

The SPEAKER. Copies being left.

Mr. DURHAM. I have no objection to that.

Mr. CONGER. In such cases copies should be left.

Mr. HAMILTON. In the case of Mr. Pickett they have been referred to the Committee on Foreign Affairs. He desires now to withdraw those papers and refer them to the Senate Committee on Foreign Affairs. They will afterward come back to the House again. There has been no adverse report.

The SPEAKER. The usual practice is for one committee of the House to borrow papers from another, on the assurance of their return.

Mr. DURHAM. I desire to state that I have no objection to copies being left.

The SPEAKER. That is the usual practice.

Mr. HAMILTON. I have no objection to copies being left.

Mr. CONGER. Taking away papers entirely from the control of the House seems to me to be an improper practice.

The SPEAKER. The Chair has not countenanced that.

Mr. BEEBE. I move the House adjourn.

Mr. BLAND. I demand a division.

The House divided, and there were—ayes 156, noes 70.

So the motion was agreed to; and thereupon (at two o'clock and twenty minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions, &c., were presented at the Clerk's desk, under the rule, and referred as stated:

By Mr. CRAVENS: Papers relating to the claim of Charles Ayliff for compensation for property taken by the United States Army—to the Committee on War Claims.

By Mr. CUTLER: Papers relating to the claim of Eliza H. Powers—to the Committee on Military Affairs.

By Mr. DANFORD: The petition of Charles Thompson and others, of Jefferson County, Ohio, for the equalization of the pay of Government employes—to the Committee on Reform in the Civil Service.

By Mr. DENISON: The petition of Andrew Burgess, William Roundtree, and John Y. Hall, for compensation for services rendered as firemen in the new jail in the District of Columbia—to the Committee of Claims.

By Mr. DURHAM: The petition of Joshua S. Dyer, for compensation for aiding in the suppression of illicit distilleries—to the same committee.

By Mr. FENN: A paper relating to the claim of the Cœur d'Alène Indians—to the Committee on Indian Affairs.

By Mr. GAUSE: The petition of Elizabeth B. Joel and Brand Higgins, for compensation for property used by the United States Army—to the Committee on War Claims.

By Mr. HUNTON: The petition of Benjamin Chambers, for additional compensation for executing a contract to build a light-house at the entrance of Hampton Roads Harbor—to the Committee of Claims.

By Mr. KETCHAM: The petition of William H. Shults, for a pension—to the Committee on Invalid Pensions.

By Mr. LOCKWOOD: The petition of merchants and vessel-owners of Buffalo, New York, for the improvement of the harbor of Grand Marais, Lake Superior—to the Committee on Commerce.

By Mr. MANNING: Papers relating to the claims of Jordan Broadway, John Carruth, Calvin Cheairs, William T. Ivie, James H. Knox, Robert S. McDonald, Willis J. Moran, Joseph N. Moran, Edmond Moran, Jeremiah H. Morgan, M. Robinson, Daniel T. Saunders, and Richard W. Winborn, for compensation for property taken by the United States Army—to the Committee on War Claims.

By Mr. MILLS: Papers relating to the claim of the heirs of Charles Fierer—to the Committee on Revolutionary Pensions.

By Mr. MONEY: The petition of Elizabeth T. Connor, for compensation for property seized by United States officials—to the Committee of Claims.

By Mr. O'NEILL: The petition of former officers in the volunteer service of the Army and the present uniformed militia and citizens of Pennsylvania, for an appropriation for rifle practice in the Army and Navy and uniformed militia—to the Committee on Military Affairs.

Also, a paper relating to the bill validating and confirming certain acknowledgments of deeds for lands lying in the District of Columbia—to the Committee on the Judiciary.

By Mr. ROBINSON, of Massachusetts: The petition of the Hampshire Paper Company and others, for a full investigation before a change is made in the tariff laws—to the Committee of Ways and Means.

By Mr. SCHLEICHER: The petition of citizens of Western Texas, for aid to build the Galveston and Camargo Railway in Texas—to the Committee on Railways and Canals.

Also, the petition of the Texas and Mexican Pacific Railroad Company, for aid to construct their road—to the same committee.

Also, the petition of citizens of Texas, for the repeal of the check-stamp tax—to the Committee of Ways and Means.

Also, the petition of citizens of Texas, for the repeal of the taxes on banks—to the same committee.

Also, the petition of physicians of Texas, for the publication of the catalogue of the National Medical Library—to the Committee on Printing.

Also, the petition of citizens of Austin, Texas, for a grant of lands for a road to the gulf connecting with the Texas Pacific Railway—to the Committee on the Pacific Railroad.

By Mr. SWANN: Memorial of W. B. Gayner, T. H. Buset, and 337 others, masters, mates, pilots, and engineers, for the repeal of section 4458 of the Revised Statutes and the re-enactment of the act of 1852, chapter 106, section 31—to the Committee on Revision of the Laws.

By Mr. TOWNSHEND, of Illinois: The petition of citizens of Jefferson County, Illinois, for the repeal of the resumption act, the remonetization of silver, and for other relief—to the Committee on Banking and Currency.

HOUSE OF REPRESENTATIVES.

TUESDAY, December 4, 1877.

The House met at twelve o'clock m. Prayer by the Chaplain, Rev. W. P. HARRISON.

The Journal of yesterday was read.

CORRECTION OF THE JOURNAL.

Mr. ELLSWORTH. I rise to a correction of the Journal.

The SPEAKER. The gentleman will state it.

Mr. ELLSWORTH. My name is omitted in the call of the States. I was present and answered to my name.

The SPEAKER. The Clerk states the gentleman's name was called the second time, but there was no response. The clerks recognize the fact that the gentleman was in the Hall when his name was called.

Mr. ELLSWORTH. The Clerk looked straight at me when my name was called. [Laughter.]

The SPEAKER. The Clerk looked at the gentleman to hear his response, but no response was heard by the clerks. The correction will be made.

The Journal, as corrected, was approved.

SALE OF LIQUOR IN THE CAPITOL.

Mr. PRICE. Mr. Speaker, I offer the following resolution:

Whereas it is alleged that Joint Rule No. 19 of this House is being habitually violated and is a subject of very just complaint, not only by many persons in the city of Washington, but also by persons in other cities of this Union, as will more fully appear from the following letter published in one of the Baltimore papers:

"AN OPEN LETTER.

"OFFICE OF OUR CAUSE,

"23 SOUTH STREET, November 22, 1877.

"MY DEAR SIR: I am positively informed by a credible witness that the disreputable traffic in ardent spirits has been again introduced in the Capitol building, and that the nation is being disgraced and scandalized thereby. My informant states that wines and malt liquors are sold openly in the restaurant of the House of Representatives, and further, that alcoholic beverages are furnished under the guise of cold tea, being provided in tea-cups with saucer accompaniment. I am also informed that the same abuse is permitted in the Senate restaurant. I address you this letter to ask an investigation, and to solicit your co-operation in at once and forever suppressing this disreputable and damning disgrace. I appeal to you in behalf of the Christians and temperance men and women of our land, in behalf of all that is good and holy, in the name of God, to aid in removing this dark stain from our nation's fair record.

"Very respectfully yours,

"ANDREW J. BOWEN, Editor,

"President Gospel Temperance Legion,

"President Typographical Temperance Legion.

"Hon. HIRAM PRICE, M. C.,

"House of Representatives, Washington, D. C."

