

Mr. SHERMAN. If the Senator will give way to-morrow in order to pass the bill of which I gave notice this morning, very well.

Mr. HAMLIN. My motion has precedence, I believe.

The PRESIDENT *pro tempore*. The Senator from Maine moves that the Senate proceed to the consideration of executive business.

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

## HOUSE OF REPRESENTATIVES.

MONDAY, January 17, 1876.

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

The Journal of Friday last was read and approved.

### ORDER OF BUSINESS.

The SPEAKER. This being Monday, the first business in order during the morning hour is the calling 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 into the House by motions to reconsider. Under this call memorials and resolutions of State and territorial Legislatures may be presented for printing and reference. The morning hour now begins, at fifteen minutes after twelve o'clock.

### HONORS TO NAVAL OFFICERS.

Mr. HALE introduced a joint resolution (H. R. No. 35) authorizing Captain William G. Temple and Lieutenant-Commander William H. Whiting, of the United States Navy, to accept decorations from the King of the Hawaiian Islands; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

### HENRY B. BROWN.

Mr. BELL introduced a bill (H. R. No. 1058) for the relief of Henry B. Brown; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

### WARREN F. WOOD.

Mr. JOYCE introduced a bill (H. R. No. 1059) granting a pension to Warren F. Wood, late a private in Company E, Eleventh Vermont Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and, with the accompanying papers, ordered to be printed.

### DUTIES UPON MEDICINES, ETC.

Mr. JOYCE also introduced a bill (H. R. No. 1060) to repeal all stamp duties upon medicines and proprietary articles required under section 3437, Schedule A, Revised Statutes of the United States; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

### IMPROVEMENT OF VERGENNES BASIN AND OTTER CREEK.

Mr. JOYCE also introduced a bill (H. R. No. 1061) making appropriations for improvements in Vergennes Basin and Otter Creek, in the State of Vermont; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

### LIQUOR AT THE CENTENNIAL.

Mr. JOYCE also introduced a bill (H. R. No. 1062) to prevent the traffic in spirituous and intoxicating liquors in the centennial buildings and grounds during the exhibition; which was read a first and second time, referred to the Select Committee on the Centennial, and ordered to be printed.

### REMOVAL OF POLITICAL DISABILITIES.

Mr. BANKS introduced a bill (H. R. No. 1063) to remove the disabilities imposed by the third section of the fourteenth article of amendments to the Constitution of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

### ROLLIN WHITE.

Mr. TARBOX introduced a bill (H. R. No. 1064) for the relief of Rollin White; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

### OATH OF MEMBERS OF CONGRESS.

Mr. STARKWEATHER introduced a bill (H. R. No. 1065) to prescribe and establish a form of oath or affirmation to be taken and subscribed by members of Congress before entering upon the duties of their office; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

### NORWICH AND NEW YORK TRANSPORTATION COMPANY.

Mr. STARKWEATHER also introduced a bill (H. R. No. 1066) for the relief of the Norwich and New York Transportation Company; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

### RALPH KING.

Mr. CHITTENDEN introduced a bill (H. R. No. 1067) for the relief of Ralph King; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

### W. M. VAN BENSCHOTEN.

Mr. WHITEHOUSE introduced a bill (H. R. No. 1068) to re-imburse William M. Van Benschoten, postmaster at Boston Corners, Columbia County, New York, for postage-stamps stolen from the office the 15th of August, 1874; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

### ENTRY OF GOODS.

Mr. WOOD, of New York, introduced a bill (H. R. No. 1069) to provide for the entry of single packages from a bill of lading, and for other purposes; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

### INTERNAL IMPROVEMENTS IN NEW YORK.

Mr. WOOD, of New York, also presented joint resolutions of the State of New York, asking appropriations for certain improvements; which were referred to the Committee on Commerce, and ordered to be printed.

### ROBERT L. MAY.

Mr. WALKER, of New York, introduced a bill (H. R. No. 1070) for the relief of Robert L. May, late of the United States Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

### JAMES B. SINCLAIR.

Mr. ODELL introduced a bill (H. R. No. 1071) for the relief of Lieutenant James B. Sinclair, of the United States Army; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

### JURISDICTION OF UNITED STATES CIRCUIT COURTS.

Mr. COX introduced a bill (H. R. No. 1072) relating to the jurisdiction of circuit courts of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

### GUSTAVUS A. SCROGGS.

Mr. BASS introduced a bill (H. R. No. 1073) for the relief of Gustavus A. Scroggs, late provost-marshal of the thirtieth district of New York; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

### SACKETT'S HARBOR, NEW YORK.

Mr. G. A. BAGLEY introduced a bill (H. R. No. 1074) providing for the repair and preservation of the public property at Sackett's Harbor, State of New York; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

### JOHN AMMAHAIE OR AMMAHE.

Mr. MACDOUGALL introduced a bill (H. R. No. 1075) directing the Second Auditor to settle the pay and bounty of John Ammahaie or Ammahe; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

### O. B. & O. S. LATHAM.

Mr. MACDOUGALL also introduced a bill (H. R. No. 1076) for the relief of Obadiah B. Latham and Oliver S. Latham, of Seneca Falls, New York; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

### WILLIAM A. MANN.

Mr. TOWNSEND, of New York, introduced a bill (H. R. No. 1077) for the relief of William A. Mann, late acting assistant paymaster in the United States Navy; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

### WIDOW OF DAVID RITCHIE.

Mr. TOWNSEND, of New York, also introduced a bill (H. R. No. 1078) authorizing the Commissioner of Pensions to place upon the pension-rolls the name of the widow of Captain David Ritchie; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

### NAVIGABLE WATERS OF THE UNITED STATES.

Mr. HEWITT, of New York, introduced a bill (H. R. No. 1079) for the protection and preservation of the navigable waters of the United States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

### JOHN ROSECRANTS.

Mr. DAVY introduced a bill (H. R. No. 1080) for the relief of John Rosecrants, of Rochester, New York; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

### PUBLIC BUILDING AT JERSEY CITY.

Mr. HARDENBERGH introduced a bill (H. R. No. 1081) relating to the erection of a public building for a post-office and for other United States offices at Jersey City, New Jersey; which was read a first and second time, referred to the Committee on Public Building and Grounds, and ordered to be printed.

## HENRY M. MEADE.

Mr. HARDENBERGH also introduced a bill (H. R. No. 1082) for the relief of Henry M. Meade, late paymaster United States Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

## SUPPORT OF FREE SCHOOLS.

Mr. CUTLER introduced a bill (H. R. No. 1083) applying the proceeds of the public lands to the support of free schools; which was read a first and second time, referred to the Committee on Education and Labor, and ordered to be printed.

## EDWARD W. POWER.

Mr. RANDALL introduced a bill (H. R. No. 1084) granting a pension to Edward W. Power, late a captain in the Buena Vista Rangers, First Regiment Washington Guards, Pennsylvania Militia; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

## JAMES ARMOR.

Mr. ROSS, of Pennsylvania, introduced a bill (H. R. No. 1085) granting a pension to James Armor, a soldier of the war of 1812; which was read a first and second time, referred to the Committee on Revolutionary Pensions and War of 1812, and ordered to be printed.

## GEORGE SMITH.

Mr. ROSS, of Pennsylvania, also introduced a bill (H. R. No. 1086) granting a pension to George Smith, a soldier of the war of 1812; which was read a first and second time, referred to the Committee on Revolutionary Pensions and War of 1812, and ordered to be printed.

## WILLIAM COLE.

Mr. ROSS, of Pennsylvania, also introduced a bill (H. R. No. 1087) granting a pension to William Cole, a soldier of the war of 1812; which was read a first and second time, referred to the Committee on Revolutionary Pensions and War of 1812, and ordered to be printed.

## ROBERT A. M'MURRAY.

Mr. ROSS, of Pennsylvania, also introduced a bill (H. R. No. 1088) for the relief of Robert A. McMurray, of Pennsylvania; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

## THOMAS I. FOX.

Mr. MACKEY, of Pennsylvania, introduced a bill (H. R. No. 1089) granting a pension to Thomas I. Fox, late a private Company C, Sixty-second Regiment Pennsylvania Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

## CLOTHING FOR ENLISTED MEN AND BOYS OF NAVY.

Mr. O'NEILL introduced a bill (H. R. No. 1090) to provide for an outfit and yearly allowance of clothing to enlisted men and boys of the Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

## MEDICAL AND PAY DIRECTORS OF NAVY.

Mr. O'NEILL also introduced a bill (H. R. No. 1091) to amend section 1588 of the Revised Statutes of the United States relative to pay of medical and pay directors; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

## MARIA V. BROWN.

Mr. O'NEILL also introduced a bill (H. R. No. 1092) for the relief of Maria V. Brown, assignee of J. F. Brown; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

## DAVID McCLELLAND AND OTHERS.

Mr. O'NEILL also introduced a bill (H. R. No. 1093) for the relief of David McClelland and others; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

## JAMES MILLINGER.

Mr. O'NEILL also introduced a bill (H. R. No. 1094) for the relief of James Millinger, of New Jersey; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

## BERTRAM LEINS.

Mr. O'NEILL also introduced a bill (H. R. No. 1095) for the relief of Bertram Leins; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

## CENTENNIAL EXPOSITION.

Mr. PACKER presented a joint resolution of the General Assembly of the State of Pennsylvania, in relation to an appropriation of \$1,500,000 for the Centennial Exposition; which was referred to the Select Committee on the Centennial Celebration and the proposed National Census of 1875, and ordered to be printed.

## NATIONAL-BANK CURRENCY.

Mr. TOWNSEND, of Pennsylvania, introduced a bill (H. R. No. 1096) to repeal the act providing for the redistribution of the national-bank currency, and for other purposes; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

## PROCESS IN UNITED STATES COURTS.

Mr. FREEMAN introduced a bill (H. R. No. 1097) to secure service of process in United States courts; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

## CHARLES H. FRANK.

Mr. FREEMAN also introduced a bill (H. R. No. 1098) for the relief of Charles H. Frank; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

## REDUCTION OF SALARIES.

Mr. JENKS introduced a bill (H. R. No. 1099) to reduce the salaries of all executive and legislative officers of the Government; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

## REDEMPTION OF UNUSED STAMPS.

Mr. HOPKINS introduced a bill (H. R. No. 1100) relative to the redemption of unused stamps; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

## WILLIAM HARPER, JR.

Mr. WOOD, of Pennsylvania, introduced a bill (H. R. No. 1101) for the relief of William Harper, Jr.; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

## DORCAS P. WILKINS.

Mr. SHEAKLEY introduced a bill (H. R. No. 1102) granting a pension to Dorcas P. Wilkins; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

## CATHERINE BURNES.

Mr. SMITH, of Pennsylvania, introduced a bill (H. R. No. 1103) granting a pension to Catherine Burnes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

## JACOB LEIBY.

Mr. PACKER introduced a bill (H. R. No. 1104) for the relief of Jacob Leiby, of Dauphin County, Pennsylvania; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

## PUBLIC IMPROVEMENTS IN DISTRICT OF COLUMBIA.

Mr. RANDALL introduced a bill (H. R. No. 1105) directing the discontinuance of work on the streets, avenues, and roads of the District of Columbia, and to prevent the further issue of certificates of the board of audit; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

## PUBLIC BUILDINGS AT BALTIMORE, MARYLAND.

Mr. O'BRIEN introduced a bill (H. R. No. 1106) to provide for the purchase of a site suitable for the erection thereon of a building for the accommodation of the post-office, internal-revenue offices, United States courts and marshal's offices at Baltimore, Maryland; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

## J. W. RILEY.

Mr. O'BRIEN also introduced a bill (H. R. No. 1107) for the relief of J. W. Riley; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

## GEORGE L. RILEY.

Mr. O'BRIEN also introduced a bill (H. R. No. 1108) for the relief of George L. Riley; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

## AMENDMENT OF THE CONSTITUTION.

Mr. O'BRIEN also introduced a joint resolution (H. R. No. 36) proposing an amendment to the Constitution of the United States; which was read a first and second time.

Mr. O'BRIEN. I ask that the resolution be read so it may go into the CONGRESSIONAL RECORD.

The Clerk read as follows:

*Resolved by the Senate and House of Representatives in Congress assembled, That the following be proposed to the several States as an amendment to the Constitution:*

## ARTICLE XVI.

SECTION 1. No State shall make any law respecting an establishment of religion or prohibiting the free exercise thereof; and no minister or preacher of the gospel or of any religious creed or denomination shall hold any office of trust or emolument under the United States or under any State; nor shall any religious test be required as a qualification for any office or public trust in any State, or under the United States.

SEC. 2. No money received by taxation in any State for the support of public schools, or derived from any public fund therefor, nor any public lands devoted thereto shall ever be under the control of any religious sect, nor shall any money so raised nor lands so devoted be divided between religious sects or denominations; nor shall any minister or preacher of the gospel or of any religious creed or denomination hold any office in connection with the public schools in any State, nor be eligible to any position of trust or emolument in connection with any institution, public or private, in any State or under the United States which shall be supported in whole or in part from any public fund.

Mr. O'BRIEN. Is it in order to have entered at this time a motion to reconsider?



The SPEAKER. It is not.

Mr. O'BRIEN. Then I wish to give notice that at the proper time I shall call this resolution up for action.

The SPEAKER. Debate is not in order.

Mr. O'BRIEN. I move that the joint resolution be referred to the Committee on the Judiciary, and ordered to be printed.

The motion was agreed to.

