

IN SENATE.

MONDAY, July 31, 1876.

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

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

HOUSE BILL REFERRED.

The bill (H. R. No. 3989) for the relief of Catharine and Sophia German was read twice by its title, and referred to the Committee on Indian Affairs.

AMMUNITION FOR INDIANS.

The joint resolution (H. R. No. 154) prohibiting the supply of special metallic cartridges to hostile Indians was read twice by its title.

The PRESIDENT *pro tempore*. If there be no objection the joint resolution will be referred to the Committee on Indian Affairs.

Mr. OGLESBY. It pertains to ammunition. Why should it not go to the Committee on Military Affairs?

The PRESIDENT *pro tempore*. It pertains to ammunition, and will be referred to the Committee on Indian Affairs or the Committee on Military Affairs.

Mr. INGALLS. It should go to the Committee on Indian Affairs.

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

Mr. LOGAN. Why should it go to a committee? I have no objection to a reference to the Committee on Indian Affairs, but I should like to take up the joint resolution and act upon it now. I think it is a very important matter and ought to be adopted.

Mr. INGALLS. Let it be read.

The PRESIDENT *pro tempore*. The joint resolution will be read for information, subject to objection.

The Chief Clerk read the joint resolution.

Mr. LOGAN. I think it ought to be passed without reference to a committee.

Mr. ANTHONY. I think the resolution ought to be adopted, but I do not see how it is going to be effective. The President is authorized to take such measures as he may see fit. Of course these measures must be within the law. Unless we give him some legal authority I do not see how he can stop the evil. Nor do I see how an article is to be declared contraband of war when there is no war. Indian hostilities are not war in the sense in which belligerent rights and belligerent duties accrue. I am in favor, of course, of the passage of the resolution, but it seems to me there ought to be not only some specific authority given to the President, but some mode pointed out in which he can exercise that authority.

Mr. OGLESBY. The President will act through the Secretary of the Interior in giving instructions to the Indian agents, or the Secretary of War in giving instructions to the commanders at the posts.

Mr. ANTHONY. Can they arrest persons and punish them?

Mr. LOGAN. Certainly they can. These traders are governed by certain regulations which the law prescribes. This resolution gives the power to the President so that the Secretary of War and the Secretary of the Interior, under such instructions as the President may see proper, may prohibit the sale by the post-traders in the Army or the Indian agents at the different posts. The manner in which the Indians get their supply of ammunition and these metallic cartridges is through these agents and traders.

Mr. MORRILL. Let the enacting part of the joint resolution be read. I think it covers the case.

The Chief Clerk read as follows:

That the President of the United States is hereby authorized and requested to take such measures as in his judgment may be necessary to prevent such special metallic ammunition being conveyed to such hostile Indians, and is further authorized to declare the same contraband of war in such district of country as he may designate during the continuance of hostilities.

Mr. INGALLS. There is no need of referring the resolution, and I trust that no request of the kind will be made. The necessity for the passage of the resolution is very great. My own impression is that the only difficulty with the joint resolution as it has been passed by the House is that it is not sufficiently stringent. The man who under any pretense whatever will sell ammunition to Indians in the present condition of affairs is no better than a murderer. The resolution ought to give authority to somebody to either hang such persons at the nearest telegraph-pole or shoot them immediately by drum-head court-martial.

Mr. DAWES. And then try them?

Mr. INGALLS. And try them afterward.

Mr. HARVEY. I merely wish to state that in my opinion the resolution ought to be passed at once. It gives powers that are effective to stop this injury.

Mr. OGLESBY. Let us pass it, then.

Mr. HARVEY. While the Senator from Rhode Island says that Indian hostilities are not war, in my opinion they are much worse than war. The necessity for such action in the direction indicated by the resolution is so evident that I think there can be no objection to it.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The preamble recites that it is ascertained that the hostile Indians of the Northwest are largely equipped with arms which require special metallic cartridges; and that such special ammunition is in large part supplied to such hostile Indians directly or indirectly through traders and others in the Indian country.

The joint resolution authorizes the President of the United States to take such measures as, in his judgment, may be necessary to prevent such special metallic ammunition being conveyed to such hostile Indians, and to declare the same contraband of war, in such district of country as he may designate, during the continuance of hostilities.

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

NELSON TIFFANY—VETO MESSAGE.

The PRESIDENT *pro tempore* laid before the Senate the action of the House of Representatives upon the bill (H. R. No. 1337) for the relief of Nelson Tiffany.

The Chief Clerk read the action of the House of Representatives, as follows:

IN THE HOUSE OF REPRESENTATIVES, July 28, 1876.

The President of the United States having returned to the House of Representatives, in which it originated, the bill entitled "An act for the relief of Nelson Tiffany," with his objections thereto, the House of Representatives proceeded, in pursuance of the Constitution, to reconsider the same, and—

Resolved, That the said bill do pass, two-thirds of the House of Representatives agreeing to pass the same.The PRESIDENT *pro tempore*. The question is, Shall the bill pass, the objections of the President to the contrary notwithstanding?

Mr. BOUTWELL. Perhaps it is not necessary to make a statement to the Senate in regard to this bill; but as the person named in it is a constituent of mine, and the facts of his case have come to my knowledge as they were not known at the War Department or to the President when the veto message was prepared, I think it my duty to make a statement of those facts.

Nelson Tiffany was a soldier in the war from the 16th of September, 1861, till late in the year of 1865, when he was honorably discharged. In the year 1864 he was wounded at Bermuda Hundred, shot through the abdomen, the ball taking effect finally in the spine. He was sent first to the hospital at Fortress Monroe, and then he was transferred to a hospital at New Haven, Connecticut. Having regained in some degree his health, he obtained a furlough for thirty days and after that an extension, I think, for thirty days more. When that time expired he was so ill and depressed that he had no expectation of living, and he returned to his home at Auburn, about four miles from the city of Worcester. There he has remained ever since, in a very miserable condition, broken in health, and utterly unable to perform any labor, and not likely to survive for many months. He is recorded upon the books of the War Department as a deserter, and this bill is designed to give him relief.

Mr. OGLESBY. Not having reported to the hospital at the time when he should have reported, at the end of his second furlough?

Mr. BOUTWELL. Yes, sir.

Mr. WEST. Does the bill give him any pay?

Mr. BOUTWELL. It gives him no pay. There is not anything of that kind in the bill.

Mr. OGLESBY. It simply corrects his military history.

Mr. BOUTWELL. Perhaps I shall be excused for saying that General BANKS stated in the House that the Adjutant-General made this statement in the presence of the Secretary of War, and the Secretary of War and the Adjutant-General both agreed that if the facts had been known to them, the report to the President would have been of an opposite character. I therefore hope there will be no objection on the part of the Senate to the passage of the bill.

Mr. INGALLS. What is the immediate object of the bill, merely to do justice to this soldier for a wrong he has suffered, or is it designed to follow it up by some pecuniary relief, a pension or additional pay?

Mr. BOUTWELL. Of course thus far he has not received a pension and, I suppose, has received no pay since his discharge. I am not instructed and know nothing of the law; but I presume if this relief is granted, he would be entitled to a pension. About that I cannot say. I do not think it weakens the case before the Senate, even if that should occur, because the testimony, which I will not trouble the Senate to hear unless there should be further request, goes to show that he was a faithful soldier from first to last. General Pickett, who then commanded the twentieth regiment to which this man belonged, makes a personal statement, which I have here in manuscript, to the effect that he was always a faithful soldier and performed his duty. He is a most respectable man, from a respectable family, and every consideration would lead the Senate, I think, to pass this bill.

The PRESIDENT *pro tempore*. The question is, Shall the bill pass, notwithstanding the objections of the President? on which the yeas and nays are required.

Mr. COCKRELL. The bill was passed upon by the Committee on Military Affairs favorably, and I hope that it will pass. It was fairly considered by the committee, and the Senator from Arkansas [Mr. CLAYTON] made the report. He is not present now.

The question being taken by yeas and nays, resulted—yeas 41, nays 0; as follows:

YEAS—Messrs. Allison, Anthony, Barnum, Booth, Boutwell, Cameron of Pennsylvania, Cameron of Wisconsin, Christianity, Cockrell, Cooper, Cragin, Davis, Dawes, Dorsey, Eaton, Ferry, Hamlin, Harvey, Hitchcock, Ingalls, Kelly, Ker, Key, Logan, McCreery, McMillan, Merrimon, Mitchell, Morrill, Norwood, Oglesby, Paddock, Robertson, Sargent, Sherman, Thurman, Wadleigh, Wallace, West, Windom, and Withers—41.

ABSENT—Messrs. Alcorn, Bayard, Bogy, Bruce, Burnside, Clayton, Conkling, Conover, Dennis, Edmunds, Frelinghuysen, Goldthwaite, Gordon, Hamilton,

Howe, Johnston, Jones of Florida, Jones of Nevada, McDonald, Maxey, Morton, Patterson, Randolph, Ransom, Saulsbury, Sharon, Spencer, Stevenson, Whyte, and Wright—30.

So the bill was passed by the votes of two-thirds of the Senators present, the objections of the President to the contrary notwithstanding.

INCREASE OF CAVALRY FORCE FOR SIOUX HOSTILITIES.

The PRESIDENT *pro tempore* laid before the Senate the following communication; which was read:

WAR DEPARTMENT,
Washington City, July 27, 1876.

Sir: I have the honor to send herewith copy of dispatch from General Sheridan, recommending an increase of the companies of the Second, Third, Fourth, Fifth, and Seventh Cavalry to one hundred men, as was done for the two regiments on the Rio Grande, and to submit an estimate for the number of men required in addition to the twenty-five thousand men which are now authorized for the Army.

The number which will be required to fill all the regiments of cavalry on the frontier and in Texas to the maximum of one hundred men to each company will be twenty-five hundred, and the expense therefor will be as follows:

Recruiting 2,500 cavalrymen	\$50,000
Pay per annum	390,000
Subsistence	200,400
Clothing	206,000
Regular supplies	216,000
Purchase of horses	337,500
Transportation, (wagons, &c.)	84,800
Transportation by rail, &c., about	150,000

Total..... 1,634,700

I also submit a draught of an act which will effect the increase proposed by General Sheridan.

Very respectfully, your obedient servant,

J. D. CAMERON,
Secretary of War.

To the PRESIDENT *pro tempore* of the Senate.

MR. LOGAN. I ask for the reading of the bill accompanying the letter. I have examined the papers myself, and I ask that the bill be read for the information of the Senate.

The Chief Clerk read the draught of the bill inclosed by the Secretary of War, as follows:

Whereas war with the Sioux Indians now prevails; and whereas in the conduct of this war it is necessary to the efficiency of the cavalry regiments therein named that their effective force shall be increased: Therefore,

Be it enacted, &c., That the President of the United States be, and he is hereby, empowered to increase the number of enlisted men to one hundred for each company of such regiments of cavalry as in his opinion may require the same. *Provided*, That not more than twenty-five hundred enlisted men shall thus be added at any one time to the twenty-five thousand authorized by the act approved July 24, 1876, "making appropriations for the support of the Army for the fiscal year ending June 30, 1877," and the following sums are hereby appropriated for recruiting and maintaining the same, &c.

MR. LOGAN. I suggest to the Senate that it is not necessary to refer that bill. The Senators can give their opinions by their votes without a reference to a committee. It is a very important matter. It has been suggested by the general in command that the cavalry regiments on the frontier now in front of the Indians be increased the same as the two regiments of cavalry on the Rio Grande, and he gives the estimate of the cost of the increase. I think myself it is a bill that ought to pass. I think the cavalry ought to be increased. That would make the force as efficient as is necessary for all purposes on the plains. As I understand it, the War Department approves the measure, and I should be very glad if the Senate would take up the bill now and act on it.

MR. SHERMAN. I have no objection to the Senate acting on that bill, though it is rather an unusual proceeding; but it has been suggested to me by very high military authority that the same power to increase the infantry regiments ought to be granted also. The infantry can be placed in front of the enemy much quicker and much cheaper than cavalry, and as to some of the regiments at least, authority ought to be given to the President in his discretion to authorize several of the infantry regiments to be raised in the same way for temporary purposes by temporary enlistments.

MR. LOGAN. I think that ought to be done, but I will say to the Senator that at the last session of Congress, when the Senate over my protest reduced the infantry down to 25,000, I stated the very fact that it was impossible to preserve the frame-work of an army without infantry. I have always been of that opinion, and it is very desirable that it should be done; but believing that putting the two together would probably lead to opposition while the bill itself would not, I did not desire to encumber it. I should certainly favor the proposition suggested by the Senator from Ohio; but I would rather have this bill acted on separately, inasmuch as by the appropriation bill for the Army we allowed the increase of the infantry from 22,500 up to 25,000 enlistments, as it was left at the last session of Congress. I myself believe that the infantry ought to be increased, or the regiments filled up. I think they are very necessary in Indian warfare as well as in other warfare; but I would rather not encumber this bill with that proposition.

MR. SHERMAN. I will not interpose in regard to this bill; but I desire to say that I think we have a right to feel somewhat alarmed at the condition of affairs in the Indian country, and we shall not be able to excuse ourselves for neglecting any precaution or care to strengthen the Army. The fact is known to us all that about three thousand of our brave soldiers, among the best and choicest parts of the Army of the United States, well commanded, but very inefficient in numbers, are now in the face of the last body of hostile Indians

that will ever encounter the United States of America. The accounts in the newspapers, although perhaps somewhat exaggerated, show that these Indians are at least to the number of five thousand fighting men, probably well armed, and they have shown great courage. They have faced our troops in open line of battle. Now, when this last contest is to be made, our troops are at least inferior in force, cut off from supplies, no doubt somewhat dispirited by one terrible massacre and one lost engagement. It seems to me that under the circumstances the Congress of the United States ought by a unanimous vote hasten to meet the emergency and provide for an enlargement of both the infantry and cavalry force, or at least give the President power to accept enlistments in the regular service or to accept regiments. Regiments have been tendered by the governor of Montana, by the governors of surrounding Territories, but there is no authority to accept even the enlistment of a single soldier.

It seems to me under these circumstances we had better enlarge this bill, although it calls but for an authority to increase the cavalry regiments; we had better give authority also to increase the infantry regiments, with the certainty that the President of the United States will not abuse this power and will not call a single man into the service that is not necessary to repel and put down, for the last time I trust in this country, the Indian force. It seems to me that it is not too much for us at once to give this authority, leaving to the President the discretion to exercise it, and also to allow these regiments to be filled up temporarily. I think even six months' enlistments would probably answer the purpose we are now called on to meet. I am told that there are but forty-six soldiers in a company of infantry now according to the standard fixed by the Army of the United States, while all the organization, the skeleton of the company is full; all the officers may be there and the offices may be full, and yet the force is not one-half what experience has shown to be the best and most effective force of a company of infantry. It seems to me, therefore, that we ought to extend the power of the President. It is a power that cannot be abused but may be useful and may be important, because if any accident should happen to either General Crook or General Terry there will be a call for Congress to meet together and give the requisite authority to repel and put down this Indian force. I think, therefore, we ought to do it now.

MR. PADDOCK. I should like to inquire of the chairman of the Committee on Military Affairs what, if any, action has been taken by the committee in reference to the joint resolution introduced by myself some time since to authorize the President to accept volunteers on the frontier in case the necessity for the exercise of such authority should arise? I should like to inquire of the chairman if he has received any information from the military authorities which will enable him to form a judgment as to the propriety and the necessity of the adoption of that resolution?

MR. LOGAN. I will answer the Senator by stating to him that the Committee on Military Affairs referred his resolution to the Secretary of War, and that we have received no official communication as yet from him. That is all I can say in reference to that.

MR. PADDOCK. I desire to express my opinion—to record my judgment here and now that it would be, as a matter of economy and for other obvious considerations, better and safer for the Government to be in a situation to accept volunteers for temporary service on the frontier when and as they may be required, than to attempt to increase the regular regiments by enlistments. The recruiting for the regular Army is ordinarily a very slow process, and I greatly fear that the Government will not be able to secure recruits in sufficient numbers to answer the purpose in such an emergency as surely even at this moment exists on the frontier. The Indian forces are very much larger than are credited to them by the estimates of the military authorities, and the most decisive action is demanded.

MR. LOGAN. I am not going to discuss the question of volunteers. Whether it would be a proper thing to authorize their acceptance or not, that question is not up now, and therefore I do not desire to discuss it; but I hope Senators, at least those who are in favor of this proposition, will not impede the passage of this bill. It is a well-known fact that I have never tried to reduce the Army so far as the mere force of the Army is concerned, the mere strength of the Army, the soldiers of the Army, the privates of the Army. I have heretofore opposed it in the Senate, as I did on the last appropriation bill that passed prohibiting enlistments until the Army should be reduced to 25,000 private soldiers. I opposed it on the very ground of objection stated now that the companies would be reduced to such small numbers that they would become ineffective. My opposition was overruled. In this last appropriation bill the committee of conference agreed to strike out what the House had seen proper to put in, that the reduction of the Army should go on till it reached 22,500. We struck that out so as to put it back to the proposition of the last Congress at 25,000 men. We were very glad to take the restriction entirely off. I should have been glad to see authority given to have the companies filled up; but it was not done.

This proposition now is to fill up the cavalry companies merely. I fear that if we insert the filling up of all the regiments, the bill will amount to nothing, it will meet with opposition, and will not pass. I think this is a very important bill; and if the Senate will now allow it to be taken up, I have two or three amendments to move to it, and I should like the Senate to consider them now. It will take but a few moments, because the question as to whether the cavalry regiments shall be filled up or not the Senate is ready to act upon, I think.

Mr. THURMAN. Does this propose that these regiments shall be filled up by enlistments for three years or only for a short period?

Mr. LOGAN. The same as the regular Army is in point of time.

Mr. THURMAN. For three years?

Mr. LOGAN. Yes, sir.

Mr. THURMAN. Filled up to one hundred men for three years. There is a question which strikes me about that. While I shall not oppose the bill if recommended by the committee and by the Department, the question with me is whether or not you can fill up the companies in that way as soon as they will be needed. I have a very strong impression that unless this Sioux war is finished, unless the Indians who are in arms there are put back, all your plans for putting your Indians on reservations will go for nothing. I think therefore there is the strongest possible reason for making our force there sufficient to vanquish the Indians who are now in arms and to do it speedily. I have great doubts whether you can get three years' recruits very rapidly so as to fill up your cavalry regiments. The Senator from Illinois is better acquainted with the subject than I am, of course.

Mr. LOGAN. The Senator from Ohio, I think, is very correct in theory. I do not believe, however, that there will be any difficulty in filling up these regiments, and I will state the reason. There is hardly ever any trouble in recruiting for the cavalry or very little. In times like these when many men are out of employment, there is not much difficulty in recruiting any arm of the service, but especially the cavalry arm of the service. I have no doubt myself that if this bill passes, within a very short time the twenty-five hundred recruits called for for the cavalry regiments would be forthcoming; I have no question about that. If they were for the infantry regiments I should have some doubt about it.

Mr. THURMAN. I only made the suggestion. I defer to the Senator's better information and knowledge of the subject.

Mr. LOGAN. That is my judgment about it. I know that the cavalry is always more readily recruited because people would rather ride than walk, that is the true reason; and there is another reason, they get more pay.

Mr. THURMAN. It is a harder service.

Mr. LOGAN. I understand that, but it is much more easy to recruit for it; the pay is better, and men consider it more attractive, and for that reason it is more easy to recruit. I desire very much, if the Senator will allow me, to have this bill taken up.

Mr. MERRIMON. Will the honorable Senator yield to me a moment? I do not wish by any vote of mine or by my voice to impede the adoption of efficient measures to repress the present Indian outbreak; but I should like to be fully informed, before we take such an important step, about what I am going to do. So far as I remember, the President has not sent to Congress any message on the subject of the present Indian outbreak. We know by the newspapers that there is an Indian outbreak. It seems to me that we ought to have some official information touching its character, its magnitude, and what ought to be done about its suppression. At the same time I should be glad to know from the honorable Senator, the chairman of the Committee on Military Affairs, whether there is an actual state of war, and how far by the measure we adopted some minutes ago and the present measure and other measures we are inaugurating a state of recognized legal war with the Indians in the West. I repeat, that I am ready by my vote and my voice, so far as I can, to aid in adopting such efficient measures as will result in the suppression of this Indian outbreak; but I should like the Senator to give me any information he has upon the subject of the present outbreak, whether it is a recognized state of war or a mere *émeute* which can be readily suppressed.

Mr. CONKLING. To what bill does the Senator refer as having been passed a few minutes ago?

Mr. MERRIMON. A joint resolution passed a while ago authorizing the President to declare certain kinds of ammunition contraband of war.

Mr. LOGAN. That joint resolution was to give the President authority to make such regulations as he might see proper to prohibit the sale of metallic cartridges by Indian agents and make them contraband of war at his discretion when a state of war existed. That I think is a very necessary preliminary step. I think it ought to be done whether we have peace or war. I have always thought myself that the way to civilize Indians was to prohibit as much as possible their having guns and ammunition to any great extent with which they are prepared for warfare. I have advocated that here. I did it some years ago when Senator Harlan was chairman of the Indian Committee. He took it on himself in a very able argument to rather make sport of my proposition at that time. This is a very different thing.

So far as the Senator from North Carolina asks me for my information, let me say that we all have the same character of information about this Indian war.

Mr. SHERMAN. We have a message from the President.

Mr. LOGAN. Yes. This bill is a bill sent here by the War Department with a message asking, on the recommendation of General Sheridan, that these regiments of cavalry be permitted to be filled up, with an estimate of the expense.

Mr. HITCHCOCK rose.

Mr. LOGAN. We have only fifteen minutes of the morning hour left. I should like to get the bill up and have action on it.

Mr. HITCHCOCK. I have no objection to the bill being taken up; but if it is the object of the chairman of the Committee on Military Affairs to confine all action of Congress for the protection of the

northwestern frontier to the increase of the regular cavalry regiments or to an authorization of the increase of the regular cavalry organization, I wish to record my belief that such measures are inadequate to the demands of the occasion.

If I understood the honorable Senator he stated—I thought he implied at any rate—that other measures might follow; perhaps the resolution offered by my colleague some weeks ago; but at this period of the session, which is so near what we hope will be its close, I beg to suggest to the honorable chairman of the committee the propriety of trying if possible to combine in this measure an authorization to the President to receive volunteers at his discretion. I believe that it is neither wise nor prudent for this Congress to adjourn the present session without authorizing the President to accept, at his discretion, volunteers. It is true General Sheridan has said that he thought we had force sufficient to put down this Indian war. I hope he has; but I doubt whether General Sheridan or the country generally appreciate the extent to which these Indians are supplied with the very best of weapons. I doubt whether this country appreciates the danger which is imminent in the Northwest to-day; and if after Congress adjourns the evil then comes, we are without remedy, and the expense of putting down that war without the forms of law will be increased fourfold, to say nothing of the destruction of life and property. I believe that Congress ought not to adjourn without the passage of a bill or resolution to authorize the President in his discretion to accept volunteers.

Mr. LOGAN. I ask for a vote now on taking this measure from the table.

The PRESIDENT *pro tempore*. The Senator from Illinois asks for the present consideration of this bill. Is there objection? The Chair hears none.

By unanimous consent, leave was granted to introduce a bill (S. No. 1008) to increase the efficiency of the cavalry force in the suppression of Sioux Indian hostilities; and it was read twice and considered as in Committee of the Whole.

Mr. LOGAN. The bill as sent here does not contain the detailed items of appropriation. I offer, to come in at the end of the bill, the following amendment:

Recruiting twenty-five hundred cavalrymen, \$50,000; pay per annum, \$390,000; subsistence, \$200,400; clothing, \$206,000; regular supplies, \$216,000; purchase of horses, \$337,500; transportation, (wagons, &c.,) \$84,800; transportation by rail, &c., about \$150,000.

Mr. MERRIMON. I should like to hear read the message or communication to which the Senator referred a moment ago.

The PRESIDENT *pro tempore*. The communication of the War Department will be read.

The Chief Clerk again read the communication.

Mr. THURMAN. In an amendment, you do not want the word "about" in.

Mr. LOGAN. I will strike that out. I offer the proposition as an amendment taken from the message.

The amendment was agreed to.

Mr. INGALLS. There should be, in my judgment, a change in the phraseology of the first part of the bill. I am very much in doubt whether we can afford to recognize the fact of war between the United States Government and the Sioux Indians, inasmuch as we have expressly declared that we will no longer treat with them or any other Indians. I therefore suggest that the language be changed so as to read as follows:

Whereas in the conduct of the military operations against the Sioux Indians it is necessary, &c.