Therefore, Resolved, That the officers of this House be, and they are hereby, instructed to see that Joint Rule No. 19 be immediately and strictly enforced.

The SPEAKER. The Chair desires to say in this connection that he has always held the joint rules were in force, and notwithstanding the Senate have held otherwise, every day's proceedings between the two Houses are conducted under a system authorized by the joint rules.

In connection with this particular subject, however, former Speakers have appointed the keeper of the eating-saloon below. The Chair's immediate predecessor declined to exercise that right of appointing the keeper of the House restaurant and handed it over to the care of the Committee on Public Buildings and Grounds. The present occupant of the chair declined to vary in that particular from his immediate predecessor. The committee selected two persons to take charge of the eating-saloon, and in the contract they stipulated no liquors of any description should be sold in this saloon. It will be remembered that at the last session of Congress the present occupant of the chair insisted upon the non-sale of any liquors or even the giving of them away; in fact, the Chair stated he would prefer to have liquors sold openly in preference to having them got by indirection. The Chair has had this complaint made to him at this session, not in such extravagant language as in the letter read, and in the discharge of his duty under the joint rule he has called the attention of the chairman of the Committee on Public Buildings and Grounds to that complaint. That gentleman immediately proceeded to the occupants of this saloon and informed them that unless they ceased to sell liquor, or even to give it away, the committee would vacate the contract they had already made.

The Chair thinks, therefore, that no fault whatever attaches to any officer of this House or any committee of this House.

The Chair further states that when he was appealed to on a former occasion in this connection he sent for the then occupant of the restaurant and he stated that liquors were sold in the other end of the Capitol, and that therefore to prevent their sale here was a discrimination against him. He stated, moreover, that he did not believe that the joint rules were in force, and he considered, therefore, that the Speaker of the House had no right under the joint rules to prohibit the sale of liquors.

The Chair has been in conference with the Vice-President, who has charge of this subject at the other end of the Capitol building, and the Vice-President stated his purpose that in the future no liquors shall be sold there; so that there will be complete harmony between the Vice-President and the present occupant of the chair in this House in this connection covering the entire building.

Now, if the gentleman from Iowa [Mr. PRICE] or any member of this House can see any way in which the Chair can enforce the rule more strictly than he has done in this matter or better prevent the evil complained of, the Chair stands ready to co-operate with any such member. The Chair also has given instructions to the captain of the police that if he hears of or sees any liquor being sold in the building he shall at once notify him. The Clerk will again report the resolution.

The resolution was again read.

The SPEAKER. The Chair further desires to say that so far as he is concerned himself he has no objection whatever to the passage of the resolution.

Mr. PRICE. If I may be allowed just a word I want to say to the House, and the country through the House, that it was the furthest from my intention to reflect in any degree whatever upon any of the officers of the House. So far as the present occupant of the chair is concerned, I think I know from an experience and an acquaintance with him in the years of the past that he is entirely in sympathy with the spirit of that resolution; and I am heartily glad—and if the dictionary furnished me a stronger word to use I would use it in that connection—that the Chair has to-day taken occasion to say to this country through the press just exactly how he feels upon that question, and that hereafter no person in this land can justly say that the officers of this House wink at or encourage any such practice as the sale of liquor in this Capitol. I am obliged to the House for having permitted me to say this much.

Mr. WADDELL. I hope, after the statement made by the Chair on this subject, the gentleman from Iowa will withdraw the resolution. I desire also to express a sentiment in which I am very sure every democratic member of this House will heartily unite with me, that notwithstanding the Chair representing this House has heretofore been unable to harmonize with the Vice-President or the presiding officer of the Senate in regard to the joint rules in electing a President of the United States, they have been able to harmonize in regard to the question of whisky in the Capitol. [Laughter.]

Mr. COOK. I wish to say, in reference to this matter, that the Committee on Public Buildings and Grounds appointed a subcommittee at the time of the selection of these men to take charge of the restaurant. One of that committee drew up a resolution substantially requiring that no liquors should be sold there; and so far as I know there has been no violation of that resolution. The attention of the committee was called to the subject and the committee was in full accord with the Speaker in carrying out that resolution. The subcommittee have looked after the matter and notified the parties and seen that they conformed to the law.

Mr. SPRINGER. I move that the resolution be referred to the Committee on Rules.

Mr. PRICE. I hope that the resolution will not be referred and that the House will now act upon it and adopt it.

Mr. FRANKLIN. I suggest to the gentleman from Illinois that the reference be to the Committee on Public Buildings and Grounds, which is the committee that properly has charge of this subject.

Mr. SPRINGER. I accept the suggestion, and modify my motion so as to refer the resolution to the Committee on Public Buildings and Grounds.

The SPEAKER. The gentleman from Illinois moves that the resolution be referred to the Committee on Public Buildings and Grounds. The Chair desires to say again that he has no objection to the passage of the resolution.

Mr. PRICE. I hope the resolution will not be referred. It is one with which the Speaker is entirely in accord and with which the officers of the House generally are entirely in accord, and I hope that gentlemen on both sides of the House will assent to what is so eminently just and proper.

The question being taken on Mr. SPRINGER's motion to refer the resolution to the Committee on Public Buildings and Grounds, there were—ayes 93, noes 119.

So the motion was not agreed to.

The question recurred on agreeing to the original resolution; and, being taken, it was adopted.

Mr. PRICE moved to reconsider the vote by which the resolution was adopted; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

INTERSTATE COMMERCE.

Mr. TOWNSHEND, of Illinois, by unanimous consent, introduced a bill (H. R. No. 1779) to amend section 5258 of the Revised Statutes and to regulate commerce by railroad among the several States; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

WILLIAM S. DAVIS.

Mr. TOWNSHEND, of Illinois, also, by unanimous consent, introduced a bill (H. R. No. 1780) granting a pension to William S. Davis, late private in Company E, Thirty-first Illinois Infantry Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SAMUEL GROVE.

Mr. BUCKNER, by unanimous consent, introduced a bill (H. R. No. 1781) for the relief of Samuel Grove, postmaster at Mexico, Missouri; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

HARRIET NAHEM.

Mr. BUCKNER also, by unanimous consent, introduced a bill (H. R. No. 1782) granting a pension to Harriet Nahem, widow of John Nahem, late of Saint Charles County, Missouri; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TAX ON MANUFACTURED TOBACCO.

Mr. BUCKNER also, by unanimous consent, introduced a bill (H. R. No. 1783) to reduce the tax on manufactured tobacco and to provide for the deficiency in the revenue occasioned by such reduction, and for other purposes; which was read a first and second time, referred to the Committee of Ways and Means, and ordered to be printed.

DUTY ON LICORICE.

Mr. BUCKNER also, by unanimous consent, introduced a bill (H. R. No. 1784) to make the duty on licorice uniform; which was read a first and second time, referred to the Committee of Ways and Means, and ordered to be printed.

RECESS OF CONGRESS.

Mr. DURHAM, by unanimous consent, submitted the following resolution; which was read and referred to the Committee of Ways and Means:

Resolved, by the House of Representatives of the United States, (the Senate concurring,) That when the House adjourns on Wednesday, December 19, 1877, it adjourn to meet January 10, 1878.

BARGES AND OTHER VESSELS EXEMPT FROM ADMEASUREMENT, ETC.