#### SUBURBAN RAILWAY COMPANY.

Mr. HENKLE introduced a bill (H. R. No. 1109) to incorporate the Suburban Railway Company of the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

#### SOUTHERN MARYLAND RAILROAD.

Mr. HENKLE also introduced a bill (H. R. No. 1110) to aid in the construction of the Southern Maryland Railroad, and for other purposes; which was read a first and second time, referred to the Committee on Railways and Canals, and ordered to be printed.

#### JANE E. SLAMM.

Mr. ROBERTS introduced a bill (H. R. No. 1111) granting a pension to Jane E. Slamm, widow of Levi D. Slamm, deceased, late a paymaster in the United States Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

#### JULIUS S. ROHRER.

Mr. ROBERTS also introduced a bill (H. R. No. 1112) for the relief of Julius S. Rohrer, late master in the United States Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

#### FRANCIS O. WYSE.

Mr. ROBERTS also introduced a bill (H. R. No. 1113) for the relief of Francis O. Wyse, late lieutenant-colonel of the Fourth Regiment of United States Artillery; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

#### WAR CLAIMS.

Mr. WALSH introduced a bill (H. R. No. 1114) relating to proof of claims before the Quartermaster-General and Commissary-General; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

#### F. N. FLETCHER.

Mr. HUNTON introduced a bill (H. R. No. 1115) for the relief of F. N. Fletcher; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

#### HEIRS OF GEORGE FISHER.

Mr. HUNTON also introduced a bill (H. R. No. 1116) for the relief of the heirs of George Fisher; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

#### ANN S. MCKINZIE.

Mr. HUNTON also introduced a bill (H. R. No. 1117) for the relief of Ann S. McKinzie; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

#### MRS. JANE DULANEY.

Mr. HUNTON also introduced a bill (H. R. No. 1118) granting a pension to Mrs. Jane Dulaney; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

#### SEWELL B. CORBETT.

Mr. HUNTON also introduced a bill (H. R. No. 1119) for the relief of Sewell B. Corbett, of Virginia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

#### LOTT W. CROCKER.

Mr. HUNTON also introduced a bill (H. R. No. 1120) for the relief of Lott W. Crocker, of Virginia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

#### BRIDGE ACROSS THE POTOMAC.

Mr. HUNTON also introduced a bill (H. R. No. 1121) to authorize the Secretary of War to construct a bridge across the Potomac River at or near the Three Sisters Islands, and appropriating \$140,000 for the purpose; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

#### WASHINGTON AND LEE UNIVERSITY.

Mr. TUCKER introduced a bill (H. R. No. 1122) to compensate the Washington and Lee University for the damage and injury done to the said corporation, then known as the Washington College, by the Army of the United States in June, 1864; which was read a first and second time, referred to the Committee on Education and Labor, and ordered to be printed.

#### SALE OF TOBACCO.

Mr. TERRY introduced a bill (H. R. No. 1123) to authorize producers to sell \$100 worth of leaf-tobacco without requiring a license therefor; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

#### NEW RIVER.

Mr. TERRY also introduced a bill (H. R. No. 1124) for the improvement of New River; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

#### A. F. & N. C. ST. JOHN.

Mr. TERRY also introduced a bill (H. R. No. 1125) for the relief of A. F. & N. C. St. John, of Virginia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

#### IMPROVEMENT OF RIVERS AND HARBORS IN VIRGINIA.

Mr. DOUGLAS introduced a bill (H. R. No. 1126) making appropriations for continuing the improvement of certain rivers and harbors in the first congressional district of Virginia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

#### MATAPONY AND PAMUNKEY RIVERS.

Mr. DOUGLAS also introduced a bill (H. R. No. 1127) making appropriations for the improvement of the Mataponi and Pamunkey Rivers, in the first congressional district of Virginia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

#### SURVEY OF ONANCOCK, VIRGINIA.

Mr. DOUGLAS also introduced a bill (H. R. No. 1128) authorizing the survey of Onancock, Accomac County, Virginia, and providing an appropriation; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

#### IMPROVEMENT OF NEABSCO BAY, VIRGINIA.

Mr. DOUGLAS also introduced a bill (H. R. No. 1129) appropriating money for the improvement of Neabasco Bay, in Virginia; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

#### AMENDMENT OF PENSION LAW.

Mr. CABELL introduced a bill (H. R. No. 1130) to amend an act granting pensions to certain soldiers and sailors of the war of 1812; which was read a first and second time, referred to the Committee on Revolutionary Pensions and War of 1812, and ordered to be printed.

#### EDWARD BOOKER.

Mr. CABELL also introduced a bill (H. R. No. 1131) restoring to the pension-rolls the name of Edward Booker, of the county of Henry, State of Virginia, a soldier of the war of 1812, whose name was dropped from the rolls under the act of February 4, 1862; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

#### SEIZURE OF COTTON AND TOBACCO.

Mr. CABELL also introduced a bill (H. R. No. 1132) to authorize the Secretary of the Treasury to pay to the owners thereof the value of all cotton and tobacco seized under the direction of the Treasury or any other Department of the Government since April, 1865; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

#### PUBLIC BUILDING AT DANVILLE, VIRGINIA.

Mr. CABELL also introduced a bill (H. R. No. 1133) to provide for the erection of a public building in the town of Danville, Virginia; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

#### USE OF LICORICE BY TOBACCO MANUFACTURERS.

Mr. CABELL also introduced a bill (H. R. No. 1134) to authorize the manufacturers of tobacco and snuff to transfer to their factories licorice and other ingredients used in the preparations of tobacco and snuff free of duties; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

#### DEBTS DUE BY UNITED STATES BEFORE THE WAR.

Mr. HARRIS, of Virginia, introduced a joint resolution (H. R. No. 37) repealing joint resolution of March 2, 1867, prohibiting payment of debts due by the United States before the war unless loyalty is proved; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

#### PENSION ACT OF FEBRUARY 14, 1874.

Mr. HARRIS, of Virginia, also introduced a bill (H. R. No. 1135) to so amend the pension act of February 14, 1871, as to allow pensions to the widows of soldiers of the war of 1812 without regard to date of marriage; which was read a first and second time, referred to the Committee on Revolutionary Pensions and War of 1812, and ordered to be printed.

#### THOMAS BURKE.

Mr. HARRIS, of Virginia, also introduced a bill (H. R. No. 1136) for the relief of Thomas Burke, of Virginia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

#### MARIA B. LEMMON.

Mr. STOWELL introduced a bill (H. R. No. 1137) for the relief of Maria B. Lemmon, widow of the late John C. Lemmon, late of the Tenth New York Cavalry Volunteers; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

ond time, referred to the Committee on Military Affairs, and ordered to be printed.

#### LIEUTENANT LEVY JONES.

Mr. VANCE, of North Carolina, introduced a bill (H. R. No. 1138) for the relief of Lieutenant Levy Jones, Company B, Second North Carolina Infantry; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

#### WIDOW OF CHRISTOPHER LEDFONT.

Mr. VANCE, of North Carolina, also introduced a bill (H. R. No. 1139) for the relief of the widow of Christopher Ledfont; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

#### HEIRS OF EPHRAIM J. AMMONS.

Mr. VANCE, of North Carolina, also introduced a bill (H. R. No. 1140) for the relief of the heirs of Ephraim J. Ammons; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

#### HIRAM R. RHEA.

Mr. VANCE, of North Carolina, also introduced a bill (H. R. No. 1141) for the relief of Hiram R. Rhea, Company G, Third North Carolina Mounted Infantry; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

#### NAVIGATION OF THE FRENCH BROAD RIVER, NORTH CAROLINA.

Mr. VANCE, of North Carolina, also introduced a bill (H. R. No. 1142) to open the navigation of the French Broad River, in the State of North Carolina; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

#### SOLDIERS OF THE MEXICAN WAR.

Mr. SCALES introduced a bill (H. R. No. 1143) granting pensions to the soldiers of the Mexican war; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

#### PRESIDENT'S SALARY.

Mr. SCALES also introduced a bill (H. R. No. 1144) to reduce the President's salary from and after the 4th of March, 1877; which was read a first and second time, referred to the Committee on Reform in the Civil Service, and ordered to be printed.

#### INTERNAL-REVENUE LAWS.

Mr. DAVIS introduced a bill (H. R. No. 1145) to repeal sections 19, 20, and 21 of the act to amend the existing customs and internal-revenue laws, and for other purposes, approved February 8, 1875; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

#### CLAIMS OF NORTH CAROLINA.

Mr. SCALES also introduced a bill (H. R. No. 1146) to refund to the State of North Carolina certain moneys therein named; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

#### JAMES KEENAN.

Mr. RAINEY introduced a bill (H. R. No. 1147) for the relief of James Keenan for loss of property; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

#### WALTER PLOWDEN.

Mr. RAINEY also introduced a bill (H. R. No. 1148) for the relief of Walter Plowden; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

#### PUBLIC BUILDINGS AT BEAUFORT, NORTH CAROLINA.

Mr. SMALLS introduced a bill (H. R. No. 1149) making appropriation for the purpose of the necessary buildings for a custom-house, post-office, and other public buildings in Beaufort, North Carolina; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

#### AMENDMENT OF A LAW.

Mr. HARTRIDGE introduced a bill (H. R. No. 1150) to amend section 3, chapter 120 of the Statutes at Large, volume 12; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

#### WILLIAM BATTERSBY.

Mr. HARTRIDGE also introduced a bill (H. R. No. 1151) for the relief of William Battersby; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

#### CHARLES MULKEY.

Mr. COOK introduced a bill (H. R. No. 1152) for the relief of Charles Mulkey, late postmaster at Butler, Georgia; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

#### JAMES A. STEWART.

Mr. CANDLER introduced a bill (H. R. No. 1153) for the relief of James A. Stewart, of Fulton County, Georgia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

#### JEREMIAH A. HOWARD.

Mr. FELTON introduced a bill (H. R. No. 1154) for the relief of Jeremiah A. Howard, of Bartow County, Georgia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

#### MRS. SUE BRADLEY JOHNSON.

Mr. CALDWELL, of Alabama, introduced a bill (H. R. No. 1155) increasing the pension of Mrs. Sue Bradley Johnson, widow of General G. M. L. Johnson; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

#### JOHN B. READ.

Mr. LEWIS introduced a bill (H. R. No. 1156) for the relief of John B. Read; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

#### JOEL BILLUP, EXECUTOR.

Mr. HILL introduced a bill (H. R. No. 1157) for the relief of Joel Billup, executor of the estate of John Billup, deceased, late of Clarke County, Georgia; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

#### PROTESTANT ORPHAN ASYLUM, NATCHEZ, MISSISSIPPI.

Mr. LYNCH introduced a bill (H. R. No. 1158) making appropriations to reimburse the trustees of the Protestant Orphan Asylum of the city of Natchez, in the State of Mississippi, for the destruction of certain property and the use of the asylum building by the United States authorities during the recent war; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

#### SIMON M. PRESTON.

Mr. LYNCH also introduced a bill (H. R. No. 1159) for the relief of Simon M. Preston, late collector of internal revenue for the first district of Mississippi; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

#### AMENDMENT OF A LAW.

Mr. MONEY introduced a bill (H. R. No. 1160) to amend the fifth section of the act of May 18, 1872, chapter 172, Statutes at Large; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

#### PRACTICE IN UNITED STATES COURTS.

Mr. HOOKER introduced a bill (H. R. No. 1161) to amend the laws in regard to practice in the circuit and district courts of the United States, and regulating appeals from the same to the Supreme Court; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

#### DATE OF PENSIONS.

Mr. WELLS, of Mississippi, introduced a bill (H. R. No. 1162) to provide that all pensioners on account of death, wounds received, or disease contracted in the service of the United States since March 4, 1861, which have been granted or which shall hereafter be granted on applications filed previous to January 1, 1875, shall commence from the date of death or discharge, and for the payment of arrears in pensions; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

#### JOSEPHENE D. THOMAS.

Mr. WELLS, of Mississippi, also introduced a bill (H. R. No. 1163) granting a pension to Josephene D. Thomas; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

#### CIVIL ENGINEERS IN NAVY.

Mr. LEVY introduced a bill (H. R. No. 1164) fixing the rank and pay of civil engineers in the Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

#### ASSAY OFFICE IN NEW ORLEANS.

Mr. GIBSON introduced a bill (H. R. No. 1165) to authorize an assay office to be conducted in the mint at New Orleans; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

#### NEW ORLEANS MINT ASSAY OFFICE.

Mr. GIBSON also introduced a bill (H. R. No. 1166) to defray the expenses of the mint and assay office at New Orleans, and making an appropriation therefor; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

#### TREATY OF COMMERCE WITH CENTRAL AMERICAN STATES.

Mr. GIBSON also introduced a joint resolution (H. R. No. 38) authorizing the appointment of commissioners to ascertain on what terms a mutual beneficial treaty of commerce with Central American States can be arranged; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

#### STATE NATIONAL BANK OF LOUISIANA.

Mr. ELLIS introduced a bill (H. R. No. 1167) for the relief of the State National Bank of Louisiana, successor to the Fourth Louisiana State Bank of New Orleans; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.



MRS. E. W. CHEVIS.

Mr. DARRALL introduced a bill (H. R. No. 1168) for the relief of Mrs. E. W. Chevis, of Saint Landry Parish, State of Louisiana; which was read a first and second time, and referred to the Committee on War Claims.

MRS. EMILIA BERNARD.

Mr. DARRALL also introduced a bill (H. R. No. 1169) for the relief of Mrs. Emilia Bernard, of Lafayette Parish, Louisiana; which was read a first and second time, and referred to the Committee on War Claims.

JOHN B. BROUSSARD.

