whose centennial anniversary will soon be gratefully celebrated at Yorktown, had not yet been fought. The colonists were struggling not only against the armies of a great nation, but against the settled opinions of mankind; for the world did not then believe that the supreme authority of government could be safely intrusted to the guardianship of the people themselves.

We cannot overestimate the fervent love of liberty, the intelligent courage, and the saving common sense with which our fathers made the great experiment of self-government. When they found, after a short trial, that the confederacy of States was too weak to meet the necessities of a vigorous and expanding Republic, they boldly set it aside, and in its stead established a national Union, founded directly upon the will of the people, and endowed with full power of self-preservation and with ample authority for the accomplishment of its great objects.

Under this Constitution, the boundaries of freedom have been enlarged; the foundations of order and peace have been strengthened; and the growth of our people, in all the better elements of national life, has vindicated the wisdom of the founders and given new hope to their descendants. Under this Constitution, our people, long ago, made themselves safe against danger from without, and secured for their mariners and flag equality of rights on all the seas. Under this Constitution, twenty-five States have been added to the Union, with con-

stitutions and laws, framed and enforced by their own citizens, to secure the manifold blessings of local self-government.

The jurisdiction of this Constitution now covers an area fifty times greater than that of the original thirteen States, and a population twenty times greater than that of 1780.

The supreme trial of the Constitution came, at last, under the tremendous pressure of civil war. We ourselves are witnesses that the Union emerged from the blood and fire of that conflict purified and made stronger for all the beneficent purposes of good government.

And now, at the close of this first century of growth, with the inspirations of its history in their hearts, our people have lately reviewed the condition of the nation, passed judgment upon the conduct and opinions of political parties, and registered their will concerning the future administration of the Government. To interpret and to execute that will, in accordance with the Constitution, is the paramount duty of the Executive.

Even from this brief review it is manifest that the nation is resolutely facing to the front, resolved to employ its best energies in developing the great possibilities of the future. Sacredly preserving whatever has been gained to liberty and good government during the century, our people are determined to leave behind them all those bitter controversies concerning things which have been irrevocably settled, and the further discussion of which can only stir up strife and delay the onward march.

The supremacy of the nation and its laws, should be no longer a subject of debate. That discussion which, for half a century, threatened the existence of the Union, was closed at last, in the high court of war, by a decree from which there is no appeal, that the Constitution and the laws made in pursuance thereof are and shall continue to be the supreme law of the land, binding alike upon the States and upon the people. This decree does not disturb the autonomy of the States nor interfere with any of their necessary rights of local self-government; but it does fix and establish the permanent supremacy of the Union.

The will of the nation, speaking with the voice of battle and through the amended Constitution, has fulfilled the great promise of 1776 by proclaiming "liberty throughout the land to all the inhabitants thereof."

The elevation of the negro race from slavery to the full rights of citizenship, is the most important political change we have known since the adoption of the Constitution of 1787. No thoughtful man can fail to appreciate its beneficent effects upon our institutions and people. It has freed us from the perpetual danger of war and dissolution. It has added immensely to the moral and industrial forces of our people. It has liberated the master, as well as the slave, from a relation which wronged and enfeebled both. It has surrendered to their own guardianship the manhood of more than five million of people, and has opened to each one of them a career of freedom and usefulness. It has given new inspiration to the power of self-help in both races, by making labor more honorable to the one and more necessary to the other. The influence of this force will grow greater and bear richer fruit with the coming years.

No doubt this great change has caused serious disturbance to our southern communities. This is to be deplored; though it was perhaps unavoidable. But those who resisted the change should remember that, under our institutions, there was no middle ground for the negro race between slavery and equal citizenship. There can be no permanent, disfranchised peasantry in the United States. Freedom can never yield its fullness of blessings so long as the law, or its administration, places the smallest obstacle in the pathway of any virtuous citizen.

The emancipated race has already made remarkable progress. With unquestioning devotion to the Union, with a patience and gentleness not born of fear, they have "followed the light as God gave them to see the light." They are rapidly laying the material foundations of self-support, widening their circle of intelligence, and beginning to enjoy the blessings that gather around the homes of the industrious poor. They deserve the generous encouragement of all good men. So far as my authority lawfully extends, they shall enjoy the full and equal protection of the Constitution and the laws.