Mr. TOWNSEND, of Ohio, by unanimous consent, introduced a bill (H. R. No. 1785) relating to barges or other vessels not propelled by steam or sail in the navigable waters of the United States to be exempt from admeasurement or enrollment, provided the vessel towing such barges or vessels shall be liable to produce manifests of the cargoes of the barges or vessels so towed to the collector of the port of entry; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

DISABLED VESSELS IN THE WATERS OF THE UNITED STATES.

Mr. TOWNSEND, of Ohio, also, by unanimous consent, introduced a bill (H. R. No. 1786) to aid vessels wrecked or disabled in the waters contiguous to the United States and the Dominion of Canada; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

ANDREW HUFFMAN.

Mr. PRIDEMORE, by unanimous consent, introduced a bill (H. R. No. 1787) providing for the placing of the name of Andrew Huffman on the pension-roll; which was read a first and second time, referred to the Committee on Revolutionary Pensions, and ordered to be printed.

PAYMENT OF HOUSE EMPLOYÉES.

Mr. REILLY. I ask unanimous consent to offer the following resolution for reference to the Committee of Accounts:

Resolved, That there be paid out of the contingent fund of the House to the person holding or owning the vouchers or claims therefor, one month's salary on account of the following named persons, to wit: Francis T. Page, H. T. Burrows, Frank Lamar, T. M. Schell, P. M. Higgins, and Wilnot Leach, at the same rate of compensation respectively which they received while in the employ of the House during the first session of the Forty-fourth Congress, and who were discharged by reason of the reduction of the force provided for in the act entitled "An act making appropriation for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1877, and for other purposes."

Mr. GARFIELD. I hope that resolution will be put upon its passage at this time.

Mr. REILLY. Then I ask unanimous consent for that purpose.

Mr. GARFIELD. This is simply to give a month's pay to the crippled and disabled soldiers who have been discharged.

Mr. EDEN. I think that resolution had better go to the Committee of Accounts.

The resolution was referred to the Committee of Accounts.

WASHINGTON MARKET COMPANY.

Mr. BLACKBURN, by unanimous consent, offered the following

resolution; which was read, and referred to the Committee for the District of Columbia:

Resolved, That the Committee for the District of Columbia be, and they hereby are, instructed to inquire—

First. Whether the Washington Market Company has fulfilled the conditions of the act of incorporation of May 20, 1870; the cost of the building erected; whether said market buildings are in accord with the requirements of its charter; the rents and profits derived therefrom; whether the rents as charged were fixed by the proper legal authorities; whether the said company has erected all the market buildings as required by the act of incorporation.

Second. Whether the said company has paid the taxes as required by the act of incorporation; what sum the said corporation has paid and are now paying annually to the city of Washington, and, if any less than the sum of \$25,000—provided for in the act of incorporation—by what authority the same has been diminished.

Third. To inquire by what authority the said market company has assumed control of the open space at the intersection of Ohio and Louisiana avenues with Tenth and Twelfth streets, which was set apart by Congress to the city of Washington as a market for the sale of country produce in quantities from the wagons.

Fourth. Whether the said market company has failed to comply with any or all the conditions of its charter, and, if so, whether the same should not be repealed.

Fifth. To inquire by what legal authority the said company has abandoned possession of a part of the site included in the act of incorporation; and report by bill or otherwise; and that said committee have power to send for persons and papers.

ADMEASUREMENT OF VESSELS.

Mr. DANFORD, by unanimous consent, introduced a bill (H. R. No. 1788) excepting vessels not propelled by sail or steam from admeasurement, and for other purposes; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

MILES L. REED.

Mr. ROBINSON, of Indiana, by unanimous consent, introduced a bill (H. R. No. 1789) granting a pension to Miles L. Reed, of New-castle, Indiana; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

THOMAS DILL.

Mr. ROBINSON, of Indiana, also, by unanimous consent, introduced a bill (H. R. No. 1790) granting a pension to Thomas Dill; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

EDWIN A. LELAND.

Mr. LAPHAM, by unanimous consent, introduced a bill (H. R. No. 1791) for the relief of Edwin A. Leland; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

ELLA LONG.

Mr. STENGER, by unanimous consent, introduced a bill (H. R. No. 1792) for the relief of Ella Long; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

V. H. McCORMICK.

Mr. STENGER also, by unanimous consent, introduced a bill (H. R. No. 1793) for the relief of V. H. McCormick; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

THOMAS KELLY.

Mr. BURDICK, by unanimous consent, introduced a bill (H. R. No. 1794) to provide for an increase of pension in favor of Thomas Kelly; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

UNITED STATES COMMERCIAL COMPANY.

Mr. HARRIS, of Massachusetts, by unanimous consent, introduced a bill (H. R. No. 1795) to incorporate the United States Commercial Company; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

YADKIN RIVER, NORTH CAROLINA.

Mr. ROBBINS, by unanimous consent, introduced a bill (H. R. No. 1796) to provide for a survey of the Yadkin River; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

STEPHEN JOHNSON.

Mr. ROBBINS also, by unanimous consent, introduced a bill (H. R. No. 1797) for the relief of Stephen Johnson, of Wilkes County, North Carolina; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

ANDREW WAIT.

Mr. DWIGHT, by unanimous consent, introduced a bill (H. R. No. 1798) to place the name of Andrew Wait, late a private in Company M of the Twenty-first Regiment New York Cavalry, upon the pension-rolls; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

PUBLIC BUILDING IN LOUISVILLE, KENTUCKY.

Mr. WILLIS, of Kentucky, by unanimous consent, introduced a bill (H. R. No. 1799) to provide for the purchase of a suitable building for the use of the United States courts held at Louisville, Kentucky; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SAMUEL M. REYNOLDS.

Mr. WHITE, of Pennsylvania, by unanimous consent, introduced

a bill (H. R. No. 1800) for the relief of the sureties, &c., of Samuel M. Reynolds, late additional paymaster United States volunteers; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

HALL COLBY.

Mr. VEEDER, (by request,) by unanimous consent, introduced a bill (H. R. No. 1801) for the relief of Hall Colby; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

MICHAEL EMMET URELL.

Mr. VEEDER, by unanimous consent, also introduced a bill (H. R. No. 1802) for the relief of Michael Emmet Urell, late second lieutenant in the volunteer service of the Army; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

ORDER OF BUSINESS.

Mr. SPRINGER. I ask unanimous consent that the States and Territories be now called, as in the morning hour of Monday, for the introduction of bills and joint resolutions for reference only.

Mr. WILLIAMS, of Oregon. Before that is agreed to, I would inquire of the Chair at what time the Senate bills now lying on the Speaker's table can be taken up and disposed of.

The SPEAKER. A motion to proceed to business on the Speaker's table will be in order after the morning hour.

There being no objection, the proposition was agreed to.

MIRIAM A. STAPLES.

Mr. JOYCE introduced a bill (H. R. No. 1803) granting a pension to Miriam A. Staples, widow of Charles H. Staples, late a private in Company H Seventh Vermont Volunteer Infantry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ADMEASUREMENT OF VESSELS.

Mr. PHELPS introduced a bill (H. R. No. 1804) relating to vessels not propelled by sail or steam; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

TWENTY-FIRST NEW YORK CAVALRY.

Mr. DWIGHT introduced a bill (H. R. No. 1805) for the payment of traveling expenses incurred by the Twenty-first Regiment New York Cavalry; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

LUCY E. ROBINSON.