Mr. DARRALL also introduced a bill (H. R. No. 1170) for the relief of John B. Broussard, of Lafayette Parish, Louisiana; which was read a first and second time, and referred to the Committee on War Claims.

LESSEN BROUSSARD.

Mr. DARRALL also introduced a bill (H. R. No. 1171) for the relief of Lessen Broussard, of Lafayette Parish, Louisiana; which was read a first and second time, and referred to the Committee on War Claims.

BELIZAIRE CARRNIER.

Mr. DARRALL also introduced a bill (H. R. No. 1172) for the relief of Belizaire Carrnier, of Lafayette Parish, Louisiana; which was read a first and second time, and referred to the Committee on War Claims.

BAYOU LAFOURCHE.

Mr. DARRALL also introduced a bill (H. R. No. 1173) to provide for the improvement of the navigation of the Bayou Lafourche, in the State of Louisiana; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

AMENDMENT OF REVISED STATUTES.

Mr. DARRALL also introduced a bill (H. R. No. 1174) to amend section 2665 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

LEVEES OF THE MISSISSIPPI.

Mr. MOREY introduced a bill (H. R. No. 1175) appropriating the sum of \$3,000,000 for the purpose of repairing and in part rebuilding the levees of the Mississippi River, providing for its expenditure, and for other purposes; which was read a first and second time, referred to the Select Committee on the Mississippi Levees, and ordered to be printed.

THOMAS CURRAN.

Mr. McMAHON introduced a bill (H. R. No. 1176) granting a pension to Thomas Curran, of the Thirtieth Indiana Cavalry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TIMOTHY TURNEY.

Mr. McMAHON also introduced a bill (H. R. No. 1177) granting a pension to Timothy Turney; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JOHN GRAPPER.

Mr. McMAHON also introduced a bill (H. R. No. 1178) granting a pension to John Grapper; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JAMES RILEY.

Mr. McMAHON also introduced a bill (H. R. No. 1179) granting a pension to James Riley, Company D, Fourth United States Cavalry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

THOMAS PARRY.

Mr. DANFORD introduced a bill (H. R. No. 1180) granting a pension to Thomas Parry, late private Company F, Thirtieth Regiment Ohio Volunteer Infantry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LYMAN H. KELLOGG.

Mr. FOSTER introduced a bill (H. R. No. 1181) to place Lyman H. Kellogg on the list of retired officers; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

BENJAMIN D. LAKIN, OHIO.

Mr. SAVAGE introduced a bill (H. R. No. 1182) for the relief of Benjamin D. Lakin, of Point Pleasant, Clermont County, Ohio; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

THOMAS WORTHINGTON.

Mr. SAVAGE also introduced a joint resolution (H. R. No. 39) for the relief of Thomas Worthington, of Ohio; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

DAVID W. STOCKSTILL.

Mr. RICE introduced a bill (H. R. No. 1183) for the relief of David W. Stockstill, of Sidney, Ohio; which was read a first and second

time, referred to the Committee on Military Affairs, and ordered to be printed.

FRANK A. M. KREPS.

Mr. RICE also introduced a bill (H. R. No. 1184) for the relief of Frank A. M. Kreps, of Lima, Allen County, Ohio; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

WILLIAM D. L. STANLEY.

Mr. VAN VORHES introduced a bill (H. R. No. 1185) for the removal of the charge of desertion from Private William D. L. Stanley, Company I, Ninety-second Ohio Volunteers; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

BUREAU OF TRANSPORTATION.

Mr. WOODWORTH introduced a bill (H. R. No. 1186) to establish a bureau of transportation and to regulate the management of railroad and transportation companies employed in interstate commerce; which was read a first and second time, referred to the Committee on Railways and Canals, and ordered to be printed.

WESLEY JAMES.

Mr. WOODWORTH also introduced a bill (H. R. No. 1187) granting a pension to Wesley James; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

RESUMPTION OF SPECIE PAYMENT.

Mr. HURD introduced a bill (H. R. No. 1188) to restore to gold and silver their monetary uses in the United States from and after January 1, 1877, and to repeal an act entitled "An act to provide for the resumption of specie payment; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

WILLIAM J. DRAKE.

Mr. NEAL introduced a bill (H. R. No. 1189) granting a pension to William J. Drake; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

REGULATION OF COMMERCE, ETC.

Mr. SAYLER introduced a bill (H. R. No. 1190) to amend certain sections of titles 48 and 52, regulation of commerce and navigation and regulation of steam-vessels, Revised Statutes of the United States, pages 800 and 857; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

SALE AND SURVEY OF TIMBER LANDS.

Mr. SAYLER also introduced a bill (H. R. No. 1191) to regulate the sale and survey of the timber lands of the United States; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

EXECUTION OF CUSTOM-HOUSE BONDS.

Mr. SAYLER also introduced a bill (H. R. No. 1192) relating to the execution of custom-house bonds; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

CIRCUIT COURTS OF THE UNITED STATES.

Mr. SAYLER also introduced a bill (H. R. No. 1193) relating to the jurisdiction of the circuit courts of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ENTERPRISE INSURANCE COMPANY.

Mr. SAYLER also introduced a bill (H. R. No. 1194) for the relief of the Enterprise Insurance Company of Cincinnati, Ohio; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

AMNESTY.

Mr. WHITE. The morning hour having expired, I offer the following resolution:

*Resolved*, That the rules be suspended so as to enable the House to proceed forthwith to vote on the passage of the following bill:

A bill to remove the disabilities imposed by the fourteenth amendment to the Constitution of the United States.

*Be it enacted, etc.*, That all persons now under the disabilities imposed by the fourteenth amendment to the Constitution of the United States, with the exception of Jefferson Davis, late president of the so-called Confederate States, shall be relieved of such disabilities upon their appearing before any judge of a United States court, and taking and subscribing, in open court, the following oath, to be duly attested and recorded, namely:

I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that, to the best of my knowledge and ability, I will well and faithfully discharge the duties of a citizen of the United States.

The House first, however, voting on the following amendment thereto: Strike out the following words: "with the exception of Jefferson Davis, late president of the so-called Confederate States."

Mr. RANDALL. I make the point of order that there cannot be a vote on a bill and amendment under a suspension of the rules; that the vote must be on the final passage of a proposition intact.

Mr. WHITE. I call for the yeas and nays on the resolution.

Mr. RANDALL. Not just yet.

Mr. KASSON. I ask that the point of order made by the gentleman from Pennsylvania [Mr. RANDALL] may be distinctly stated. I have not exactly understood it.

Mr. RANDALL. My point of order is that, while it would be in order to suspend the rules and pass the bill, it is not in order to move to suspend the rules to proceed to vote on an amendment to a bill.

Mr. GARFIELD. I think the gentleman from Pennsylvania must remember that we have many and many a time so suspended the rules that an order could be executed in a particular way, and then the order was given. That is the motion in this case: that we so suspend the rules as to take two votes: first, on an amendment striking out certain words and, secondly, on the whole bill, whether the amendment is stricken out or not.

Mr. KASSON. In other words, the point of order is made under a rule when the resolution is to suspend the rule and declare a certain thing in order which is not so under the rule.

Mr. RANDALL. I make the point before the rule is suspended.

Mr. KASSON. That cannot be done.

Mr. WOOD, of New York. I submit that it is not regular or according to the rules of this House that a gentleman can offer a bill and move to suspend the rules upon that bill and an amendment to his own bill, at the same time including them in one motion. The gentleman from Kentucky [Mr. WHITE] offers a bill and an amendment to his own bill together, which I submit is not in order.

Mr. HALE. What is there that the House cannot do under a suspension of the rules, if two-thirds choose to do it?

Mr. WOOD, of New York. The gentleman must move one distinct proposition on which he asks the House to suspend the rules. He cannot move two propositions at the same time.

Mr. HALE. He can make a motion to regulate the order of proceedings, and that, I apprehend, is precisely what the gentleman from Kentucky is doing. He proposes a certain order of proceedings, and moves that the rules be suspended that that order may be adopted.

Mr. WOOD, of New York. I beg the gentleman's pardon. The gentleman from Kentucky introduces a proposition to amend the Constitution of the United States. Then he proposes to amend his own proposition, and moves to suspend the rules upon that. I submit that that has never been done in this House.

Mr. BANKS. The gentleman who introduces this bill evidently intends this purpose: that the rules be suspended so that the House shall vote, if they are suspended for the introduction of this bill, on two propositions: first, to strike out certain words which stand in a printed bill of the House and, secondly, on the passage of the bill, whether the words are stricken out or not. That is certainly competent to present in a motion to suspend the rules.

Mr. BLAINE. No doubt of it.

The SPEAKER. In the judgment of the Chair, without making any criticisms upon the form in which the gentleman from Kentucky has put his resolution, it is not competent to exclude any part of his proposition from the consideration of the House. The Chair must therefore regard the latter words of the resolution as it is introduced as constituting in fact a part of the preliminary words, and as in substance therefore stating that the desire of the gentleman from Kentucky is to introduce this bill for two purposes: first, that there shall be a vote upon a proposed amendment, and, second, that there shall be a vote upon the bill itself, whether amended or not. It is suggested that it is not competent for the gentleman to do this under a suspension of the rules; but in response to that the Chair will suggest that the very purpose of a suspension of the rules is to get rid of all rules and to let the House run as freely as it pleases. The Chair overrules the point of order and holds that the motion is in order.

Mr. RANDALL. If the rules are not suspended, I shall make a motion to refer the bill to the Committee on the Judiciary.

The SPEAKER. The question is on the suspension of the rules so as to bring the bill before the House.

Mr. WHITE and Mr. KASSON called for the yeas and nays.

The yeas and nays were ordered.

Mr. WHITE. Before the question is taken, I would like to make a statement by unanimous consent.

Mr. EDEN, and Mr. WOOD of New York, and others objected.

Mr. WHITE. I only desire to say that I would vote for the amendment.

The question was taken; and there were—yeas 163, nays 111, not voting 16; as follows:

YEAS—Messrs. Adams, Ainsworth, Anderson, Bagby, George A. Bagley, John H. Baker, William H. Baker, Ballou, Banks, Bass, Beebe, Bell, Blaine, Blair, Bland, Bliss, Bradley, William R. Brown, Horatio C. Burchard, Samuel D. Burchard, Burleigh, William P. Caldwell, Campbell, Cannon, Cason, Caswell, Cate, Chittenden, Cochrane, Conger, Cox, Crapo, Crounse, Danford, Darrall, Davy, DeBolt, Denison, Dobbins, Dunnell, Durand, Eames, Egbert, Evans, Farwell, Faulkner, Fort, Foster, Freeman, Frost, Frye, Garfield, Goodin, Hale, Haralson, Hardenbergh, Benjamin W. Harris, Harrison, Hartzell, Hathorn, Haymond, Hendee, Henderson, Abram S. Hewitt, Goldsmith W. Hewitt, Hoar, Hoge, Holman, Hoskins, Hubbell, Hunter, Hurd, Hyman, Jenks, Frank Jones, Thomas L. Jones, Joyce, Kasson, Kelley, Ketchum, Kimball, King, Lapham, Lawrence, Leavenworth, Levy, Lynch, Magoon, MacDougall, McCrary, McDill, Meade, Miller, Monroe, Morey, Morgan, Mutchler, Nash, Neal, New, Norton, Odell, Oliver, O'Neill, Packer, Page, Payne, Phelps, William A. Phillips, Pierce, Piper, Plaisted, Platt, Potter, Powell, Pratt, Purman, Rainey, John Reilly, Robinson, Sobieski Ross, Rusk, Sampson, Savage, Seelye, Sinnickson, Smalls, A. Herr Smith, Springer, Stark, weather, Strait, Stevenson, Stowell, Tarbox, Thompson, Thornburgh, Throckmorton, Martin I. Townsend, Washington Townsend, Tufts, Van Vorhes, Robert B.

Vance, Waldron, Charles C. B. Walker, Alexander S. Wallace, John W. Wallace, Walls, Warren, G. Wiley Wells, Wheeler, White, Whiting, Willard, Charles G. Williams, James D. Williams, William B. Williams, Benjamin Wilson, James Wilson, Alan Wood, jr., Woodburn, and Woodworth—163.

NAYS—Messrs. Ashe, Atkins, John H. Bagley, jr., Blackburn, Blount, Boone, Bradford, Bright, John Young Brown, Buckner, Cabell, John H. Caldwell, Candler, Caulfield, Chapin, John B. Clarke of Kentucky, John B. Clark, jr., of Missouri, Clymer, Collins, Cook, Cowan, Cutler, Davis, Dibrell, Douglas, Durham, Eden, Ellis, Felton, Forney, Franklin, Gause, Gibson, Glover, Goode, Gunter, Andrew H. Hamilton, Robert Hamilton, Hancock, Henry R. Harris, Hartridge, Hatcher, Henkle, Hereford, Hill, Hooker, Hopkins, House, Hunton, Kehr, Lamar, Franklin Landers, George M. Landers, Lane, Lewis, Luttrell, Levi A. Mackey, Maish, McFarland, McMahon, Metcalfe, Milliken, Mills Money, Morrison, O'Brien, Parsons, John F. Phillips, Poppleton, Randall, Rea, Reagan, Rice, Riddle, John Robbins, William M. Robbins, Roberts, Miles Ross, Saylor, Scales, Schleicher, Sheakley, Singleton, Slemmons, William E. Smith, Southard, Sparks, Stenger, Stone, Swann, Terry, Thomas, Tucker, Turney, John L. Vance, Waddell, Gilbert C. Walker, Walling, Walsh, Ward, Erastus Wells, Whitehouse, Whitthorne, Wigginton, Wike, Alpheus S. Williams, Jeremiah N. Williams, Wilshire, Fernando Wood, Yeates, and Young—111.