Mr. LOGAN. I will accept that amendment. I think it is better than to have all these whereases in.

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

The amendment was agreed to.

Mr. PADDOCK. I offer an amendment to insert as a new section the following:

That the President is hereby authorized to accept the services of volunteers from the States of Kansas and Nebraska, and the Territories of Wyoming, Colorado, Dakota, Utah, and Montana, or either of them, to be employed as a part of the Army of the United States against the tribes of hostile Sioux in the Northwest: *Provided*, That not more than five regiments of cavalry or infantry, or both—half shall be accepted, and that the term of service shall not extend beyond nine months from the day of enlistment.

Mr. LOGAN. I dislike very much to oppose a proposition of that kind; but it seems to me that there is a disposition to lug these things on any bill that is brought before the Senate. There is no necessity for adopting such a measure on this bill. There is a bill of that kind before the Military Committee, as I have stated, and referred to the Secretary of War to ascertain if there is any necessity for volunteers. I do not see any necessity of trying to force upon the country any expense unless there is a necessity for it. If there is a necessity and the War Department shall so report, the committee will report the bill back to the Senate; but without that the committee will not. I think myself that with the filling up of the cavalry regiments, from the information we have from General Sheridan, who ought to know, we shall have plenty of troops, and there is no necessity for making a greater war or disturbance than we have. That is the reason I hope the amendment will not be adopted.

Mr. PADDOCK. I desire to say to the Senator from Illinois that all there is in the amendment is simply to empower the President, to place it within his discretion, if the regular Army, after the authority

to be here given for its increase shall be, as I am sure it will be, yet too weak to settle this difficulty on the frontier, to accept volunteers. The Senator very properly urges immediate action on the bill; but, sir, the amendment is at least of equal importance, and action upon it should not be longer deferred. If it is important that we should act at all in regard to this matter, we should give the discretion to raise volunteers while we authorize the recruiting for the regular Army. If it should turn out not to be practicable to enlist men for the regular service and the volunteers could be obtained readily, it would certainly be very important to have the authority of law to accept them; and such authority ought certainly to be lodged with the President to be exercised in his discretion. It will be discretion in both instances, in respect of the recruiting of the regulars and accepting volunteers as well.

Mr. LOGAN. I understand that.

Mr. PADDOCK. And no greater discretion in the last than the first.

Mr. LOGAN. I hope the amendment will not be agreed to. That is all I have to say about it.

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

The amendment was rejected.

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

Mr. EDMUND. I suggest to the Senator from Illinois whether it would not be desirable in this bill to add an authority for the President, if necessary, to increase by temporary enlistments the infantry arm or some part of it. I have received information from some officers of the Army who are out there, and who are very competent to judge, that the companies are run down in some instances to only twenty or thirty effective men, and that the cheapest possible way to strengthen the infantry, who in a large degree in the Indian country of course must be relied upon, would be to make temporary enlistments for three or six months and put the men right into the companies. I suggest that to my honorable friend.

Mr. LOGAN. As far as I am individually concerned I have no objection to it; but I fear it will embarrass this bill. The same suggestion was made by the Senator from Ohio [Mr. SHERMAN] and I made the same response. My fear is that it would embarrass the passage of this bill. I should be very glad myself to see the infantry increased to the maximum; I think it ought to be done; but from the disposition that has been shown the last two sessions to cut down the force of the Army I do not see but what the bill would be embarrassed by that. Persons might say it would increase the infantry to 30,000, and therefore the bill might be embarrassed in its passage. That is the only objection I have to the suggestion. I should be very glad to see it done, but I do not think it would be advantageous to add it on this bill. I think it would be a mistake, and that is the only reason I have.

Mr. EDMUND. I fail to see—

The PRESIDENT *pro tempore*. The hour of twelve o'clock has arrived. If there be no objection, the regular order will be postponed and this bill continued under consideration.

Mr. EDMUND. Subject to a call for the regular order.

Mr. INGALLS. I have no objection, if it does not displace the unfinished business of the last preceding day's session.

The PRESIDENT *pro tempore*. It will not by common consent if the time is continued.

Mr. EDMUND. The answer to the Senator from Illinois I think is that this provision that we propose to make is just as much to the extent it goes an increase of the Army, which has been in my opinion already too much reduced, as the infantry proposition would do. But if the necessity of the public service requires a temporary increase of the effective force of the Army, the question is whether this provision (inasmuch as we have already rejected volunteers) for increasing the infantry, not as a permanent addition to the Army but as a temporary expedient, for three months or six months, if you please, a short time, is not the very thing we ought to do; otherwise is there not danger that we shall find ourselves after the adjournment in the attitude described by the Senator from Nebraska?

If you give the President authority to fill up the infantry regiments as far as is necessary for this Indian difficulty by temporary enlistments for three or six months, not exceeding six, if you please, of men put right into the ranks, then you have got a temporary increase of the Army that expires of its own force; and everybody who is in favor of having strength enough, it appears to me, cannot correctly object to it. I do not see how sensibly it could be objected to if it be, as we all agree probably, the cheapest and probably the most effective and quickest method of strengthening the ranks of the regiments and companies that are now entering that country. If I had the time to draw it, I should certainly think it a duty to propose an amendment, as an additional section, that the President have the same authority by temporary enlistments, for not exceeding six months, to recruit up the infantry companies from whatever they are now to seventy-five or one hundred men. The Senator himself could draw the amendment much better than I could, of course; but I do think it necessary.

Mr. WEST. The Senator from Ohio [Mr. SHERMAN] has already made a similar proposition to the one made by the Senator from Vermont, [Mr. EDMUND], but we all know that it is customary in the legislative branch of the Government to take the estimates and the requirements of the executive department as our guide. The President of the United States and the general commanding our forces in

that section ask us now for so many men and they ask for mounted men. Now, is it for the Senate to conclude or even to express an opinion that they will be better off with infantry? No doubt the Senator from Vermont has been communicated with by officers of infantry or persons operating in that region; but the President of the United States and the General of the Army ask us for so many cavalrymen. I do not think we ought to embarrass the proposition with any extraneous matter whatever. If we do, there will be no end to it and it will go on and increase the expense. By acting now promptly and decisively, probably we shall accomplish the purpose much more readily than by listening to the proposals of other parties than the regularly constituted authorities.

Mr. THURMAN. The Senator from Louisiana has anticipated me and said better than I could have said just what I desired to present to the Senate. We must rely upon the recommendation of those who are qualified by their education and their experience and by their position to advise us on this subject. They ask us to give them twenty-five hundred additional cavalrymen. That is all. I do not think we ought to go in advance of that, and I think with the Senator from Louisiana and the Senator from Illinois that if we tack this to the bill we shall embarrass the bill very much; in fact it will give rise to a very serious debate at once. There are members of the Senate who believe that it would be better to have a volunteer force than to increase the infantry regiments, and I am inclined to that opinion myself. I am willing to vote for twenty-five hundred additional cavalrymen, because those best qualified to judge ask for that addition to the force of the Army; but if we are to exercise our own judgment, if we are to turn ourselves into military men and undertake to say what is necessary to be done, every man must judge for himself, and I am strongly inclined to believe that under those circumstances I should vote for the volunteer service instead of increasing the infantry. I hope, therefore, no proposition will be made to add to the bill.

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

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. G. M. ADAMS, its Clerk, announced that the House had passed the bill (S. No. 84) extending the time for the redemption of lands held by the United States under the several acts levying direct taxes, and for other purposes, with an amendment; in which the concurrence of the Senate was requested.

ENROLLED BILLS SIGNED.

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

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

A bill (H. R. No. 2161) for the relief of R. H. Buckner;

A bill (H. R. No. 3927) making an appropriation to defray the expenses of the Joint Select Committee to Investigate Chinese Immigration;

A bill (S. No. 774) to remove the political disabilities of Samuel Jones, of Virginia; and

A bill (S. No. 982) providing for the completion of the Washington Monument.

AMENDMENT OF IMPEACHMENT RULES.

Mr. HAMILIN. Mr. President, I move that the Senate now take up the resolution that I submitted a long while ago in relation to the rules governing this body when acting as a court of impeachment.

Mr. EDMUND. I call for the regular order, Mr. President.

The PRESIDENT *pro tempore*. The Senator from Vermont demands the regular order.

Mr. HOWE. What is the regular order?

Mr. CONKLING. Before that demand is made, if it may be so deemed, I should like to make a report from a committee.

The PRESIDENT *pro tempore*. Is there objection? The Chair hears none.

COUNTERFEITING OF TRADE-MARKS.

Mr. CONKLING. The Committee on the Judiciary have directed me to report back the bill (S. No. 846) to punish the counterfeiting of trade-mark goods and the sale or dealing in of counterfeit trade-mark goods, which after having been passed by the Senate was passed by the House of Representatives with amendments, and to recommend that the Senate non-concur in the amendments, and ask for a conference with the House.

The Senate proceeded to consider the amendments of the House of Representatives to the bill.

On motion of Mr. CONKLING, it was

Resolved, That the Senate disagree to the amendments of the House of Representatives to the said bill, and ask a conference on the disagreeing votes of the two Houses thereon.

By unanimous consent, it was

Ordered, That the conferees on the part of the Senate be appointed by the President *pro tempore*.

REPORTS OF COMMITTEES.

Mr. STEVENSON. I ask leave to make a report.

The PRESIDENT *pro tempore*. Is there objection? The Chair hears none.

Mr. STEVENSON. I am instructed by the Committee on the Judiciary, to whom was referred the bill (S. No. 71) to protect persons of foreign birth against forcible constraint or involuntary servitude, to report the same with an amendment.

Mr. MORRILL, from the Committee on Finance, to whom was referred the bill (S. No. 1006) authorizing the Secretary of the Treasury to use the surplus of certain moneys heretofore appropriated, reported it with an amendment.

ORDER OF BUSINESS.

Mr. HAMLIN. I move to postpone the special order for the purpose of allowing me to have the Senate consider the resolution to which I have referred.

Mr. EDMUND. I call for the regular order, Mr. President.

Mr. HAMLIN. I move to postpone it.

Mr. EDMUND. We will first have the regular order before it is postponed.

The PRESIDENT *pro tempore*. Legislative and executive business will be suspended. The Senator from Maine moves to postpone—

Mr. EDMUND. I insist on the regular order.

Mr. HAMLIN. I insist on postponing it.

Mr. EDMUND. You cannot do that until we have the regular order. The Chair must execute the order of the Senate.

Mr. ANTHONY. I wish to appeal to both Senators to state that at the close of this day it will not be legal to have any printing at the Congressional Printing Office, the term expiring to-day, and I should like to have an act on that subject passed.

Mr. EDMUND. I insist on the regular order.

Mr. ANTHONY. The Senator can take the responsibility. I have done my duty.

The PRESIDENT *pro tempore*. The Senator from Vermont demands the regular order, which is that legislative and executive business be suspended, and that the Senate proceed to the consideration of the articles of impeachment.

Mr. BRUCE. Will the Senator yield that I may make a report?

Mr. EDMUND. The Senator will excuse me; we have another point now.

The PRESIDENT *pro tempore*. The Senator from Maine moves that the order be postponed—

Mr. EDMUND. I say that motion is not in order.

Mr. HAMLIN. Right there let me ask if the Senator from Vermont on Friday did not move to postpone the court of impeachment when it was not in session.

Mr. EDMUND. I did not. I insist on the regular order, and debate is not in order.

Mr. HAMLIN. I am not debating; I am only asking a question of the Chair. I have the impression it was on somebody's motion that this same thing was settled on Friday.

The PRESIDENT *pro tempore*. The Senator from Vermont has insisted on the regular order, which is an order of the Senate that the Senate proceed to the consideration of the trial of the impeachment at twelve o'clock to-day. The time was postponed by common consent for a few minutes. The Senator from Maine moves to postpone this order, and the Chair will submit the question to the Senate.

Mr. ALLISON. For what purpose?

Mr. HAMLIN. For the purpose of taking up the resolution to amend the mode of proceeding as a court.

Mr. SARGENT. I ask the Chair whether the point of order is submitted to the Senate or whether the motion to postpone is submitted. In my judgment it is not in order.

Mr. EDMUND. I have made the point of order that the motion is not in order.

The PRESIDENT *pro tempore*. The Senator from Vermont has made the point of order that this motion is not in order, and the Chair is submitting to the Senate the question whether the motion to postpone the order of the Senate is in order.

Mr. SARGENT. I do not think it is in order.

The PRESIDENT *pro tempore*. The Chair will submit the question to the Senate.

Mr. CONKLING. I rise to ask a question of the Chair. I inquire of the Chair, owing to a remark made by a Senator near me, whether the motion to amend the rules governing the Senate when trying an impeachment is in order in legislative session or in session sitting as a court?

The PRESIDENT *pro tempore*. In legislative session, not sitting in trial.

Mr. CONKLING. Then the Senator from Ohio must see that that is an answer to his suggestion.

Mr. EDMUND. Now let us have the question of order.

The PRESIDENT *pro tempore*. The Senator from Vermont has demanded the regular order, which is an order of the Senate in legislative session that the Senate proceed at twelve o'clock to-day to the consideration of the articles of impeachment. The Senator from Maine has risen and asked a postponement of this order in legislative session. The Senator from Vermont has made the point of order that the motion is not in order. The Chair will submit the question of order to the Senate. Is the motion of the Senator from Maine in order that this order be postponed?

The question was decided in the negative.

The PRESIDENT *pro tempore*. The Senate has decided adversely. Legislative and executive business will be suspended, and the Senate will proceed to the consideration of articles of impeachment exhib-

ited against William W. Belknap, late Secretary of War. The Sergeant-at-Arms will make proclamation.

Mr. ANTHONY. Before the order is executed I ask now, if I can, to be allowed to introduce a bill in order to authorize the public printing to be continued.

The PRESIDENT *pro tempore*. Not without unanimous consent. The Senate is now in trial session, and strictly it cannot be considered unless by the unanimous consent of the Senate suspending the business for the purpose. Is there objection to suspending the trial session for this purpose?

Mr. LOGAN. I object.

Mr. SARGENT. This is only a portion of the subject. All appropriations for the Government not already provided for in appropriation bills cease on this day.

Mr. ANTHONY. All except the printing cease to-morrow, I understand.

Mr. SARGENT. They are all the same. Two or three times we have sent these bills to the House, and the House has laid them on the table and sent us their own bills. It seems to me it is about time we waited for them to send us a bill.

Mr. ANTHONY. The House has passed this bill before.

Mr. SARGENT. I object.

Mr. MORTON. Let us go on with the regular order.

The PRESIDENT *pro tempore*. The regular order is demanded.

Mr. HAMLIN. Now, I move to postpone—

Mr. EDMUND. Let us have the order executed and the court opened. The PRESIDENT *pro tempore*. The Sergeant-at-Arms will make proclamation.

IMPEACHMENT OF WILLIAM W. BELKNAP.

The usual proclamation was made by the Sergeant-at-Arms.

The PRESIDENT *pro tempore*. The House of Representatives will be notified as usual.

The Senate proceeded to the consideration of the articles of impeachment exhibited by the House of Representatives against William W. Belknap, late Secretary of War.

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

LEGISLATIVE SESSION.

The PRESIDENT *pro tempore*. The Senate will now resume its legislative session.

MESSAGE FROM THE HOUSE.

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

A bill (H. R. No. 4055) to continue the public printing;

A bill (H. R. No. 4054) to continue the provisions of an act entitled "An act to provide temporarily for the expenditures of the Government;" and

A bill (H. R. No. 4053) to further authorize the Commissioner of Indian Affairs to purchase supplies for the Indian Bureau in open market.

PUBLIC PRINTING.

On motion of Mr. WINDOM, the bill (H. R. No. 4055) to continue the public printing was read twice and considered as in Committee of the Whole.

The bill authorizes the Congressional Printer to continue the work required by law, in advance of appropriations hereafter to be made, until and including the 10th of August, 1876.

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

TEMPORARY PROVISION FOR EXPENDITURES.

On motion of Mr. WINDOM, the bill (H. R. No. 4054) to continue the provisions of an act entitled "An act to continue the provisions of an act entitled 'An act to provide temporarily for the expenditures of the Government'" was read twice and considered as in Committee of the Whole.

The bill continues the provisions of the act of July 21, 1876, until and including the 10th of August, 1876.

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

SUPPLIES FOR INDIAN BUREAU.

On motion of Mr. WINDOM, the bill (H. R. No. 4053) to further authorize the Commissioner of Indian Affairs to purchase supplies for the Indian Bureau in open market was read twice and considered as in Committee of the Whole.

The bill authorizes the Commissioner of Indian Affairs to purchase in open market, without the usual advertisement, for immediate use of the Indian tribes, such supplies as are required to an extent, not exceeding \$150,000, which is appropriated for the purpose, to serve until the regular appropriation bill shall be passed and approved. The sums so expended are to be deducted from the appropriate sums respectively appropriated under the regular appropriation bill, when passed.

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

PETITION.

Mr. CONOVER presented a petition of citizens of Orange County, Florida, praying the establishment of a mail-route from Wilson's Landing to Lake Eustis, in that State; which was referred to the Committee on Post-Offices and Post-Roads.

RIVER AND HARBOR BILL.

Mr. ALLISON, from the Committee on Appropriations, to whom was recommitted the bill (H. R. No. 3022) making appropriations for the repair, preservation, and completion of certain public works on rivers and harbors, and for other purposes, reported it with amendments.

BILL INTRODUCED.

Mr. DORSEY asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 1009) to amend an act entitled "An act authorizing the repaving of Pennsylvania avenue," approved July 19, 1876; which was read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed.

EXECUTIVE SESSION.

On motion of Mr. LOGAN, the Senate proceeded to the consideration of executive business. After three minutes spent in executive session the doors were re-opened, and (at six o'clock and twenty-five minutes p. m) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

MONDAY, July 31, 1876.

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

The Journal of Saturday was read and approved.

CORRECTION.

Mr. JONES, of Kentucky. I desire to correct the RECORD. It states that I have asked leave of absence for ten days. I have asked no leave of absence, and I do not know how the statement got into the RECORD.

The SPEAKER *pro tempore*. Probably it refers to the gentleman from New Hampshire, [Mr. JONES.] The correction will be made.

MESSAGE FROM THE SENATE.

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

NAVAL INVESTIGATION.

Several members rose.

The SPEAKER *pro tempore*. The Chair cannot consent to have the morning hour postponed any longer than is absolutely necessary. The calling of the previous question on Saturday upon the report of the Committee on Naval Affairs gives that subject precedence of course, and the gentleman from Tennessee [Mr. WHITTHORNE] is entitled to the floor for one hour.

Mr. WHITTHORNE. Before proceeding with my remarks I will yield to several gentlemen who desire to obtain leave to print.

Mr. THORNBURGH and Mr. HARDENBERGH obtained leave to have printed in the RECORD remarks upon the pending question.

Mr. WHITTHORNE. I now yield for a moment to the gentleman from Philadelphia, [Mr. FREEMAN.]

Mr. FREEMAN. I have here a communication from the commandant of the Philadelphia navy-yard, which he has desired me to lay before the House, and which I ask may be printed in the RECORD.

There being no objection, it was ordered accordingly.

The communication is as follows:

COMMANDANT'S OFFICE, UNITED STATES NAVY-YARD,
League Island, July 26, 1876.

MY DEAR SIR: As it is just as likely that in the debate on Friday next in the House on the majority and minority reports of the Naval Committee in relation to the dismantling of the navy-yard at Philadelphia I might be assailed by those members of the committee who politically sought material for the next presidential campaign to be used against the Administration which I have supported, I have deemed it proper to furnish you with a copy of my official record. I also call to your attention the within copies of letters from the Chief of Bureau of Equipment and Recruiting, and from my predecessor, Commodore Preble, in relation to the manner in which I discharged my duties in removing the stores of the equipment department of which I had charge.

My testimony I presume you have looked over, and which Hon. Mr. WHITTHORNE promised me I might have an opportunity of correcting before it appeared in print; but he excused himself for not giving me this privilege that it had been sent to the Printer's office during his absence without his knowledge. Subsequently, at his request, I forwarded such corrections and omissions in my testimony as I deemed necessary, and which Mr. WHITTHORNE was to have published in what remained to be printed by the Naval Committee of the House.

I discharged my whole duty during the dismantling of the old navy-yard, remaining there after dark, having my office in what had been the watchmen's quarters.

If any insinuations should be made in the course of the debate that I had been derelict in my duty, I trust you will do me the favor to contradict them.

I have written on this subject to Hon. Mr. DANFORD, who I understand is to make the minority report.

Very truly yours,

C. H. WELLS,
Captain United States Navy.

HON. CHAPMAN FREEMAN, M. C.,
House of Representatives, Washington, D. C.

EQUIPMENT OFFICE, UNITED STATES STEAMER ANTETAM,
League Island, December 29, 1875.

SIR: I would respectfully state that I have expended the sum of \$4,144.04 in removing the equipment stores, material, &c., from the Philadelphia navy-yard to League Island. This includes loading and unloading, teaming, stowing on board ship, hauling, and mooring ship.

In removing the chains I have expended \$908.29 out of an appropriation of \$1,128. The stores, material, &c., of this department are all stowed on board of the Antietam in good condition and free from damage.

Very respectfully, &c.,

C. H. WELLS,

Captain United States Navy, Equipment Officer.

Commodore GEORGE H. PREBLE, United States Navy,
Commandant Navy-yard, League Island.

COMMANDANT'S OFFICE, UNITED STATES NAVY-YARD,
League Island, Pennsylvania, December 30, 1875.

SIR: I forward herewith for the information of the Bureau a copy of a communication from Captain Wells, equipment officer, reporting the amount expended in removing the stores, materials, &c., from the Philadelphia navy-yard to League Island, together with the amount expended in removing the chain to League Island.

Captain Wells is, I think, to be commended for the good order and economical manner in which the material belonging to the Bureau has been transferred.

Very respectfully, &c.,

GEO. HENRY PREBLE,
Commodore, Commandant.

Captain R. W. SHUFELDT, U. S. N.,
Chief of Bureau of Equipment and Recruiting,
Washington, D. C.

NAVY DEPARTMENT,
BUREAU OF EQUIPMENT AND RECRUITING,
Washington, December 31, 1875.

SIR: The Bureau has received your letter of the 30th instant, No. 64, and is highly gratified to learn that the equipment stores have been so economically and successfully removed to League Island under the supervision of Captain Wells, and that the stores, materials, &c., under cognizance of this Bureau have been stored on board of the Antietam in good condition and free from damage.

Very respectfully, your obedient servant,

R. W. SHUFELDT,
Chief of Bureau.

Commodore G. H. PREBLE,
Commandant Navy-Yard, League Island, Pennsylvania.

Captain Clark H. Wells. Born in Pennsylvania. Appointed a midshipman from Pennsylvania September 25, 1840; attached to the North Carolina, 1840; frigate Brandywine and sloop Fairfield, 1840 and 1841; razee Independence, home squadron, 1842 and 1843; sloop Levant, Pacific squadron, 1844 and 1845; Naval School, Annapolis, 1846.

Graduated and became passed midshipman, July 11, 1846. During Mexican war: In brig Somers, blockading Vera Cruz, in 1846; in gunboat Petrel, 1846 and 1847, during which time she joined Tatnall's flotilla in the attack upon the castle of San Juan d'Ulloa and the city of Vera Cruz; took part also in the capture of Tuspan and Tampico. To the East Indies and "around the world," in the sloop Plymouth and brig Dolphin, 1848, 1849, 1850, and 1851; receiving-ship Philadelphia, 1852; store-ship Fredonia, at Valparaiso, 1852, 1853, 1854, and 1855.

Commissioned as lieutenant September 14, 1855; Naval Observatory, Washington, 1856; in 1856 attached to bark Resolute, (originally an English man-of-war abandoned in the Arctic Seas and subsequently recovered and brought to the United States by the American whale-ship George Henry; Congress by joint resolution, dated August 28, 1856, having purchased her from the salvors and ordered her restoration to the British government, she sailed for England November 13, 1856;) in steam-frigate Susquehanna and Waterwitch, home squadron, 1858; steamer Metacomet, Paraguay expedition, 1859.

During the rebellion: Commanded sloop Vandalia, South Atlantic blockading squadron, 1861 and 1862; was executive officer of the steamer Susquehanna in the battle of Port Royal; his vessel, the Susquehanna, struck thirty-six times and badly cut up, was specially mentioned in Admiral DuPont's official report; was sent several times with sailors and marines to re-engage the Unadillo when much exposed to night attacks in Wright's River, South Carolina; commanded sloop Dale, 1862, and brought her to Philadelphia.