Mr. CAMP introduced a bill (H. R. No. 1806) granting a pension to Lucy E. Robinson; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PRICE W. BAILEY.

Mr. CAMP also introduced a bill (H. R. No. 1807) for the relief of Price W. Bailey; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PRINTING AND ENGRAVING OF GOVERNMENT ISSUES.

Mr. POTTER introduced a bill (H. R. No. 1808) in relation to printing and engraving the Government issues; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

WILLIAM H. SHULTIS.

Mr. KETCHAM introduced a bill (H. R. No. 1809) granting a pension to William H. Shultis, late of Company K, Fourteenth Regiment, New York Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MARY WALSH.

Mr. HARDENBERGH introduced a bill (H. R. No. 1810) for the relief of Mary Walsh; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

DONATION OF CONDEMNED CANNON.

Mr. PUGH introduced a bill (H. R. No. 1811) donating condemned cannon to Bayard Post, No. 8, Grand Army of the Republic, of Trenton, New Jersey, to be placed in a lot in Greenwood Cemetery, Trenton, held as a free burial place for ex-soldiers, sailors, and marines; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

EMMA BAADER.

Mr. PEDDIE introduced a bill (H. R. No. 1812) granting a pension to Emma Baader; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ABANDONED RAILROAD ROUTES.

Mr. PEDDIE also introduced a bill (H. R. No. 1813) for the relief of citizens at or near the route of any railroad that has ceased, or may cease to operate; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

AMELIA SMITH.

Mr. PEDDIE also introduced a bill (H. R. No. 1814) granting a

pension to Amelia Smith, widow of Jeremiah Smith, lieutenant commander of the United States Navy; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

FLORENCE V. MOORE.

Mr. WARD introduced a bill (H. R. No. 1815) granting a pension to Florence V. Moore; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ANNA H. NONES.

Mr. WILLIAMS, of Delaware, introduced a bill (H. R. No. 1816) granting a pension to Anna H. Nones; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CHARLES W. BUTTON.

Mr. TUCKER introduced a bill (H. R. No. 1817) to pay to Charles W. Button the cost of advertising property levied on by the collector of the United States internal revenue in the fifth district of the State of Virginia; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

GEORGE CHRISMAN.

Mr. HARRIS, of Virginia, (by request,) introduced a bill (H. R. No. 1818) for the relief of George Chrisman, executor of George H. Chrisman, deceased; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

HUGH L. GALLAHER.

Mr. HARRIS also (by request) introduced a bill (H. R. No. 1819) for the relief of Hugh L. Gallaher; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

GOVERNMENT REVENUES, PUBLIC CREDIT, ETC.

Mr. BROGDEN. I ask unanimous consent to introduce for adoption now the following resolution:

Resolved, That so much of the President's message as relates to the revenues and expenditures of the Government, the maintaining of the public credit, and the refunding of the public debt be referred to the Committee of Ways and Means.

The SPEAKER. This resolution is not in order under the present call.

J. C. M'BURNEY.

Mr. STEPHENS, of Georgia, introduced a bill (H. R. No. 1820) for the relief of J. C. McBurney; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

CHARLES MULKEY.

Mr. COOK introduced a bill (H. R. No. 1821) for the relief of Charles Mulkey, late postmaster at Butler, Georgia; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

JAMES A. STEWART.

Mr. CANDLEER introduced a bill (H. R. No. 1822) for the relief of James A. Stewart, of Fulton County, Georgia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

SOUTHERN CLAIMS.

Mr. GARTH introduced a bill (H. R. No. 1823) to refer the claims of certain citizens of the counties of Madison, Limestone, Lawrence, Lauderdale, and Franklin, of the State of Alabama, therein named, to the commissioners of claims for re-examination and report; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

PROCEEDS OF COTTON SEIZED.

Mr. MONEY introduced a bill (H. R. No. 1824) to amend the fifth section of the act of May 18, 1872, relating to the return of the net proceeds of cotton seized after the 30th of June, 1865; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

MRS. HESTER F. NEELEY.

Mr. CHALMERS introduced a bill (H. R. No. 1825) for the relief of Mrs. Hester F. Neeley, of Warren County, Mississippi; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

AMENDMENT OF BANKRUPT LAWS.

Mr. MANNING introduced a bill (H. R. No. 1826) to amend the several acts in reference to bankruptcy, as amended by an act approved June 22, 1874; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

D. W. M'CLUNG.

Mr. GARDNER introduced a bill (H. R. No. 1827) for the relief of D. W. McClung, of Woodsdale, Butler County, Ohio; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

JOHN C. LINDSEY.

Mr. GARFIELD introduced a bill (H. R. No. 1828) granting a pension to John C. Lindsey; which was read a first and second time,

referred to the Committee on Invalid Pensions, and ordered to be printed.

ASSISTANT SURGEON ARCH B. CAMPBELL, UNITED STATES ARMY.

Mr. BANNING introduced a bill (H. R. No. 1829) to fix the relative rank of Assistant Surgeon Arch B. Campbell, United States Army; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

MOHAMMED KAHN.

Mr. KNOTT (by request) introduced a bill (H. R. No. 1830) for the relief of Mohammed Kahn, otherwise John Ammahoe, late private of Company A, Forty-third New York Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JOHN AMMAHAIE OR JOHN AMMAHE.

Mr. KNOTT also (by request) introduced a bill (H. R. No. 1831) explanatory of an act directing the Second Auditor to settle the pay and bounty account of John Ammahoe or Ammahe, passed June 30, 1876; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

PLEASANT H. LEPPEN.

Mr. RIDDLE introduced a bill (H. R. No. 1832) for the relief of Pleasant H. Leppen, of Fentress County, Tennessee; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TAX ON INCOMES.

Mr. DIBRELL introduced a bill (H. R. No. 1833) levying a tax on incomes; which was read a first and second time, referred to the Committee of Ways and Means, and ordered to be printed.

JURISDICTION OF UNITED STATES COMMISSIONERS.

Mr. DIBRELL also introduced a bill (H. R. No. 1834) to increase the jurisdiction of United States commissioners; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

CONVEYANCE OF LAND TO VINCENNES.

Mr. COBB introduced a bill (H. R. No. 1835) authorizing the Commissioner of the General Land Office to convey certain lands to the city of Vincennes; which was read a first and second time, referred to the Committee on Public Lands, and ordered to be printed.

JAMES CALAWAY.

Mr. COBB also introduced a bill (H. R. No. 1836) granting a pension to James Calaway; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

REMOVAL OF CAUSES.

Mr. COBB also introduced a bill (H. R. No. 1837) to amend section 1 of an act entitled "An act to determine the jurisdiction of circuit courts of the United States, and to regulate the removal of causes from State courts, and for other purposes;" which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

AMENDMENT OF THE CONSTITUTION.

Mr. BAKER, of Indiana, introduced a joint resolution (H. R. No. 61) proposing an amendment to the Constitution forbidding the assumption or payment of any claim for loss or damage growing out of the taking, use, or destruction of property during the late war of the rebellion; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

At Mr. BAKER's request the joint resolution was read *in extenso*.

SPECIAL COUNSEL IN CENTENNIAL CASE.

Mr. MORRISON introduced a bill (H. R. No. 1838) relating to compensation of special counsel for the United States in the Supreme Court in the centennial case; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SECTION 4717 OF REVISED STATUTES.