NOT VOTING—Messrs. Banning, Barnum, Culberson, Ely, John T. Harris, Hayes, Knott, Lord, Lynde, Edmund W. M. Mackey, James B. Reilly, Schumaker, Teese, Andrew Williams, James Williams, and Willis—16.

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

During the roll-call the following announcements were made:

Mr. MILLS. I desire to say that my colleague Mr. CULBERSON is detained from the House by sickness.

Mr. COOK. Mr. WILLIS, of New York, requested me to state to the House that he has been called home unexpectedly.

The result of the vote was announced as above recorded.

Mr. RANDALL. I call for the regular order of business.

#### REDEMPTION OF UNITED STATES LEGAL-TENDER NOTES.

Mr. HOLMAN. I move to suspend the rules for the consideration of the following resolution:

Resolved, That it is unwise and inexpedient at this time that a specific and arbitrary period should be prescribed by law at which legal-tender notes of the United States should be paid by the Secretary of the Treasury in coin; and therefore the act entitled "An act to provide for the resumption of specie payment," approved January 14, 1875, ought to be repealed; and the Committee on Banking and Currency is instructed to act as early a period as may be practicable to report to this House a bill for that purpose.

Mr. COX. Would it be in order to move to refer that resolution to the Committee on Banking and Currency?

Mr. RANDALL. The gentleman has not the floor for that purpose. I move a suspension of the rules.

The SPEAKER. The gentleman has moved to suspend the rules.

Mr. HALE. Upon that motion I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WOOD, of New York. Would it be in order for me to inquire of the Chair the effect of this resolution, and whether it would not be the most politic and wise course for this House to refer it to a committee and defer action until we have had a report on this important question?

Mr. HOLMAN. The resolution is not open for debate.

The SPEAKER. Debate is not in order. The resolution is in the form of an imperative instruction to the Committee on Banking and Currency.

The question was taken; and there were—yeas 112, nays 158, not voting 20; as follows:

YEAS—Messrs. Ainsworth, Anderson, Ashe, Atkins, John H. Bagley, jr., Blackburn, Bland, Blount, Boone, Bradford, Bright, John Young Brown, Buckner, Cabell, John H. Caldwell, William P. Caldwell, Campbell, Cason, Cate, John B. Clarke, of Kentucky, John B. Clark, jr., of Missouri, Clymer, Cochrane, Collins, Cook, Cowan, Davis, DeBolt, Dibrell, Dobbins, Douglas, Durham, Eden, Egbert, Evans, Faulkner, Felton, Forney, Franklin, Fuller, Gause, Glover, Goode, Goodin, Gunter, Andrew H. Hamilton, Henry R. Harris, John T. Harris, Harrison, Hartridge, Hartzell, Hatcher, Haymond, Hereford, Goldsmith W. Hewitt, Hill, Holman, Hopkins, House, Hunton, Jenks, Thomas L. Jones, Kelley, Knott, Franklin Landers, Lewis, Levi A. Mackey, McFarland, McMahon, Milliken, Morgan, Neal, New, Oliver, Phelps, John F. Phillips, William A. Phillips, Piper, Poppleton, Rea, John Reilly, Rice, Riddle, William M. Robbins, Roberts, Robinson, Savage, Saylor, Scales, Sheakley, Slemmons, William E. Smith, Southard, Sparks, Springer, Stenger, Stevenson, Stone, Terry, Tucker, Turney, John L. Vance, Robert B. Vance, Waddell, Gilbert C. Walker, Walling, Whitthorne, James D. Williams, Jeremiah N. Williams, Benjamin Wilson, Yeates, and Young—112.

NAYS—Messrs. Adams, Bagby, George A. Bagley, John H. Baker, William H. Baker, Ballou, Banks, Bass, Beebe, Bell, Blaine, Blair, Brown, Horatio C. Burchard, Samuel D. Burchard, Burleigh, Candler, Cannon, Caswell, Caulfield, Chapin, Chittenden, Conger, Cox, Crapo, Crounse, Cutler, Danford, Darrall, Davy, Denison, Dunnell, Durand, Eames, Ellis, Ely, Farwell, Fort, Foster, Freeman, Frost, Frye, Garfield, Gibson, Hale, Robert Hamilton, Hancock, Haralson, Hardenbergh, Benjamin W. Harris, Hathorn, Hendee, Henderson, Henkle, Abram S. Hewitt, Hoar, Hoge, Hooker, Hoskins, Hubbell, Hunter, Hurd, Hyman, Frank Jones, Joyce, Kasson, Kehr, Ketchum, King, Lamar, George M. Landers, Lane, Lapham, Lawrence, Leavenworth, Levy, Luttrell, Lynch, Magoon, Maish, MacDougall, McCrary, McDill, Meade, Metcalfe, Miller, Mills, Money, Monroe, Morrison, Mutchler, Norton, O'Brien, Odell, O'Neill, Packer, Page, Parsons, Payne, Pierce, Plaisted, Platt, Potter, Powell, Pratt, Rainey, Randall, Reagan, John Robbins, Miles Ross, Sobieski Ross, Rusk, Sampson, Schleicher, Seelye, Singleton, Sinnickson, Smalls, A. Herr Smith, Starkweather, Strait, Stowell, Tarbox, Thompson, Thomas, Thornburgh, Throckmorton, Martin I. Townsend, Washington Townsend, John W. Wallace, Walls, Walsh, Ward, Warren, Erastus Wells, G. Wiley Wells, Wheeler, White, Whitehouse, Whiting, Wigginton, Wike, Willard, Alpheus S. Williams, Charles G. Williams, James Williams, William B. Williams, James Wilson, Alan Wood, jr., Fernando Wood, and Woodburn—158.

NOT VOTING—Messrs. Banning, Barnum, Culberson, Hays, Huribut, Kimball, Lord, Lynde, Edmund W. M. Mackey, Morey, Nash, Purman, James B. Reilly, Schumaker, Swann, Teese, Andrew Williams, Willis, Wilshire, and Woodworth—20.

So (two-thirds not voting in favor thereof) the motion to suspend the rules was not agreed to.



## AMENDMENT OF RULES—APPROPRIATION BILLS.

Mr. COX. The Committee on the Rules have directed me to report, in response to a resolution of the House, the following amendment to the rules:

That Rule No. 120 be so amended that all after the word "progress" be stricken out and there be added the following:

Nor shall any provision in any such bill or amendment thereto, changing existing law, be in order except such as, being germane to the subject-matter of the bill, shall retrench expenditures.

If there be no objection to this rule, I will call the previous question.

Mr. KASSON. Is this reported for immediate action?

Mr. COX. It is presented as the report of the Committee on the Rules.

Mr. KASSON. I object to its being acted on without debate and consideration of the clauses to which the proposition refers.

Mr. HOAR. I rise to a question of order. I raise the question whether this is in obedience to any resolution of the House.

Mr. COX. I will say to the gentleman that a resolution embracing a proposition of this kind was sent by the House to the Committee on the Rules.

Mr. HOAR. I think we are entitled to have that point determined by the Chair.

The SPEAKER. According to the understanding of the Chair, the Journal shows that an amendment of this kind was offered by the gentleman from Indiana [Mr. HOLMAN] and referred to the Committee on the Rules, with a direction to report at an early day. This report is a response to that reference.

Mr. BURCHARD, of Illinois. I would like to have Rule 120 read as it now stands.

The Clerk read as follows:

No appropriation shall be reported in such general appropriation bills, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress, and for the contingencies for carrying on the several departments of the Government.

Mr. COX. Now I ask the Clerk to read the paragraph which in the Digest immediately follows this rule, and gives an interpretation to a portion of the rule which the committee have thought proper to strike out.

The SPEAKER. The Clerk will read from the Digest the construction which has been placed on this by previous Speakers of the House.

The Clerk read as follows:

It has been decided that under this rule it is not in order to propose an amendment to a general appropriation bill which changes an existing law. But it was also decided that the latter branch of the rule not only permitted amendments increasing salaries, but was framed for that very purpose.

Mr. COX. I yield to my colleague on the committee, the gentleman from Pennsylvania, [Mr. RANDALL.]

Mr. RANDALL. I can state to the House in a very few words the object of this amendment as I understand it. We propose to modify this rule because, as the Committee on the Rules believe, or at least as I think, a forced construction was put upon a portion of the rule, under which any salary was allowed to be increased, though the opportunity was never given to decrease a salary. Now the committee propose to go "right about face" and adopt a rule that will make it in order at any time to reduce salaries, or to retrench the expenditures of money by Congress if the object of reduction or retrenchment is germane to the bill itself.

Mr. HURLBUT. Under the modification of the rule now proposed, will not entire control of appropriations for the Army, and in effect the control of the whole military establishment and all the laws relating to it, be placed in the hands of the Committee on Appropriations?

Mr. RANDALL. I will explain that. The opportunity will be given to the Committee on Appropriations to submit to the House propositions looking to retrenchment, but the adoption of those propositions will be subject to the will of the majority of the House. And why not?

Mr. HURLBUT. The proposed rule will practically abolish all committees except the Committee on Appropriations.

Mr. RANDALL. The majority of this House is responsible in connection with the expenditures of the Government. I will say (for I have no concealment to make) that my object in assisting to report this amendment was to retrench the expenditures of the Government in every direction.

Mr. HOLMAN. Will the gentleman from Pennsylvania [Mr. RANDALL] allow me a word? The gentleman from Illinois [Mr. HURLBUT] misapprehends this matter somewhat. As Rule 120 now stands and as it has always been interpreted, the Committee on Appropriations have had the same power in one direction which it is now proposed by this amended rule to give them in another direction. Heretofore the committee might under the rule increase salaries—whether salaries in the military or naval establishment or salaries of civil officers. The only effect of the proposition now submitted is that we shall be able to retrench expenditures on an appropriation bill.

I sought the opportunity to get a proposition of this kind before the Committee on the Rules in the last Congress; and it was then considered I understood that quite a number of gentlemen on the committee then thought that such a rule ought to be adopted, or at least that the existing rule should be so modified as to operate in both

directions—not only to allow increase of expenditures in a general appropriation bill, but also to permit retrenchment. Certainly the rule ought not to be a one-sided one, allowing the increase of expenditures but not permitting retrenchment.

Mr. GARFIELD. Mr. Speaker, the point which has been made in regard to the existing rule that it allows an increase of salaries to be in order but not a decrease, is a point well taken; and I have long thought that the rule ought in that respect to be changed. On this point I agree entirely with the gentleman from Indiana, [Mr. HOLMAN.] During the last four years I have felt very much embarrassed by the fact that here on the floor amendments increasing salaries must necessarily under that rule be declared in order, while any amendment to reduce salaries would be ruled out.

I think, however, that the rule as now proposed to be amended goes very far beyond that; and if it be properly understood, I do not believe the House will be willing to adopt it in its whole scope. For instance, suppose a bill making appropriations for the consular and diplomatic expenses of the Government is before the House and some one proposes to abolish ten or fifteen missions. Now, by all custom at all times in the history of this House, such a motion would be ruled out of order, because it would change the law in so far as there was any law to regulate that matter. But as I understand the rule now proposed, it will allow the Committee on Appropriations to re-organize the Army, to re-organize the Navy, to re-organize the Treasury Department, in short to recast all the legislation concerning the public service, not merely as to the amount of money to be appropriated, but as to the size and conditions of that service.

At the last Congress complaint was made by many members here that the Committee on Appropriations had altogether too large a jurisdiction. Gentlemen will remember the proposition was submitted to refer the Army appropriation bill to the Committee on Military Affairs and the Navy appropriation bill to the Committee on Naval Affairs, because it was said this Committee on Appropriations covered everything and rendered obsolete the other committees of the House. At any time, if we propose to change the law, any of these committees, or indeed any member of the House, can make the point of order and have the provision ruled out, and that was urged as a reason why our power was not so great as it was charged. Of course we were not shorn of power, as was proposed last winter, and we ought not to have been. But, sir, to give this added power to the Committee on Appropriations would, in my judgment, be a bad thing.

Mr. Speaker, what can we do as the rules now stand? Exactly what we have done year by year. Let the Committee on Appropriations, as they will frequently have occasion to do, say "We think this or that part of the service should be changed," report a certain change in the law, and then on Monday ask that provision be made in order to one of the appropriation bills under a suspension of the rules. In this way you bring before the House the specific thing you wish to change in the law, and the House authorizes you to do it. But to give this Appropriation Committee such a general sweeping power now is substantially to render obsolete the power of all the other committees of the House.

Of course the gentleman from Pennsylvania [Mr. RANDALL] will see I do not say this in any possible sense to oppose retrenchment of expenses. I will join him most cheerfully in all genuine retrenchment.

Mr. BANKS. Will the gentleman from Pennsylvania [Mr. RANDALL] allow me to say a word?

Mr. RANDALL. Certainly.

Mr. BANKS. Mr. Speaker, the object of the proposition now before the House, as it has been stated, seems to me to be right. The purpose is that, as the rule, or the construction of the rule, now gives the House the privilege of amending an appropriation bill by increasing salaries, it shall likewise give to the House the privilege of decreasing salaries. That is stated to be the object, and so far it is a good one. Am I right in stating that to be the object?

Mr. RANDALL. It is.

Mr. BANKS. Now it seems to me the amendment goes a little further than that. Here is a word which admits of a very dangerous interpretation. I refer to the word "germane." "Nor shall any provision in any such bill, or amendment thereto, changing existing law, be in order except as being germane."

Mr. RANDALL. That is right.

Mr. BANKS. I know it is right if it is understood.