Commissioned as lieutenant-commander July 16, 1862; navy-yard, Philadelphia, 1863; commanded Galena, when rebuilt as wooden gunboat, in West Gulf squadron, 1864; frequently drew the fire of Fort Morgan while running in and shelling blockade-runners under the fort's guns; took part in the Mobile fight; during the passage of the forts the Galena and Oneida, lashed together, brought up the rear and suffered severely from the fire of the forts and Tennessee; a shell from the latter exploding the Oneida's boiler, so that she was towed in by her consort; after Captain Mullany of the Oneida had his arm shot away, opposite the forts, the command of both vessels devolved upon Lieutenant-Commander Wells; the Galena's services were specially mentioned in Admiral Farragut's official report; Commander Wells also received a commendatory letter from the Admiral himself, in which he says:

"That in your case I depart from my usual custom not to give letters for good conduct in time of war where there is an immediate commander first to forward it; but inasmuch as Captain Mullany was wounded and the command of the two vessels (Oneida and Galena) devolved upon you, and were carried through the battle with great gallantry, I take great pleasure in giving my official testimony to your very meritorious conduct in that engagement, and trust that in the future it may be of service to you."

East Gulf squadron, 1864, refitted in Philadelphia and joined Admiral Porter's squadron on the James River; remained there until the close of the war. Commanded the steamer Kansas, and visited nearly all the ports of the South Atlantic station during 1864, 1865, and 1866; received a letter of thanks from the English government and English admiral for going to the assistance of Her Britannic Majesty's gun-boat Gleaner, reported to be dangerously ashore in Maledona Bay; he and his officers and crew also received thanks on this cruise for rescuing an English bark from English Bank, river La Plata.

Commissioned as commander July 25, 1866; navy-yard, Portsmouth, New Hampshire, 1868, 1869, and 1870; detailed for the command of the Shenandoah in spring of 1870.

Promoted to captain June 19, 1871, while in command of the United States steamer Shenandoah, European station, and retained in command three years and a half, during which time received a letter of thanks from the Italian government for assistance rendered to the Italian iron-clad Comte Delerdi, which broke from her moorings in a gale of wind in the harbor of Spezia, and came near drifting on the rocks; also received from the French government the decoration of the Legion of Honor, which last Congress authorized him to accept, having been conferred by Mr. Thiers while president of the French Republic; on return home was assigned duty at the Boston navy-yard as executive officer and afterward transferred to the Phil-

adelphia navy-yard as captain and equipment officer, and since last January has been in command of League Island station.

Total sea-service, twenty-two years and six months.
Shore or other duty, seven years and five months.
Unemployed, five years and four months.
Number of years' naval service nearly thirty-six.

WE CAN BE JUST AND YET BE GENEROUS.

Mr. HARDENBERGH. Mr. Speaker, the scene now being enacted in the drama of history in this Representative Hall of the nation is strange and sad. To the citizens of New Jersey it is clothed with intensest interest. From the long list of her distinguished sons the nation has derived the highest and the purest public service. Upon this floor, within that chair, in yonder Senate, upon its floor and within its official chair, on the bench of the Supreme Court, in the Cabinet councils, at foreign courts, on the land and on the sea, wherever genius and talent and gallantry have been conspicuous the sons of New Jersey have found most honorable mention. The standard she has reared for them has been high, for she would have her children to be above suspicion. It is thus the scene to-day is strange; it has no precedent; God grant it may have no renewal, for her heart beats heavily when the honor of her sons is impugned.

We are near the close of a long and laborious session. Eight months of legislation have almost passed, and as the hours wane and the farewells bidden but unspoken are upon the lips, its closing hours must bear witness to the honor or dishonor of a citizen of New Jersey who for seven years past has sat in Cabinet councils as the head of the Naval Department and an adviser of the nation's Chief Executive.

I am a member of the dominant party of this House, and step by step have I advanced with you in the endeavor to purge the abuses which have crept into our Government.

The Secretary of the Navy I have personally known for more than twenty years, when as a young and able lawyer of New Jersey he was gathering no mean laurels in the fields of his profession. His kindness of manner and genial character attached to him many friends, and when he was advanced from the attorney-generalship of my State to the position of a Cabinet officer the heart of New Jersey throbbed gladly at the honor bestowed upon her young and gifted son.

Beyond the courtesies and duties resulting from my official position I have met with him but seldom since my residence here. Thus, Mr. Speaker, you will not believe that I have particular reason to rush to his defense, beyond that higher sentiment which by the report of the majority affects the honor of my State and the reputation of her son, and I know you will pardon something to the spirit of an occasion so grave as this, while I adduce to you my reasons for the position I have taken.

The investigation has been long, tedious, and exhaustive, extending over seven long months. The results of that investigation are undecided. On the one hand the House is asked to instruct its Committee on the Judiciary to ascertain if possible whether articles of impeachment should be found, and on the other it is asked by the passage of the minority resolution to relieve the Secretary from any want of confidence in the management of the Naval Department.

It is not my purpose to discuss either the merits or demerits of these reports; but I have a right to ask, in the name of my State, of which the Secretary of the Navy is a citizen, that, in the absence of specific and distinct charges, the report of the majority of the committee may be recommitted for more positive and conclusive action or that the Committee on the Judiciary be instructed to report without delay, that the Secretary may be enabled to make his defense at the bar of the Senate before the close of the present session of Congress. It is a matter in which the honor of New Jersey is concerned; and, arguing from that sense of justice due to the humblest of her citizens, it would be the grossest injustice to permit this resolution of the majority to remain without final action at this session.

Sir, if the Secretary of the Navy has been faithless to his high trust I shall not be his defender, but I ask that prompt and immediate action be taken which shall insure a final and complete settlement of the case at this session.

For my State I ask this act of justice for him. But I ask it without his knowledge, and although his political opponent I have ever been, I would screen no guilt, for to do so would deprive me of New Jersey's confidence and of my own self respect.

Mr. Speaker, I am the more anxious that a prompt and final conclusion may be reached which shall place this matter in the judgment of New Jersey beyond doubt from the fact, somewhat strange, that in the honors of Cabinet position assigned to New Jersey in each case to her sons have been intrusted that of the Navy; Mahlon Dickerson, Samuel L. Southard, and George M. Robeson have held this high position, and a reason for which may be found in the fact that the naval heroes of New Jersey have won for the nation much of its enduring fame. The dying injunction of her Lawrence, "Don't give up the ship," found a gallant response in the commodores she has given to the American Navy, and added Stockton and Kearney and Boggs to the list of her distinguished sons, for whose heroic service immortal honors will attach to them forever.

Sir, in this case I would be generous to an assailed political foe. If injustice has been meted out to him by practically denying to him that trial before his peers to which every citizen is entitled, then I

would shield him until such opportunity is afforded. Such are the common instincts of all honorable Jerseymen, and such, I hope, are the better instincts of our poor humanity. I would believe him honest until the contrary is proved, for New Jersey would despise the unfaithful officer; but if proven so, then let his punishment be awarded, and while my State submits with sadness of heart, she will yet rejoice that justice has been done, and she will bury politically from her sight a son on whom she had rested many hopes; for, as she rocked the cradle in which American Liberty was nurtured, she will banish from her sanctuary any son of hers upon whose brow "unworthy" has been written by the hand of justice. If you decide to strike, she bids you first to hear. She will believe him innocent until the Senate of his country shall adjudge him guilty. But venture not in the name of that democracy for the maintenance of whose principles we have so long struggled here and for whom we are now appealing to the nation—dare not, I beseech you, render here your indictment against a son of New Jersey unless you are willing to yield him a speedy and effective trial. New Jersey asks but justice and will abide the verdict.

To postpone until next December would be unjust to the nation, if the Secretary is guilty, for no one thus guilty should preside over an important Department of the Government.

Mr. WHITTHORNE. Mr. Speaker, in concluding the discussion of the report made by the Committee on Naval Affairs, I may be permitted to say, on behalf of the committee and myself, that it is not my purpose to notice any personal reflections that may have been made in this discussion on Saturday last. The time will come, I trust, when without prejudice to the cause I am advocating on this floor at this time I may notice whatever I deem personal in the remarks of the gentleman from Maine [Mr. FRYE] or the gentleman from Philadelphia [Mr. KELLEY] or the gentleman from Iowa, [Mr. KASSON.] But, sir, I have on this occasion a higher duty to perform than to notice anything that may be personal to myself or to my committee. That duty is the discussion of a question in which I trust the people of this country feel a deep concern. I hope that in the remarks which I shall submit I may perform the duty assigned me by this House independently of any personal or partisan considerations. If there has been aught of wrong done, aught of fraud committed, aught of criminality practiced, the members of this House of Representatives of the people have a higher duty to perform than to look at the question from a merely partisan stand-point. Very onerous and very laborious duties were imposed upon the Naval Committee by the order of the House and by the resolutions introduced by the gentleman from Illinois [Mr. MORRISON] and the gentleman from Virginia, [Mr. GOODE.] I have to say in behalf of my committee that we have endeavored as faithfully and impartially as we could to discharge that duty. And I now call the attention of my colleagues on the committee, as well as of the House, to the assertion that I now make, that from the moment this investigation commenced there was not a single member of the committee belonging to any side or any political party who did not possess the same power that the chairman did. I appeal to my colleagues upon the committee to say whether I did not often and at least upon one marked occasion declare to them that they had authority to use the name of the chairman of that committee in summoning any witness that they saw proper to bring before us.

Sir, there has been no attempt to control the action of the minority. There has not been a day or an hour since the investigation opened when any member of the committee, if he saw proper to call the Secretary of the Navy, might not have done so. There has been no effort upon my part to stifle this investigation or give it a direction in one way or another. On the contrary, my announced purpose as declared in that committee was to conduct that investigation in a given manner, and so far as I know that manner encountered no opposition upon the part of my colleagues either of the republican party or the democratic party. It was announced that we would first finish the investigation of the navy-yards; that then we would examine certain subordinates in the Department here; then the heads of Bureaus, and lastly the Secretary of the Navy. This was our announced programme.

Mr. HARRIS, of Massachusetts, rose.

Mr. WHITTHORNE. I cannot be interrupted; I did not interrupt the gentleman when he was speaking.

Mr. HARRIS, of Massachusetts. I understood the gentleman to appeal to me.

Mr. WHITTHORNE. There has not been a day or an hour when any witness, no matter who he was or where he resided, could not have been summoned before that committee.

Gentlemen have inquired on this floor why we did not commence first with the Department here. Why, sir, my colleague on the committee, the gentleman from New York, [Mr. WILLIS,] did, as chairman of one subcommittee, examine the heads of Bureaus here preliminarily almost to any evidence being taken. The heads of Bureaus were first heard; their defense stood at the threshold of this investigation.

It has been said that our examination was secret. Secret from whom? What we did was for the protection of the public service. As chairman of this committee, I have been made painfully conscious of the power which the Secretary holds over officers of the Navy and over laborers and mechanics at the navy-yards. Sir, I have seen stout,

hardy men, (mechanics,) with tears running down their cheeks, begging me, for the sake of the bread of their wives and their children, not to expose them to the hazard of examination before that committee. When I have witnessed this, I have felt it to be my duty to the public service to protect if I could the officers of the Navy and the mechanics and laborers of your navy-yards. This has been the prime reason for conducting the examination as we have done.

But, sir, it is said that the Secretary of the Navy had to wait till six or eight weeks ago before being allowed to make his defense. Why, sir, have you forgotten that about the 1st of May I entered this Hall and asked that the testimony taken before that Naval Committee be printed? Have you forgotten the reason for that request? Do you not know that it was with the view of giving the Secretary of the Navy a full opportunity to read that proof? Do you not know that from about the 1st of May it has been in his hands? So far from any injustice being done to the Secretary of the Navy in the course of this investigation, I have to say that if I have done aught of wrong in conducting it, it has been in the advantages which I have given to that officer. After all the testimony was concluded, after everybody had been heard, our committee gave him the opportunity to look over all that proof; his attention was called to it, and for six weeks he has had his day in court, he has had his time to present his testimony and prepare his answer. The committee have given him every advantage. He has exhausted the last day and last hour that he chose to occupy. He has been fully heard.

I am not here now to make any partisan comment upon the results of his answer. I am not here now to criticise the mode in which he and the heads of his Bureaus have made answer. Let them enjoy all their advantages.

I have now to ask you, sir, and the House to go with me for a moment while I hastily refer to the results of this investigation. I desire to make a brief survey of the condition of the Navy; and in order to do so let us turn back for a moment to the expenditures of the Navy from the formation of this Government to June 30, 1875.

I submit the following tables:

The expenditures for the Navy since the formation of the Government to June 30, 1875, were \$939,779,925.67.

From 1864 to 1875 the expenditures for the Navy were:

1865		\$122,617,434 07
1866		43,285,662 00
1867		31,034,011 04
1868		25,775,502 72
1869		20,000,737 97
1870		21,780,229 87
1871		19,431,027 21
1872		21,249,809 99
1873		23,526,256 79
1874		30,932,587 42
1875		21,497,626 27
Total		381,130,905 35

The expenditures for the Navy for the fourteen years preceding the civil war were:

1848		\$0,408,476 02
1849		9,786,705 92
1850		7,904,724 66
1851		8,880,581 38
1852		8,918,842 10
1853		11,067,789 53
1854		10,790,096 32
1855		13,327,095 11
1856		14,074,834 64
1857		12,651,694 61
1858		14,053,264 64
1859		14,600,927 90
1860		11,514,649 83
1861		12,387,156 52
Total		150,456,839 18

The expenditures for the seven years extending from the close of the fiscal year 1868 to June 30, 1875, were as follows:

Bureau.	Fiscal year ending—							
	June 30, 1869.	June 30, 1870.	June 30, 1871.	June 30, 1872.	June 30, 1873.	June 30, 1874.	June 30, 1875.	Total.
Secretary's office, (pay Navy, pay Marine Corps, &c.)	\$10,049,855 26	\$8,130,938 93	\$8,690,927 59	\$8,855,959 35	\$8,684,318 16	\$10,868,309 20	\$8,830,459 41	\$64,140,767 90
Yards and Docks	1,225,370 24	3,022,524 33	2,029,492 18	2,078,892 80	2,477,806 09	2,505,076 62	2,647,758 49	16,046,920 75
Equipment and Recruiting	1,588,901 74	2,584,000 57	1,467,455 80	1,605,668 45	1,837,268 43	1,837,722 12	1,175,547 61	12,096,564 72
Navigation	262,280 88	531,247 60	145,456 55	243,591 96	339,501 65	446,955 31	304,227 35	2,273,261 30
Ordnance	500,133 86	645,112 83	508,255 50	948,116 20	1,153,515 59	935,431 74	509,392 53	5,199,958 25
Construction and Repair	3,338,548 37	3,841,267 81	4,231,370 69	4,269,311 60	4,545,957 54	5,813,519 60	4,334,237 81	30,374,223 42
Steam Engineering	2,004,495 76	733,027 18	157,369 19	1,295,249 93	1,682,099 00	2,779,340 57	1,812,046 25	10,463,627 88
Provisions and Clothing	1,655,072 14	3,270,607 80	1,672,469 73	2,028,115 14	2,767,721 33	1,887,012 30	1,736,794 16	15,017,795 60
Medicine and Surgery	195,654 93	390,045 71	575,163 27	298,112 69	2,2,370 60	2,04,687 77	135,633 61	2,181,668 58
Miscellaneous	30,382 04	15,140 96	211,047 23	130,245 13	702,806 99	774,362 35	378,698 39	*2,242,683 09
Aggregate	20,910,698 22	23,163,913 72	19,689,007 73	21,783,263 25	24,473,365 38	28,152,417 58	21,864,815 61	160,037,481 49

* Included in this statement of expenditures is the following amount, carried to the "surplus fund," namely, \$270,504.86.

Remember that the expenditures of the Navy since the formation of the Government to the 30th of June, 1875, were \$939,779,925; remember that from the year 1864 to the year 1875 the expenses of the Navy were in round numbers \$381,000,000; that the expenditures of the Navy for the fourteen years preceding the civil war they were \$159,456,000; and that during this Administration, for the period of seven years, the expenditure for and on account of the Navy were in actual money \$160,037,481. In other words, Mr. Speaker, in those seven years you have had wasted and expended more money than it cost to run the Navy for the fourteen years preceding the war.

I have now to ask the attention of the House while we are considering the condition of the Navy to the actual expenditures since the year 1868 for and on account of the Navy. The expenditures, according to the table I have given, were \$160,000,000. Add the expenditures for the fiscal year ending June 30, 1876, estimated at \$20,000,000; add ships and materials bartered and exchanged—the assumed original cost is here estimated at \$20,000,000, (and it is largely more than that;) add liabilities, direct liabilities, and they exceed at the present time \$5,000,000; add contingent and accruing liabilities, \$5,000,000, and you have the actual expenditures made by this present Administration, \$210,037,481.49.

I submit the following tabulated statement and estimate:

Expenditures since 1869:	
Take table above	\$160,037,481 49
Add expenditures for fiscal year ending June 30, 1876, estimated.	20,000,000 00
Add ship material bartered and exchanged whose original cost has been assumed at	20,000,000 00
Add liabilities direct, assumed at	5,000,000 00
Add liabilities contingent or maturing	5,000,000 00
Total	210,037,481 49

Now, sir, when this vast amount of money is expended the people who pay the taxes, the people who toil, the people who delve, the people who mine, the people who manufacture call upon us as their representatives to know where and in what direction this vast sum of money has gone.

Let me have your attention now while I address myself to the ma-

terial condition of the Navy. In March, 1869—I quote now from the Secretary's report made in December, 1869—the number of vessels was 203; see this table. From this table it would appear that there were then in commission 69 vessels.

Navy in March, 1869.—(See Secretary's report, December, 1869.)

Number of vessels, (b and c)	203
In commission, (a)	69
Guns	1,326
Tonnage	183,442
Number of sailors	

(a) *Efficient Navy in March, 1869.*—In fleet or returning, 43; special service, 6; receiving-ships, 6; tugs, 14.

(b) Of these, 151 wooden and 52 iron-clad.

(c) Of the 134 not in commission 46 were iron-clads, 22 were "on stocks," work being suspended, and 66 were reported in ordinary or unfit for active service in the future.

Will the gentleman from Maine [Mr. HALE] give me his attention for a moment? He declared before this House on Saturday last that there were 80 vessels in commission in good condition. Will you remember that according to the report of the Secretary of the Navy, in 1869 there were 69? Will you remember further that you have built for the Secretary of the Navy ten vessels, making 79? Will you remember that you have built for him two torpedo-vessels, making 81? Will you remember in addition that the Secretary has unlawfully purchased two more vessels, and then you have more than the number represented by the gentleman from Maine on Saturday last. Add them together, and with an expenditure of over \$200,000,000, you do not show the number of vessels in good condition at this time there was according to that report in 1869.

But, sir, I must travel fast. I now ask your attention to an exhibit of the Navy, not from any partisan, not the work of this committee, not the statement of the head of any Bureau, but I quote from the statement of an able, efficient, and intelligent officer of the United States Navy, now on duty in the harbor of Boston, Commodore Nichols. Without reading that statement, which I shall print, as I will others I quote from in my general remarks, the statement of Commodore Nichols is as follows:

<i>Abstract of strength of the Navy, as shown by Navy Register of January 1, 1876.</i>	
First-rates, screw-ships	5
Second-rates, screw-ships	23
Second-rate, paddle-ship	1
Third-rates, screw-ships	27
Third-rates, paddle-ships	3
Fourth-rates, paddle and screw ships	6
Wooden sailing-vessels of all classes	25
Iron-clad vessels	24
Tugs, &c	27
Total	146

The following is believed to be the condition of many of the above:
 Colorado, first-rate: in commission as receiving-ship, New York; needing new
 boilers and general repairs.
 Niagara, first-rate: boilers and engines broken up; hull partly broken up; needs
 to be rebuilt.
 Wabash, first-rate: receiving-ship at Boston; engines and boilers condemned.
 Independent of engines and boilers, will need considerable expense to prepare her
 for sea.
 Connecticut, second-rate: rotten on the stocks; Boston.
 Iowa, second-rate: condemned; rotten and broken-backed; Boston.
 Antietam, second-rate: used as store-ship at League Island.
 Delaware, second-rate: condemned; rotten; made one cruise; New York.
 Java, second-rate: on stocks, New York; believed to be rotten.
 New York, second-rate: on stocks, New York; believed to be rotten.
 Pennsylvania, second-rate: on stocks, Boston; believed rotten.
 Susquehanna, second-rate: originally a side-wheel frigate, but for some years
 being changed to screw; will not be ready for service for a long time.
 Lancaster, second-rate: needs extensive repairs; Portsmouth, New Hampshire.
 Congress, second-rate: in commission, but reported very rotten.
 Severn, second-rate: condemned; New London.
 Worcester, second-rate: receiving-ship at Norfolk; said to be unseaworthy.
 Ticonderoga, second-rate: said to need extensive repairs; Portsmouth, New
 Hampshire.
 Canandaigua, second-rate: needing repairs; Norfolk, Virginia.
 Junius, third-rate: said to need extensive repairs; Baltimore.
 Quinnebago, third-rate: rebuilt; incomplete; Philadelphia.
 Galena, third-rate: rebuilt; incomplete; Norfolk, Virginia.
 Iroquois, third-rate: needs extensive repairs; Mare Island.
 Adams, third-rate: unfinished; Boston.
 Enterprise, third-rate: unfinished; Portsmouth, New Hampshire.
 Essex, third-rate: unfinished; Boston.
 Wachusett, third-rate: needs new boilers and extensive repairs; Boston.
 Mohican, third-rate: supposed rebuilding at Mare Island.
 Wyoming, third-rate: under repair; Washington.
 Narragansett, third-rate: extensive repairs; Mare Island.
 Ashuelot and Monocacy, third-rate: iron-hull side-wheel steamers, now in China;
 considered unsafe for general naval purposes.
 Kansas, third-rate: extensive repairs; Portsmouth, New Hampshire.
 Nipsic, third-rate: believed rebuilding; Washington.
 Nyack, third-rate: extensive repairs; Mare Island.

SAILING-VESSELS.

New Orleans: on the stocks; condition unknown; Sacket's Harbor.
 Ohio: rotten and unseaworthy; Boston.
 Vermont: unseaworthy, except at great expense; New York.
 Independence: unseaworthy; Mare Island.
 Macedonian: unseaworthy; Norfolk.
 Potomac: unseaworthy; Philadelphia.
 Saint Lawrence: unseaworthy; Norfolk.
 Constitution: under extensive repairs; Philadelphia.
 Cyane: unseaworthy; Mare Island.
 Saint Louis: unseaworthy; League Island.
 Saratoga: unseaworthy; Annapolis.
 Dale: unseaworthy; Annapolis.
 Pawnee: unseaworthy; Port Royal, South Carolina.
 Relief: unseaworthy; Washington.

IRON-CLADS.

Amphitrite: rebuilding with iron hull; Wilmington, Delaware.
 Camanche: rebuilding with iron hull; Mare Island.
 Colossus: on stocks; believed rotten; New York.
 Massachusetts: on stocks; believed rotten; Portsmouth, New Hampshire.
 Miantonomoh: rebuilding with iron hull; Chester, Pennsylvania.
 Monadnock: rebuilding with iron hull; Boston.
 Oregon: on stocks; believed to be rotten; Boston.
 Puritan: never completed; League Island.
 Terror: rebuilding with iron hull; Philadelphia.

Of the above list of fifty-six vessels, it is believed that, with the exception of the incomplete sloops and the two side-wheel steamers in China, not one could be put into effective condition for war purposes under two months. The majority would take very much longer, and some could not be made available at all. Deducting these fifty-six from the whole number, we have left ninety vessels. Now, from these ninety we must deduct twenty-five tugs, six dispatch, tender, and special-service vessels, three sailing store-ships, and eight serviceable sailing-vessels, leaving as the effective force of the Navy for war purposes forty-eight vessels and two torpedo-boats. Of the eight serviceable sailing-vessels, seven are in commission at present as receiving, gunnery, store, and training vessels. Of the forty-eight effective ships, or supposed to be effective, fifteen are iron-clads for coast and harbor defense, and the remainder distant-cruising ships. The foregoing is not given as strictly accurate, but is believed to be not very far from the truth, and certainly is not a very good showing for a navy on which so much money is supposed to have been spent.