The free enjoyment of equal suffrage is still in question; and a frank statement of the issue may aid its solution. It is alleged that, in many communities, negro citizens are practically denied the freedom of the ballot. In so far as the truth of this allegation is admitted, it is answered that, in many places, honest local government is impossible if the mass of uneducated negroes are allowed to vote. These are grave allegations. So far as the latter is true, it is the only palliation that can be offered for opposing the freedom of the ballot. Bad local government is certainly a great evil, which ought to be prevented; but to violate the freedom and sanctity of the suffrage is more than an evil—it is a crime which, if persisted in, will destroy the Government itself. Suicide is not a remedy. If in other lands it be high treason to compass the death of the king, it should be counted no less a crime here to strangle our sovereign power and stifle its voice.

It has been said that unsettled questions have no pity for the repose of nations. It should be said, with the utmost emphasis, that this question of the suffrage will never give repose or safety to the State or to the nation until each, within its own jurisdiction, makes and keeps the ballot free and pure by the strong sanctions of the law.

But the danger which arises from ignorance in the voter, cannot be denied. It covers a field far wider than that of negro suffrage and the present condition of the race. It is a danger that lurks and hides in the sources and fountains of power in every State. We have no standard by which to measure the disaster that may be brought upon us by ignorance and vice in the citizen when joined to corruption and fraud in the suffrage.

The voters of the Union, who make and unmake constitutions, and upon whose will hang the destinies of our governments, can transmit their supreme authority to no successors save the coming generation of voters, who are the sole heirs of sovereign power. If that generation comes to its inheritance blinded by ignorance and corrupted by vice, the fall of the Republic will be certain and remediless.

The census has already sounded the alarm, in the appalling figures which mark how dangerously high the tide of illiteracy has risen among our voters and their children. To the South this question is of supreme importance. But the responsibility for the existence of slavery did not rest upon the South alone. The nation itself is responsible for the extension of the suffrage, and is under special obligations to aid in removing the illiteracy which it has added to the voting population. For the North and South alike, there is but one remedy. All the constitutional power of the nation and of the States and all the volunteer forces of the people should be summoned to meet this danger, by the saving influence of universal education.

It is the high privilege and sacred duty of those now living to educate their successors and fit them, by intelligence and virtue, for the inheritance which awaits them.

In this beneficent work, sections and races should be forgotten, and partisanship should be unknown. Let our people find a new meaning in the divine oracle which declares that "A little child shall lead them;" for our own little children will soon control the destinies of the Republic.

My countrymen, we do not now differ in our judgment concerning the controversies of past generations; and fifty years hence our children will not be divided in their opinions concerning our controversies. They will surely bless their fathers and their fathers' God, that the Union was preserved, that slavery was overthrown, and that both races were made equal before the law. We may hasten or we may retard, but we cannot prevent the final reconciliation. Is it not possible for us, now, to make a truce with time, by anticipating and accepting its inevitable verdict?

Enterprises of the highest importance to our moral and material well-being, invite us and offer ample employment for our best powers. Let all our people, leaving behind them the battle-fields of dead issues, move forward, and in the strength of liberty and the restored Union, win the grander victories of peace.

The prosperity which now prevails is without a parallel in our history. Fruitful seasons have done much to secure it; but they have not done all. The preservation of the public credit and the resumption of specie payments, so successfully attained by the administration of my predecessors, have enabled our people to secure the blessings which the seasons brought.

By the experience of commercial nations, in all ages, it has been found that gold and silver afford the only safe foundation for a monetary system. Confusion has recently been created by variations in the relative value of the two metals. But I confidently believe that arrangements can be made between the leading commercial nations which will secure the general use of both metals. Congress should provide that the compulsory coinage of silver now required by law may not disturb our monetary system, and that neither metal shall be driven out of circulation. If possible, such an adjustment should be made that the purchasing power of every coined dollar shall be exactly equal to its debt-paying power in all the markets of the world.