Mr. HARTZELL introduced a bill (H. R. No. 1839) to repeal section 4717 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

IMPROVEMENTS OF OHIO RIVER.

Mr. HARTZELL also introduced a bill (H. R. No. 1840) for the improvement of the channel of the Ohio River at Grand Chain, in the State of Illinois; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

STEPHEN M. PIERCE.

Mr. HARTZELL also introduced a bill (H. R. No. 1841) granting a pension to Stephen M. Pierce, late private Company G, Thirteenth Regiment Illinois Cavalry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

HENRY GROSSMANN.

Mr. HARTZELL also introduced a bill (H. R. No. 1842) granting

a pension to Henry Grossmann, late private Company G, One hundred and fifty-fourth Regiment Illinois Infantry Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LUCINDA BARRETT.

Mr. HARTZELL also introduced a bill (H. R. No. 1843) granting a pension to Lucinda Barrett, widow of Thomas L. Barrett, late private Company M, Sixth Illinois Cavalry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CURRENCY.

Mr. HARTZELL also introduced a bill (H. R. No. 1844) to substitute greenbacks for the issues of the national-banking associations, and to pay to said associations the full amount of all the bonds deposited by them in the Treasury of the United States in accordance with the terms of the contract expressed upon the face of said bonds, and the bonds so redeemed to be canceled, &c.; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

IMPROVEMENT OF QUINCY HARBOR.

Mr. KNAPP introduced a bill (H. R. No. 1845) for the improvement of the harbor of Quincy, Illinois; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

BRANCH MINT AT QUINCY.

Mr. KNAPP also introduced a bill (H. R. No. 1846) to provide for the establishment of a branch mint of the United States at the city of Quincy, in the State of Illinois; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

EDWARD T. BROWNELL.

Mr. BURCHARD introduced a bill (H. R. No. 1847) for the relief of Edward T. Brownell; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

IMPROVEMENT OF MISSOURI AND KANSAS RIVERS.

Mr. FRANKLIN introduced a bill (H. R. No. 1848) for the improvement of the Missouri and Kansas Rivers at and near the junction of the same; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

WILLIAM LETT.

Mr. REA introduced a bill (H. R. No. 1849) granting a pension to William Lett, late a private in Company C, First Regiment Tennessee Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

EVELINE HUNT.

Mr. MORGAN introduced a bill (H. R. No. 1850) for the relief of Eveline Hunt; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JOSEPH W. MURPHY.

Mr. MORGAN also introduced a bill (H. R. No. 1851) for the relief of Joseph W. Murphy; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

RILEY KINMAN.

Mr. GAUSE introduced a bill (H. R. No. 1852) for the relief of Riley Kinman; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

BRANCH MINT AT SAINT LOUIS.

Mr. CRITTENDEN introduced a bill (H. R. No. 1853) to establish a branch mint of the United States at Saint Louis, Missouri; which was read a first and second time, referred to the Committee on Coinage, Weights, and Measures, and ordered to be printed.

JESSE W. BUCHANAN.

Mr. CRAVENS introduced a bill (H. R. No. 1854) for the relief of Jesse W. Buchanan, late first lieutenant Third Michigan Cavalry Volunteers; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

JOHN C. RAY.

Mr. CRAVENS also introduced a bill (H. R. No. 1855) for the relief of John C. Ray; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

WILLIAM MOSS.

Mr. SLEMONS introduced a bill (H. R. No. 1856) making an appropriation to pay William Moss, of Arkansas, for extra mail services; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

ELIZABETH LUTZ.

Mr. KEIGHTLEY introduced a bill (H. R. No. 1857) for the relief of Elizabeth Lutz; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JUDICIAL DISTRICTS IN MICHIGAN.

Mr. HUBBELL introduced a bill (H. R. No. 1858) to divide the State of Michigan into three judicial districts and to establish the northern district of Michigan; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

GENERAL AMNESTY.

Mr. ELLSWORTH introduced a bill (H. R. No. 1859) providing for general amnesty; which was read a first and second time.

Mr. ELLSWORTH. I would like to put that bill upon its passage, if I could do so.

The SPEAKER. That cannot be done under this call.

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

GEORGE M'DERMOTT.

Mr. SCHLEICHER introduced a bill (H. R. No. 1860) for the relief of George McDermott; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

RAILROAD FROM SAN ANTONIO, TEXAS.

Mr. SCHLEICHER also introduced a bill (H. R. No. 1861) to secure the construction of a line of railroad from San Antonio, Texas, to a point at or near Eagle Pass or such other point as may be found most practicable on the Rio Grande; which was read a first and second time, referred to the Committee on Railways and Canals, and ordered to be printed.

HENRY FOLCKNER.

Mr. SCHLEICHER also introduced a bill (H. R. No. 1862) to confirm the title of Henry Folckner to a certain tract of land in the Territory of New Mexico; which was read a first and second time, referred to the Committee on Public Lands, and ordered to be printed.

RAPHAEL M. MILLER.

Mr. SCHLEICHER also introduced a bill (H. R. No. 1863) for the relief of Raphael M. Miller, of Brownsville, Texas; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

LOSSES SUSTAINED BY CITIZENS OF TEXAS.

Mr. SCHLEICHER also introduced a bill (H. R. No. 1864) to provide for ascertaining the losses sustained by citizens of Texas by reason of Indian and Mexican depredations; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

HEIRS OF ALEXANDER ROSEY.

Mr. SCHLEICHER also introduced a bill (H. R. No. 1865) for the relief of the heirs of Alexander Rosey; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

HARBORS OF WESTERN TEXAS.

Mr. SCHLEICHER also introduced a bill (H. R. No. 1866) making appropriations for the improvement of the harbors of Western Texas; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

REORGANIZATION OF PAY DEPARTMENT, UNITED STATES ARMY.

Mr. SCHLEICHER also introduced a bill (H. R. No. 1867) to reorganize the Pay Department of the Army; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

E. P. CLANDON.

Mr. SCHLEICHER also introduced a bill (H. R. No. 1868) for the relief of E. P. Clandon, of Brownsville, Texas; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

ADAM HINE.

Mr. STONE, of Iowa, introduced a bill (H. R. No. 1869) for the relief of Adam Hine, of Keokuk, Iowa; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

SETTLERS ON LANDS IN CALIFORNIA.

Mr. LUTTRELL (by request) introduced a bill (H. R. No. 1870) for the relief of settlers on certain lands in the State of California; which was read a first and second time, referred to the Committee on Private Land Claims, and ordered to be printed.

LANDS IN SAN MATEO COUNTY, CALIFORNIA.

Mr. LUTTRELL also introduced a bill (H. R. No. 1871) to authorize the correction of boundaries of certain lands in San Mateo County, California; which was read a first and second time, referred to the Committee on Private Land Claims, and ordered to be printed.

ISAAC CLARK.

Mr. PHILLIPS introduced a bill (H. R. No. 1872) authorizing the Commissioner of Pensions to place upon the pension-rolls the name of Isaac Clark, private in Company F, Fifty-seventh United States Colored Troops; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

COLORED TEAMSTERS.

Mr. PHILLIPS also introduced a bill (H. R. No. 1873) authorizing

the Third Auditor of the Treasury Department to audit the claims of certain colored teamsters for pay; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

SALE OF LEAF-TOBACCO.