I beg to call the attention of the House now to the deductions by Commodore Nichols in making his exhibit of the Navy. He says of the above list of fifty-six vessels:

It is believed, with the exception of the incomplete sloops and the two side-wheel steamers in China, not one could be put into effective condition for war purposes under two months. The majority would take very much longer, and some could not be made available at all. Deducting those fifty-six from the whole number, we have left ninety vessels. Now, from these ninety we must deduct twenty-five tugs, six dispatch, tender, and special-service vessels, three sailing store-ships, and eight serviceable sailing-vessels, leaving as the effective force of the Navy for war purposes forty-eight vessels and two torpedo-boats.

Leaving, mark it, leaving here in the month of April, in the year of our Lord 1876, leaving as the effective force of the Navy for war purposes forty-eight vessels. Yes, sir; forty-eight vessels only.

Now, sir, turn to the Navy Register and you will find to-day instead

of eighty vessels in commission, in good condition and in service, as you would infer from the argument made on Saturday last by the gentleman from Maine, you have only fifty-one vessels. Go to Norfolk, go to Portsmouth, go to Boston, go to New York, go to the navy-yards throughout the country, and you will find that little tugs and fancy launches, dispatch vessels, are numbered as among the effective naval vessels belonging to the service at the present time, and it is in that way the Secretary and his friends swell the number of their effective Navy.

Mr. Speaker, we have not in our committee relied upon insufficient testimony. I take the Admiral of the Navy; I take the Vice-Admiral; I take eleven rear-admirals; I take eight or ten commodores; I take eight or ten captains and the same number of commanders; and all agree that you have an inefficient Navy at the present time.

Now, Mr. Speaker, I pause deliberately for a moment. In all this volume of proof there is but one counter-statement to that made by these officers of the Navy. I say one—I say it deliberately—one statement, and that is the statement of Constructor Hanscom alone. To be sure Captain Shufeldt appeared before the committee and gave his opinion of the present condition of the Navy. But when you look at the tables upon which he swears you see they are prepared in the Bureau of Construction and Repair, that they are prepared by Isaiah Hanscom, and it is Isaiah Hanscom's testimony. Upon it alone the Secretary of the Navy relies. Upon it alone Commodore Shufeldt speaks. Upon it alone other gentlemen speak. And I shall have occasion before I am done, if I do justice to the question, to show that Isaiah Hanscom is not a reliable witness.

Now, Mr. Speaker, how has this vast sum of money disappeared? Go with me to the navy-yards for a moment and you will find upon an average that about five thousand men in election years are employed for the purpose of controlling the ballot-box. We can show that annually before the elections this number of men are thrown into the yards and employed for a period covering three months. See the following table:

Tabular statement of the number of employés at the navy-yards below mentioned for the specified months, as requested by the chairman of the House Committee on Naval Affairs, compiled from the rolls on file in the Office of the Fourth Auditor of the Treasury.

Months.	Portsmouth.	Boston.	New York.	Philadelphia.	Norfolk.	Mare Island.	Total.
September, 1872	1,318	1,483	1,619	1,552	936	1,172	8,680
October, 1872	1,424	1,666	1,799	1,637	1,126	1,570	9,222
November, 1872	1,096	1,682	1,696	1,000	1,052	1,180	7,706
December, 1872	619	1,221	1,140	551	495	596	4,623
September, 1873	1,213	1,694	2,016	783	1,189	1,071	7,966
October, 1873	1,220	1,770	1,982	928	1,351	1,170	8,421
November, 1873	823	3,118	2,275	1,407	1,153	996	9,772
December, 1873	1,147	3,853	3,277	1,710	1,299	863	12,154
September, 1874	914	1,130	996	410	974	764	5,188
October, 1874	496	1,295	1,221	538	1,195	760	5,505
November, 1874	276	841	903	536	817	705	4,098
December, 1874	260	434	846	356	571	699	3,166
September, 1875	641	846	1,290	752	636	757	4,922
October, 1875	750	878	1,364	908	905	563	5,368
November, 1875	717	959	1,373	896	763	494	5,205
December, 1875	528	1,034	1,236	(*) 549	358	3,704	

* Broken up on the 1st of December.

It will be observed that the total average number of employés for the month of October, 1872, pending the presidential election of that year, was 9,222, while for October, 1874, the number was 5,505. The total average in 1875 was 4,388, as is shown by the following table, also from the Fourth Auditor's Office:

Locality.	Construction and Repair.	Steam-Engineering.	Yards and Docks.	Equipment and Recruiting.	Ordnance.	Provisions and Clothing.	Navigation.	Medicine and Surgery.	Contingent Navy.	Total average.
New York	377	116	20	48	44	61	33	31	1	730
Boston	258	79	202	88	20	12	4	14		677
Norfolk	279	73	200	31	31	8	4	18		644
Mare Island	144	80	229	23	19	8	3	10		591
Washington	151	78	95	72	83	8	7			494
Portsmouth	191	64	115	21	6	3	4	4	1	409
Philadelphia	165	67	76	33	14	12	2			369
League Island	24	5	195		2					226
Pensacola	37	14	124	8	14	5	13	7		222
New London	13	5	8							26
Totals	1,630	581	1,334	329	233	117	70	84	1	4,388

NOTE.—On reference to page 384, Boston testimony, it will be seen that there was on 1st November, 1874, 1,245 men employed in construction department alone, indicating that above table first given is most likely a selected date, as there were hundreds employed in other departments. On 1st December thereafter this number was reduced to 135, a discharge of over 1,000 men.

Take, then, this estimate, if you please, and you will find that over \$1,000,000 in those years are robbed and taken from the people for the unholy, wicked, and vile purpose of prostituting the ballot-box. Sir, this is done, and I dare charge it upon the record before me, with the knowledge and with the sanction of the Secretary of the Navy.

Again, over \$1,000,000 is lost to the people annually from the employment of unskilled laborers. Again, a large sum of money is lost from wastage in the handling of the timber that goes into vessels. Again, a large sum of money is lost in favoritism to contractors. Again, a large sum of money is lost in the excessive prices that are paid to these favorite contractors. Who are they? Some of them I will mention. Brown, Trikey & Jewett, Baker, Goff, and Orville Grant and others. Shall I lay before you, sir, a list of these favored contractors? Yes, sir. I will not read it now, but hereafter submit a table showing it. Let me say that I have taken eleven who have during the period of this administration got from the Navy Department over twelve, nearly thirteen millions of dollars. These few men have obtained this large amount of purchases from the Department:

John Roach, (see Brooklyn, page 370)	\$3,830,806
William Mathews, (miscellaneous)	3,000,000
Bureau of Construction alone: [*]	
James Bigler	1,199,046
S. P. Brown and S. P. Brown & Son	327,725
W. C. N. Swift	1,448,542
G. T. Wallace	162,203
George H. Creed	474,348
Camp & Son, (see statement also from Bureau of Steam Engineering)	863,441
G. P. Goff	56,898
Noblitts, (Philadelphia testimony,) estimated	700,000
Trickey & Jewett, (Kittery, Boston, and Washington,) estimated	800,000
	12,733,014

Now, sir, with such an exhibition of favoritism, with excessive prices paid to these parties, are you at a loss to account for the discontent manifested among the honest manufacturers and honest dealers of the country? They have had no fair opportunity of furnishing their wares or goods in competition with these favored contractors.

I have here an estimate which I submit as a portion of my remarks, an estimate of needless and illegal expenditures, to which I invite the attention of the House. It is far below a correct estimate, but it is at least just to the Department.

Estimate of needless and illegal expenditures.

Employment of laborers, &c., for and during election periods	\$3,000,000
Unskilled labor loss	3,000,000
Wastage in timber and lumber, &c., by reason of unskilled labor	1,000,000
Loss on contracts awarded without legal competition	4,000,000
Loss on purchases made without legal competition	5,000,000
Loss on ships, material, &c.	5,000,000
Loss in misdirected and unnecessary work and labor, in mode and manner of payment of officers, in retiring officers, in unnecessary wastage in useless printing bills, &c.	8,000,000
Loss in purchase of promiscuous and unnecessary timber and lumber	2,000,000

Total..... 31,000,000

A sum sufficient to have built fifteen ships of two thousand tons, thirty of one thousand, or sixty of six hundred and fifty.

All these aggregate the vast sum of \$31,000,000, a sum sufficient to have built fifteen new ships of two thousand tons each, thirty new ships of one thousand tons, or sixty new ships of six hundred and fifty tons, without interfering with the ordinary and necessary repairs to the vessels in service. And to-day, if the Secretary of the Navy had economically used the funds that were appropriated to him by Congress, you would have had a new navy entirely out of the sums of money appropriated, and more vessels in it than he shows to-day upon the Naval Register.

Mr. Speaker, I have not time now to enumerate the frauds that have been discovered in the opinion of at least a majority of the committee as existing in the naval service. I might call attention to illegal, improper, and fraudulent inspection. I might call attention to the illegal, improper, and fraudulent combinations known and called rings. I might name the parties. I might go on and call the attention of this House to the squandering of the money appropriated for the preservation of the live-oak timber in Florida. I might call attention to the illegal, improper, and fraudulent payments of money to Dayton, Stickney, and others. I might call attention to the illegal, fraudulent, and improper payment of money to brokers intervening between the manufacturers of the country and the Navy Department. I might call attention to the fraudulent reception of coal, &c., rejected, particularly the coal of S. P. Brown. I might and I do pause to call particular attention to the case of Chamberlain. Who is Chamberlain? Will this House believe that for four years the Secretary of the Navy and the head of the Bureau of Construction and Repair paid a salary of \$1,000, or a per diem amounting to about \$1,000 per annum, to Chamberlain? Who is Chamberlain? Who knows him? Will you believe, gentlemen, that the Secretary of the Navy had put upon the rolls of one of your navy-yards as a mechanic a man whom he now says was a detective, a man he never saw but once, a man that nobody recommended, a man he never saw afterward, a man he cannot find now? Will you believe this was done

here by the head of a Bureau who never saw Chamberlain but once, and speaks even of that time doubtfully; that he received for years his drafts for pay and delivered them over, not to Chamberlain, but to a convenient friend.

They, the Secretary and chief of Bureau of Construction, have taken from the public Treasury about four thousand dollars of your money, of the money of your constituents, and when you come to examine into the matter you find that that money has been paid to a newspaper correspondent who once hung about this Capitol, and he is the man who has received it, now dead and no one left to vindicate him. Read the proof in connection with this case and you will find that it is as bad a case of fraud and outrageous robbery as could well be shown.

Now I call your attention again to what I consider a fraudulent thing: the dependent relations of debtor and creditor between contractors and the agents of the Department. I read from the report of the majority a reference to the testimony of William Mathews:

The dependent relation of creditor and debtor—to speak of it in its mildest form—existing between contractors and the officers, clerks, and employees with whom such contractors are brought in contact in their business with the Departments, your committee regard as a very serious abuse, most corrupting in its tendency and influence. That this abuse exists to a very disgraceful extent in the Bureau of Provisions and Clothing is apparent from the testimony of Mr. Mathews, who testifies as follows, (Miscellaneous, page 28):

“Question. Now, I ask you if during the last two years the head of the Navy Department has not been your debtor; if the head of the Bureau of Provisions and Clothing has not been your debtor; if every paymaster who has been stationed at New York City has not been your debtor; if every clerk in the navy-agent's office in New York City, and every one connected with the Bureau of Provisions and Clothing at the navy-yard has not been your debtor; if the disbursing clerk of the Navy Department here, the principal clerk, and the next clerk to him in the Bureau of Provisions and Clothing; if the quartermaster of the Marine Corps, and the assistant quartermaster, and his clerk, Mr. Marks, have not been your debtors?

“Answer. To a great extent that is all true.”

While you remember that, in addition to your Navy Department paying \$150,000 as a contribution to a corruption fund to the firm of Cattell & Co., this man has been a dealer for years with the Navy Department during which time from the Secretary of the Navy down to the inspector of clothing at the New York navy-yard every man with whom he has dealt has been his debtor, and that he seems to have acted upon the maxim of the great American Credit Mobilier financier of placing his money where it would do the most good, you can calculate the loss to the people in the amount of gain to these officials. But, sir, I might multiply these cases of fraud and maladministration indefinitely; yet I must forego it and hurry on to more pressing matters.

I call your attention to the violation of law in making open purchases in the administration of the naval service for the last seven years. You are aware that the law compels the Secretary of the Navy in making all contracts and open purchases to advertise when the time will permit and when the public exigencies do not demand otherwise. Sir, we will turn to the exhibit made by the several Bureaus which I herewith submit:

Purchases made since July, 1869, showing the amount by annual contracts and by open purchase, Bureau of Steam Engineering.

Total amount of purchases of all kinds, including freights, royalties, &c.:	
During fiscal year 1869-'70	\$388,768 97
1870-'71	322,140 60
1871-'72	295,890 21
1872-'73	451,302 17
1873-'74	933,666 93
1874-'75	645,263 10
1875-'76	430,087 09

Total..... 3,487,119 06

This Bureau has made no “annual contracts” since July 27, 1867.

Statement of purchases by Bureau of Provisions and Clothing, Navy Department, under contracts by bureau and at open purchase during the fiscal years 1873-'74, 1874-'75, and 1875-'76.

	Under contracts.	By bureau.	At open purchase.
1873-'74	\$271,120 65	\$1,388,141 61	\$1,129,519 95
1874-'75	11,924 02	761,376 43	935,903 91
1875-'76		722,138 04	526,516 43

Statement of amounts expended under appropriation “ordinance” from January 1, 1869, to date, May 29, 1876.

By open purchase—	
During year 1869	\$45,800 00
During year 1870	106,806 14
During year 1871	73,253 00
During year 1872	107,237 22
During year 1873	138,703 53
During year 1874	62,503 00
During year 1875	58,780 00
During year 1876	10,335 00

603,717 89

By contract—	
During year 1869	\$35,000 00
During year 1870	201,000 00

* See statement from Bureau of Construction.

† In case of these parties, it is to be remarked that they were dealers with other Bureaus, and hence the amounts will be increased.

During year 1871.....	\$97,500 00
During year 1872.....	37,000 00
During year 1873.....	513,790 00
During year 1874.....	74,000 00
	958,290 00

No contracts in 1875 and 1876.

1.—*Bureau of Equipment and Recruiting—Statement of purchases since July 1, 1869.*

	1869-'70.	1870-'71.	1871-'72.	1872-'73.	1873-'74.	1874-'75.	1875-'76.
1. Purchases by regular contracts	\$351,723	\$478,190	\$442,437	\$362,337	\$34,793	\$47,525	\$64,007
2. Purchases by order of Bureau	386,884	316,216	173,737	25,852	93,229	37,092	19,754
3. Open purchases.....	513,559	190,778	169,167	242,016	484,730	192,856	356,616

Statement of expenditures by the Bureau of Yards and Docks from July 1, 1869, to March 1, 1876.

Under contract	\$2,801,061 49
Under open purchase.....	2,155,969 74
Orders of Bureau.....	38,869 00

Statement of amounts of purchases of materials by the Bureau of Construction and Repair, Navy Department, for fiscal years commencing 1869-'70.

Fiscal years.	Annual contracts.	Bureau orders.	Open purchases.
1869-'70.....	\$246,809 97	\$18,876 38	\$817,803 03
1870-'71.....	761,294 50	47,149 34	230,727 78
1871-'72.....	273,518 43	25,656 24	246,878 94
1872-'73.....	340,165 51	330,698 95	487,367 45
1873-'74.....	409,526 97	462,403 64	414,875 34
1874-'75.....	156,613 75	441,450 75	229,548 81
1875-'76.....	231,492 44	580,460 15	136,540 21

NAVY DEPARTMENT, BUREAU CONSTRUCTION AND REPAIR, July 17, 1876.

Statement showing quantity and kind of material disposed of other than by sale by the Bureau of Construction and Repair, Navy Department, since March 1, 1869, being additional to quantities recovered by the breaking up of Navy vessels, of which a statement in detail has already been furnished.

Quantity and kind.	To whom delivered.	For what purpose.	On what terms.
1,614,335 pounds old iron.	Harlan & Hollingsworth	To be rerolled.	One pound rerolled best beam and plate for 3 pounds of old iron.
1,092,875 pounds old iron.	William Cramp & Sons	do	Do.
3,395,211 pounds old iron.	T. F. Rowland	do	Do.
10,620,531 pounds old iron.	John Roach	do	Do.
217,129 pounds old iron.	John Noblitt	do	Do.
2,324,936 pounds old iron.	C. E. Pennock & Co	do	Do.
825,577 pounds old iron.	do	do	Old iron to be rerolled at 1 $\frac{1}{2}$ cents for new iron, best beam, angle, and plate, at 8 cents, or 4 4-7 pounds of old iron for 1 pound of new.
*4,538,781 pounds old iron.	Seyfert, McManus & Co	do	For deliveries to Seyfert, McManus & Co., up to October 29, 1874, old iron, at 1 $\frac{1}{2}$ cents, to be rerolled for new iron, best beam, angle, and plate, at 8 cents—or 4 4-7 pounds of old iron for 1 pound of new. For deliveries to Seyfert, McManus & Co., since October 29, 1874, 1 pound rerolled best beam and plate for 3 pounds of old iron.

* Including iron recovered from Nebraska, broken up.

The above material was disposed of in the manner stated without advertisement.

NAVY DEPARTMENT, BUREAU OF CONSTRUCTION AND REPAIR, July 5, 1876.

EXHIBIT C.—Material delivered to parties in exchange for other material or work done by Bureau of Steam-Engineering from July 1, 1869.

Character.	Quantity.	Price.	Amount.	To whom disposed of.	Remarks.
Old scrap and boiler iron	232 1840-2240 tons	\$19 per ton	\$4,803 61	Pacific Rolling Mill Company	New bar and sheet iron was returned for this old material for use in the Mare Island navy-yard.
Do	23 150-2240 tons	\$39 per ton	899 61 4,400 00		This iron was delivered in the lump from careful estimates made by the engineer officers at the yards, to be rerolled and new iron returned therefor. The new iron was delivered for general purposes in the several navy-yards as required for use.
Old boilers, &c., removed from vessels, Portsmouth yard.	.....	.....	17,000 00	C. E. Pennock & Co	
Old scrap-iron and bloomis made from scrap, Boston yard.	.....	.....	13,300 00		
Old boilers, smoke-stacks, scrap-iron, &c., Brooklyn yard.	.....	.....	600 00		
Old boilers and scrap, Norfolk yard.	.....	.....	4,728 68	I. P. Morris & Co	
Old material removed from the Richmond.	.....	.....	1,654 87	C. W. Booz	
Old material removed from the Tallapoosa.	.....	.....	1,450 00	Wood, Dialogue & Co	This was old material removed from vessels under repair by these firms, and was disposed of to said firms in part payment for said repairs, following the usual custom of the Bureau in such cases.
Old material removed from the Mayflower.	.....	.....	3,887 50	C. E. Pennock & Co	The Bureau required large amounts of first-class boiler-plate for the new compound boilers in progress of construction, and, being also desirous of clearing the navy-yards of a portion of the old scraps and condemned material which has been accumulating for years, arranged with the Pennocks to take of said material such as should be placed at their disposal to reroll, and return new iron as required for use. This was done in order that the account might be the more easily adjusted. The old material was taken at a valuation fully equal to quoted market-rates for such material, and the new iron was furnished at current market-rates.
Old wrought scrap-iron	115 1110-2240 tons	\$25 per ton	2,638 21		
Old boiler-plate iron	63 2148-2240 tons	\$40 per ton	12,060 48		
Old wrought scrap-iron	301 1147-2240 tons	\$40 per ton	8,769 77		
Old boiler-plate iron	146 365-2240 tons	\$60 per ton	2,114 40		
Old iron tubes, &c.	84 1290-2240 tons	\$25 per ton	2,290 46		
Old scrap-iron, miscellaneous.	91 1386-2240 tons	\$25 per ton			

The total amount of Bureau orders and open purchases were \$19,483,202.34.

This statement shows that at least \$19,483,202.34 were paid for purchases not made in open market, and therefore in direct and willful violation of the law. The friends of the Secretary of the Navy cannot show to the country that there has been such a condition in public affairs as to demand or excuse such a departure from the law and that out of less than forty million of purchases over one-half of it should be by open purchases or under Bureau orders. There is not a man in the House who believes that the exigencies of the time demand that violation or departure from the law. Again, the law has been violated in the fact that purchases have not been made of the regular manufacturers or dealers.

But let me ask your attention to the next matter, and I specially invite the attention of those who are in favor of reform to what I now state. Will you turn for a moment to the letters that passed between the head of the Bureau of Clothing and Provisions and the contractor Matthews? Will you mark and note the fact that that officer of the Government made a private sale amounting to over \$400,000 without any advertisement, without any competition, and in making that sale *asked that it be considered private and confidential!* Think of it! Your agent was making a confidential disposition of your property, and on the face of it the very words show that it was reeking with fraud and corruption. Thousands upon thousands of dollars' worth of your property have been sold privately and on the condition that the sale should be considered private and confidential! But, sir, there has been another mode of private sale which has inflicted incalculable injury upon the public service, and that is the mode of selling the property of the Government by barter and exchange. Who gave the Secretary of the Navy any right to barter? Who gave the Secretary of the Navy any right to exchange? Who conferred upon him the discretion to say that it was for the public interest that such barter and exchange should be made? I ask you if the Secretary of the Navy can barter and exchange one piece of the public property what is to prevent him from bartering and exchanging every other piece of property that belongs to the people that comes within his Department? Under this system of barter and exchange millions upon millions of dollars' worth of public property have been sacrificed. Sir, I beg to submit to the House a statement purporting to be an exhibit of this barter and exchange business in the Bureau of Construction and Repairs, and also the Bureau of Steam Engineering. I make that statement a part of my remarks.

EXHIBIT C.—Material delivered to parties in exchange for other material, &c.—Continued.

Character.	Quantity.	Price.	Amount.	To whom disposed of.	Remarks.
Old engines, &c., from Nipscic:					
Cast iron	29 1189-2240 tons	\$20 per ton	\$500 62		
Wrought iron	9 1858-2240 tons	\$30 per ton	294 88		
Copper	4,870 lbs.	15c. per lb.	730 50	William Wright & Co.	
Composition	40,533 lbs.	13c. per lb.	5,269 29		The material disposed of to the first three named firms was all removed from naval vessels; needed <i>very extensive</i> repairs, and was of an obsolete type, and not adapted to any naval purposes except for scrap.
Old engines, &c., from Algoma and Otsego:					
Cast iron	83 1780-2240 tons	\$25 per ton	2,094 87		
Wrought iron	36 1656-2240 tons	\$30 per ton	1,102 18		
Brass	37,212 lbs.	13c. per lb.	4,837 56	Wm. Cramp & Sons.	
Copper	14,539 1/2 lbs.	15c. per lb.	2,180 92		
Lead	3 1267-2240 tons	\$25 per ton	89 14		
Boilers	96 2184-2240 tons	\$25 per ton	2,423 88		
Two boilers for Nebraska	75 1870-2240 tons	\$40 per ton	3,033 39		
Old engines, &c., from Koka and Minnetonka:					
Brass	29,336 lbs.	13c. per lb.	3,960 36		
Cast iron	83 2051-2240 tons	\$25 per ton	2,097 89		
Wrought iron	31 1778-2240 tons	\$30 per ton	933 81		
Copper	14,332 lbs.	14c. per lb.	2,078 14		
Boiler-iron	102 1221-2240 tons	\$25 per ton	2,513 63		
Iron tubes	10 1915-2240 tons	\$20 per ton	217 09		
Condemned engines, boilers, and miscellaneous:					
Composition	611,959 lbs.	14c. per lb.	85,674 26		
Copper	63,733 lbs.	18c. per lb.	11,471 94		
Scrap-lead	9,961 lbs.	4 1/2c. per lb.	443 94	John Roach	
Cast iron	743 663-2240 tons	\$25 per ton	18,582 40		
Iron tubes	27 1571-2240 tons	\$20 per ton	554 03		
Boilers and scrap	764 1531-2240 tons	\$25 per ton	19,117 08		
Wrought scrap	405 1300-2240 tons	\$30 per ton	12,167 41		
Boilers for Java	147 1714-2240 tons	\$40 per ton	5,910 61	William C. Selden for Wm. P. Clyde & Co.	Of an obsolete type, and could not be used on any naval vessels; worthless except for scrap.
Old composition tubes, &c.	476,294 lbs.	11c. per lb.	52,392 34		
Old copper tubes, &c.	19,899 lbs.	16c. per lb.	3,183 84	American Tube Works.	Chiefly tubes cut from boilers, were more or less filled with scale, and could not have been used again in steam-boilers. Arrangements made to reconvert and return new tubes as required. The new tubes have all been used in steam-boilers of the Navy.
Old rubber hose, packing, valves, &c.	54,961 lbs.	5c. per lb.	2,749 05	Wm. A. Torrey & Co.	Highest bid from several dealers accepted. The goods were of inferior quality, having so far deteriorated from the action of the sulphur contained in them as to have become perfectly worthless for naval purposes. New standard goods were furnished therefore as required for use.
Old cast steel, &c., of unknown and inferior quality.	41 687-2240 tons	\$75 per ton	3,098 00		
Old scraps, steel	24 1534-2240 tons	\$55 per ton	1,357 66	Chrome Steel Co.	
Old vises, broken and obsolete pattern	22,251 lbs.	2 1/2c. per lb.	556 27		
Old anvils, broken and obsolete pattern	11,181 lbs.	1 1/2c. per lb.	167 71	A. V. S. Smith.	
Composition	68,000 lbs.	13 1/2c. per lb.	9,010 00	E. H. S. Ashcroft	
Old engines, boilers, &c., in Waukegan and Shawnee			10,200 00	John Dole	
Total			351,806 58		

I call your attention and the attention of my colleagues on the committee, and the attention of this House, and I say that this amount of property bartered and exchanged exceeded in original cost over \$10,000,000; mark what I say, that when the head of the Bureau of Construction made the return above quoted he made a false return to the committee; he made a return that was not sustained by the proof; he made a return that being exhibited as the truth would mislead the House. It was a fraud upon this House.