Mr. RANDALL. It is a technical word.

Mr. BANKS. But suppose the appropriation be for a consulate. As it is now in order to increase the appropriation, it should be equally in order, as the gentleman contends, to decrease the appropriation if the House thinks that should be done. But will it be in order to add other consulates and other parts of the diplomatic service to that one under the idea that they are germane, as I think they would be?

Mr. RANDALL. Any increase, I admit, would have to come in under a suspension of the rules.

Mr. BANKS. Why should not the rule be stated in this way—

Mr. RANDALL. We want to give it one push in the way of retrenchment.

Mr. BANKS. And that you shall have. We will push you as far as you choose to go, even—as I hear suggested behind me—to cut down the salaries of members.

Mr. RANDALL. We will meet that issue at the proper time.

Mr. BANKS. Why should not this bill say that when an appropriation bill is before this House for consideration it shall be in order either to increase or diminish that specific appropriation? That will remove all doubt about the interpretation and give the power which the gentlemen seem to ask.

Mr. HOLMAN. Allow me to say a word in this connection. Of course rules are adopted and interpreted with reference to the particular condition of things at the time of their adoption. It is manifest that it is desirable the rules shall be so applied that legislation under them asking for increase of expenditures shall only be allowed to come in when a two-thirds vote has been obtained for that purpose. Such restriction is imposed upon legislation in many of the States, so that increase of expenditure in certain directions can only be allowed where a two-thirds vote has been given in its favor. This simply proposes in so many words that an existing law shall not be changed except by a proposition germane to a general appropriation bill which shall retrench expenditures. As the gentleman from Massachusetts [Mr. BANKS] will perceive, that leaves the question of increasing expenditures as the question of retrenchment existed heretofore. It leaves the committee or members of the House to move a suspension of the rules on Monday to bring the subject up for consideration. This, as gentlemen perceive by close examination of the proposition, while it carefully avoids going beyond the subject-matter of the bill to consider subjects or to treat them as amendments, at the same time proposes only to consider such amendments, such original propositions as, being germane to the bill itself and to the subject-matter of the bill, shall retrench expenditures, leaving all questions of increase to come in under suspension of the rules as heretofore propositions came in to decrease salaries. It just exactly reverses the practice heretofore existing for so many years under the one hundred and twentieth rule of the House.

Mr. BANKS. The apprehension of the House, and what I feel is the danger, is that this amendment will scoop all legislation into the Committee on Appropriations; and that I believe the Committee on Appropriations do not claim. If the rule as reported is changed in the way I suggest it will stand as the committee wanted, and gives the power which I think they ought to possess:

Nor shall any provision in any such bill, or amendment thereto, changing existing law, be in order, except it be to retrench, to increase, or to diminish the appropriation that is recommended.

Will not that satisfy the gentleman?

Mr. HOLMAN. The gentleman from Massachusetts certainly will recognize the fact that, so far as a particular appropriation is concerned, you may increase or diminish always in Committee of the Whole. So far as that specific appropriation is concerned the question whether you can or not is not involved here.

Mr. BANKS. The proposition will then be to give the committee the power to increase or to diminish, to enlarge or retrench, expenditures. That ought to be done.

Mr. COX. I suggest that the gentleman from Massachusetts draw up his amendment to the rule and have it referred and considered. I yield to the gentleman from Massachusetts, [Mr. HOAR.]

Mr. HOAR. I desire to call the attention of the Committee on Appropriations to another point which I think, unless I am wrong in making the point, may induce them to adopt a different method of reaching the result they have in view. It is this: that they strike out altogether the last sentence of the existing rule. The existing rule says:

No appropriation shall be reported in such general appropriation bills, or be in order as an amendment thereto, for any expenditure not previously authorized by law unless in continuation of appropriations for such public works and objects as are already in progress.

Then the rule, as it at present stands, goes on to say:

And for the contingencies for carrying on the several departments of the Government.

Now, if they strike out that sentence, it is not in the power of this House to make any appropriation, either originally reported or as an amendment, for the contingencies for carrying on the several departments of the Government, unless it is for an expenditure previously authorized by law. Take the case of the contingent fund of this House. A great many of the expenditures which are made from our contingent fund are expenditures previously authorized by law. But the committee authorized to do so report in an appropriation bill under that clause that this is one of the contingencies for carrying on this department of the Government. And so in a great many similar cases. Now the committee, instead of striking out that sentence and substituting what they propose, ought to add either what they propose or what my colleague [Mr. BANKS] proposes, but to leave that clause as it stands in the rule, so that Congress may not be at the mercy of a single committee in providing for the contingent fund of the House or for the large number of contingencies for carrying on the Departments of the Government not provided for by existing law.

Mr. KASSON. Will the gentleman from New York who has charge of this resolution before he replies allow me to call his attention to the effect of the language of the amendment? The proposition leaves Rule 120, with the exception of the clause in regard to the "contingencies," as it is, and then adds the words:

Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as, being germane to the subject-matter of the bill, shall retrench expenditure.

Now, the danger that I see in that is that it goes beyond the whole question of amounts appropriated and covers all laws upon which expenditures may be incurred. For example, the Committee on Ways and Means have under consideration a number of custom-houses and offices to be abolished. Under this provision the Committee on Appropriations may take from the Committee on Ways and Means the whole of that subject, because they may so change the law that authorizes the various parts of the customs service as to abolish the law upon which the expenditures are to be incurred.

Mr. RANDALL. The committee have nothing but a recommendatory power.

Mr. KASSON. At the same time they have authority to bring their propositions before the House if this rule is adopted. And in the Committee of the Whole the matter may be hastily acted upon after a chance debate, without being thoroughly examined or considered by the proper committee and without the aid of the recommendations of the Committee on Ways and Means. So in respect to the Committee on the Public Lands. It may be a question of abolishing a certain land office; but the Committee on Appropriations may not only refuse appropriations for that land office, but may abolish the law which authorizes the existence of that and several other offices. And so with the Committee on Commerce. In recommending the diminution of certain appropriations for the improvement of rivers and harbors they may repeal all the laws that have emanated from that committee.

The objection we take to this proposition is, that it deprives the House of the benefit of the deliberations of the committees that have specific portions of our jurisdiction committed to them, and practically gives to one committee the whole of that jurisdiction.

I desire to say one word more. The action of the House heretofore has been in the reverse direction. The gentleman from New York [Mr. COX] will recollect that when he and I were here first the Committee on Ways and Means had charge of appropriations, of coinage, weights and measures, of the Pacific Railroad, and of banking and currency. All were committed to the charge of that one committee. The House desired to put more committees at work to protect itself against the great power of one committee, and consequently five committees now exist where one existed formerly.

You are now proposing to go back upon that plan and to take away incidentally, as the effect of this proposition, that careful consideration of particular committees and enable one committee to bring the whole subject before the House without the aid and advice of these other committees.

Now, sir, if the gentleman sees that there is force in these considerations, I hope there will be no objection at least that the Committee on Rules shall consider once more the proposition of the gentleman from Massachusetts [Mr. BANKS] and the propositions of other gentlemen, so that the rule shall be so modified that the House shall not be deprived of the benefit of careful consideration by separate committees of measures which now belong to them.

Mr. RANDALL. The gentleman from Iowa presents the difficulty that this amendment gives too much power to the Committee on Appropriations. I submit that it only relates to appropriations that entirely pertain to the duties of that committee. I would say in addition that this proposition in no manner cuts off amendments or debates as allowed in Committee of the Whole, so that the objection presented by the gentleman from Iowa cannot exist. Any amendment that is proper in Committee of the Whole must have full and deliberate consideration and discussion.

Mr. KASSON. But my objection is that the proper committee will have no chance to consider the change of law.

Mr. RANDALL. Now, I want to be entirely frank about this matter, and I want to say this: that anything that the Committee on Appropriations do in connection with retrenchment is only in the nature of a recommendation. We must have the judgment upon it of a majority of the House. The majority of the House are alone responsible for the expenditures of money, but if we of the majority present a case requiring a reduction, it requires a vote of more than two-thirds of the House, and unless the other side authorize it it is never in our power to retrench.

Mr. KASSON. Let me say right there that it is in the power of the other committees to present the questions, by a report from their proper committee, for retrenchment by change of law.

Mr. RANDALL. We can only procure the necessary two-thirds once a week—that is on Monday. The present rule places it in the power of any single member to prevent the majority of the House from carrying out retrenchment.

Mr. KASSON. But the gentleman does not understand my point; it is that your regular committees can now present those subjects for the consideration of the House.

Mr. RANDALL. There is to-day a point of order pending against the Military Academy bill, which would prevent our reducing in the least degree the expenditures of that institution. We think we may be able to reduce the expenditures of that military establishment from \$380,000 down to \$231,000 a year. Yet under the rules, as they now stand, we have not the power to report a provision for that purpose, because any one gentleman in this House can raise against it the point of order that it will change existing law.

Mr. HALE. Will the gentleman yield to me for a few minutes?

Mr. COX. I will yield to the gentleman for five minutes, and then



I will call the previous question. I hold the floor now by the courtesy of the gentleman from Pennsylvania [Mr. HOPKINS] who desires to call up the centennial appropriation bill.

Mr. HALE. I will be very brief. The majority of the Committee on Rules have reported this very important change of the rules, and of course the majority upon the other side can adopt it and embody it in the rules of this House. But if that is done I hope that hereafter nobody will be found finding fault with the tremendous and stupendous additional power that will thereby be poured into the already full lap of the Committee on Appropriations.

Mr. RANDALL. It is merely giving that committee power to reduce expenditures; further than that the additional power the gentleman ascribes to it is imaginary.

Mr. HALE. The gentleman from Pennsylvania, [Mr. RANDALL,] the chairman of the Committee on Appropriations, has said that all that his committee can now do is to bring in or recommend to the House provisions of law, and the House can out vote them. That is true of every other committee. Does not the gentleman see that when he intrusts all this immense power to the Committee on Appropriations he gives to that committee practically the only power of previous examination and dissection, and that when that committee submits its reports to the House it will be the only committee that comes with the authority of having examined and dissected the different subject-matters embraced in its bills? And that committee has a right, which no other committee has, to report at any time.

Mr. HOLMAN. I trust the gentleman will modify that statement; it has the power to report at any time only appropriation bills.

Mr. HALE. Certainly; I was going to state that. With four years experience on the Committee on Appropriations I believe that if you give to that committee the power that is here sought to be given, the power to change existing laws in their general appropriation bills, which they have the right to report at any time, the whole framework of the Government may be revolutionized by that committee so far as its reports may go, there is nothing it may not do. The restraining power on the Committee on Appropriations at the present time is that it cannot change existing law. Now the gentleman from Indiana, [Mr. HOLMAN,] who introduced this resolution, the gentleman from New York, [Mr. COX,] who reports it back from the Committee on Rules, and the chairman of the Committee on Appropriations, [Mr. RANDALL,] who sustains it, are all actually and honestly in favor of retrenchment. I have no doubt about that. I give them the credit for it. But if they adopt this rule they will run into what is a more enormous evil. My experience has been that the most dangerous legislation that ever goes out of the halls of Congress is in appropriation bills. And I will not vote for anything that in any way, under whatever guise it may be urged, or however honestly it may be urged, will increase the power to legislate upon appropriation bills. Now if it be said that I seek to obstruct retrenchment—

Mr. RANDALL. The committee now possess the power to increase salaries and expenditures, and this is to enable them to have the power to diminish or reduce them.

Mr. HALE. Everybody sees that the power to increase should be taken from the committee; and I agree to that. If I am told that I would block retrenchment by opposing this rule, the answer to that is that every branch of the public service is now intrusted to a competent committee. The war branch of the service is intrusted to a competent committee, which may report a bill for reduction, and that bill may be debated and considered, not in Committee of the Whole where there is no record, but in the House, where there is a record. There is an additional evil that occurs to my mind. All this legislation, which is so dangerous, is ingrafted upon appropriation bills in Committee of the Whole, where there is no record. The Committee on Naval Affairs is an able and competent committee. It can at any time, when it is called for reports, bring in a bill abolishing the Marine Corps, and that bill may be discussed at length in the open House, where there is a record. So can the Indian Committee, and the Printing Committee. The Committee on Ways and Means has its special jurisdiction. The committee of my friend who reports this rule, [Mr. COX,] that of Banking and Currency, has its jurisdiction. All that they report can be considered openly, publicly with the yeas and nays on the record. But while this proposed amendment of the rule comes as a retrenchment measure, it involves an enormous evil. If gentlemen pass it, I ask that hereafter there shall be no fault found with the tremendous power thus given to the Committee on Appropriations.

Mr. HOLMAN. I desire a single moment.

Mr. COX. I will yield a minute, and then I will call the previous question.

Mr. HOLMAN. My friend from Maine [Mr. HALE] is alarmed at the tremendous power which this new rule, as proposed, will give to the Committee on Appropriations. Now, does not the gentleman know that under the rule as it now stands, and as it has been interpreted for years, the Committee on Appropriations have just exactly the same tremendous power, but a power in another direction, a power to increase the expenditures and not the power to reduce them?

Mr. HALE. Only to increase salaries. The gentleman will bear in mind that the committee has power now to reduce expenditures in other respects.

Mr. HOLMAN. Certainly. My friend is alarmed at the thought that this tremendous power of reduction should be vested in the Com-

mittee on Appropriations. But I do not think my friend has raised the point against the present rule, that it confers upon the committee the tremendous and dangerous power to increase the expenditures of the Government by increasing salaries without limit. The gentleman has never made such a point.