The chief duty of the National Government, in connection with the currency of the country, is to coin money and to declare its value. Grave doubts have been entertained whether Congress is authorized by the Constitution to make any form of paper money a legal tender. The present issue of United States notes has been sustained by the necessities of war; but such paper should depend for its value and currency upon its convenience in use and its prompt redemption in coin at the will of the holder, and not upon its compulsory circulation. These notes are not money, but promises to pay money. If the holders demand it, the promise should be kept.

The refunding of the national debt, at a lower rate of interest, should be accomplished without compelling the withdrawal of the national-bank notes, and thus disturbing the business of the country.

I venture to refer to the position I have occupied on financial questions, during a long service in Congress, and to say that time and experience have strengthened the opinions I have so often expressed on these subjects.

The finances of the Government shall suffer no detriment which it may be possible for my administration to prevent.

The interests of agriculture deserve more attention from the Government than they have yet received. The farms of the United States afford homes and employment for more than one-half our people, and furnish much the largest part of all our exports. As the Government lights our coasts for the protection of mariners and for the benefit of commerce, so it should give to the tillers of the soil the best lights of practical science and experience.

Our manufactures are rapidly making us industrially independent, and are opening to capital and labor new and profitable fields of employment. Their steady and healthy growth should still be maintained. Our facilities for transportation should be promoted by the continued improvement of our harbors and great interior water-ways and by the increase of our tonnage on the ocean.

The development of the world's commerce has led to an urgent demand for shortening the great sea voyage around Cape Horn by constructing ship-canals or railways across the Isthmus which unites the continents. Various plans to this end have been suggested and will need consideration; but none of them has been sufficiently matured to warrant the United States in extending pecuniary aid. The subject, however, is one which will immediately engage the attention of the Government with a view to a thorough protection of American interests. We shall urge no narrow policy, nor seek peculiar or exclusive privileges in any commercial route; but in the language of my predecessor, I believe it to be "the right and duty of the United States to assert and maintain such supervision and authority over any interoceanic canal across the isthmus that connects North and South America as will protect our national interests."

The Constitution guarantees absolute religious freedom. Congress is prohibited from making any law respecting an establishment of religion, or prohibiting the free exercise thereof. The Territories of the United States are subject to the direct legislative authority of Congress; and hence the General Government is responsible for the violation of the Constitution in any of them. It is, therefore, a reproach to the Government that, in the most populous of the Territories, the constitutional guarantee is not enjoyed by the people and the authority of Congress is set at naught. The Mormon Church not only offends the moral sense of mankind by sanctioning polygamy, but prevents the administration of justice through the ordinary instrumentalities of law.

In my judgment, it is the duty of Congress, while respecting to the uttermost the conscientious convictions and religious scruples of every citizen, to prohibit within its jurisdiction all criminal practices, especially of that class which destroy the family relations and endanger social order. Nor can any ecclesiastical organization be safely permitted to usurp, in the smallest degree, the functions and powers of the National Government.

The civil service can never be placed on a satisfactory basis until it is regulated by law. For the good of the service itself, for the protection of those, who are intrusted with the appointing power, against the waste of time and obstruction to the public business caused by the inordinate pressure for place, and for the protection of incumbents against intrigue and wrong, I shall, at the proper time, ask Congress to fix the tenure of the minor offices of the several Executive Departments, and to prescribe the grounds upon which removals shall be made during the terms for which incumbents have been appointed.

Finally, acting always within the authority and limitations of the Constitution, invading neither the rights of the States nor the reserved rights of the people, it shall be the purpose of my administration to maintain the authority of the nation in all places within its jurisdiction; to enforce obedience to all the laws of the Union in the interests of all the people; to demand rigid economy in all the expenditures of the Government; and to require the honest and faithful service of all executive officers, remembering that the offices were created not for the benefit of incumbents or their supporters, but for the service of the Government.

And now, fellow-citizens, I am about to assume the great trust which you have committed to my hands. I appeal to you for that earnest and thoughtful support which makes this Government in fact, as it is in law, a government of the people.

I shall greatly rely upon the wisdom and patriotism of Congress and of those who may share with me the responsibilities and duties of administration. And, above all, upon our efforts to promote the welfare of this great people and their Government, I reverently invoke the support and blessings of Almighty God.

The oath of office was then administered to the President by the Chief-Justice of the United States.

The Senate returned to their Chamber, and the Vice-President took the chair at twenty-five minutes past one o'clock p. m.