Sir, this is a bold statement I have made; but turn to the New York testimony, turn to the sworn statement of John Roach, and you will find that he says he has purchased 7,390 tons of old iron, and reduce that to pounds you will see that Mr. Hanscom has failed to return nearly 6,000,000 of pounds. Again, according to his statement, William Cramp & Sons received 1,092,875 pounds. Turn to the sworn statement of Mr. Cramp, before the committee at Philadelphia, and you will see that he received over 5,000,000 of pounds. This head of the Bureau is deceiving the committee, is deceiving the House, is deceiving the country, when he attempts to make them believe this statement.

But in effecting this barter and exchange business the Secretary of the Navy has gone a wider and yet a further step than that to which I have called the attention of the House. He has assumed that he has a right to destroy vessels, that he has a legal right to do so. Now, I deny it. Show it, if you can, anywhere upon the statute-

books. What right and what power has the Secretary of the Navy to destroy a vessel belonging to the Government of the United States? If he can destroy the Algoma he can destroy the Constitution; if he can destroy the Hero he can destroy the Kearsarge; if he can destroy two vessels he can destroy twenty, and if he can destroy twenty vessels then he can destroy your whole Navy. What is there to control him? He has destroyed a number of vessels. I will not take up the time of the House by reading the names, but I will call attention to the list which follows.

To this list of vessels destroyed should be added those rebuilt, to wit:

Nipscic, Galena, Vandalia, Marion, Quinnebaug, Swatara, Monongahela, Terror, Monadnock, Amphitrite, and Miantonomoh.

In addition to this list, I will name other vessels which he claims to have rebuilt.

Now I leave it to the consideration of the House that if the Secretary of the Navy can destroy one vessel may he not destroy ten? And if he can destroy ten vessels may he not destroy them all? Who is to put a curb upon him? Where is to be the check, the line of discretion? He destroys vessels to evade the law, because under the law if he sells he must sell at public sale, and if he sells at public sale the proceeds must go into the Treasury, and if it goes into the public Treasury it cannot come out except by an appropriation by Congress. The list of vessels broken up is as follows:

Statement of vessels broken or being broken up, under orders emanating from the Bureau of Construction and Repair, Navy Department, since July 1, 1869; also of the disposition made, so far as reported, of the materials recovered therefrom; taken from records of the Bureau.

Name of vessel.	When ordered broken up.	Amount and kind of material recovered.	Disposition of material.	To whom.	On what terms.
Illinois	Feb. 15, 1872	Not reported by yard officers.....	Used in yard	By the Government	
Nantasket	Sept. 27, 1872	.....do	Copper delivered for rerolling; wood used in Portsmouth yard.	Washington yard, by the Government	
Suncook	July 31, 1874	1,424,296 pounds old or scrap iron.	Delivered to contractor to be rerolled.	C. E. Pennock & Co.....	
Nauset	Sept. 24, 1874	1,368,640 pounds old or scrap iron.	do	John Roach	1 pound rerolled, best beam or plate, for 3 pounds old iron.
Niobe	Sept. 24, 1874	1,388,800 pounds old or scrap iron.	do .....	.....do	Do.
Coboes	Oct. 9, 1874	1,375,360 pounds old or scrap iron.	do .....	.....do	Do.
Koka	Oct. 2, 1874	1,348,149 pounds old or scrap iron.	do	Harlan & Hollingsworth	Do.
Otsego	Oct. 9, 1874	1,301,440 pounds old or scrap iron.	do	William Cramp & Sons	Do.
Algonna	Oct. 9, 1874	1,397,760 pounds old or scrap iron.	do .....	.....do	Do.
Modoc	Oct. 10, 1874	958,720 pounds old or scrap iron.	do	John Roach	Do.
Minnetonka	Oct. 12, 1874	945,801 pounds old or scrap iron.	do	Harlan & Hollingsworth	Do.
Napa	Nov. 12, 1874	934,080 pounds old or scrap iron.	do	John Roach	Do.
Hero* and Piscataqua	Apr. 2, 1875	1,658,144 pounds old or scrap iron.	607,579 pounds delivered to contractor to be rerolled. Iron delivered to contractor to be rerolled.	.....do	Do.
Nebraska	July 29, 1875	Not reported by yard officers.....		Seyfert, McManus & Co	1 pound rerolled, best beam or plate, for 44-7 pounds old iron.
Shawnee and Wassuc	Sept. 9, 1879	Not reported; work not completed.	Not disposed of		

* Work of breaking up this vessel not yet completed.

Mr. HEWITT, of New York. Will the gentleman allow me to interrupt him a moment? I would like to make a remark.

Mr. WHITTHORNE. I will yield to the gentleman for two or three minutes.

Mr. HEWITT, of New York. I find in the report of the minority of this committee, which I have not had such time to study as I ought to have taken, a statement justifying the exchanges of old material for new material. The minority of the committee say that it was for the advantage of the Government. I have patiently and carefully examined the tables appended to the report of the majority containing the terms upon which these exchanges were made so far as iron is concerned. Perhaps I may say to the House that in that particular line of business I suppose I am a competent judge.

On page 90 of the report of the majority I find a contract of exchange of old material for new; to exchange 4,538,781 pounds of old iron with Seyfert, McManus & Co., a most reputable firm in the iron trade. The contract is upon the following terms: The old iron is to be taken at one and three-fourths cents per pound, and the new iron is to be returned at eight cents per pound. Now I say that is a most extravagant, wasteful, and improvident contract. I say that by that contract the Treasury of the United States was robbed, and the taxpayers of this country must make good that robbery.

I say that if the Secretary of the Navy had done his duty and had advertised that exchange to the iron trade of the United States, it could have been made upon a basis of at least two cents per pound better than it was done. The firm with which I was connected at that time would have been only too glad to have been a bidder, and they could have made and furnished all the materials that Seyfert, McManus & Co. furnished. I find there are other contracts very much of the same character. If these gentlemen who signed the minority report had taken the trouble to ask for the testimony or opinion of any reputable gentleman in the iron trade they could have had this information given to them.

Mr. HARRIS, of Massachusetts. Will the gentleman from Tennessee [Mr. WHITTHORNE] allow me one single minute?

Mr. WHITTHORNE. Not now.

Mr. HARRIS, of Massachusetts. I desire to ask one single question of the gentleman who has just taken his seat.

Mr. WHITTHORNE. You can ask the question, and I will answer it.

Mr. HARRIS, of Massachusetts. I want to call the attention of the gentleman to a fact which I think will cause him to change his statement.

Mr. HEWITT, of New York. I have no objection to the gentleman's question and will answer it.

Mr. HARRIS, of Massachusetts. Has the gentleman taken into consideration the fact that the iron to be furnished under that contract was to be iron in dimensions, including beam-iron and frame-iron, just such iron as the Government might require?

Mr. HEWITT, of New York. I was a maker of beam-iron and frame-iron, just such iron as the Government wants. Before I came to Congress, at the very time this contract was being executed, we were supplying beam-iron at four and three-fourths cents per pound, iron cut to dimensions, just as the Government desired to have it cut. And in regard to frame-iron, since 1873 there has been no time when it could not have been bought for four cents a pound, yet under this contract the Government paid eight cents per pound. I say that the old iron was worth one and three-fourths cents per pound in cash in market, the price that was allowed for it.

Mr. WHITTHORNE. I have only to add that the testimony taken by your committee will sustain the statement of the gentleman from New York, [Mr. HEWITT,] the testimony of two ironmongers in the city of Philadelphia.

I have now to call the attention of the House to another violation of the law by the Secretary of the Navy. Under the law no head of a Department and no head of a Bureau can make a contract unless the same is authorized by law. Now the Secretary of the Navy has purchased the steamer America, now called the Dispatch, and the vessel Rio Bravo, in violation of that law. Again, the repairing or rebuilding of ships under a name, having only the name to go on, is in violation of the law—not alone of that section to which gentlemen have addressed themselves, but in violation of that other section of the law which confines every head of a Department in his expenditure of appropriations to the object for which those appropriations were made. Turn back, if you please, to these appropriations for the Navy Department from 1869 down to the present time and you will find that every appropriation made to the Secretary of the Navy has a specific object and purpose; and under none of those objects or purposes is he authorized to rebuild vessels or to construct new vessels for the Navy. The sections of law to which I call attention, and which I do not propose now to argue, have been deliberately and willfully violated by the Secretary and his subordinates.

I now call the attention of the House to another violation of law, the misuse of appropriations or transfer of funds; and if the gentleman from Ohio [Mr. GARFIELD] is present, I desire to arrest his particular and personal attention. The Secretary of the Navy, when asked before our committee what had become of the appropriation made for the eight sloops of war, whether it had been transferred or expended, made his deliberate and sworn statement which I have here and will submit as a portion of my remarks, and is as follows:

Question. I desire to see if I am correct. I understand from what you state that the appropriation for the eight sloops, made February 10, 1873, did in fact become, so to speak, a common appropriation?

Answer. By this action which I have spoken of.

Q. You say that that matter was reported to Congress?

A. Yes.

Q. Will you name the report or official document where that can be found?

A. Yes; the report of the Secretary of the Navy in the fall of 1873.

Q. Do you mean the regular report?

A. I mean my regular report sent to the President. I do not know that it appears in those specific terms, but it does appear that all our appropriations at that time were expended, and that I say, in so many words, that, if Congress expects us to go on, we must be reimbursed. I came up before the Appropriations Committee, the facts were stated, and the \$4,000,000 was given in response to that application by me, and it was taken into Congress and passed without a dissenting voice.

Q. At the time the \$4,000,000 were appropriated, the entire amount appropriated for the eight sloops of war had been expended?

A. I think it had all been expended. Whatever is wrong about that I am willing to assume the responsibility for. I took it before the country, and I am willing to take it now.

* * * * *

Q. Construction and repair account had been a borrower from the eight sloops of war in this amount of money?

A. As I explained to you, when Congress came together in 1873, we had, during the Virginian excitement, spent every dollar—I would not say every dollar, but almost every dollar—which was under the control of construction and repair for any purpose in putting the Navy in condition. That fact was reported to Congress and to the Appropriation Committee directly. They appropriated \$4,000,000 to the Bureau of Construction and Repair, though not definitely, and of course the Bureau of Construction and Repair remained in debt to the appropriation for the eight sloops of war for the amount of that appropriation which it had expended.

Q. Does it appear in your report that Congress was informed that this specific appropriation for the eight sloops of war had been so expended?

A. I do not know whether it was reported specifically. It was reported in general terms that all the appropriations available for the Department had been expended, and, as I said before, I am willing to take that responsibility, because I know that the expenditures I made then saved the Government and the country from a war and from very large expenditures.

From which it appears that he had expended every available appropriation during the Virginian excitement; that in 1873 he had expended every appropriation at his disposal. Now mark, in that same statement before the committee the Secretary of the Navy swears that he had reported this fact to Congress through the Committee on

Appropriations. Upon this point I beg to call attention to the statement made at the time by the then chairman of the Committee on Appropriations [Mr. GARFIELD] when he deliberately stated to the House and the country that there had been no transfer of funds; that there had been no such use of appropriations as the Secretary of the Navy swears to. To these statements of Mr. GARFIELD I now call attention, as follows:

Mr. GARFIELD. In response to the five questions of the gentleman from New York, [Mr. Wood,] which I think can be consolidated into two. I have to say, first, that the gentleman entirely misapprehended me if he understood me to say that the Secretary of the Navy had drawn from one fund to pay expenses properly chargeable to another. I not only did not say that, but, on the contrary, I said that he had used several of the funds in their respective lines of use to meet the emergency, and that those special funds, and those only, were substantially exhausted.

Mr. WOOD. I did not understand the gentleman as saying that the Secretary of the Navy had transferred a fund appropriated for a specific purpose to another purpose. What I understood the gentleman to say was that moneys appropriated for the Navy had been used for purposes not comprehended in the original appropriation.

Mr. GARFIELD. Not only is it the fact that those moneys have not been used for purposes not comprehended in the appropriations, but they have been used strictly and only for the very purposes to which they were appropriated. But it was understood when the appropriations were made that they would carry the Department through its expenditures for such purposes to the end of the fiscal year; and so they would have done but for this extraordinary emergency.

I have here a list of estimates in these several Departments in which we now ask additional appropriations. For example: last year we appropriated \$6,000,000 for the pay of the Navy during the fiscal year. Now the Secretary of the Navy has been compelled, under what he considered the pressing emergency, to enlist additional men, and, of course, to increase in that respect the expenditures he would be called upon to meet; and, although he has not used up the whole of that appropriation, yet it is so nearly exhausted that he asks for \$300,000 more to eke out the pay of the Navy, so that the new men thus enlisted may be paid.

In the second place, this extraordinary emergency has used up—or partly used up—the contingent fund, amounting to \$125,000; and the Secretary asks \$20,000 more to re-imburse that fund for the balance of the year. So in regard to the Bureau of Navigation, the appropriation for the fiscal year was \$439,000. The Secretary has been compelled to spend more of that appropriation than would ordinarily have been spent in the first half of the fiscal year; and he asks for \$20,000 to reimburse that fund.

But the largest and most important portion of these extraordinary expenses has been in supplies, in providing ordnance, in supplying shot and shell for our guns; and under this head he asks for half a million dollars to meet the expense of the ordnance he has purchased. Again, in equipment and recruiting—the clothing of men and the equipment of vessels—the Secretary asks for half a million dollars to supply what has been used for these purposes. There has been no transfer of funds. There has been no drawing on the future.

Again, when that four-million-dollar bill was before the House and under discussion a provision was adopted authorizing the Secretary of the Navy to transfer the appropriation. The Senate of the United States struck out that provision. Yet the Secretary of the Navy now swears before us that he used the \$4,000,000, not for the specific objects for which that amount was appropriated by that bill, but to pay debts due, not to contractors, but debts due to different Bureaus for funds appropriated to those Bureaus and used previously, which he had used. Here is a deliberate and willful violation of the law. Yet it is said that the Secretary of the Navy did this for the honor of his country. I do not reply, my committee does not reply, to this defense made by the Secretary of the Navy and by his friends on this floor; but I ask the House to listen to the language of one of the great statesmen from Massachusetts, whose life was identified with the republican party and whose memory is now one of its choicest treasures. I allude to Hon. Charles Sumner, whose language I ask the Clerk to read.

The Clerk read as follows:

Mr. SUMNER. I am not disposed to discuss the question of these moneys already expended. Probably some time will come when it may be proper to inquire into these expenditures. I regret, myself, that they were made; most sincerely I regret it; but I shall say nothing about them now. The facts are not yet before the country to enable us to discuss them adequately; but I feel it my duty to declare most distinctly that these expenditures ought to stop at this hour and this minute, not a dollar more in that direction. I think it has been an ill-omened expenditure, and at this moment, when our expenditures are so large and our revenue comparatively so small, it is much to be regretted.

Mr. WHITTHORNE. With the view of showing the misuse of appropriations, I beg to add the orders of the chief of the Bureau of Construction, Mr. Hanscom. I also refer to the statement of the chief clerk of the Bureau of Construction, both of which are here-with submitted:

NAVY DEPARTMENT, BUREAU OF CONSTRUCTION AND REPAIR,
April 3, 1873.

SIR: You will please commence the building of a steam sloop of war, under appropriation "Construction of eight steam-vessels of war."

The vessel to be built at the yard under your command will be about 640 tons measurement, carrying four (4) 1X-in. broadside guns, one (1) XI-in. pivot gun, and one (1) 60-pdr. pivot rifle-gun upon the forecastle deck. Length will be about 185 feet, breadth 35 feet, draught of water above base-line 12 feet.

One hundred and fifty (150) additional men may be employed and work upon the Galena, which may be charged to appropriation "Construction of eight steam-vessels of war," and the amount charged back again after July next. You will please direct the naval constructor to prepare, with dispatch, plans of a vessel of about the above dimensions, having a displacement of 1,240 tons.

Further instructions will be given after the plans have been examined.

Very respectfully, your obedient servant,

I. HANSCOM,
Chief of Bureau.

Rear-Admiral C. H. DAVIS, U. S. N.,

Commandant Navy-Yard, Norfolk, Virginia.

Says Constructor Easby, (Norfolk, pages 4-6:)

And reference is here made to a schedule of such orders submitted by the commandant of the navy-yard at Brooklyn, (see page 302 of Brooklyn testimony.)

"Balance of deliveries under contracts with Babcock & Co., Geo. K. Creed, and J. W. Gaskill & Sons, Hyatt & Spencer, Trickey & Jewett, and Jas. A. Scott, to

be received as open purchases, and paid out of appropriation 'Eight steam sloops of war.'"—*Letter from Construction and Repair*, March 8, 1873.

"Excess of yellow pine timber delivered by Trickey & Jewett, to be received and charged to appropriation 'Eight steam sloops of war.'"—*Construction and Repair*, March 14, 1873.

"The building of a new sloop of war of two thousand tons to be commenced, and an additional force of one hundred men to be employed. 'The work on the Swatara may be charged to construction of eight steam-vessels of war, and the amount charged back to that vessel after July next.'—*Construction and Repair*, April 3, 1873.

"Triplicate bills in favor of W. C. N. Swift, for live-oak timber delivered at yard, amounting to \$6,698.45, returned to be canceled, with directions to make a new set, and consider the transaction an open purchase, payable out of appropriation 'Eight steam vessels of war.'"—*Construction and Repair*, April 9, 1873.

"Triplicate bills in favor of Trickey & Jewett, amounting to \$9,463.43 and \$12,102.53, respectively, returned for cancellation, with instructions to have new bills made chargeable to appropriation 'Eight steam vessels of war.' 'As this timber is intended to be used for the construction of the new sloop of war, its delivery should appear on the face of the bills to have taken place subsequently to March 4, 1873.'"—*Construction and Repair*, April 9, 1873.

"Referring to the Bureau's letter of the 8th ultimo, relative to balances of deliveries under contracts to be received as open purchases at contract prices, chargeable to appropriation construction of eight steam vessels of war, you will please order that the bills be made out on open-purchase-bill forms, not mentioning anything of the contract.

"As the appropriation construction of eight steam-vessels of war was not available till after March 4, 1873, bills payable out of it should not have the date of any of the Bureau's orders given prior to March 4, 1873."—*Construction and Repair*, April 17, 1873.

"Reservation bill for \$1,652 and 80 per cent. bill for \$6,608.06 in favor of A. Amerman for yellow pine delivered on contract of August, 1872, returned to be made in one bill, open purchase, 'as the appropriation construction of eight steam-vessels of war cannot be used for any debts contracted prior to its passage, i. e., March 4, 1873.'—*Construction and Repair*, June 11, 1873.

"Bill in favor of Edward Clark for black spruce, returned to be made out on open-purchase bill, payable out of appropriation 'eight steam sloops of war,' with instructions to consider all contracts of August 19 closed. 'Should it be desirable to receive any articles yet due under contracts of that date, they will be taken at contract prices and paid for as above, as open purchases.'—*Construction and Repair*, July 9, 1873.

"The funds of the Bureau not permitting any more bills for live-oak to be paid prior to 1st of July, no bills for deliveries, if any should be made, will be made prior to that date."—*Construction and Repair*, April 7, 1874.

"The appropriation 'construction and repair,' 1873-'74, being exhausted, no more bills for payment under it to be approved."—*Construction and Repair*, April 15, 1874.

"The pay-roll for the month of May must not exceed the sum of \$20,000, to be charged to appropriation construction of eight steam sloops of war."—*Construction and Repair*, April 22, 1874.

"Pay-roll for the month of June to be charged to appropriation 'construction of eight steam sloops of war.' Pay-roll not to exceed \$20,000."—*Construction and Repair*, June 1, 1874.

"Bill in favor of W. N. C. Swift for timber delivered previous to June 29, 1874, (amounting to \$120,547.55,) returned for cancellation with instructions to have new bills made out, dated and approved after 1st July, to be paid out of appropriation 'construction and repair,' 1874-'75."—*Construction and Repair*, June 29, 1874.

"Bills in favor of Creed, \$330.30, \$2,408.17, and Raymond, \$1,704.30, returned for cancellation. New bills to be made, payable out of appropriation construction and repair 1874-'75."—*Construction and Repair*, October 17, 1875.

Mr. Goldsborough swears:

Question. Have you any knowledge or information, the sources of which are available to this committee, in regard to the fact, if it be one, whether any liabilities of former years have been paid out of any current year's appropriation?

Answer. Yes, sir.

Q. Have you the knowledge that such is the fact?

A. Such is the fact. You mean to say that bills accruing during one fiscal year for purchases made, for instance, have been paid out of the appropriation for the subsequent fiscal year. Certainly that has been the case.

Q. During what years has that been the case?

A. During the previous fiscal years 1873-'74 and 1874-'75.

Q. To what extent has that been done?

A. I am hardly able to say; it is a matter of official record. I would certainly say to a few hundred thousand dollars, but I cannot say more distinctly than that.

These documents show that it had been a practice in this Department to misuse and transfer the appropriations made to the Department.

Sir, it is in proof before this committee that year after year in the Bureau of Construction and Repair they used for one year the appropriations that had been made for another. And in order to do this, either withhold bills or destroy bills already made, a most fraudulent and vicious system of book-keeping, under which any amount of fraud may be perpetrated on the public service.

Mr. Speaker, I am admonished that the time allotted to me is about expiring; and I desire to call attention to a statement which I will ask the liberty of printing with my remarks, showing that, taking into consideration existing and maturing or current liabilities, the Department is in debt nearly \$7,000,000, and which is as follows.

By the Book of Estimates, page 244, it is shown that out of an appropriation of \$18,462,546.90 for the year 1876 there were expended in the first quarter \$7,964,933.67; leaving a balance for the three remaining quarters of \$10,447,613.33; see page 586 appendix.

Appropriation for year 1876..... \$18,533,801 81
In the two first quarters expended..... 14,281,451 71

Balance for two remaining quarters..... 4,252,350 10

Appropriations for 1876:
\$6,250,000—Balance remaining 1st January, 1876, to pay of Navy was. \$933,831 50

1,279,000—Balance remaining 1st January, 1876, to Provisions and Clothing was. 287,043 85

3,300,000—Balance remaining 1st January, 1876, to Construction and Repairs was. 104,653 18

1,800,000—Balance remaining 1st January, 1876, to Steam Engineers was. 210,932 69

12,629,000..... 1,536,461 23

It will be seen from the following table, taken from the Book of Estimates, submitted to the present session, and a statement from the

Treasury Department, (Appendix, pages 5 and 6,) that nearly one-half of the appropriations for the year 1876 was consumed in the first quarter, and not one-fourth remained for the last two quarters; and, further, that out of the appropriations for the year 1876 to four of the Bureaus for \$12,629,000, there remained but \$1,536,461.22.