Mr. HALE. I have always believed that that decision ought to be changed. I believe now that there ought to be no power either to increase or decrease salaries by a change of existing laws upon an appropriation bill.

Mr. HOLMAN. I regret that my friend from Maine has never heretofore brought his views on this subject to the attention of the House.

Now, it is very clear that this vast increase of expenditure during the last twelve years has been effected by means of appropriation bills under the operation of the rules of the House. It is proposed now to go backward along the same road that we have traveled and by means of a modification of the rules retrench the expenditures of the Government. We must do it; and no man can be more conscious of that than my friend from Maine.

Mr. LAWRENCE. Mr. Speaker—

Mr. COX. With no wish to be discourteous to the gentleman from Ohio, [Mr. LAWRENCE,] I must insist upon the call for the previous question.

The previous question was seconded and the main question ordered.

The question being on agreeing to the report of the Committee on Rules,

Mr. HURLBUT. I ask that the rule as it will read with the proposed amendment be read.

The Clerk read as follows:

No appropriation shall be reported in such general appropriation bills, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress; nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as, being germane to the subject-matter of the bill, shall retrench expenditures.

Mr. RANDALL. I call for the yeas and nays on agreeing to the report of the committee.

The yeas and nays were ordered.

The question was taken; and there were—yeas 156, nays 102, not voting 32; as follows:

YEAS—Messrs. Ainsworth, Anderson, Ashe, Atkins, John H. Bagley, jr., John H. Baker, Blackburn, Bland, Bliss, Blount, Boone, Bradford, Bright, John Young Brown, Buckner, Samuel D. Burchard, Cabell, John H. Caldwell, William P. Caldwell, Campbell, Candler, Cate, Caulfield, Chapin, John B. Clarke of Kentucky, John B. Clark, jr., of Missouri, Clymer, Cochran, Collins, Cook, Cowan, Cox, Cutler, Danford, Davis, De Bolt, Dibrell, Douglas, Durand, Durham, Eden, Egbert, Ellis, Ely, Faulkner, Felton, Forney, Fort, Franklin, Fuller, Gause, Gibson, Glover, Goode, Goodie, Gunter, Andrew H. Hamilton, Robert Hamilton, Henry R. Harris, John T. Harris, Harrison, Hartridge, Hartzell, Hatchett, Haymond, Hereford, Abram S. Hewitt, Goldsmith W. Hewitt, Hill, Holman, Hopkins, House, Hunton, Hurd, Jenks, Frank Jones, Thomas L. Jones, Knott, Lamar, Franklin Landers, George M. Landers, Lane, Levy, Lewis, Luttrell, Levi A. Mackey, Maish, McMahon, Meade, Metcalfe, Milliken, Mills, Money, Morgan, Morrison, Mutchler, Neal, New, O'Brien, Odell, Parsons, Payne, Phelps, John F. Phillips, Piper, Poppleton, Powell, Randall, Rea, Reagan, John Reilly, Rice, Riddle, John Robbins, William M. Robbins, Roberts, Savage, Saylor, Scales, Schleicher, Sheakley, Singleton, Slemmons, William E. Smith, Southard, Sparks, Springer, Stenger, Stevenson, Stone, Swann, Tarbox, Terry, Thomas, Throckmorton, Tucker, Turney, John L. Vance, Robert B. Vance, Waddell, Charles C. B. Walker, Gilbert C. Walker, Walling, Walsh, Ward, Erastus Wells, Whitthorne, Wigginton, Wike, James Williams, James D. Williams, Jeremiah N. Williams, Wilshire, Benjamin Wilson, Yeates, and Young—156.

NAYS—Messrs. Adams, Bagby, George A. Bagley, William H. Baker, Ballou, Banks, Blaine, Blair, Bradley, William R. Brown, Horatio C. Burchard, Burleigh, Cannon, Conger, Crapo, Crouse, Darrall, Davy, Denison, Dobbins, Dunnell, Eaves, Farwell, Foster, Freeman, Frost, Frye, Garfield, Hale, Haralson, Benjamin W. Harris, Hathorn, Hendee, Henderson, Hoar, Hoskins, Hubbell, Hunter, Harbut, Hyman, Joyce, Kasson, Keller, Kelley, Ketchum, Kimball, King, Lapham, Lawrence, Leavenworth, Lynch, Magoon, MacDougall, McCrary, McMill, Miller, Monroe, Morey, Nash, Norton, Oliver, O'Neill, Packer, Page, William A. Phillips, Pierce, Flaisted, Platt, Pratt, Rainey, Robinson, Miles Ross, Sobieski Ross, Rusk, Sampson, Seelye, Sinnickson, Smalls, A. Herr Smith, Starkweather, Strait, Stowell, Thompson, Thornburgh, Martin I. Townsend, Washington Townsend, Tufts, Van Vorhes, Waldron, Alexander S. Wallace, John W. Wallace, G. Wiley Wells, Wheeler, White, Whiting, Willard, Alphens S. Williams, Charles G. Williams, William B. Williams, James Wilson, Alan Wood, jr., and Woodworth—102.

NOT VOTING—Messrs. Banning, Barnum, Bass, Beebe, Bell, Cason, Caswell, Chittenden, Culberson, Evans, Hancock, Hardenbergh, Hays, Henkle, Hoge, Hooker, Lord, Lynde, Edmund W. M. Mackey, McFarland, Potter, Furman, James B. Reilly, Schumaker, Teese, Walls, Warren, Whitehouse, Andrew Williams, Willis, Fernando Wood, and Woodburn—32.

So the report of the Committee on Rules was adopted.

Mr. COX moved to reconsider the vote just taken, and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### CENTENNIAL CELEBRATION OF AMERICAN INDEPENDENCE.

Mr. HOPKINS. I move that the rules be suspended and that the House resolve itself into Committee of the Whole on the state of the Union, for the purpose of considering the centennial appropriation bill.

The question being taken on agreeing to the motion, there were—aye 123, noes 16—no quorum voting.

Tellers were ordered; and Mr. HOPKINS and Mr. DURHAM were appointed.

The House divided; and the tellers reported—aye 139, noes 27.

So the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, (Mr. WOOD, of New York, in the chair.)

The CHAIRMAN. The first business in order is the Military Academy appropriation bill, which is the special order.

Mr. RANDALL. I move for the present that be laid aside.

The motion was agreed to.

The CHAIRMAN. The next business in order is a bill (H. R. No. 514) relating to the centennial celebration of American independence.

Mr. HOPKINS. Let the bill be read.

The Clerk read as follows:

Whereas by the act of Congress entitled "An act to provide for the celebrating the one-hundredth anniversary of American independence by holding an international exhibition of arts, manufacture, and products of the soil and mine, in the city of Philadelphia, and State of Pennsylvania, in the year 1876," approved March 3, 1875, provision was made for the celebration of the centennial anniversary of the Declaration of American Independence by "an exhibition of American and foreign arts, products, and manufactures," to be "held under the auspices of the Government of the United States, in the city of Philadelphia, in the year 1876; and whereas by the act of Congress entitled "An act relative to the centennial international exhibition to be held in the city of Philadelphia, State of Pennsylvania, in the year 1876," approved June 1, 1872, the centennial board of finance was incorporated, with authority to raise the capital necessary to carry into effect the provisions of the said act of March 3, 1871; and whereas the President of the United States, in compliance with a joint resolution of Congress approved June 5, 1874, did "extend, in the name of the United States, a respectful and cordial invitation to the governments of other nations to be represented and take part in the international exposition to be held at Philadelphia, under the auspices of the Government of the United States," and as the governments so invited, to the number of thirty-eight, have so accepted such invitation, and many of them are making extensive preparations to embrace the courtesy so extended to them, thereby rendering proper arrangements for the coming ceremonies on the part of the Government of the United States a matter of honor and good faith; and whereas the preparations designed by the United States centennial commission, and in part executed by the centennial board of finance, are in accordance with the spirit of the acts of Congress relating thereto, and are on a scale creditable to the Government and people of the United States: Therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the sum of \$1,500,000, to complete the centennial buildings and other preparations, be, and the same is hereby, appropriated out of any moneys in the United States Treasury not otherwise appropriated, which shall be paid on the drafts of the president and treasurer of the centennial board of finance, one-third immediately after the passage of this act, and the remainder in four equal monthly payments: *Provided,* That in the distribution of any moneys that may remain in the treasury of the centennial board of finance after the payment of its debts, as provided for by the tenth section of the act of Congress, approved June 1, 1872, incorporating said centennial board of finance, the appropriation herebefore made shall share equally with the holders of the said centennial stock, and a like percentage thereon be paid into the United States Treasury as may be paid to the holders of the said stock: *Provided, also,* That the Government of the United States shall not, under any circumstances, be liable for any debt or obligation of the United States centennial commission or the centennial board of finance, or any payment in addition to the foregoing sum.

Mr. HOPKINS. It is, I believe, customary for a gentleman reporting a bill to open the discussion; but inasmuch as I do not feel well to-day I propose to postpone any remarks I may have to make on this bill till to-morrow, and now yield the floor to my colleague on the committee, the gentleman from New Jersey, [Mr. HARDENBERGH.]

#### THE RELATIONS OF THE GOVERNMENT TO THE CENTENNIAL.

Mr. HARDENBERGH. Mr. Chairman, it would be strange if in the discussion which this bill may evoke the voice of New Jersey found no expression in this audience chamber of the nation.

Earliest of those by whom was conceived the idea of giving to our centennial year a grandeur and a dignity beyond a mere local or State celebration, she has by the voice of her executives, by the solemn sanction of her senate and General Assembly, and by the approval of her people laid her gift of \$110,000 upon the common altar as the tribute of her patriotism and her love. Should occasion require she will do more than this. To-day her one hundredth legislative council sits to frame anew for her entrance upon her second centennial her code of laws in accordance with the new constitution accepted during the year past by her people. Upon her soil are the plains of Trenton, of Princeton, and of Monmouth, around whose sacred memories the historian loves to linger as he recounts the story of the revolutionary era. Enshrined within the memories of her people, no less than of the Union, are many of her children, who in all the diversified professions and pursuits of life upon the land and upon the sea have worn the victor's wreath with no doubtful title to respect and confidence.

I feel it a distinguished honor in the discharge of my duty, though with unskilled language, yet firm in my convictions of right and faithful as I desire to be to those by whose consent I am this day their Representative, when I speak for New Jersey I speak for my country, not war-worn, weary, broken, and distracted, but as again bound together by the mystic ties of a common brotherhood, moving forward in the procession of States distinct as the billows but one as the sea, with no purpose but the common advancement and animated by no wish but the security of those blessings which are inseparable from our Union. She bids you to believe, representatives of America, that to insure success the Centennial must be a national endeavor. Foreign governments will not commit themselves to its support unless encouraged by active demonstration on the part of our own. Individual effort will be greatly promoted by the action of this Government, because such action will concentrate the patriotic impulses of the citizens.

The Centennial is in spirit a national celebration. As the Government is representative in all its branches, this idea must also be represented as a unit to give it dignity and effect. An appropriation by the Government will embody the national idea.

The money appropriated will enlarge the area upon which the nation is to be exhibited to the world. What is the Centennial but an

exhibition to mankind of the development in manufactures and art of the principles of self-government? It is the Constitution working through the people into the manifold forms of utility and beauty which will be then presented.

Logically the Centennial would be a failure unless the Government was acting in and through it, because it is the system of government which is here to be manifested in its fruits and results. Inventors, manufacturers, sculptors, poets, painters, artists, all who contribute have a right to expect their own Government first to recognize their merit and share in the glory of their achievements; afterward the appeal may be made to the world. It is to be a family reunion, where each child is to exhibit what he has accomplished, and who will take pride in the result if the mother who directed the education of each shall withhold herself from participation in the occasion and decline to approve their conduct? If it be true that foreign nations have refused to co-operate without the sanction of our Government, then the participation of the Government must be on a scale commensurate with its dignity and such as will insure success. The United States must be no party to a celebration which may be considered a failure. It is believed the history of the world can furnish no such example of progress in all that relates to human welfare during the space of one hundred years as our own. The application of steam and electricity to practical purposes has been a great factor in our prosperity. Should not the Government recognize this fact?

One object to be gained by the Centennial is to revive the patriotic feeling which existed during the Revolution. It was there this Government was born. It should cherish these principles by a liberal expression toward the people.

The great republic of antiquity, at the close of the Trojan war, in order to heal the wounds occasioned by it and in obedience to the Delphic oracle, established upon the plains of Olympia those games adapted to the lively and flexible character of the Greeks which became a permanent national institution and attracted the admiration of surrounding nations. All thoughts of hostility were immediately laid aside in the general preparation for the splendid festival. The Olympic games were frequented by an assemblage of the nations, and to be a conqueror there inflamed the ambition of mankind more than the honors of war or government. Chronology was reckoned from the first Olympiad. May not the Centennial have its origin in the same principle? Let it be to us the close of all hostilities—the healing of all the wounds of war, the gathering of the nations in friendly competition, not in athletic or muscular exhibitions but in the higher and nobler display of intellect and genius—the triumphs of art, in painting and poetry, in music and sculpture, in mechanical inventions, and all the thousand forms in which it will be visible.

Encouraged and sustained by the Government, I believe it will announce an era of prosperity; it will give confidence to our people; it will revive the stroke of busy industry; it will spread to the winds of every sea the long-folded sails of commerce. Nations are moving in vast procession to lay their offerings of peace upon the altars of our progress. Sheathed be the sword forever. Let them be greeted as a nation of freemen alone can greet them. Fidelity to our Union is assured by the North and the South, the East and the West. The pageant will indeed be strange. One hundred years have rolled away and we have attained the highest rank of empire within this year. The peaceful navies of the world will ride at anchor in our harbors freighted with the contributions of the ancient masters, and the wonderful treasures of the Orient be poured into our lap. Princes of royal blood, as they came before, will come again and on bended knee at Mount Vernon's sacred shades render homage to the virtues and the memory of Washington.