#### NOTIFICATION TO THE PRESIDENT.

Mr. PENDLETON. Mr. President, I offer the following resolution:

*Resolved*, That a committee of three members be appointed by the Vice-President to wait upon the President of the United States and inform him that a quorum of the Senate has assembled, and that the Senate is ready to receive any communication he may be pleased to make.

Mr. CONKLING. I wish to ask the Senator from Ohio whether this implies that we are to wait until we receive a return from this message? If so, I should be opposed to it. For one, I want to adjourn and adjourn till Monday to the end that we may have some sleep, some recess from the weariness of which we have had so much. If this is only to send a committee, I will not object; and after the resolution is acted on, if I can get the floor, I will move an adjournment until Monday.

The VICE-PRESIDENT. The question is on the resolution of the Senator from Ohio.

The resolution was agreed to.

The VICE-PRESIDENT appointed Mr. PENDLETON, Mr. DAVIS of Illinois, and Mr. TELLER as the committee.

ADJOURNMENT AND HOUR OF MEETING.

Mr. CONKLING. I move that the Senate do now adjourn until Monday next at twelve o'clock.

Mr. HOAR. Is not that an unusual motion, to adjourn two days after having ordered such a communication to the President as has just been authorized?

Mr. CONKLING. One of the days is Sunday.

Mr. HOAR. While it might be proper while the committee are gone to adjourn till to-morrow, yet the President may have a communication to make to us to-morrow that will require us to be here. I hope the adjournment will be until Saturday.

Mr. PENDLETON. I feel very certain that it will be more agreeable to the Executive that the Senate shall adjourn until to-morrow and not until Monday. I have no desire to move a substitute for the proposition of the Senator from New York, but I have reason to know that it will be agreeable to the Executive that there should be a session to-morrow.

Mr. CONKLING. Had the Senator from Ohio made that statement to me before he offered his resolution and had it acted upon I think I would have ventured to object to its consideration. I made an inquiry of him intending to elicit exactly that which he has now stated. I think that had the Senator understood the whole scope of my question he would have answered it. After what he has said I shall certainly not interpose any rest which I need or anybody else may need against what the Senator understands to be the convenience of the President. Therefore I change my motion and move that the Senate now adjourn and then it will meet to-morrow.

Mr. PENDLETON. I suggest that we had better fix the hour of meeting regularly at twelve o'clock, by resolution.

Mr. CONKLING. Then to satisfy all Senators, first I move that the hour of meeting of the Senate, until otherwise ordered, be twelve o'clock noon.

The VICE-PRESIDENT. The Senator from New York offers the following order:

*Ordered*, That the daily hour of meeting of the Senate, until otherwise ordered, be twelve o'clock meridian.

The order was agreed to.

Mr. CONKLING. Now I move that the Senate adjourn.

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

SATURDAY, March 5, 1881.

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

PETITIONS AND MEMORIALS.

The VICE-PRESIDENT. The Chair has certain petitions which have been placed in his hands to present to the Senate. They are petitions praying for special legislation. The Chair is of the opinion that such petitions cannot be received at an extraordinary session of the Senate. He finds that there are precedents to the effect that such petitions should be received and laid upon the table.

Mr. HARRIS. I suggest that the petitions be laid upon the table until such time as the Senate shall meet in legislative session.

The VICE-PRESIDENT. The last decision to which the Chair refers is to this effect:

It is not in order to present petitions or memorials praying for special legislation at a session of the Senate specially called by the President, in the recess of Congress, and which the Senate could not, without the co-operation of the House of Representatives, mature. (Special or called session of Senate, March 13, 1873.)

Under this decision it would not be in order for the Chair to present the petitions. The Chair being in doubt asks the Senate what order they choose to take, and he will take the sense of the Senate on the question.

Mr. HILL, of Georgia. My recollection is that this very question came up four years ago, and I think it was held by the Senate that the reception of petitions is always in order. They were received, and I think laid on the table. That is my recollection, and I think the Journal will show some such action as that.

Mr. COCKRELL. I move that the petitions which the Vice-President has received be retained in the hands of the Vice-President, to be presented at the beginning of the legislative session.