Mr. WILSON presented a joint resolution of the Legislature of West Virginia, in regard to the sale of leaf-tobacco; which was referred to the Committee of Ways and Means, and ordered to be printed.

DESTRUCTION OF ROADS AND BRIDGES IN WEST VIRGINIA.

Mr. WILSON also presented a joint resolution of the Legislature of West Virginia, asking an appropriation to reimburse the State of West Virginia for destruction of roads and bridges by the military of the United States Government; which was referred to the Committee on War Claims, and ordered to be printed.

MONUMENT AT MOUNT PLEASANT, WEST VIRGINIA.

Mr. KENNA presented a joint resolution of the Legislature of West Virginia, asking an appropriation to aid in the erection of a monument to commemorate the battle of Point Pleasant, fought in 1774; which was referred to the Committee on Military Affairs, and ordered to be printed.

IMPROVEMENT OF MONONGAHELA RIVER.

Mr. MARTIN presented a joint resolution of the Legislature of West Virginia, asking the Federal Government to aid in the improvement of the Monongahela River; which was referred to the Committee on Commerce, and ordered to be printed.

PUBLIC LANDS IN NEVADA.

Mr. WREN introduced a bill (H. R. No. 1874) in relation to the public lands in the State of Nevada; which was read a first and second time, referred to the Committee on Public Lands, and ordered to be printed.

E. A. WILLIAMS.

Mr. KIDDER introduced a bill (H. R. No. 1875) for the relief of E. A. Williams; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

TIMBER IN WYOMING.

Mr. CORLETT presented a joint resolution and memorial of the Legislative Assembly of Wyoming Territory, praying for such legislation by Congress as will enable the people of said Territory to acquire the right to utilize the timber resources of the Territory to such an extent as their wants and the demands of internal improvement may require; which was referred to the Committee on the Territories, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER. There are some gentlemen present who were not in their seats when their States were called for the introduction of bills. If there be no objection, the Chair will now recognize them to introduce bills and joint resolutions for reference only.

There was no objection.

ASA JOHNSTON.

Mr. HERBERT introduced a bill (H. R. No. 1876) for the relief of Asa Johnston, of Conecuh County, Alabama; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

NORTH LANDING RIVER AND CURRITUCK SOUND.

Mr. GOODE introduced a bill (H. R. No. 1877) to provide for the improvement of the North Landing River and Currituck Sound, on the line of inland navigation from Chesapeake Bay to Albemarle Sound; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PORTS OF ENTRY.

Mr. GOODE also introduced a bill (H. R. No. 1878) to amend sections 2817, 2997, and 2723 of the Revised Statutes of the United States, relating to the Treasury Department; which was read a first and second time, referred to the Committee of Ways and Means, and ordered to be printed.

TRANSPORTATION OF MAILS.

Mr. WADDELL introduced a bill (H. R. No. 1879) to amend paragraph 2, section 3964 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

ORDER OF BUSINESS.

Mr. ROBERTS. I ask unanimous consent to introduce at this time for action a bill which I send to the Clerk's desk.

The SPEAKER. The Chair cannot ask consent for that under this call.

Mr. ROBERTS. I thought the call was completed.

The SPEAKER. It is not quite completed yet.

Mr. YOUNG. I hold in my hand the petition of fifty thousand citizens of the Mississippi Valley, asking of Congress such legislation and appropriation as will prevent the overflow of lands along the Mississippi. I ask that the petition be printed in the RECORD without the names.

The SPEAKER. That request is not now in order.

JOHN F. M'KENNEY.

Mr. YOUNG introduced a bill (H. R. No. 1880) for the relief of John F. McKenney, of the city of Memphis; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

MOSBY & HUNT.

Mr. YOUNG also introduced a bill (H. R. No. 1881) for the relief of Messrs. Mosby & Hunt, of Memphis, Tennessee; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

SWAMP-LAND INDEMNITY SCRIP.

Mr. SPRINGER introduced a bill (H. R. No. 1882) to authorize the several States in certain cases to locate swamp-land indemnity scrip and to surrender the swamp-land indemnity scrip which may have been or may be issued in pursuance of law, and receive in lieu thereof \$1.25 per acre for said scrip so surrendered; which was read a first and second time, referred to the Committee on Public Lands, and ordered to be printed.

ZENUS HERRICK.

Mr. POWERS introduced a bill (H. R. No. 1883) granting a pension to Zenus Herrick; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

DANIEL COLBERT.

Mr. LORING introduced a bill (H. R. No. 1884) for the relief of Daniel Colbert, of Marblehead, Massachusetts; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SPECIE PAYMENTS.

Mr. POUND introduced a bill (H. R. No. 1885) to amend the third section of the act entitled "An act to provide for the resumption of specie payments;" which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

MRS. EMILY H. LYFORD.

Mr. SINICKSON introduced a bill (H. R. No. 1886) granting a pension to Mrs. Emily H. Lyford; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

POLITICAL DISABILITIES OF JOHN T. MASON.

Mr. ROBERTS. I ask unanimous consent to introduce for present consideration a bill to remove the political disabilities of John T. Mason, of Maryland.

The bill was read.

Mr. WHITE, of Pennsylvania. I object.

OVERFLOWED LANDS ON THE MISSISSIPPI.

Mr. YOUNG. I desire to present the petition of fifty thousand citizens of the Mississippi Valley, extending from Saint Paul to the Gulf, asking speedy congressional action for the purpose of reclaiming from overflow the alluvial lands of the Mississippi River and tributary streams. I ask unanimous consent that this petition be referred to the Committee on the Mississippi River and Levees, and be ordered to be printed in the RECORD without the names.

There being no objection, it was ordered accordingly.

The petition is as follows:

To the honorable Congress of the United States:

The undersigned desire to respectfully present to your honorable body the importance of reclaiming from overflow the alluvial lands of the Mississippi River and tributary streams, and to urge such speedy congressional action as will be necessary to accomplish that object within the shortest period possible. We are fully persuaded that, if our Senators and Representatives in Congress were correctly advised of the vast importance of protecting these fertile lands from annual inundation and the great benefits that would follow, not only to that immediate region, but to the entire country, they would promptly enact such legislation as would insure an early completion of the work.

There is no public enterprise which the Government could aid with so much justice and propriety as this one, nor is there one that could be undertaken at so small an expense, from which such immense profit to the agricultural and commercial interests of the whole country would result. It is in no sense a local enterprise, for the benefit of either a corporation or small community of private individuals, but its scope and extent embrace interests and cover an extent of territory of sufficient magnitude to make it eminently national in its character. This will be the more apparent when the following facts are even briefly examined and considered: The region of country subject to overflow lies in the States of Illinois, Missouri, Kentucky, Tennessee, Arkansas, Mississippi, and Louisiana, and embraces within its area about twenty-four million eight hundred thousand acres of the richest and most productive corn, cotton, rice, and sugar lands in the whole world. If these lands were protected from the flood of water which annually flows over them, they would be quickly put in cultivation, and by a very moderate computation it may be safely estimated that in less than five years the production of our three great agricultural staples, cotton, rice, and sugar, would be increased more than 50 per cent. Cotton is the commodity which more than all others contributes to our commercial prosperity and gives us a substantial basis of wealth not possessed by any other country or people. The hill lands of the Southern States, upon which a large portion of the cotton crop has heretofore been grown, is becoming so much exhausted that in a few years their cultivation in cotton will have to be abandoned, and the decrease in this valuable and important product will be materially felt upon the finances of the country. Our exportation of all articles now amounts to about \$640,000,000 in value; by reclaiming the alluvial lands of the Mississippi delta from overflow, the exportation of cotton, sugar, and rice, alone, could easily be made to exceed this entire sum.