Such graves as his are pilgrim-shrines,  
Shrines to no code or creed confined—  
The Delphian vales, the Palestines,  
The Meccas of the mind.

Such is the genius of our Government, and such the glory of our institutions. Let no one seek to mar its destiny or arrest its progress. We shall be true to ourselves. The coming years, in the providence of God, will bind us yet stronger by the ties of concord and affection; but should perils from without, from whatever cause, arise to threaten our weal, then from the summit of that monument, now rearing here to attest the virtues of the Father of his Country, shall wave a flag which may bid defiance to a world in arms. I ask for New Jersey that this bill may pass.

Mr. HOPKINS. As it is late in the afternoon, I now move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. WOOD reported that the Committee of the Whole on the state of the Union had, according to order, had under consideration a bill (H. R. No. 514) relating to the centennial celebration of American Independence, and had come to no conclusion thereon.

#### CORRESPONDENCE BETWEEN SPAIN AND THE UNITED STATES.

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

*Resolved,* That the President be requested to furnish to this House all correspondence between the Government of the United States and Spain in relation to the island of Cuba which is not incompatible with the public interest.

Mr. WADDELL. I ask the gentleman from Illinois to include in his resolution a call for correspondence with any other government.



than that of Spain, because there has been correspondence with other governments.

The SPEAKER. Does the gentleman accept the modification of his resolution?

Mr. MORRISON. I do not. The gentleman will excuse me, but those who want the correspondence with other governments can introduce a separate resolution to that end.

The resolution 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.

JOHN ELLER.

Mr. TERRY, by unanimous consent, introduced a bill (H. R. No. 1195) for the relief of John Eller, of Tennessee, for service in the late war; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

#### ALASKA COMMERCIAL COMPANY.

Mr. WOOD, of New York, by unanimous consent, submitted the following resolution; which was read, considered, and agreed to:

*Resolved*, That the Committee on Ways and Means be requested to examine into and to report whether the lease from the United States to the Alaska Commercial Company of the right to take furs seals in Alaska, signed and executed by William A. Richardson, acting Secretary of the Treasury, in behalf of the United States, and John F. Miller, in behalf of said company, was made and executed in pursuance of law, and whether said lease was made to the best advantage of the United States according to the offers of other bidders; and also whether the interests of the United States were properly protected by the stipulations of said lease; and whether the Alaska Commercial Company have complied with its terms and conditions, and with the provisions, requirements and limitations of the act of Congress approved July 1, 1870; with power to send for persons and papers, administer oaths, and to report at any time.

#### OFFICERS OF THE ARMY DETAILED TO CIVIL DUTY.

Mr. WOOD, of New York, also, by unanimous consent, submitted the following resolution; which was read, considered, and agreed to:

*Resolved*, That the Committee on Military Affairs be directed to inquire and report: 1. Whether, since the end of the rebellion, any officer of the Army on the active list has held or exercised the functions of a civil officer; and, if so, the name of such officer, by whom appointed, ordered, or detailed to such office, and copies of such appointment, order, or detail.

2. Whether, since the end of the rebellion, any officer of the Army has accepted or held any office in the diplomatic or consular service of the Government, or has been ordered, or detailed, or received leave of absence to carry on any negotiation or arrangement in behalf of the United States with any foreign government or people; and, if so, the name of such officer, by whom ordered, or detailed, or granted leave, together with copies of such order, or detail, or leave.

3. Whether, since the end of the rebellion, any officer of the Army on the active list has, contrary to the statutes of the United States, been detailed for the performance of duties of a civil nature which interfered with the performance of his military duties proper; and, if so, the name of such officer.

4. Whether any officer of the Army, since the close of the rebellion, has been appointed, or detailed, or assigned to duty as clerk or secretary of the President, or to any civil duties in or about executive office in Washington; and, if so, the name of such officer, the character of his duties, the period of service therein, by whom appointed, detailed, or assigned, together with copies of all such orders and the section of the statutes of the United States authorizing or permitting such service.

5. What additional legislation, if any, is needed to confine officers of the Army on the active list to the performance of military duties proper, and to prevent their interference, by assignment or otherwise, in the performance of civil functions.

Mr. MACDOUGALL. By leave of my colleague I move to amend by substituting the word "revolution" for "rebellion."

Mr. WOOD, of New York. I decline to accept any amendment.

The resolution was adopted.

#### ANACOSTIA AND POTOMAC RIVER RAILROAD.

Mr. HENDEE, by unanimous consent, introduced a bill (H. R. No. 1196) to amend an act entitled "An act giving the approval and sanction of Congress to the route and termini of the Anacostia and Potomac River Railroad, and to regulate its construction and operation;" which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

#### SPEECHES IN CONGRESS.

Mr. HENDEE also, by unanimous consent, introduced a bill (H. R. No. 1197) providing for the printing of the speeches and remarks of members of Congress and United States Senators in the language in which they were delivered; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

JOHN D. M'GILL.

Mr. HENDEE also, by unanimous consent, introduced a bill (H. R. No. 1198) for the relief of John D. McGill, of Georgetown, District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

#### REFUND OF INTERNAL-REVENUE TAXES.

Mr. HENDEE also, by unanimous consent, introduced a bill (H. R. No. 1199) authorizing the refunding in certain cases of internal-revenue taxes illegally assessed and collected; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

ALMONT BARNES.

Mr. HENDEE also, by unanimous consent, introduced a bill (H. R. No. 1200) for the relief of Almont Barnes; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

#### AMENDMENT TO THE CONSTITUTION.

Mr. NEW, by unanimous consent, introduced a joint resolution (H. R. No. 40) proposing an amendment to the Constitution; which was read a first and second time.

Mr. NEW. I ask that the joint resolution be read at length.

The joint resolution was read, as follows:

*Resolved by the Senate and House of Representatives, etc., (two-thirds of each House concurring therein.)* That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid as a part of the Constitution, namely:

#### ARTICLE XVI.

From and after the next election for the President of the United States the President shall hold his office during the term of four years, and together with the Vice-President chosen for the same term, be elected in the manner now provided by law, or as may hereafter be provided. But neither the President, the Vice-President, nor any other person in the office of President, as devolved upon him by law, shall be eligible to the office of President a third time.

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

#### LAWS OF LIBEL IN THE DISTRICT.

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

*Resolved by the House of Representatives*, That the Committee on the Judiciary be instructed to take into consideration all laws now in force in the District of Columbia relating to libel, and report thereon by bill or otherwise.

#### HEIRS OF JOHN RICE JONES.

Mr. AINSWORTH, by unanimous consent, introduced a bill (H. R. No. 1201) to indemnify the heirs and legal representatives of John Rice Jones, deceased, for the lands sold and otherwise appropriated by the United States within the limits of certain confirmed private land claims in the State of Illinois; which was read a first and second time, referred to the Committee on Private Land Claims, and ordered to be printed.

#### ORDER OF BUSINESS.

Mr. HOLMAN. In consequence of the large number of bills to be offered, I ask that it be ordered that by unanimous consent, after the call of committees to-morrow morning, the call of the States and Territories for bills and joint resolutions for reference only shall be completed.

There was no objection, and it was so ordered.

And then, on motion of Mr. HOLMAN, (at four o'clock and twenty-five minutes p. m.,) the House adjourned.

#### PETITIONS, ETC.

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

By Mr. ADAMS: The petition of R. H. Pruyn, A. P. Palmer, C. P. Williams, A. Van Allen, and other bankers of Albany, New York, that taxes upon capital and deposits in national banks may be repealed.

By Mr. ANDERSON: The petition of John B. Tucker, for a pension, to the Committee on Invalid Pensions.

By Mr. G. A. BAGLEY: The petition of citizens of New York, for an appropriation for the removal of a bar across the channel of Sacket's Harbor, to the Committee on Commerce.

By Mr. BELL: The memorial of H. B. Brown, for compensation for services rendered as acting secretary of the legation at Rome, to the Committee on Claims.

By Mr. BLAIR: The petition of the national banks of Kearsage and Warner, New Hampshire, for the repeal of the check-stamp tax, to the Committee on Ways and Means.

By Mr. BROWN, of Kentucky: The petition of Miss Alice Park, for compensation for use and occupation of her property by the United States, to the Committee on War Claims.

By Mr. BROWN, of Kansas: The papers relating to the claim of Spencer & Mead against the Kansas tribe of Indians for goods sold to them during the years 1866 and 1867, to the Committee on Indian Affairs.

Also, the papers relating to the claim of Jedwick & Whittaker, for depredations alleged to have been committed by Cheyenne Indians in 1867, to the same committee.

By Mr. CALDWELL, of Tennessee: The petition of Needham Branch, for a reconsideration of his claim against the United States, to the Committee on War Claims.

Also, the petition of Z. C. Nolen, of similar import, to the same committee.

By Mr. CASON: The petition of engineer employes, for pay for property lost while in the United States service, to the Committee on Claims.

By Mr. CHAPIN: The petition of Julia E. Seeley, postmaster at Great Barrington, Massachusetts, for relief, to the same committee.

Also, the petition of E. W. Blackinton, of similar import, to the same committee.

Also, the petition of Henry L. James, of similar import, to the same committee.

By Mr. DAVIS: The petition of Tod. R. Caldwell, for a refund of cotton tax, to the same committee.

By Mr. DURAND: The petition of Emma A. Poreh, for pay as a scout during the late war, to the Committee on War Claims.

By Mr. DANFORD: The petition of Thomas Perry, for a pension, to the Committee on Invalid Pensions.

By Mr. DURHAM: The petition of Margaret C. Bell, for an increase of pension, to the same committee.

By Mr. ELLIS: The petition of J. A. Breaux, contestant in the contested-election case of J. A. Breaux vs. C. B. Darrall, for an extension of time within which to take testimony, to the Committee on Elections.

Also, the petition of James Graham, for a refund of money paid by him to the United States for property sold under the confiscation acts, to the Committee on Claims.

Also, the petition of L. M. Day, of similar import, to the same committee.

Also, the petition of Octave L. Blanchard, for payment for property destroyed by the United States, to the Committee on War Claims.

By Mr. FELTON: The petition of 198 citizens of Walker and Dade Counties, Georgia, for a semi-weekly mail-route from Rising Fawn to Howard's Farm, Georgia, to the Committee on the Post-Office and Post-Roads.

By Mr. FRYE: The petitions of the Pennsylvania State Temperance Union, signed by James Black, president, and D. C. Babcock, secretary; of 12,000 lodges of Good Templars, representing 850,000 members, signed by J. J. Hickman, right worthy grand templar, and W. S. Williams, right worthy secretary; of Joel D. Thompson, A. J. Cornish, and other citizens of Gillette, New Jersey; of Plymouth church, Philadelphia, signed by the pastor and officers, for a commission of inquiry concerning the alcoholic liquor traffic, to the Committee on the Judiciary.

Also, the petition of N. W. Swanton *et al.*, for an appropriation to improve the channel in Black River, to the Committee on Commerce.

By Mr. GLOVER: The papers in the application of W. F. Chamberlain, for relief, to the Committee on Military Affairs.

Also, the petition of James Hill, for a pension, to the Committee on Invalid Pensions.

By Mr. GOODE: The petition of John A. Parker, for relief, to the Committee on Claims.

By Mr. GOODIN: The petition of J. B. Anderson and other citizens of Kansas, for the repeal of the check-stamp tax, to the Committee on Ways and Means.

By Mr. HENKLE: The memorial of Samuel Smoot, president of the Southern Maryland Railroad Company, for relief, to the Committee on Railways and Canals.

Also, the petition of Mrs. Magdalena Sinz, for pay for property used by the United States, to the Committee on Claims.

By Mr. HEWITT, of New York: The petition of citizens and merchants of New York, in regard to the duties on tea and coffee, to the Committee on Ways and Means.

By Mr. HOLMAN: The petition of Captain Henry A. Neff, for additional compensation as United States Army officer, to the Committee on War Claims.

Also, the petition of Rev. Samuel Morrison, for a pension, to the Committee on Revolutionary Pensions and War of 1812.

Also, the petition of James G. Harrison, for compensation as acting assessor of internal revenue, to the Committee on Claims.

Also, the petition of John S. Smith, for a pension, to the Committee on Invalid Pensions.

By Mr. HOPKINS: The petition of 58 citizens of Allegheny County, Pennsylvania, who were soldiers in the late war, for an increase of pensions, to the Committee on Invalid Pensions.

Also, the protest of Pittsburgh druggists, against the repeal of the proprietary stamp tax, to the Committee on Ways and Means.

Also, the petition of other Pittsburgh druggists, for the repeal of the proprietary stamp tax, to the same committee.

Also, resolutions of the New York Produce Exchange, favoring an appropriation of \$1,500,000 in aid of the centennial celebration, to the Select Committee on the Centennial Celebration and the proposed National Census of 1875.

Also, the petition of Thomas Hunter, for compensation in money for a lost land warrant and for increase of pension, to the Committee on Invalid Pensions.

By Mr. HOUSE: The papers in the case of John E. Bauman & Co., for use of mill by the United States, to the Committee on War Claims.

By Mr. HUBBELL: The petition of J. W. Wilkinson and other citizens of Marquette, Michigan, for the repeal of the check-stamp tax, to the Committee on Ways and Means.