Mr. CONKLING. I suggest to my honorable friend from Missouri to make that as a suggestion, not as a formal motion.

Mr. COCKRELL. I make it as a suggestion, then, that they be retained by the Vice-President to be presented when the Senate meets in legislative session.

Mr. CONKLING. Nobody, I imagine, objects to that.

The VICE-PRESIDENT. If there be no objection the petitions will be so retained.

WINFIELD SCOTT HANCOCK.

Mr. HOAR. I ask unanimous consent for the present consideration

of a resolution which I send to the desk, which I am sure it will give every member of the Senate pleasure to support.

The resolution was read, as follows:

*Resolved*, That Winfield Scott Hancock be entitled to the privileges of the floor of the Senate during his stay in Washington.

The resolution was considered by unanimous consent, and agreed to.

ELECTION OF PRESIDENT.

Mr. BLAINE. I gave notice some weeks ago in the Senate that at the spring session I would offer a resolution upon a subject then under discussion; and I now offer the following:

*Resolved*, That a special committee of five Senators be appointed by the Chair to take into consideration the mode of voting for President and Vice-President of the United States, and the mode of counting and certifying the same, and to report such propositions for change in the laws or Constitution as may seem to them expedient. That said committee have power to sit during the recess of Congress, and that they be directed to report on or before the second Wednesday of January, 1882.

The VICE-PRESIDENT. Is there objection to considering the resolution at this time?

Mr. DAVIS, of West Virginia. I suggest to my friend from Maine that he allow the resolution to lie on the table and be printed. That would be the better course, I think.

Mr. BLAINE. I have no objection to that course if there is objection to considering the resolution now.

The VICE-PRESIDENT. The resolution will lie on the table and be printed.

NOTIFICATION TO THE PRESIDENT.

Mr. PENDLETON. The committee which was appointed yesterday to wait upon the President of the United States and inform him that a quorum of this body had convened and was ready to receive any communication which he might desire to make, have performed that duty, and the President notified them that he would communicate to the Senate to-day at three o'clock. I move that the Senate take a recess until three o'clock.

WITHDRAWAL OF DUPLICATE CREDENTIALS.

Mr. FERRY. If the Senator will allow me, before he submits his motion, I desire to offer a resolution.

Mr. PENDLETON. Certainly.

Mr. FERRY. I ask for the following:

*Ordered*, That the duplicate credentials of Hon. OMAR D. CONGER be withdrawn from the files of the Senate.

Mr. DAVIS, of West Virginia. I should like to ask the object of the order.

Mr. FERRY. The original is on file, and the duplicate is not necessary, and the order is simply to withdraw it. Certainly there can be no objection, as the original is on file. I will say to the Senator that it may be a gratification to my colleague to obtain the duplicate, and, the original being on file, I trust the Senator from West Virginia will not object to this order.

Mr. DAVIS, of West Virginia. Do I understand that there are two sets on file?

Mr. FERRY. Two sets are on file, the original and the duplicate. I simply ask to withdraw the duplicate, leaving the original. Certainly there can be no objection to that.

Mr. DAVIS, of West Virginia. There is no objection to that.

The VICE-PRESIDENT. If there be no objection the order will be agreed to. It is agreed to.

RECESS.

Mr. PENDLETON. I now renew my motion to take a recess until three o'clock.

The motion was agreed to; and (at twelve o'clock and twenty minutes p. m.) the Senate took a recess until three o'clock.

At three o'clock the Vice-President entered the Senate Chamber, and was greeted with applause by the galleries, as had been Mr. BLAINE on his entrance a few moments before.

The VICE-PRESIDENT. The Senate will come to order.

Mr. ANTHONY. Mr. President, I presume that the galleries are filled with strangers, who are unacquainted with the rules and orders of the Senate. They should be made to understand that any manifestation of approbation or disapprobation is an insult to the body, and will lead immediately to the galleries being cleared.

The VICE-PRESIDENT. The Sergeant-at-Arms will see that order is maintained in the galleries.

EXECUTIVE BUSINESS.

Mr. O. L. PRUDEN, one of the secretaries of the President of the United States, appeared below the bar of the Senate and said:

Mr. President, I am directed by the President of the United States to deliver to the Senate a message in writing.

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

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