Provisions and Clothing	\$334,812 78
Steam Engineering	297,959 49
Navigation	7,000 00
Construction and Repair	492,366 20
Total	1,132,138 47
Add Goldsborough, page 499	1,071,000 00
Cutter, Russell, Swift <i>et al.</i> , amount due clothing fund.	1,250,000 00
Contingent and maturing. (See Steam Engineering, page 540, Roach's statement.) Neafie & Levy; Cramp & Son; Wood, Dialogue & Co.; Roland <i>et al.</i> ; Grant, Savage & Brother.	2,500,000 00
Total	5,953,138 47

If you add to these the contingent liabilities, it will be found that the statement made by the majority of the committee, confirmed as it is by the authority of the Book of Estimates, is not far from correct.

Now, sir, let me call attention to the condition of the clothing fund. I am here to make good, if I had time, the statement made by the

majority of the committee in their report. But, sir, is it necessary? I think not in view of all the proof that has been brought forward on this subject. I will add to my statement, in addition to the figures which I shall give, the sworn testimony of the Secretary of the Navy himself. I invite attention to the following table:

Clothing fund.	Dr.
To balance 1st January, 1871.	\$518,333 39
To appropriations since that time	490,000 00
To estimated increase from 10 per cent. charged since that time	60,000 00
To amount of stock on hand, 1869.	2,207,435 64
	3,275,769 03
Cr.	Cr.
By stock on hand at present time.	1,694,538 97
By balance of cash as appears from clothing account in Bureau	13 88
By amount claimed to be due from pay of Navy, (see statement of this on page 160, Appendix to Miscellaneous).	311,592 34
	2,006,145 19
Making a balance of	1,269,623 84

Statement showing amounts due and credited from appropriation "pay of the Navy" to the "clothing fund," United States Navy, from January 1, 1869, to December 31, 1875, on account of clothing issued to officers, crew, and marines.

Appropriation "pay of the Navy" in account with the "clothing fund," United States Navy, from January 1, 1869, to December 31, 1875.

DR.	CR.
1869.	
May 20.	To clothing so far as returns have been received.
September 2.	do
1870.	
March 22.	do
August 29.	do
1871.	
March 15.	do
August 8.	do
1872.	
September 9.	do
1873.	
January 1.	do
September 30.	To clothing 1st, 2d, and 3d quarters, 1873.
December 31.	To clothing 4th quarter, 1873.
1874.	
March 31.	To clothing 1st quarter, 1874.
September 30.	To clothing 2d and 3d quarters, 1874.
December 31.	To clothing 4th quarter, 1874.
1875.	
March 31.	To clothing 1st quarter, 1875.
June 30.	To clothing 2d quarter, 1875.
September 30.	To clothing 3d quarter 1875.
December 31.	To clothing 4th quarter, 1875.
1869.	
June 11.	By transfer.
September 11.	do
1870.	
April 6.	do
September 10.	do
1871.	
May 11.	do
December 6.	do
1873.	
June 3.	do
September 4.	do
December 22.	do
1874.	
June 20.	do
September 4.	do
October 16.	do
1875.	
October 25.	do
1876.	
December 31..	Balance due clothing.
	311,562 34
	2,527,420 42

My friend from Massachusetts [Mr. BANKS] submitted a statement on Saturday last which, if it is to be accepted as correct, will contradict the Secretary of the Navy, for the Secretary of the Navy himself swears that that fund is about a million dollars behindhand. I do not want, and I know he does not, nor do I believe Mr. Watmough, head of the Bureau of Provisions and Clothing, wants to convict the Secretary of the Navy of misrepresentation. I certainly do not, and therefore rest upon the statement as it is made in the report of the majority of the committee.

If I had time I should like to call attention to frauds in the Philadelphia navy-yard, to frauds in the construction of the eight sloops of war, to frauds in old claims, to frauds in furnishing materials, to the Wiard extravagance, to frauds in the foreign accounts of the Navy; but this has been done by my colleague of the committee from Alabama, [Mr. LEWIS.]

I come now to refer to what, out of this immense mass of fraud, out of this mass of favoritism, out of this immense disregard of law, has been termed "Cattellism."

What is Cattellism? In addition to what my colleague, [Mr. MILLS,] has said, permit me to add that we will suppose my friend on my left from Ohio is made Secretary of the Navy, that from the village from which he hails in the State of Ohio he brings along with him a friend, and that friend has a brother out there; that we find after he is made Secretary of the Navy this friend of his sleeps with him, beds with him, runs with him, holds property for him, gets positions, &c., is his intimate and confidential friend, and that the brother of that friend is taking advantage of his position by reaping a large fortune because of his influence with the Secretary of the Navy. Suppose further that brother of his intimate and confidential friends builds a house for the Secretary of the Navy and loans him large sums of money, and the Secretary keeps in his debt year after year, that the intimate friend's brother collects large amounts from naval contractors to aid the Secretary of the Navy in his political aspirations, what would you say? You may believe the present Secretary of the Navy is a good fellow, that he does not mean anything by it; but what would you say of my innocent friend from Ohio if he were thus surrounded? [Laughter.] That is "Cattellism."

No, Mr. Speaker, I have not time to present "Cattellism" in all its details. The mind irresistibly comes to the conclusion that regard

for the public service demands at least no such thing should exist in the public service anywhere.

Now, sir, I am asked "why do you not carry your recommendation out boldly; why not march boldly up to the action which is necessary; why not have the courage to impeach the Secretary at once?" Will this House remember that just at this moment the high court of impeachment is in session, and that high court of impeachment is deliberating upon the very question suggested by this committee? Will they remember that the advocates of Mr. Belknap have submitted to that court the question whether if this House presents a violation of law which is not an indictable offense by statute or common law, it is not a matter of impeachment? Will this House forget that when Andrew Johnson was about to be impeached one of the ablest judiciary committees this House ever had divided on this very question? This House will not fail to remember that the last impeachment before the House of Lords in England was the impeachment of a naval officer, and that that House of Lords, even after the question was presented to them, certified that very question to the learned judges of England. Then in view of all the facts, in view of the circumstances by which we are surrounded, in view of the short time left to this session, we have after careful deliberation believed it was just, believed it was fair, believed it was right, to have this question, if you please, taken out of party excitement, away from party feeling, and referred to the Committee on the Judiciary of this House. Let them weigh the question, aside from party feeling, without party prejudice, looking only to the public interest, to the public welfare, and the general good.

On the question, Mr. Speaker, as to who is responsible for all these frauds, abuses, &c., I have not on this occasion attempted to quote the authorities and proof, but I shall beg leave, by permission of the House, to submit the proofs as a portion of my remarks, and I refer gentlemen now to pages 153 to 159 of the report of the committee. It will there be seen that the proofs sustain the allegations made by the committee. It is there made clearly apparent that the allegation of the Secretary of the Navy and his friends that he never interfered in regard to contracts, that he never interfered in reference to details of his bureaus, is not sustained by the record of the proof as taken before the committee.

Now, Mr. Speaker, I protest again that I am not, as far as I can

know or judge of myself, moved by any partisan feeling. God knows I have seen enough and known enough of the hardships of different forms of government to desire for myself and for my children the blessing of an honest and a free government. Sir, I have no memories of the past to imbitter me upon this occasion. I have nothing to rake from its ashes. I know that under God's providence this is to be the home of my children and my children's children. For them I have to invoke the blessings of a good government; and even if animated by no other motive I should endeavor and labor for their sakes to transmit to them those blessings unimpaired. Sir, may our Government be in all of its blessings bountiful, in all of its burdens light. May such be its character that when our old men shall come to die they will be cheered by the fact that they leave it as an inheritance to their children; and when our young men come to die they will breathe the prayer that the years of which they are prematurely deprived may be added to the life of the Republic.

I shall join with any man or with any party in perpetuating the blessings of a free, liberal, republican form of government. And in order to do that we must strike its enemies wherever we can see them. And the most dangerous enemy to a republican form of government is he who would sap or undermine its foundations by corruption.

Now, Mr. Speaker, having finished my remarks, I ask of the House the execution of the order made upon Saturday.

The SPEAKER *pro tempore*. The question is on agreeing to substitute the resolution reported by the minority of the committee for the resolution reported by the majority. The Clerk will first read the resolution of the majority and then that of the minority.

The Clerk read the resolution reported by the majority, as follows:

Resolved, That these legal questions, together with all the proof taken by this committee, be referred to the Committee on the Judiciary, with power to hear additional testimony and argument if they see fit, to examine and report whether such violations of the law as are referred to herein constitute and are impeachable offenses under the Constitution; and, if so, then they shall report articles of impeachment against George M. Robeson, Secretary of the Navy. But if they shall find that under existing laws such acts and doings of the said Secretary are not impeachable or otherwise punishable, then they shall report what additional legislation, in their opinion, is necessary to make said laws sufficiently punitive to protect the public service.

The Clerk also read the resolution reported by the minority of the committee as follows:

Resolved, That in this investigation no fraud, corruption, or willful violation of the law has been shown or appears to have been committed by Hon. George M. Robeson while in discharge of the duties of Secretary of the Navy; and we find no reason to censure or find fault with his conduct in the administration of the Navy Department.

Mr. CONGER. I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The Chair will hear the gentleman.

Mr. CONGER. I wish to inquire of the Chair whether under the rules of the House requiring investigating committees to report at this session the report from the Judiciary Committee would be required to be made at this session.

The SPEAKER *pro tempore*. The Chair cannot say. The Chair scarcely regards that as a parliamentary inquiry. He cannot answer what the Judiciary Committee will do.

The Chair is informed by the gentleman from Massachusetts, [Mr. HARRIS,] who appears to be at the head of the minority report, that he did not propose the resolution which has been read as a substitute for the majority report. The Chair understood from the form in which it seemed to come to the desk that it was intended as a substitute. It came in the form always adopted when a minority of a committee report a resolution as a substitute for a resolution reported by the majority. The Chair also understands that on Saturday the main question was ordered on the resolution of the committee and the substitute. The Chair will state, however, that by unanimous consent the gentleman from Massachusetts may withdraw his substitute, and the vote will then be simply on the resolution of the majority. That is a matter for the House. Is there objection to the gentleman from Massachusetts withdrawing the resolution reported by the minority?

Mr. HEWITT, of New York, and Mr. LEWIS objected.

Mr. HARRIS, of Massachusetts. Will the Chair allow me a single moment? I do not understand that it is desired to withdraw the resolution of the minority. It is a part of the minority report. But on consultation among ourselves we deemed it the best way to allow the House to vote directly upon the majority report. We have not, therefore, moved the resolution which forms part of the minority report.

The SPEAKER *pro tempore*. That statement should have been made to the Chair before this time. It is now too late.

The Chair desires to call the attention of members to a portion of Rule 65, which the Clerk will read. He asks members particularly to pay attention to this rule because he proposes to enforce it; and it is exceedingly disagreeable to enforce it against gentleman who do not suppose they are violating a rule of the House.

The Clerk read as follows:

No member or other person shall visit or remain by the Clerk's table while the ayes and noes are calling or ballots are counting.

The SPEAKER *pro tempore*. The Chair desires to state that this rule applies not merely to members, but to all persons on the floor of the House who are not immediately connected with the count.

Mr. WILSON, of Iowa. I desire to ask a question of the Chair. Am I to understand that the previous question was demanded by the chairman of the committee upon the resolution and substitute?

The SPEAKER *pro tempore*. The Chair so understood.

Mr. WILSON, of Iowa. Is that recorded in the Journal?

The SPEAKER *pro tempore*. The Chair will ascertain. That was his own understanding.

Mr. WILSON, of Iowa. If it is not in the Journal, if the House has not made that explicit order, I do not think that the point can be insisted on now that something shall be voted on which the minority do not ask to be voted on. I should like to have the entry in the Journal as to that read.

The SPEAKER *pro tempore*. The Chair is informed by the journal clerk that the entry in the Journal covers the substitute as well as the resolution of the committee.

Mr. WILSON, of Iowa. In terms?

The SPEAKER *pro tempore*. The Chair so understands it.

Mr. WILSON, of Iowa. Will the Chair have the entry in the Journal read?

Mr. HALE. I do not think it a material matter whether we take two votes or one only. But I think it a pertinent question to ask: If the resolution of the minority was not moved during the debate by any member of the minority, or by any other person, how at the time when the previous question was asked and sustained was that resolution before the House? What can there be in the Journal that indicates that this, which is simply a part of the views of the minority, not even a report and not sought to be voted on, is before the House now? For instance, supposing that the chairman of the committee had made up his mind that he would not allow the substitute to be offered and had declined when a member of the minority desired to move a substitute to admit it, he as having charge of the report of the committee would have had control of that. Now I do not believe from my recollection of the course of debate and the proceedings of the House that the Journal shows that the minority resolution was ever before the House. But as I said it is not a very material matter; it will merely take two votes instead of one.

Mr. WILSON, of Iowa. The Journal will show that, and that is why I want it read.

Mr. WHITTHORNE. I desire to say to the Speaker that in bringing this entire matter before the House it was a matter of agreement between the committee with the desire and purpose that the views of the committee should be fairly heard and both propositions fairly entertained and fairly voted on. I say now to the House and to the Speaker that I desire especially a vote on the proposition coming from the minority of the committee, and those gentlemen of the minority will see why I desire it after they have charged more or less partisanship in their proceedings. I confess that I am surprised to see gentlemen endeavoring to avoid a direct vote upon the proposition they have themselves presented.

Mr. COX. I would like to ask the gentleman from Maine [Mr. HALE] before he takes his seat whether the minority report was not, together with the resolution of the majority, made a special order at the special instance of the gentleman who reported it?

Mr. HALE. It was stated at the time that it was not parliamentarily a report; it was not properly a report; it was simply one portion of the views of the minority. Now how it is that what was stated to be simply an expression of the views of the minority shall be transmuted into a proposition to be voted on by the House I do not know.

Mr. COX. The gentleman does not answer my question. Was not the minority resolution made a special order as well as that of the majority?

Mr. HALE. As the views of the minority, certainly.

Mr. COX. That is the way in which the minority reports always in election cases.

Mr. BANKS. I would like to ask a question. If the minority resolution has not been moved by some member of the House, it could not be embraced in the special order. My understanding is that on the subject of the investigation of the action of the Navy Department, the Committee on Naval Affairs had the right to decide upon it. If the minority of the committee disagreed with the majority they had no right to present their views in this report or to represent a resolution except with the consent of the House.

Mr. COX. There was no objection at the time.

Mr. BANKS. The minority of the committee are always allowed, as a matter of course, to present their views and print their report, while the chairman of the committee, acting for the majority, has a right to make the report of the committee. The only parliamentary right that exists under the rules of the House is that if the minority wishes to propose a counter-judgment they must offer it in the shape of a resolution, and it must be stated by the Speaker as an amendment for the majority resolution. Now, I do not understand that that has been done in this case. The House is not bound to vote on the proposition embraced in the minority report, which has never been presented to the House formally by any member of the committee or any member of the House, and we have a right to object to being called upon to vote on a proposition which has never been properly submitted to the House.

Mr. COX. The Journal shows that the minority report was offered as a substitute. Will the gentleman tell us what he really wants?

Mr. BANKS. I have not the slightest desire to tell the gentleman from New York what I want. I am speaking of what I do not want. I do not want to vote on a resolution which has never been presented in a formal manner to the House.

Mr. COX. Then there is a difference of opinion between the gentleman and myself upon that point.

Mr. BANKS. I do not impugn the record; I merely state what is my right as a member of the House.

Mr. COX. I do not dispute the gentleman's right to do it.

Mr. JONES, of Kentucky. I understand that this substitute offered by the minority is now in the possession of the House, and I ask the Chair if it can be withdrawn except by unanimous consent.

Mr. BANKS. The Journal will show what the position of the question is upon that point, and I call for the reading of the Journal.

The SPEAKER *pro tempore*. The Journal will be read.

Mr. BANKS. What is the date of it?

The SPEAKER *pro tempore*. July 26, 1876.

The Clerk read from the Journal as follows:

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

Ordered, That the report of the majority and views of the minority from the House Naval Committee giving the results of their investigations, shall be presented to-morrow; both shall be printed; and Friday, after the reading of the Journal, is hereby assigned for the consideration of the same to the exclusion of all other business; six hours shall be given to debate, to be equally divided.

Mr. HALE moved to reconsider the vote last taken, and also moved that the motion to reconsider be laid upon the table; which latter motion was agreed to.

Mr. BANKS. It will be perceived by the Speaker and by the House that the Journal, as just read, speaks of the conclusions of the majority and the "views" of the minority.

Mr. COX. And the House orders the consideration of both.

The SPEAKER *pro tempore*. The Chair will direct the Clerk to read the action of the House, as journalized, upon the ordering of the previous question.

The Clerk read as follows:

The House resumed the consideration of the report of the Committee on Naval Affairs.

After debate,

Mr. WHITTHORNE demanded the previous question on the adoption of the resolutions accompanying the said report; which was seconded, and the main question ordered to be put.

Mr. WHITTHORNE moved to reconsider the vote last taken, and also moved that the motion to reconsider be laid on the table; which latter motion was agreed to.

Mr. BANKS. The record as read by the Clerk does not show any motion by any member of the House to substitute the resolution accompanying the views of the minority. The only allusion to the minority is to the "views" of the minority; and that is a proper reference. The Clerk has made up the Journal correctly. The minority had views upon this subject, and they had a right to an expression of those views; and the House gave to that minority the right to present their views and have them printed. But there is nothing in the record to show that any member of this House has moved the resolution accompanying the views of the minority; and for one I object to voting on a resolution that has not been moved.

Mr. RANDALL. The previous question is called on the "resolutions." There is but one resolution accompanying each report, and the plural being used, that of course embraces both resolutions.

Mr. BANKS. No, sir; the Journal says the previous question was "on the resolutions accompanying the said report;" and there was but one report, that of the majority of the committee.

Mr. RANDALL. When the word "resolutions" is used, that means both resolutions.

Mr. BANKS. The minority has made no report of a resolution which is upon the record of the House. The Journal, as read, shows no resolution presented by them, or covered by the previous question, or included in the order made by the House on the 25th of July.

Mr. RANDALL. The order for the previous question contains the word "resolutions;" there is a majority resolution and a minority resolution—

Mr. BANKS. There is no minority resolution on the record.

Mr. RANDALL. And therefore they are both embraced in the terms of the order for the previous question.

The SPEAKER *pro tempore*. The Chair is prepared to rule upon the question. The Chair can see no difference between this and every other case of a majority report accompanied with the views of a minority, and each proposing a resolution or resolutions. In this case the majority of the committee make their report, and the minority present their views in accordance with express permission of the House, as appears from the Journal. The Chair cannot see the difference between this and a contested-election case, for instance, where, without any more formal presentation of the resolution than sending it to the Clerk's desk to be printed in connection with the report, the question is always taken upon substituting the resolution of the minority for the resolution of the majority. The Chair does not see that the rule is at all different in this instance, and therefore holds that, the previous question having been ordered, it covers the resolution of the majority and the substitute of the minority, and the substitute accordingly cannot be withdrawn at this time except by unanimous consent. The question before the House, therefore is, Will the House agree to the substitute proposed by the minority for the resolution presented by the majority of the Committee on Naval Affairs?

Mr. LEWIS. Upon that question I call for the yeas and nays.

The yeas and nays were ordered.

The resolution accompanying the views of the minority was as follows:

Resolved. That in this investigation no fraud, corruption, or willful violation of the law has been shown or appears to have been committed by Hon. George M. Robeson while in the discharge of the duties of Secretary of the Navy; and we find no reason to censure or find fault with his conduct in the administration of the Navy Department.

The question was taken; and there were—yeas 54, nays 120, not voting 111; as follows:

YEAS—Messrs. Adams, George A. Bagley, William H. Baker, Ballou, William R. Brown, Cannon, Caswell, Conger, Danford, Darrall, Davy, Dobbins, Dunnell, Eames, Evans, Freeman, Frye, Hale, Benjamin W. Harris, Hays, Hende, Henderson, Hoge, Ilubbell, Hurlbut, Joyce, Kelley, Kimball, Lapham, Leavenworth, Lynch, MacDougal, McDill, Nash, Norton, O'Neill, Page, Plaisted, Pratt, Ruiney, Robinson, Rusk, Sinnickson, Smalls, A. Herr Smith, Strait, Washington Townsend, Van Vorhes, Wait, G. Wiley Wells, White, Whiting, James Wilson, and Woodburn—54.

NAYS—Messrs. Abbott, Ainsworth, Anderson, Atkins, Bagby, John H. Bagley, Jr., Banning, Beebe, Blackburn, Bland, Boone, Bradford, Bright, John Young Brown, Buckner, Samuel D. Burchard, Cabell, John H. Caldwell, William P. Caldwell, Cate, Caulfield, Chittenden, John B. Clarke of Kentucky, John B. Clark, Jr., of Missouri, Clymer, Cochrane, Cook, Cox, Culberson, Cutler, Davis, De Bolt, Dibrell, Durand, Durham, Eden, Felton, Finley, Forney, Franklin, Gause, Glover, Goode, Goodin, Gunter, Andrew H. Hamilton, Hancock, Hardenbergh, John T. Harris, Harrison, Hartzell, Haymond, Henkle, Hereford, Abram S. Hewitt, Holman, Hooker, Hopkins, House, Hurd, Thomas L. Jones, Franklin Landers, Lane, Le Moine, Levy, Lewis, Luttrell, Lynde, Maish, McMahon, Meade, Metcalfe, Mills, Morgan, Morrison, Neal, New, O'Brien, Payne, Phelps, John F. Phillips, Pierce, Poppleton, Potter, Randall, Rea, Reagan, John Reilly, Rice, Riddle, John Robbins, William M. Robbins, Miles Ross, Savage, Scales, Sheakley, Singleton, Slemmons, Springer, Stevenson, Terry, Thompson, Throckmorton, Tucker, Turney, Wadell, Gilbert C. Walker, Walsh, Warren, Erastus Wells, Whitthorne, Wike, Willard, Alpheus S. Williams, James Williams, James D. Williams, Jeremiah N. Williams, Willis, Benjamin Wilson, and Young—120.

NOT VOTING—Messrs. Ashe, John H. Baker, Banks, Bass, Bell, Blair, Bliss, Blount, Bradley, Horatio C. Burchard, Burleigh, Campbell, Candler, Cason, Chapin, Collina, Cowan, Crapo, Crouse, Denison, Douglas, Egbert, Ellis, Ely, Faulkner, Fort, Foster, Fuller, Garfield, Gibson, Robert Hamilton, Haralson, Henry R. Harris, Hartridge, Hatcher, Hathorn, Goldsmith W. Hewitt, Hill, Hoar, Hoskins, Hunter, Hunton, Hyman, Jenks, Frank Jones, Kasson, Kehr, King, Knott, Lamar, George M. Landers, Lawrence, Lord, Mackay, Magoon, McCrory, McFarland, Miller, Milliken, Money, Monroe, Mutchler, Odell, Oliver, Packer, William A. Phillips, Piper, Platt, Powell, Purman, James B. Reilly, Roberts, Sobieski Ross, Sampson, Sayler, Schleicher, Schumaker, Seelye, William E. Smith, Southard, Sparks, Spencer, Stenger, Stone, Stowell, Swann, Tarbox, Teese, Thomas, Thornburgh, Martin L. Townsend, Tufts, John L. Vance, Robert B. Vance, Waldron, Charles C. B. Walker, Alexander S. Wallace, John W. Wallace, Walling, Ward, Wheeler, Whitehouse, Wigginton, Andrew Williams, Charles G. Williams, William B. Williams, Wilshire, Alan Wood, Jr., Fernando Wood, Woodworth, and Yeates—111.

So the substitute was not adopted.

During the call of the roll the following announcements were made:

Mr. MILLIKEN. On this question I am paired with Mr. GARFIELD. If present, he would vote "ay," and I would vote "no."

Mr. HARTRIDGE. On this question I am paired with Mr. HOSKINS, of New York. If present, he would vote "ay," and I would vote "no."

Mr. HARDENBERGH. My colleague, Mr. ROBERT HAMILTON, is absent on account of sickness, and my colleague, Mr. TEESE, is absent by leave of the House.

Mr. COOK. My colleague, Mr. SMITH, of Georgia, is absent because of sickness in his family.

Mr. BAKER, of Indiana. On this question I am paired with Mr. ELY, of New York.

Mr. BLAIR. On this question I am paired with my colleague, Mr. JONES, of New Hampshire, who is absent by leave of the House. If present he would "no," and I would vote "ay."

Mr. FOSTER. On this question I am paired with my colleague, Mr. WALLING, who if present I suppose would vote "no;" I would vote "ay."