The action by Congress, here sought to be had, reclaims from a wilderness and makes fit for cultivation an empire of agricultural wealth which, when developed, will increase the material resources of the country millions of dollars. The work is

of such a character that it is impossible for it to be accomplished by the efforts and resources of individuals, but must be done under authority and with the means of the General Government. We therefore respectfully ask that your honorable body adopt such legislation at your next session as will give safety and protection to those districts of country that are subject to annual overflow.

JAMES D. HOLMAN.

Mr. WILLIAMS, of Oregon. I ask unanimous consent that the bill (S. No. 290) for the relief of James D. Holman be taken from the Speaker's table and referred to the Committee of Claims.

There being no objection, the bill was taken from the Speaker's table, read a first and second time, and referred to the Committee of Claims.

RAILING AROUND SEATS IN THE HALL.

Mr. HARDENBERGH. I ask unanimous consent to present at this time resolutions which I have been instructed to report by the committee appointed to make inquiry as to the propriety of a railing for the protection of members sitting upon the outer circle of seats.

The resolutions were read, as follows:

Resolved, That the architect of the Capitol be instructed to have a metallic railing, as described in the accompanying plan, erected at a distance of eighteen inches from the outer platform of seats; said railing not to interfere in any way with the passage ways as at present used to the desks of members; nor shall any gates be affixed to said railing.

Resolved, That the expense of said railing be paid from the contingent fund of the House.

There being no objection, the resolutions were considered and adopted.

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

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. TUCKER. I call for the regular order.

The SPEAKER. The regular order being called for, the morning hour now begins at half past one o'clock; and the business in order is the call of committees for reports.

Mr. WOOD. I yield to my colleague on the Committee of Ways and Means from Virginia, [Mr. TUCKER.]

ALCOHOL FOR SCIENTIFIC PURPOSES.

Mr. TUCKER. I am instructed by the Committee of Ways and Means to report back the bill (H. R. No. 1448) to extend the provisions of section 3297 of the Revised Statutes to other institutions of learning, with a substitute.

The SPEAKER. There being no objection, the substitute will be considered as an original bill and the substitute only will be read. There was no objection.

The Clerk read the substitute as follows:

An act (H. R. No. 1887) to extend the provisions of section 3297 of the Revised Statutes to other institutions of learning.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized to grant permits, as provided for in section 3297 of the Revised Statutes of the United States passed at the first session of the Forty-third Congress, to any scientific university or college of learning, created and constituted such by any State or Territory under its laws, though not incorporated or chartered, upon the terms and subject to the same restrictions and penalties already provided by said section 3297: *Provided further*, That the bond required thereby may be executed by any officer of such university or college, or by any other person for it, and on its behalf, with two good and sufficient sureties, upon like conditions, and to be approved as by said section is provided.

Mr. CLYMER. I hope the gentleman will explain the nature of the bill.

Mr. BURCHARD. Let the report from the committee be read.

Mr. TUCKER. Yes, sir; let the report be read.

The Clerk read as follows:

The Committee of Ways and Means to whom House bill 1448 has been referred, report thereon—

That section 3297 of the Revised Statutes applies only to incorporated and chartered institutions, colleges, and universities.

The bill referred to the committee is intended to embrace such institutions, colleges, and universities, as are created or may exist by the laws of any State or Territory.

The committee are informed that in some States there are State universities and colleges, which are constituted by State laws, but as part of the governmental organism, and without independent existence under charters of incorporation.

Amending the proposed bill so as to limit its provisions to scientific universities and colleges of learning so constituted, the committee report an amended bill, which they recommend do pass.

All of which is respectfully reported.

The SPEAKER. Without objection the bill will be considered as having been read a first and second time, and the question will be on its engrossment and third reading.

Mr. DUNNELL. I should like, Mr. Speaker, to have the section of the Revised Statutes read to which reference is made.

Mr. TUCKER. I send to the Clerk's desk to be read section 3297 of the Revised Statutes.

The Clerk read as follows:

Sec. 3297. The Secretary of the Treasury is authorized to grant permits to any incorporated or chartered scientific institution or college of learning to withdraw alcohol in specified quantities from bond without payment of the internal-revenue tax on the same, or on the spirits from which the alcohol has been distilled, for the sole purpose of preserving specimens of anatomy, physiology, or natural history belonging to such institution, or for use in its chemical laboratory: *Provided*, That application for permits shall be made by the president or curator of such institution, who shall file a bond for double the amount of the tax on the alcohol to be

withdrawn, with two good and sufficient sureties, to be approved by the Commissioner of Internal Revenue, and conditioned that the whole quantity of alcohol so withdrawn from bond shall be used for the purposes above specified, and for no other, and that the said president or curator shall comply with such other requirements and regulations as the Secretary of the Treasury may prescribe. And if any alcohol so obtained is used by any officer, as aforesaid, of such institution for any purposes other than that above specified, then the said officer or sureties shall pay the tax on the whole amount of alcohol withdrawn from bond, together with a like amount as a penalty in addition thereto.

Mr. CLARK, of Iowa. This bill was introduced on my motion, and the most obvious explanation of the proposition now pending is that it merely cures the legislation already existing. As a matter of law, and as it has been ruled by the Departments, various institutions of States are not embraced under the terms of that section of the statute: for example, the agricultural department of North Carolina, the State university of Iowa and I suppose also of Kansas and Michigan, the agricultural college of Iowa, and all institutions not chartered or incorporated but existing as departments of a State government. The object of the bill is to bring them within the benefits of the existing statute.

Mr. POTTER. From what committee does this come?

The SPEAKER. It is a report from the Committee of Ways and Means.

Mr. POTTER. Is it a unanimous report?

Mr. TUCKER. It is a unanimous report; and I will state to the House it was very thoroughly considered by the committee. The section just read was extended guardedly only to such institutions as were created and instituted as part of the governmental organism of some State and not instituted by virtue of acts of incorporation. That was the simple purpose of the bill.

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. TUCKER 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.

CITY OF MACON, GEORGIA.

Mr. WARNER, from the Committee of Claims, reported a bill (H. R. No. 1888) for the relief of the city of Macon, Georgia; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

DAVID W. CHEESEMAN.

Mr. WARNER also, from the Committee of Claims, reported a bill (H. R. No. 1889) for the relief of David W. Cheeseman, of Lake City, in Lake County, in the State of Oregon; which was read a first and second time, referred to the Committee of the Whole on the Private Calendar, and ordered to be printed.

SUSAN ROBB.

Mr. ELLSWORTH, from the Committee of Claims, reported back with a favorable recommendation the bill (H. R. No. 847) for the relief of Susan Robb; and the same was referred to the Committee of the Whole on the Private Calendar, and ordered to be printed.

JOHN WHITTAKER.

Mr. REAGAN, from the Committee on Commerce, reported back the bill (H. R. No. 1137) authorizing the Secretary of the Treasury to adjust the claim of John Whittaker against the United States of America, and moved that the committee be discharged from the further consideration of the same, and that it be referred to the Committee of Claims.

The motion was agreed to.