By Mr. JOYCE: The petition of J. H. Guild and other citizens of Vermont, for the repeal of the proprietary stamp tax, to the Committee on Ways and Means.

Also, the petition of W. F. Wood, for a pension, to the Committee on Invalid Pensions.

By Mr. LEAVENWORTH: The petition of Kenyon, Potter & Co., for the repeal of the proprietary stamp tax, to the Committee on Ways and Means.

By Mr. LYNCH: The petition of the board of trustees of the Protestant Orphan Asylum and citizens of Natchez, Mississippi, for an appropriation for the use and destruction of the asylum building by the United States, to the Committee on War Claims.

By Mr. MCCRARY: Papers relating to bill for the relief of S. T. Marshall, to the Committee on Indian Affairs.

By Mr. McDILL: The petitions of A. W. Street, cashier of Council Bluffs Savings Bank, and 51 citizens; of J. W. Edgerly and 46 citizens; of William Bates and 34 citizens; of P. Jackson and 57 citizens; of W. S. Silliman and 46 citizens; of the Plymouth County Bank, Lamars, Iowa; for the repeal of the check-stamp tax, to the Committee on Ways and Means.

By Mr. MCFARLAND: The petition of William Gouge, for removal of charge of desertion from the United States Army and for bounty, to the Committee on Military Affairs.

By Mr. MCMAHON: The petition of Capt. Jasper M. Whitty, John E. Ayers, and John Brady, for a pension, to the Committee on Invalid Pensions.

By Mr. MEADE: The petition of twenty national banks of New York City, for the abolition of the tax on deposits and capital; and, also, to charge the expenses of the redemption agency to the fund derived from taxation on circulation, to the Committee on Ways and Means.

By Mr. MONEY: The petitions of William Bell, Solomon D. Sessions, and Mary P. Irby, for compensation for cotton seized by the United States, to the Committee on War Claims.

By Mr. MORRISON: The petition of Jacob Gall, for relief, to the same committee.

Also, the petition of Charles Vailer, for additional compensation as a United States Army officer, to the Committee on Military Affairs.

By Mr. PAGE: The petition of the West San Joaquin Grange, California, for the repeal of the tariff on bagging, to the Committee on Ways and Means.

Also, resolutions of the Newcastle Grange, California, asking the repeal of the tariff on bagging, to the Committee on Ways and Means.

By Mr. PARSONS: The petition of John B. Davis, for relief, to the Committee on the Post-Office and Post-Roads.

Also, the petition of Alexander Hoogland, for pay as internal-revenue detective, to the Committee on Claims.

By Mr. PHELPS: The petition of James B. Armstead, jr., and 70 other citizens of New Haven, Connecticut, for the repeal of the resumption act, to the Committee on Banking and Currency.

By Mr. PHILLIPS, of Kansas: The petition of citizens of Kansas, for the repeal of the check-stamp tax, to the Committee on Ways and Means.

Also, the petition of 92 citizens of Kansas, for a mail-route from Beloit to Russell, Kansas, to the Committee on the Post-Office and Post-Roads.

By Mr. PIERCE: The petition of James Swords and other citizens of Massachusetts, for the establishment of a signal station at Block Island, to the Committee on Commerce.

By Mr. RAINEY: The petition of James Keenan, for indemnity for loss of property, to the Committee on War Claims.

By Mr. RANDALL: The petition of S. A. Harvey, for a pension, to the Committee on Invalid Pensions.

Also, the petition of the heirs of Captain Lambert Wicker, claimants for prize-money, pay, &c., during the war of the Revolution, to the Committee on Revolutionary Pensions and War of 1812.

By Mr. ROBBINS, of North Carolina: The petition of citizens of North Carolina, for a post-route from Soda Hill to Blowing Rock, North Carolina, to the Committee on the Post-Office and Post-Roads.

By Mr. ROBERTS: The petition of Julius S. Bohrer, to be restored to the rank of master in the United States Navy, to the Committee on Naval Affairs.

By Mr. RUSK: The petition of certain survivors of the Black Hawk war, to be placed on the pension-rolls at the rate of eight \$8 per month, to the Committee on Invalid Pensions.

By Mr. SMITH, of Pennsylvania: Two petitions from citizens of Marietta, Pennsylvania, for Congress to extend the credit for the completion of the Southern Pacific Railroad, provided the iron to be used is purchased from American manufacturers, to the Committee on the Pacific Railroad.

By Mr. SOUTHARD: The petition of William Wolfe and 50 citizens of Ohio, for the repeal of the check-stamp tax, to the Committee on Ways and Means.

By Mr. SPRINGER: The petition of 374 citizens of Illinois, for the repeal of the check-stamp tax, to the same committee.

Also, the petition of Susan A. Lusk, for the return of a fine of \$500 exacted from her deceased husband during the late war, at Natchez, Mississippi, to the Committee on War Claims.

By Mr. SWANN: The petitions of the national banks of Baltimore, relative to abatement of taxation on deposits and capital, to the Committee on Ways and Means.

By Mr. TERRY: The petition of citizens of Virginia, to establish a post-route from Harrisburgh to Holly Creek, Virginia, to the Committee on the Post-Office and Post-Roads.

By Mr. THOMPSON: The petition of F. W. Nichols and others that Brown's type setting and distributing machine be tried in the Government Printing Office, at Washington, to the Joint Committee on Printing.

By Mr. THROCKMORTON: Papers relating to the claims of Charles Baskerville and Henry B. Whitfield, to the Committee on Claims.

By Mr. TOWNSEND, of New York: The petitions of 119 citizens of New York, and of citizens of Troy, New York, for the repeal of the check-stamp tax, to the Committee on Ways and Means.



Also, the petition of citizens of Troy, New York, for an amendment of the banking laws, to the Committee on Banking and Currency.

Also, the petition of Margaret E. West, for a pension, to the Committee on Invalid Pensions.

By Mr. VANCE, of North Carolina: The petition of Levi Jones, for additional compensation as United States Army officer, to the Committee on Military Affairs.

Also, the petition of Hiram R. Rhea, that his name be placed upon the muster-rolls of Company G, Third North Carolina Mounted Infantry, to the Committee on Military Affairs.

Also, the petition of William A. Henderson, for a pension, to the Committee on Invalid Pensions.

Also, the petition of Anson B. Sams, of similar import, to the same committee.

Also, the petition of Leonard W. Henderson, for additional pay as a United States Army officer, to the Committee on Military Affairs.

By Mr. VAN VORHES: The petition of Hon. Jere Williams and 25 citizens of Monroe County, Ohio, for the repeal of the check-stamp tax, to the Committee on Ways and Means.

Also, the petition of Henry M. Davis, for relief, to the Committee on War Claims.

By Mr. WALLING: The petition of citizens of Fairfield County, Ohio, for a post-route, to the Committee on the Post-Office and Post-Roads.

Also, papers in the case of Peter M. Ward, to the Committee on Military Affairs.

By Mr. WALLS: Additional papers in the case of W. H. Daniels, to the Committee on Claims.

By Mr. WHITTHORNE: The petition of S. C. Moffett, for relief, to the same committee.

Also, the petition of William Simonton, for relief against a judgment of the southern claims commission, to the Committee on War Claims.

By Mr. WHITE: The petition of L. C. Dells, for pay while held as a prisoner of war by the confederate authorities, to the Committee on Military Affairs.

By Mr. WIGGINTON: A paper relative to a post-route in Fresno County, California, to the Committee on the Post-Office and Post-Roads.

By Mr. WIKE: The petition of the Board of Supervisors at Quincy, Illinois, for the construction of public buildings at that place, to the Committee on Public Buildings and Grounds.

By Mr. WILLIAMS, of New York: The petition of Butler, Miller & Co. and Hawkes, Miller & Co., for pay for cotton claims originating at Nashville, Tennessee, in 1863, to the Committee on War Claims.

Also, the petition of James L. Henry, for pay for the use by the Government of his improvement in cannon, to the same committee.

Also, the petition of Edward Gallagher, for pay for the use of buildings by the United States, to the same committee.

Also, resolutions relating to the Metropolitan police of the District of Columbia, to the Committee on the Judiciary.

By Mr. WILSHIRE: The petition of Elias Rector, for relief, to the Committee on War Claims.

Also, the petition of citizens of Arkansas, for right of way and ground for depot purposes for the Hot Springs Railroad Company, to the Committee on the Public Lands.

By Mr. WILSON, of Iowa: The petition of citizens of Benton County, Iowa, for the repeal of the check-stamp tax, to the Committee on Ways and Means.

By Mr. WOOD, of New York: Two petitions from citizens of New York, for the repeal of the check-stamp tax, to the same committee.

By Mr. YOUNG: Papers relating to the bill for relief of Thomas G. Neal, to the Committee on War Claims.

Also, the petition of R. C. Brinkley, for pay for lumber furnished the United States, to the same committee.

By Mr. —: The petition of citizens of New London, Connecticut, for the repeal of the proprietary stamp tax, to the Committee on Ways and Means.

By Mr. —: The petition of citizens of East Donegal, Pennsylvania, for aid to be extended to the Southern Pacific Railroad, provided the iron to be used is purchased from American manufacturers, to the same committee.

By Mr. —: The petition of citizens of Troy, New York, for a signal station at Block Island, to the Committee on Commerce.

## IN SENATE.

TUESDAY, January 18, 1876.

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

### EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a report of the Secretary of the Interior, transmitting, in compliance with a resolution of the Senate of December 13, 1875, statements showing the names of Indian agents who have complied with the law requiring them to keep an itemized account of all receipts and expenditures, together

with a record of all contracts; which was ordered to lie on the table and be printed.

He also laid before the Senate a report of the commissioners of the Freedman's Savings and Trust Company, transmitting, in compliance with a resolution of the Senate of the 5th instant, statements showing the balance due on the assets of the Freedman's Savings and Trust Company at the time of their transfer, the action taken to collect the same, and their present status; also, the receipts and expenditures from July 13, 1874, to December 31, 1875; which, on motion of Mr. SHERMAN, was ordered to lie on the table and be printed.

### SENATOR FROM LOUISIANA.

Mr. THURMAN. I present the credentials of James B. Eustis, claiming a seat in the Senate as Senator-elect from the State of Louisiana, and ask their reference to the Committee on Privileges and Elections.

The PRESIDENT *pro tempore*. They will be so referred, if there be no objection.

Mr. THURMAN. I suppose they ought to be read; it is customary.

The PRESIDENT *pro tempore*. The credentials will be read by the Secretary.

The Chief Clerk proceeded to read the papers presented by Mr. THURMAN.

The PRESIDENT *pro tempore*. The Senator from Ohio moves the reference of these papers to the Committee on Privileges and Elections.

Mr. CONKLING. Mr. President, is the reading completed?

Mr. THURMAN. As the documents are somewhat voluminous, they may be considered as read without actually being read.

Mr. CONKLING. I should like to know, if they are not to be read, who certifies those papers beyond the certificate which the Secretary has already read?

Mr. THURMAN. They are certified by the proper officers of the General Assembly; that is to say, by the speaker and clerk of the house of representatives and by the senator who presided at the joint meeting, and their signatures are attested by the certificate of the secretary of state and the seal of the State. This is the usual verification of legislative proceedings. They are a transcript from the journal.

Mr. CONKLING. These papers are not presented as transcripts of legislative proceedings; they are presented as the credentials of one claiming a seat in the Senate. An act of Congress has described what credentials must be, as I understand. Among other things, they must be certified by the governor of the State; and it is such credentials, and only such, that the Senate knows.

Mr. HOWE. Are not these certified by the governor?

Mr. CONKLING. My friend on my right inquires whether these are certified by the governor. It was that inquiry that I made of the Chair, and the Senator from Ohio answers that they are not. Therefore, I submit that *prima facie* they are not credentials.

The PRESIDENT *pro tempore*. The Chair so understands, and he will state to the Senator from Ohio that they are not certified to by the governor.

Mr. CONKLING. I was therefore about to suggest that, not being credentials, they ought not to be received as credentials. The Senate ought not to advance at all in regard to them until it knows more than it can know, if the papers are not to be read. We have heard them in part, and there yet seems to be a large roll of unread papers at the desk of the Secretary. I began, however, this suggestion in the absence of the chairman of the committee to which the Senator from Ohio proposes to refer these papers, and as the matter pertains to him rather than to me I rose rather to save the Senate a false position, if we should get into a false position by receiving as credentials papers which appear not to be credentials, than for any other purpose. Now that the Senator from Indiana is here, I call his attention as chairman of the committee, suggesting to him, as to the Senate, that these papers ought not to be received until they have been read or some opportunity given to Senators to know whether they are in any sense credentials.

Mr. MORTON. I was not in the Senate when these papers, purporting to be credentials, were presented, and I will ask to have the matter passed over till to-morrow morning, so that I may have an opportunity to examine them. Let them lie on the table.

Mr. THURMAN. I have no particular objection to that, but I wish to say, in reply to the observations of the Senator from New York, that I do not suppose he, upon reflection, would state as his opinion that, if the governor of a State refuses to give the certificate which the law requires him to give, the elected Senator loses his place.

Mr. CONKLING. That would be another question.

Mr. THURMAN. It would be a question, I think, so easily answered that I should anticipate a unanimous vote in the Senate upon such a question as that. There is no mode provided by law to coerce the governor of a State to give a certificate. He may withhold it ever so wrongly; he may withhold it under a mistaken idea of his duty. There is no sanction in the law which puts the mandate upon him to give that certificate, none whatsoever; and certainly the requisition of our statutes cannot be considered as constituting the certificate of the governor the only evidence of the election of a Senator by a State Legislature.

Besides, the practice of the Senate has been in accordance with