Mr. WIGGINTON. I am paired on this question with Mr. WALLACE, of South Carolina. If present he would vote "ay," and I would vote "no."

Mr. HURD. The gentleman from Kentucky, Mr. KNOTT, is absent on account of illness.

Mr. COCHRANE. My colleague, Mr. STENDER, is absent by leave of the House. If present he would vote "no." My colleague, Mr. Ross, is absent by leave of the House.

Mr. NEAL. My colleagues, Mr. WOODWORTH and Mr. SOUTHARD, are paired on this question. If present Mr. WOODWORTH would vote "ay," and Mr. SOUTHARD "no."

Mr. SAVAGE. My colleague, Mr. COWAN, is absent on account of injuries received from a runaway team.

Mr. LORD. On this question I am paired with the gentleman from Indiana, [Mr. HUNTER.] If he were present he would vote "ay," and I should vote "no."

Mr. MUTCHELER. On Saturday last I paired with my colleague, Mr. PACKER. As he is not now in the House, it may be that he regards the pair as still binding; and I therefore decline to vote.

Mr. CASON. I am paired with my colleague, Mr. FULLER, on all political questions, and this seems to be of that class.

Mr. DUNNELL. On this question I am paired with the gentleman from Missouri, Mr. STONE, who if present would vote in the negative, while I should vote in the affirmative.

Mr. A. S. WILLIAMS. I desire to announce that I am paired upon this question with my colleague, Mr. W. B. WILLIAMS, who has been necessarily called away from the House.

The result of the vote was announced as above stated.

The question then recurred upon the adoption of the following resolution, reported by the majority of the committee:

Resolved. That these legal questions, together with all the proof taken by this committee, be referred to the Committee on the Judiciary, with power to hear ad-

ditional testimony and argument if they see fit, to examine and report whether such violations of the law as are referred to herein constitute and are impeachable offenses under the Constitution; and, if so, then they shall report articles of impeachment against George M. Robeson, Secretary of the Navy. But if they shall find that under existing laws such acts and doings of the said Secretary are not impeachable, or otherwise punishable, then they shall report what additional legislation, in their opinion, is necessary to make said laws sufficiently punitive to protect the public service.

Mr. HALE. Let us have the yeas and nays on that.

The yeas and nays were ordered.

The question was taken; and there were—yeas 109, nays 74, not voting 102; as follows:

YEAS—Messrs. Abbott, Ainsworth, Anderson, Ashe, Atkins, Bagby, John H. Bagley, Jr., Banning, Beebe, Blackburn, Bland, Boone, Bradford, Bright, John Young Brown, Buckner, Samuel D. Burchard, Cabell, John H. Caldwell, William P. Caldwell, Cate, Canfield, John B. Clarke of Kentucky, John B. Clark, Jr., of Missouri, Clymer, Cochrane, Cook, Cox, Culberson, Davis, De Bolt, Dibrell, Durand, Durham, Eden, Egbert, Felton, Finley, Forney, Franklin, Gause, Glover, Goode, Gunter, Andrew H. Hamilton, John T. Harris, Harrison, Hartzell, Henkle, Hereford, Abram S. Hewitt, Holman, Hooker, Hopkins, House, Hurd, Thomas L. Jones, Kehr, Knott, Lane, Lewis, Luttrell, Mackey, Maish, McMahon, Metcalfe, Mills, Morgan, Morrison, Neal, New, O'Brien, Payne, Phelps, John F. Phillips, Poppleton, Potter, Randall, Rea, Reagan, John Reilly, Rice, Riddle, John Robbins, William M. Robbins, Miles Ross, Savage, Scales, Sheakley, Singleton, Simons, Springer, Stevenson, Terry, Thompson, Throckmorton, Tucker, Turney, Gilbert C. Walker, Walsh, Warren, Erastus Wells, Whitthorne, Wike, James Williams, James D. Williams, Jeremiah N. Williams, Willis, and Benjamin Wilson—109.

NAYS—Messrs. Adams, George A. Bagley, William H. Baker, Ballou, Banks, William R. Brown, Horatio C. Burchard, Cannon, Caswell, Chittenden, Conger, Crapo, Crounce, Danford, Davy, Dobbins, Eames, Evans, Fort, Freeman, Frye, Hale, Benjamin W. Harris, Hays, Hendee, Henderson, Hoar, Hoge, Hubbell, Hurlbut, Joyce, Kasson, Kelley, Kimball, Lapham, Lawrence, Leavenworth, Levy, Lynch, MacDougall, McCrary, McDill, Miller, Monroe, Nash, Norton, O'Neill, Page, William A. Phillips, Pierce, Plaisted, Pratt, Rainey, Robinson, Rusk, Sampson, Seelye, Simnickson, Smalls, A. Herr Smith, Strait, Thornburgh, Martin I. Townsend, Washington Townsend, Tufts, Van Vorhes, Waddell, W. T. G. Wiley Wells, White, Whiting, Charles G. Williams, James Wilson, and Woodburn—74.

NOT VOTING—Messrs. John H. Baker, Bass, Bell, Blair, Bliss, Blount, Bradley, Burleigh, Campbell, Candler, Cason, Chapin, Collins, Cowan, Cutler, Darrall, Denison, Douglas, Dunnell, Ellis, Ely, Faulkner, Foster, Fuller, Garfield, Gibson, Goodin, Robert Hamilton, Hancock, Haralson, Hardenbergh, Henry R. Harris, Hartridge, Hatcher, Hathorn, Haymond, Goldsmith W. Hewitt, Hill, Hoskins, Hunjer, Hunton, Hyman, Jenks, Frank Jones, King, Lamar, Franklin Landers, George M. Landers, Le Moyne, Lord, Lynde, Magoon, McFarland, Meade, Milliken, Money, Mutchler, Odell, Oliver, Packer, Piper, Platt, Powell, Purman, James B. Reilly, Roberts, Sobieski Ross, Sayler, Schleicher, Schumaker, William E. Smith, Southard, Sparks, Spencer, Stenger, Stone, Stowell, Swann, Tarbox, Teese, Thomas, John L. Vance, Robert B. Vance, Waldron, Charles C. B. Walker, Alexander S. Wallace, John W. Wallace, Walling, Ward, Wheeler, Whitehouse, Wigginton, Willard, Andrew Williams, Alpheus S. Williams, William B. Williams, Wilshire, Alan Wood, Jr., Fernando Wood, Woodworth, Yeates, and Young—102.

So the resolution was adopted.

During the roll-call the following announcements were made:

Mr. HARTRIDGE. On this question I am paired with the gentleman from New York, [Mr. HOSKINS.] If present he would vote "no," and I should vote "ay."

Mr. MILLIKEN. On this question I am paired with the gentleman from Ohio, [Mr. GARFIELD.] Were he here he would vote "no," and I should vote "ay."

Mr. CASON. I am paired on all political questions with my colleague, Mr. FULLER. I do not know how he would vote on this question, but if he were here I should vote "no."

Mr. DARRALL. I am paired with my colleague, Mr. ELLIS, who if present would vote in the affirmative, while I should vote in the negative.

Mr. BAKER, of Indiana. On this question I am paired with the gentleman from New York, Mr. ELY.

Mr. WILLARD. I am paired with the gentleman from Georgia, Mr. HILL. If he were present he would vote "ay," and I should vote "nay."

Mr. WIGGINTON. I am paired with the gentleman from South Carolina, Mr. WALLACE, who if present would vote in the negative, while I should vote in the affirmative.

Mr. DUNNELL. On this question I am paired with the gentleman from Missouri, Mr. STONE. If present he would vote "ay," and I should vote "no."

The result of the vote was announced as above stated.

Mr. FOSTER. On this question I am paired with my colleague, Mr. WALLING. If he was present, he would vote "ay," and I should vote "no."

Mr. WHITTHORNE 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.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of their clerks, announced the passage, without amendment, of joint resolution (H. R. No. 154) prohibiting the supply of special metallic cartridges to hostile Indians.

It further announced the passage of a bill (S. No. 1008) to increase the efficiency of the cavalry force in suppression of the Sioux hostilities; in which concurrence was requested.

MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was received by Mr. U. S. GRANT, Jr., his Private Secretary.

Also, a message announcing that he had approved and signed bills and joint resolutions of the following titles, namely:

An act (H. R. No. 3928) to continue the provisions of an act entitled "An act to provide temporarily for the expenditures of the Government;"

An act (H. R. No. 2118) to provide for the construction of military posts on the Yellowstone and Musselshell Rivers;

A joint resolution (H. R. No. 134) donating two cannons and carriages to the warden and burgesses of Stonington, Connecticut;

A joint resolution (H. R. No. 109) for the issue of silver coin;

An act (H. R. No. 1771) to declare forfeit to the United States certain lands granted to the State of Kansas in aid of the construction of railroads by act of Congress, approved March 3, 1863;

An act (H. R. No. 3717) making appropriation for the support of the Army for the fiscal year ending June 30, 1877, and for other purposes;

An act (H. R. No. 3855) for the relief of George T. Olmstead, Jr.;

Joint resolution (H. R. No. 153) to correct an error in the enrollment of the post-office appropriation act;

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

An act (H. R. No. 890) for the relief of Randall Brown, of Nashville, Tennessee;

An act (H. R. No. 1692) to amend an act approved May 8, 1874, in regard to leave of absence of Army officers.

An act (H. R. No. 329) to remove the political disabilities of George Jackson, a citizen of West Virginia; and

An act (H. R. No. 3749) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1877, and for other purposes.

It further announced that the following bills had been received by the President on the 17th of July, and not having been returned by him so the House within the ten days prescribed by the Constitution had become laws without his signature:

An act (H. R. No. 339) for the relief of E. D. Franz;

An act (H. R. No. 341) for the relief of Louis Rosenbaum; and

An act (H. R. No. 1808) for the relief of Daniel Wormer, of Albany, New York.

MORNING HOUR.

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

NIGHT-LODGING-HOUSE COMMISSION.

Mr. HENDEE introduced a bill (H. R. No. 3999) assigning the use of the Central Guard-house, in the city of Washington, District of Columbia, for the Night-Lodging-House Commission; which was read a first and second time by its title.

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

The bill was read in full, and was referred to the Committee for the District of Columbia, and ordered to be printed.

REMOVAL OF TRACKS OF BALTIMORE AND OHIO RAILROAD.

Mr. JOYCE introduced a bill (H. R. No. 4000) requiring the removal of the tracks of the Baltimore and Ohio Railroad from certain streets in the city of Washington, and for other purposes; which was read a first and second time by its title.

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

The bill was read in full, and was referred to the Committee for the District of Columbia, and ordered to be printed.

REVENUE CORPS.

Mr. HEWITT, of New York, introduced a bill (H. R. No. 4001) to establish a competent and non-partisan revenue corps; which was read a first and second time by its title.

Mr. HEWITT, of New York. I ask to have the bill read.

The bill was read in full, and was referred to the Committee on Civil-Service Reform, and ordered to be printed.

ELLEN T. JOHNSON.

Mr. COX introduced a bill (H. R. No. 4002) granting a pension to Ellen T. Johnson; which was read a first and second time by its title.

Mr. HEWITT, of New York. I ask to have that bill read.

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

HEIRS OF LIEUTENANT HARRINGTON.

Mr. DAVY introduced a bill (H. R. No. 4003) granting a special pension to the widow and minor children of Lieutenant Harrington, who was killed in the recent fight with the Indians on the Little Big Horn River; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CENTENNIAL EDUCATIONAL MATERIAL.

Mr. CUTLER introduced a joint resolution (H. R. No. 156) authorizing the Secretary of the Interior to receive the educational material now on exhibition in the centennial exposition; which was read a first and second time by its title.

Mr. HURLBUT. I call for the reading of the joint resolution.

The joint resolution was read in full, and was referred to the Committee on Appropriations, and ordered to be printed.

INTERSTATE COMMERCE.

Mr. HOPKINS introduced a bill (H. R. No. 4004) to regulate interstate commerce and to prohibit unjust discriminations by common carriers; which was read a first and second time by its title.

Mr. DUNNELL. I request that that bill may be read in full so that it may appear in the RECORD.

The bill was read, and is as follows:

A bill to regulate interstate commerce and to prohibit unjust discriminations by common carriers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all railroad companies and all other corporations or persons engaged in the business of carrying freight from any place in one State or Territory to any place in another State or Territory, or from any place in a State or Territory to the seaboard in said State or Territory for exportation, or from the seaboard to any place within any State or Territory, of articles imported directly to such inland place of delivery, be, and they are hereby, prohibited from making discriminations in facilities in transportation, or in charges for handling, carrying, and delivering such freights, when shipped in quantities not less than sufficient to load one ordinary car or usual vehicle; but all such charges shall be equitable and uniform for all persons, companies, and corporations shipping from the same place to the same place.

SEC. 2. That all railroad companies and all other corporations or persons engaged in carrying or delivering freight, as set forth in section 1 of this act, shall, within thirty days after the passage of this act, make and publish a schedule of charges for the reception, carrying, and delivery of the various classes of freight. Said schedule shall show the amount charged per hundred pounds, or per package, or per car load for carrying the several classes of freight between the different places of receipt and delivery, and also all other charges for handling, storage, &c., and in no case shall a greater sum be charged for carrying, handling, and delivering such freight a shorter than is charged for a longer distance. Said schedule shall be signed by the proper officers of the corporation or by the persons carrying or handling freight as aforesaid, and shall be kept publicly posted in a conspicuous and accessible place in each depot or office of said corporation or person. Said rates of charges thus fixed shall not be changed without affixing to said schedule, in each depot or office as aforesaid, a conspicuous notice that at the expiration of not less than five days said rates will be changed, and giving the details of all changes proposed to be made in said schedule. Any corporation or individual neglecting to comply with the provisions of this section shall be liable to a penalty of \$5,000, to be sued for and apportioned as in case of the penalty provided for in section 3 of this act.

SEC. 3. That all railroad companies and other corporations and persons engaged in carrying freights as aforesaid are hereby prohibited from receiving or retaining less or more than the rates so as aforesaid prescribed from any person or persons or corporations under a penalty of \$5,000 for each offense, to be recovered in any court of record having jurisdiction to that amount, one-half thereof for the benefit of the United States and the other half to the person suing therefor. Any arrangement or agreement, directly or indirectly, whether by way of drawback, rebates, under-billing, commissions, or otherwise, whereby the freight of any individual or association of individuals, or of any corporation or corporations, shall be handled, stored, or carried for a rate of compensation different from the rate per hundred pounds, or per package, or per car-load, charged to others, and any arrangement or agreement giving a preference in furnishing cars, or motive power, or sidings, or tracks, or depots, or storage, shall be considered a violation of this act, subjecting the party or corporation violating to the penalty aforesaid for each offense.

SEC. 4. That any combination of railroad companies or other corporations or individuals to defeat the purpose of this act, to regulate charges upon a different basis than that herein set forth to affect values by sudden and unnecessary changes, to give to one corporation or individual facilities and advantages withheld from or not extended to any other corporation or individual is hereby declared to be a misdemeanor, and the corporation or person convicted thereof in any United States district court where said corporation or individual has an office or place of business shall be fined a sum not less than \$5,000 for each offense, and shall also be subject to the penalty prescribed in section 3 in a civil suit or suits.

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

HENRY HOOVER.

Mr. ROBBINS, of Pennsylvania, introduced a bill (H. R. No. 4005) for the relief of Henry Hoover; which was read a first and second time by its title.

Mr. HURLBUT. Let that bill be read.

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

JOHN PRESTON'S EXECUTOR.

Mr. TERRY introduced a bill (H. R. No. 4006) for the relief of John Preston's executor; which was read a first and second time by its title.

Mr. HURLBUT. Let the bill be read.

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

LEWIS RODRICK.

Mr. WALSH introduced a bill (H. R. No. 4007) granting a pension to Lewis Rodrick; which was read a first and second time by its title.

Mr. HURLBUT. I ask for the reading of that bill.

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

REUBEN ROUZEE.

Mr. WALSH also introduced a bill (H. R. No. 4008) for the relief of Reuben Rouzee, of Montgomery County, Maryland; which was read a first and second time by its title.

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

SAMUEL T. MAGRUDER.

Mr. WALSH also introduced a bill (H. R. No. 4009) for the relief of Samuel T. Magruder; which was read a first and second time by its title.

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

SARAH ELLEN CADY.

Mr. WALSH also introduced a bill (H. R. No. 4010) for the relief of Sarah Ellen Cady; which was read a first and second time by its title.

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

WILLIAM T. LEWIS.

Mr. WALSH also introduced a bill (H. R. No. 4011) for the relief of William T. Lewis, executor of John H. Lewis, deceased; which was read a first and second time by its title.

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

J. C. CAMERON.

Mr. SINGLETON introduced a bill (H. R. No. 4012) for the relief of J. C. Cameron, of Madison County, State of Mississippi; which was read a first and second time by its title.

Mr. HURLBUT. Let the bill be read.

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

JAMES M. LYLES.

Mr. SINGLETON also introduced a bill (H. R. No. 4013) for the relief of James M. Lyles, of Jasper County, in the State of Mississippi; which was read a first and second time by its title.

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

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

LEWIS JOHNSON & CO.

Mr. SINGLETON also introduced a bill (H. R. No. 4014) for the relief of Lewis Johnson & Co., of the District of Columbia; which was read a first and second time by its title.

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

The bill was read in full, and referred to the Committee of Claims.

WILLIAM A. TAYLOR.

Mr. SINGLETON also introduced a bill (H. R. No. 4015) to refund to W. A. Taylor, M. D., of Bastrop County, in the State of Texas, certain internal-revenue taxes which were erroneously and unlawfully imposed upon and exacted of him; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

WALTER L. CAMPBELL.

Mr. HOOKER introduced a bill (H. R. No. 4016) for the relief of Walter L. Campbell, a resident of Pike County, State of Mississippi; which was read a first and second time by its title.

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

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

CONSIDER PARISH.

Mr. HOOKER also introduced a bill (H. R. No. 4017) for the relief of Consider Parish, a resident of Hynes County, State of Mississippi; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

MAIL SERVICE.

Mr. GIBSON introduced a joint resolution (H. R. No. 157) to amend an act entitled "An act to amend sections 3893 and 3894 of the Revised Statutes relative to the mail service;" which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

WILLIAM P. MORAN.

Mr. LEVY introduced a bill (H. R. No. 4018) for the relief of William P. Moran; which was read a first and second time by its title.

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

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

WILLIAM F. WALSH.

Mr. LEVY also introduced a bill (H. R. No. 4019) for the relief of William F. Walsh, a citizen of New Orleans, Louisiana.

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

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

WILLIAM F. PERKINS.

Mr. LEVY also introduced a bill (H. R. No. 4020) for the relief of the estate of William F. Perkins, late of Van Zandt County, deceased; which was read a first and second time by its title.

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

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

WILLIAM H. WHITEFIELD.

Mr. LEVY also introduced a bill (H. R. No. 4021) for the relief of the heirs of William H. Whitefield, an alien some time resident of Sebastian County, in the State of Arkansas, and late of Utila Island, off Honduras, Central America, deceased; which was read a first and second time by its title.

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

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

DANIEL EDWARDS.

Mr. LEVY also introduced a bill (H. R. No. 4022) for the relief of Daniel Edwards, a resident of the city of New Orleans, Louisiana; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

ALANSON WILLIAMS.

Mr. WHITE introduced a bill (H. R. No. 4023) to grant a pension to Alanson Williams; which was read a first and second time, referred to the Committee on Invalid Claims, and ordered to be printed.

JOSEPH M'KINNEY.

Mr. WHITE also introduced a bill (H. R. No. 4024) granting a pension to Joseph McKinney; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

A. S. HAMILTON.

Mr. RIDDLE introduced a bill (H. R. No. 4025) for the relief of A. S. Hamilton, of Sumner County, Tennessee; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

JOHN G. RANDOLPH.

Mr. ATKINS introduced a bill (H. R. No. 4026) for the relief of John G. Randolph; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

ROBERT P. TURNER ET AL.

Mr. ATKINS also introduced a bill (H. R. No. 4027) for the relief of Robert P. Turner, Margaret Hurst, and David N. Huddleston; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

JESSE H. HARPER.

Mr. ATKINS also introduced a bill (H. R. No. 4028) for the relief of Jesse H. Harper, of Jackson, Madison County, Tennessee; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

R. C. BRINKLEY.

Mr. YOUNG introduced a bill (H. R. No. 4029) for the relief of R. C. Brinkley, of Memphis, Tennessee; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

CLARA E. BRYON.

Mr. YOUNG, also introduced a bill (H. R. No. 4030) for the relief of Clara E. Bryon, of Memphis, Tennessee; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

SIGNAL SERVICE.

Mr. YOUNG, also introduced a joint resolution (H. R. No. 158) relating to the Signal Service; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

APPOINTMENTS TO OFFICE.

Mr. BAKER, of Indiana, introduced a bill (H. R. No. 4031) to apportion the appointments of clerks and other employés of the Government among the several States and Territories; to provide for their appointment on account of honesty, capacity, and fitness, without regard to their political opinions; to forbid their removal except for causes other than political, and making it a misdemeanor for Senators and Representatives and Delegates in Congress to ask or recommend the making of such appointments; which was read a first and second time.

Mr. BAKER, of Indiana. I ask that the bill be read at length. The bill was read in full, and referred to the Committee on Reform in the Civil Service, and ordered to be printed.

REFUNDING LICENSE TAXES IN THE DISTRICT OF COLUMBIA.

Mr. STEVENSON introduced a bill (H. R. No. 4032) to refund certain license taxes to citizens of the District of Columbia; which was read a first and second time, referred to the Committee for the District of Columbia, and ordered to be printed.

WILLIAM P. HAZARD.

Mr. BURCHARD, of Illinois, introduced a bill (H. R. No. 4033) for the relief of William P. Hazard; which was read a first and second time, with the accompanying papers referred to the Committee on Invalid Pensions, and ordered to be printed.

DAVID TRUITT.

Mr. EDEN introduced a bill (H. R. No. 4034) granting a pension to David Truitt, a soldier in the Mexican war; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JULIUS S. BOHRER.

Mr. ANDERSON introduced a bill (H. R. No. 4035) for the relief of Julius S. Bohrer, United States Navy; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

HENRY C. HULL.

Mr. BLAND introduced a bill (H. R. No. 4036) for the relief of Henry C. Hull, of Osage County, Missouri; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

OTHO HENSON.

Mr. BUCKNER introduced a bill (H. R. No. 4037) for the relief of Otho Henson, of the District of Columbia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

G. R. WILFRED MARSHALL.

Mr. BUCKNER also introduced a bill (H. R. No. 4038) for the relief of G. R. Wilfred Marshall, administrator of John T. Waring, deceased; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

HENRY A. BUTLER.

Mr. BUCKNER also introduced a bill (H. R. No. 4039) for the relief of Henry A. Butler; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

LOTTERY TICKETS.

Mr. BUCKNER also introduced a bill (H. R. No. 4040) to prevent the sale of policy or lottery tickets within the District of Columbia; which was read a first and second time, referred to the Committee for the District of Columbia, and ordered to be printed.

DEPREDACTIONS UPON PROPERTY IN THE DISTRICT.

Mr. BUCKNER also introduced a bill (H. R. No. 4041) to prevent depredations upon property in the District of Columbia; which was read a first and second time, referred to the Committee for the District of Columbia, and ordered to be printed.

ROBERT S. PERKINS.

Mr. BUCKNER also introduced a bill (H. R. No. 4042) for the relief of Robert S. Perkins, of the District of Columbia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

S. M. GOLDEN.

Mr. BUCKNER also introduced a bill (H. R. No. 4043) for the relief of S. M. Golden, of the District of Columbia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

WILLIAM ROUZER.

Mr. BUCKNER also introduced a bill (H. R. No. 4044) for the relief of William Rouzer; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

CHARLES HEITMULLER.

Mr. BUCKNER also introduced a bill (H. R. No. 4045) for the relief of Charles Heitmuller of the District of Columbia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

C. F. F. ROSENTHAL.

Mr. BUCKNER also introduced a bill (H. R. No. 4046) for the relief of C. F. F. Rosenthal, of the District of Columbia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

JAMES C. BROOKE.

Mr. BUCKNER also introduced a bill (H. R. No. 4047) for the relief of James C. Brooke, of the District of Columbia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

HENRY STELLO.

Mr. BUCKNER also introduced a bill (H. R. No. 4048) for the relief of Henry Stello, of the District of Columbia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

WIDOW OF JAMES H. WELLS.

Mr. REA introduced a bill (H. R. No. 4049) for the relief of the widow of James H. Wells; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

THOMAS A. MOORE.

Mr. GAUSE introduced a bill (H. R. No. 4050) for the relief of Thomas A. Moore, of Osceola, Arkansas; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

IMMIGRATION.

Mr. CONGER introduced a bill (H. R. No. 4051) to promote immigration to the United States and to protect immigrants on their passage; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

GREEN BAY AND LAKE MICHIGAN SHIP-CANAL.

Mr. LYNDE introduced a bill (H. R. No. 4052) to extend the time for the completion of the Green Bay and Sturgeon Bay and Lake Michigan Ship-canal, in the State of Wisconsin, and to repeal section 5 of chapter 32 of the acts of Congress of 1866; which was read a

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

ORDER OF BUSINESS.

Mr. SAVAGE. Mr. Speaker has not the morning hour expired?

The SPEAKER *pro tempore*. The morning hour has expired; but a number of gentlemen desire to introduce bills for reference, which will take but a few moments, and if done now will save a great deal of the time of the House. The Chair hopes, therefore, that no objection will be made.

Mr. SAVAGE. I object to the introduction of any bills by unanimous consent.

SUPPLIES FOR INDIAN BUREAU.

Mr. RANDALL, by unanimous consent, reported from the Committee on Appropriations a bill (H. R. No. 4053) to further authorize the Commissioner of Indian Affairs to purchase supplies for the Indian Bureau in open market; which was read a first and second time.

The bill was read. It authorizes the Commissioner of Indian Affairs to purchase in open market, without the usual advertisement, for immediate use of the Indian tribes, such supplies as are required to an extent, not exceeding \$150,000, which is appropriated for such purpose out of any money in the Treasury not otherwise appropriated, to serve until the regular appropriation bill shall be passed and approved and the time now required by law for advertisement and acceptance of proposals shall have elapsed; and such sums so expended are to be deducted from the appropriate sums respectively appropriated under the regular appropriation bill when passed.

Mr. RANDALL. I desire to state that this bill is reported at the request of the Commissioner of Indian Affairs, and that it is a duplicate, both in form and amount, of the bill heretofore passed for the same object.

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

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

The latter motion was agreed to.

TEMPORARY APPROPRIATIONS FOR SUPPORT OF THE GOVERNMENT.

Mr. RANDALL also, by unanimous consent, reported from the Committee on Appropriations a bill (H. R. No. 4054) to continue the provisions of an act entitled "An act to continue the provisions of an act entitled 'An act to provide temporarily for the expenditures of the Government,'" which was read a first and second time.

The bill provides that the provisions of an act entitled "An act to continue the provisions of an act entitled 'An act to provide temporarily for the expenditures of the Government,'" approved June 30, 1876, be extended and continued in full force and effect until and including the 10th day of August, 1876.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed; there being ayes 85, noes not counted.

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

The latter motion was agreed to.

PUBLIC PRINTING.

Mr. RANDALL also, by unanimous consent, reported from the Committee on Appropriations a bill (H. R. No. 4055) to continue the public printing; which was read a first and second time.

The bill authorizes the Congressional Printer to continue the work required by law in advance of appropriations hereafter to be made; and the act is to continue in force until and including August 10, 1876.

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

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

The latter motion was agreed to.

SUNDY CIVIL APPROPRIATION ACT.

The SPEAKER *pro tempore*. Before proceeding with other business, the Chair feels constrained to lay before the House a communication which has been received from the President of the United States.

The Clerk read as follows:

To the House of Representatives:

The act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1877, is so defective in what it omits to provide for that I cannot announce its approval without at the same time pointing out what seems to me to be its defects. It makes but inadequate provision for the service at best, and in some instances fails to make any provision whatever.

Notably among the first class is the reduction in the ordinary annual appropriations for the revenue-cutter service, to the prejudice of the customs revenue.

The same may be said of the Signal Service, as also the failure to provide for the increased expenses devolved upon the mints and assay offices by recent legislation, and thus tending to defeat the objects of that legislation.

Of this class, also, are public buildings, for the protection, preservation, and completion of which there is no adequate appropriation, while the sum of \$100,000 only is appropriated for the repairs of the different navy-yards and stations and the preservation of the same, the ordinary and customary appropriations for which are not less than \$1,000,000.

A similar reduction is made in the expenses for armories and arsenals.

The provision for the ordinary judicial expenses is much less than the estimated amount for that important service, the actual expenditures of the last fiscal year, and the certain demands of the current year.

The provision for the expenses of the surveys of public lands is less than one-half of the usual appropriation for that service and what are understood to be its actual demands.

Reduction in the expenditures for light-houses, beacons, and fog-stations is also made in similar proportion.

Of the class for which no appropriation is made, among the most noticeable, perhaps, is that portion of the general expenses of the District of Columbia, on behalf of the United States, as appropriated in former years, and the judgments of the Court of Claims. The failure to make a reasonable contribution to the expenses of the nation's capital is an apparent dereliction on the part of the United States, and rank injustice to the people here who bear the burdens; while to refuse or neglect to provide for the payment of solemn judgments of its own courts is, apparently, to repudiate. Of a different character, but as prejudicial to the Treasury, is the omission to make provision to enable the Secretary of the Treasury to have the rebel archives and records of captured and abandoned property examined and information furnished therefrom for the use of the Government.

Finally, without further specification of detail, it may be said that the act which in its title purports to make provision for a diverse and greatly extended civil service, unappropriately appropriates an amount not more than 65 per cent. of its ordinary demands.

The legislative department establishes and defines the service, and devolves upon the Executive Departments the obligation of submitting annually the needful estimates of expenses of such service. Congress properly exacts implicit obedience to the requirements of the law in the administration of the public service, and rigid accountability in the expenditures therefor. It is submitted that a corresponding responsibility and obligation rests upon it to make the adequate appropriations to render possible such administration, and tolerable such exactation. Anything short of an ample provision for a specified service is necessarily fraught with disaster to the public interests, and is a positive injustice to those charged with its execution.

To appropriate and to execute are corresponding obligations and duties, and the adequacy of the former is the necessary measure of the efficiency of the execution.

In this eighth month of the present session of Congress—nearly one month of the fiscal year to which this appropriation applies having passed—I do not feel warranted in vetoing an absolutely necessary appropriation bill; but in signing it I deem it a duty to show where the responsibility belongs for whatever embarrassments may arise in the execution of the trust confided to me.

U. S. GRANT.

EXECUTIVE MANSION, July 31, 1876.

Mr. RANDALL. Mr. Speaker, I have no objection to the President putting in as many objections to our legislation as he sees fit, if he will but sign the bills reducing the expenditures of the Government. Our great effort is in that direction.

Mr. CONGER. I demand the regular order.

Mr. RANDALL. You had better let me be heard.

Mr. CONGER. I guess not.

Mr. RANDALL. I have risen for the purpose of moving the reference of the message to the Committee on Appropriations.

Mr. CONGER. I ask for the regular order.

The SPEAKER *pro tempore*. This is the regular order. The Chair, by unanimous consent, laid before the House a message from the President of the United States; and the gentleman from Pennsylvania [Mr. RANDALL] has been recognized to move as to its disposition.

Mr. RANDALL. Of course I cannot upon merely hearing this paper read at the Clerk's desk follow the details of the President's objections with that precision which further time, opportunity, and examination would permit; but I find one of his objections to be that an insufficient amount has been appropriated to the revenue-cutter service. If the President had examined he would have seen that the reduction there was very moderate if any. And, sir, if we had taken into consideration the misuse of that revenue-cutter service in the use of revenue cutters in junketings and other excursions by officers of the Government, we might perhaps have reduced it still more.

As to the Signal Corps, we have, we believe, in no degree impaired the efficiency of that service. Its chief officer in communicating with us told us that he could with perfect satisfaction to the public do away with quite a number of stations.

And I might as well say here that that service has grown to be an enormous expense to the Government, reaching last year near \$1,000,000.

The President, and I say it with respect, exhibits still more his lack of information when he comes to talk about insufficient appropriations to the mints. He ought to have known that a large sum as usual is this year appropriated for the mints in the legislative appropriation bill.

Again he shows his lack of information when he tells us we have not provided sufficiently for the light-house establishment. We come entirely up to the estimates. In the revenue service, and as far as I know in the light-house service, we met the demands of the heads of those departments, and there were no material reductions whatever from what were recommended or agreed to by either of them.

At the proper time I will show more in detail the utter insufficiency of the reasons given by the President of the United States.

He complains in a measure of our action toward the District of Columbia. Now what have we done in reference to the District of Columbia? We have advanced to the people of this District \$1,060,000 to pay the interest on its entire debt.

Mr. FOSTER. Who did that?

Mr. RANDALL. And there are various other matters in which we have taken the interest of this District into consideration.

Mr. FOSTER. Was that done by this House?

Mr. RANDALL. Yes, sir. And in addition we have given to vari-

ous objects in this District public property and money to the amount of \$250,000. We have given the District power enabling it to anticipate the revenues, so that the government may continue without interruption in all its necessary functions.

Mr. Speaker, while I do not at all object to this rather unusual message of the President of the United States, while I am perhaps surprised under the circumstances, yet not much dissatisfied with the attitude the President takes in reference to excessive and extravagant appropriations from the public Treasury, while he opposes in this way reduction of expenditures, still I must say, so far as this message is concerned, he finds fault without any sufficient reason whatever.

I am surprised especially, in reference to this sundry civil appropriation bill, that he should take such a course as he has, when I have only to look back into the history of legislation to discover that not very long ago the sundry civil appropriation bill embraced but \$6,000,000, sometimes but \$11,000,000, at last reaching, under a republican administration, the enormous appropriation of \$32,000,000. The House will appreciate what I say when I recall to its attention the fact that it is upon this sundry civil appropriation bill all schemes, I will not say all jobs, but all unnecessary expenditures are fastened. Every scheme, every effort to take money out of the Treasury, rapping at the doors of Congress continually, which cannot be trusted to pass in separate bills by themselves, are thrust forward and embraced in this sundry civil appropriation bill.

The amount appropriated last year under the sundry civil appropriation bill was about \$26,644,350.09. We recommend \$14,626,981.74 this year. We recommend a decrease of \$12,017,368 under appropriations of last year, and \$17,933,493.55 under estimates.

As I have already said, this bill formerly amounted to but \$6,000,000, sometimes coming up to \$11,000,000. Then it grew to \$18,000,000, and finally it reached the enormous figure of \$32,000,000. Appropriations became so extravagant and so oppressive, requiring either increased debt or increased taxation, that reduction was universally demanded. And we are acting, Mr. Speaker, in entire accord with public sentiment when we cut off as far as we could all discretionary and unnecessary appropriations.

I accept therefore, Mr. Speaker, for one at least, the issue presented by the President of the United States, and I am willing that the people shall have the opportunity of judging between his dictum and the close examination into appropriations by the two branches of Congress, and determine who is right and who is wrong.

I have moved that the message be printed and referred to the Committee on Appropriations, and propose to call the previous question, but as I see the gentleman from Maine rising, I will yield to him, not desiring to cut off discussion.

Mr. HALE. Mr. Speaker, it seems to me in all fairness, the President in this matter has taken a very moderate course. No fault that I can see should be found with him. This is a large appropriation bill. It contains appropriations essential to running certain branches of the Government. The President who sits so far as appropriations go in what I may call a serene atmosphere, who is not identified in this struggle between the House and Senate with either side, and who presumably looks upon all these questions in a fair light, has seen fit, not to veto the bill, thereby obstructing any of the wheels of the Government which should roll on from year to year, but to present his reasons why he believes that the appropriations made by both branches of Congress are not sufficient.

He has simply, Mr. Speaker, exercised a power given to him by the Constitution. My friends on the other side in years past always have been sticklers for maintaining the proper balance in the co-ordinate branches of the Government. It does not come well or with good grace from them now to find any fault or to talk about accepting an issue with him in a defiant manner, because the President has presented no issue here. He has made no issue. He has put no obstruction in the way of the appropriation bills. He believes, looking at the question, as I have said, not from the side of the House, not from the side of the Senate, but from a calm point of view, that these appropriations are not sufficient. But he says what under the circumstances I believe any Chief Magistrate should do, that, as Congress has decided that these sums shall be sufficient, he, while notifying us that he does not believe there will be enough, signs the bill and lets it become a law.

Now the chairman of the Committee on Appropriations has found fault because this bill has increased so in years past. Undoubtedly it has. Because, to begin with, certain things which formerly were not upon this bill have been put upon it in late years; and it has become now more than formerly what may be called the omnibus bill of the expenditures of the Government. When all the other distinctive bills have passed nearly everything else goes into this bill. The light-house bill was formerly a bill by itself. It now helps to swell the amount of the sundry civil appropriation bill. And by the way as regards these light-houses, the gentleman should remember that the country has not yet got up to the point upon the light-house appropriation of making good the destruction during the war, of guarding and lighting harbors that lead into almost every Gulf, Atlantic, and lake State in the Union.

So upon other matters that during the war were overlooked when all attention was given to arms, and not the arts and developments of peace. We are obliged to appropriate more now than in the days

when the bill reached but \$6,000,000. Take for instance the question of public buildings. Congress and the President as a co-ordinate branch of the Government are not confronted this year with the question of what new public buildings shall be erected or provided for. Those have all been struck out. But we have been confronted with the fact that certain buildings have been begun heretofore, that they are now in progress of construction, and that appropriations should be made, not extravagant, but such as in the interests of fair economy should keep the work going on and give protection to what has already been done.

All of these things, Mr. Speaker, are a proper subject for the President. They are a proper subject for his monition. But he has not here put himself in the way of Congress. The two branches have come together, and, all things considered, as I had occasion to say the other day, have passed a pretty fair bill; not enough, as I then said, to prevent deficiencies, but a fair bill in many regards. And the President recognizing that still notifies the House that he has objections to some features of it. When he does so, I do not think there is any occasion for dissatisfaction or affront on the part of the House.

The SPEAKER *pro tempore*. The gentleman from Pennsylvania [Mr. RANDALL] moves to refer the message to the Committee on Appropriations, and upon that motion calls the previous question.

Mr. KASSON. Will the gentleman from Pennsylvania allow me to state a single fact?

Several MEMBERS. Vote! vote!

Mr. KASSON. Will he just permit me to state a single fact in respect to the Signal Service? It is this: That in two States, at New Haven and at Springfield, where they will have to cut down the Signal Service by reason of deficient appropriations in this bill, private individuals have come forward and volunteered to make up the amount necessary to keep the service at those points for the public benefit.

Mr. RANDALL. Fifty men and what they cost, and \$100,000 is all the reduction.

The previous question was seconded and the main question ordered; and under the operation thereof Mr. RANDALL's motion was agreed to, and the message was referred to the Committee on Appropriations

GOLD COIN AND BULLION, ETC., IN THE TREASURY.

The SPEAKER *pro tempore*. The Chair also desires to lay before the House the following executive communication.

The Clerk read as follows:

TREASURY DEPARTMENT, July 29, 1876.

SIR: I am in receipt of the resolution of the House of Representatives, dated the 24th instant, requesting me to report to the House within one week from the passage of the resolution the amount of gold coin and gold bullion, respectively, in the Treasury and actually owned by the Government, with a full detailed statement of the amount of gold certificates outstanding, gold interest due and unpaid, called bonds, and all other obligations payable in gold on demand on that date, and in reply I have the honor to state that the available coin balance at the close of business on the 24th instant was..... \$61,158,223 45

Made up as follows:

Gold coin	\$41,627,450 56
Gold bullion	11,030,095 87
Silver coin and bullion.....	8,500,677 02
	61,158,223 45

Against which there were matured obligations, payable on demand, as follows:

Coin interest	10,456,386 29
Bonds called or matured and interest thereon	3,026,627 51
Coin certificates	30,230,100 00
Old demand notes	66,907 50
	43,780,021 30

Leaving a balance in excess of all such obligations of..... 17,378,202 15

Very respectfully,

LOT M. MORRILL, Secretary.

Hon. MILTON SAYLER, Speaker *pro tempore*, House of Representatives.

Mr. RICE. I move that the report be printed and referred to the Committee on Banking and Currency.

The motion was agreed to.

ORDER OF BUSINESS.

Mr. REAGAN. I ask unanimous consent that the roll of States be now called.

Mr. HOLMAN. I hope that by unanimous consent bills not permitted to come in for reference during the morning hour may now be presented.

The SPEAKER *pro tempore*. The gentleman from Indiana asks unanimous consent that gentlemen who had no opportunity under the call of States this morning to present bills and joint resolutions for reference may now have that opportunity. Is there objection?

Mr. SAVAGE. I object.

Mr. HOLMAN. I move to suspend the rules that that order may be made.

The SPEAKER *pro tempore*. If there be no objection the order will be considered as made.

Mr. GLOVER. I ask the House to listen to me for a moment. I desire to present a report.

The SPEAKER *pro tempore*. The Chair cannot recognize the gentleman for any purpose just now, except to present a bill for reference.

JOHN KELLY.

Mr. TUCKER introduced a bill (H. R. No. 4056) for the relief of John Kelly, of Alleghany County, in the State of Virginia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

RELATIVE VALUE OF GOLD AND SILVER.

Mr. HEWITT, of New York, by unanimous consent, introduced a bill (H. R. No. 4057) to authorize a commission to inquire into the change in the relative value of gold and silver; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

Mr. SAVAGE. Are these bills being introduced by unanimous consent?

The SPEAKER *pro tempore*. They are.

Mr. SAVAGE. I objected as distinctly as I could to the introduction of bills by unanimous consent.

The SPEAKER *pro tempore*. It is too late for the gentleman to object now.

MONETARY SYSTEM.

Mr. GIBSON, by unanimous consent, introduced a joint resolution (H. R. No. 159) for the appointment of a commission to consider the monetary system; which was read a first and second time by its title.

Mr. CONGER. I call for the reading of the joint resolution.

The joint resolution was read in full, referred to the Committee on Banking and Currency, and ordered to be printed.

Mr. COX. I have a similar resolution which I ask to have referred to the same committee, and I hope that to-morrow the committee will be able to report, as we have leave to report at any time.

Mr. COX then, by unanimous consent, introduced a joint resolution (H. R. No. 160) providing for the appointment of a joint committee to consider the silver and other financial questions, &c.; which was read a first and second time by its title.

Mr. KASSON. I call for the reading of the joint resolution.

The joint resolution was read in full, referred to the Committee on Banking and Currency, and ordered to be printed.

ORDER OF BUSINESS.

Mr. HOOKER. I ask unanimous consent to introduce a bill for consideration at the present time.

Mr. HANCOCK. I object.

Mr. HOOKER. Then I move to suspend the rules.

The SPEAKER *pro tempore*. That cannot be done at this time.

FORT JONES MILITARY RESERVATION.

Mr. LUTTRELL, by unanimous consent, introduced a bill (H. R. No. 4058) declaring the lands constituting the Fort Jones military reservation in Siskiyou County, California, subject to pre-emption and homestead entry; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

JOHN E. TAYLOR.

Mr. KIDDER, by unanimous consent, introduced a bill (H. R. No. 4059) granting a pension to John E. Taylor, of Yankton, Dakota; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

Mr. BEEBE. I move that the House do now adjourn.

Mr. O'BRIEN. I call for the yeas and nays on that motion.

The yeas and nays were not ordered.

LEAVE OF ABSENCE.

Mr. VANCE, of Ohio, was granted leave of absence for four days.

Mr. DE BOLT was granted leave of absence indefinitely.

Mr. HILL was granted leave of absence for ten days.

Mr. SPARKS was granted an extension of the leave of absence heretofore granted to him, for ten days.

Mr. SEELYE was granted leave of absence for ten days.

WITHDRAWAL OF PAPERS.

On motion of Mr. CUTLER, by unanimous consent, leave was granted for the withdrawal from the files of the House of the papers in the claim of Mrs. Powers; no adverse report.

On motion of Mr. HENKLE, by unanimous consent, leave was granted for the withdrawal from the files of the House of the papers in the case of Mrs. M. Linz; no adverse report.

On motion of Mr. LAPHAM, by unanimous consent, leave was granted for the withdrawal from the files of the House of the papers in the case of Major Foster H. Hixon, the bill having passed the House and the Senate and become a law.

ENROLLED BILLS SIGNED.

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

Joint resolution (H. R. No. 154) prohibiting supply of special metallic cartridges to hostile Indians.

The question was taken on the motion to adjourn; and on a division there were—aye 79, noes 59.

Mr. HOLMAN. I call for tellers.

Tellers were ordered; and Mr. HOLMAN and Mr. BEEBE were appointed.

The House divided; and the tellers reported—aye 92, noes 62. So the motion was agreed to; and accordingly (at four o'clock and three minutes p. m.) the House adjourned.

PETITIONS, ETC.

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

By Mr. HEWITT, of New York: The petition of citizens of New York, for the restoration of the fast-mail train on the Hudson River and New York Central Railroad, to the Committee on Post-Office and Post Roads.

By Mr. LUTTRELL: The petition of Henry Jones and 100 others, citizens of California, for the passage of a bill to enable married women to settle upon public lands under the pre-emption laws, notwithstanding their coverture, to the Committee on Public Lands.

Also, the petition of John P. Sutton and other citizens of California, of similar import, to the same committee.

Also, the petition of A. J. Gilman and other citizens of California, of similar import, to the same committee.

Also, the petition of D. H. Epperson and other citizens of California, of similar import, to the same committee.

Also, resolutions of the Grand Army of the Republic of California, favoring the payment of the California Hundred and California Cavalry Battalion, who returned after their discharge to California, of additional pay on account of expenses incurred in traveling, to the Committee of Claims.

Also, the petition of James Barry and other citizens of California, that the right of way through the arsenal at Benicia, California, be granted for a narrow-gauge railway, to the Committee on Military Affairs.

Also, resolutions of Farmington (California) Grange of the order of Patrons of Husbandry, favoring the admission of grain and wool sacks free of duty, to the Committee of Ways and Means.

Also, resolutions of the Sebastopol (California) Grange of the order of Patrons of Husbandry, of similar import, to the same committee.

Also, resolutions of the Petaluma (California) Grange of the order of Patrons of Husbandry, of similar import, to the same committee.

Also, resolutions of Little Lake (California) Grange of the order of Patrons of Husbandry, of similar import, to the same committee.

Also, the petition of B. R. Spellman, for the establishment of a post-route between Live Oak and North Butte, Sutter County, California, to the Committee on the Post-Office and Post-Roads.

Also, concurrent resolutions of the Legislature of California, requesting the establishment of triweekly mail service between Crescent City, California, and Jacksonville, Oregon, to the same committee.

By Mr. PLATT: The petition of citizens of Ithaca, New York, for the re-establishment of the fast-mail trains on the New York Central Railway, to the same committee.

By Mr. WHITE: The petition of Joseph McKinney, late a private in Company B, Thirteenth Regiment Kentucky Infantry Volunteers, to the Committee on Invalid Pensions.

Also, the petition of Alanson Williams, late a private of Company C, Fifth Regiment Kentucky Volunteer Cavalry, of similar import, to the same committee.

By Mr. YOUNG: The petition of Clara E. Bryan, of Shelby County, Tennessee, for compensation for the destruction of her property in Memphis, Tennessee, by order of General Hurlbut, of the United States Army, to the Committee on War Claims.

IN SENATE.

TUESDAY, August 1, 1876.

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

HAMBURGH RIOTS.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read:

To the Senate of the United States:

In response to the resolution of the Senate of July 20, 1876, calling upon the President to communicate to the Senate, if in his opinion not incompatible with the public interest, any information in regard to the slaughter of American citizens at Hamburg, South Carolina, I have the honor to submit the following inclosures, to wit:

No. 1. Letter of the 22d of July, 1876, from Governor D. H. Chamberlain, of South Carolina, to me.

No. 2. My reply thereto.

No. 3. Report of Hon. Willian Stone, attorney-general of South Carolina.

No. 4. Report of General H. W. Purvis, adjutant and inspector-general of South Carolina.

No. 5. Copy of evidence taken before a coroner's jury investigating facts relating to the Hamburg massacre.

No. 6. Printed copy of statement of M. C. Butler, of South Carolina.

No. 7. Printed letter from the same to the editors of the Journal of Commerce.

No. 8. Copy of letter from Governor Chamberlain to Hon. T. J. ROBERTSON.

No. 9. An address to the American people by the colored citizens of Charleston, South Carolina.

No. 10. An address by a committee appointed at a convention of leading representatives of Columbia, South Carolina.