NAVIGATION OF MISSISSIPPI RIVER.

Mr. REAGAN. I am also instructed by the Committee on Commerce to report back with an amendment the joint resolution (H. R. No. 56) relative to reservoirs to promote the navigation of the Mississippi River. As this resolution simply calls for information from the War Department I would like, if such be the pleasure of the House, to have it passed this morning.

The joint resolution was read, as follows:

Whereas in the preliminary report of Major F. U. Farquhar, relative to reservoirs upon the headwaters of the Mississippi River, submitted February 4, 1875, the practicability of creating such adequate reservoirs for the purpose of controlling extreme floods and regulating the volume of water in the Upper Mississippi River is fully established, it appearing from said report that said reservoirs will command a water-shed of twenty thousand square miles and hold ninety-six and a half billion cubic feet of water, less than one-half of which will maintain a good navigable stage of water until July 1, the low-water season not occurring until later, and one-half of the residue, discharged at the rate of twenty-five hundred cubic feet per second, for one hundred and fifty-three days of low water, will insure good navigation for the entire season; and

Whereas it is alleged by parties familiar with the geography and topography of the headwaters of the Saint Croix, Chippewa, and Wisconsin Rivers (tributaries of the Mississippi River) that a much larger area of floodage and water-shed can be secured by means of dams at the headwaters of said rivers, and at considerably less cost, which will serve the double purpose of regulating and improving the navigation of said tributaries as well as the Mississippi: Therefore,

Resolved, *Sec.*, That the Secretary of War be, and he is hereby, requested to make such preliminary examination of the headwaters of the Saint Croix, Chippewa, and Wisconsin Rivers in the States of Minnesota and Wisconsin as is consistent with his service, to determine the extent and practicability of reservoirs upon the same, and report to this Congress the result of such examination, together with a compilation of all information and reports in his office bearing upon the subject of reservoirs, by February 15 proximo, or as early thereafter as practicable.

The amendment of the committee was as follows:

At the end of the joint resolution add the following:
And that he also report the estimated amount and character of the lands which would be submerged by such reservoirs.

The amendment was agreed to.

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

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

The latter motion was agreed to.

OATH OF OFFICE.

Mr. FRYE, from the Committee on the Judiciary, reported back, with an amendment, the bill (H. R. No. 5) prescribing the oath of office.

The bill was read, as follows:

Be it enacted, &c., That hereafter every person elected or appointed to any office or place of honor or profit, either in the civil, military, or naval service of the United States of America, excepting the President, shall, before entering upon the duties of such office, and before being entitled to any part of the salary or emoluments thereof, take and subscribe the following oath; that is to say:

"I, A. B. do solemnly swear (or affirm) that I will support and defend the Constitution of the United States of America, and the Government instituted in pursuance thereof, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this oath freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter according to my best skill and ability; so help me God."

That sections 1756 and 1757 of the Revised Statutes of the United States, and all laws and clauses of laws coming in conflict with this act, be, and the same are hereby, repealed.

SEC. 2. That this act shall be in force and effect from and after its passage.

The amendment of the committee was as follows:

In line 12, strike out the words "and the government instituted in pursuance thereof."

The amendment was agreed to.

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

The question was on the passage of the bill.

Mr. PATTERSON. Is that the report of the Judiciary Committee?

The SPEAKER. It is.

Mr. PATTERSON. It seems to me they have got a good deal more in there than is actually necessary. The form of oath is nearly if not quite as long as the oath that was administered to the members of Congress on this side of the House. But it is an improvement upon what is now upon the statute-book. If that is the unanimous opinion of the committee, I, of course, shall not object to it. But I think the form of oath is much longer than is necessary under all the circumstances.

Mr. FRYE. I move the previous question on the passage of the bill.

The previous question was seconded and the main question ordered; and under the operation thereof, the bill, as amended, was passed.

Mr. FRYE 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.

Mr. FRYE. The bills I now send to the desk are all bills relating to the same subject as that which has just been passed, and therefore I report adversely upon them, and move that they be laid upon the table. I ask the Clerk to read the titles of those bills.

The Clerk read the titles, as follows:

The bill (H. R. No. 284) repealing section 1756 of the Revised Statutes of the United States, and prescribing an official oath;

The bill (H. R. No. 180) to repeal the act of July 2, 1862, and such sections of the Revised Statutes of the United States as perpetuate the oath prescribed in said act;

The bill (H. R. No. 260) to repeal the laws requiring the test oath, and for other purposes; and

The bill (H. R. No. 237) to prescribe and establish a form of oath or affirmation to be taken and subscribed by members of Congress before entering upon the duties of their office.

Mr. FRYE. I move that the committee be discharged from the further consideration of the several bills the titles of which have been read, and that they be laid upon the table.

The motion was agreed to.

TEST OATH FOR JURORS.

Mr. FRYE. I am also instructed by the Committee on the Judiciary, to whom were referred sundry bills relative to the subject of the test oath for jurors, to report a substitute therefor, namely, a substitute for House bills Nos. 236, 258, 259, 276, and 617.

The SPEAKER. If there be no objection, the substitute will be treated as a new bill.

There was no objection, and the bill (H. R. No. 1890) to repeal section 820 of the Revised Statutes of the United States was received and read a first and second time.

The bill, which was read, repeals section 820 of the Revised Statutes of the United States. The second section provides that it shall take effect and be in force from and after its passage.

Mr. FRYE. I desire the Clerk to read the eight hundred and twentieth section of the Revised Statutes.

The Clerk read as follows:

SEC. 820. The following shall be causes of disqualification and challenge of grand and petit jurors in the courts of the United States, in addition to the causes existing by virtue of section 812, namely: Without duress and coercion to have taken up arms or to have joined any insurrection or rebellion against the United States; to have adhered to any insurrection or rebellion, giving it aid and comfort; to have given, directly or indirectly, any assistance in money, arms, horses, clothes, or anything whatever, to or for the use or benefit of any person whom the giver of such assistance knew to have joined, or to be about to join, any insurrection or rebellion, or to have resisted, or to be about to resist, with force of arms, the execution of the laws of the United States, or whom he had good ground to believe to have joined or to be about to join any insurrection or rebellion, or to have resisted, or to be about to resist, with force of arms, the execution of the laws of the United States or to have counseled or advised any person to join any insurrection or rebellion or to resist with force of arms the laws of the United States.

Mr. GARFIELD. I would be glad to have the gentleman from Maine [Mr. FRYE] explain precisely what this bill does.

Mr. FRYE. In 1862, Mr. Speaker, this test oath for jurors, grand and petit, was enacted by Congress. In 1873 it was repealed. In the revision of the statutes of the United States it was inadvertently re-enacted.

I do not desire to make any further statement than that unless there shall be a discussion of the bill. Of course in the revision of the statutes there was no authority in law to re-enact this repealed statute. It having been done beyond a question inadvertently, the Judiciary Committee instructed me to report back the law as it stood in 1873, and that is virtually all I have done.

Mr. GARFIELD. Then this is simply a correction of the revision of the statutes?

Mr. FRYE. It is simply a correction of the revision of the statutes. 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. FRYE 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.

Mr. FRYE. I have another bill which I was instructed to report, but a gentleman who desires to discuss it is now absent, and therefore I refrain from reporting it.

EAGLE AND PHENIX MANUFACTURING COMPANY OF GEORGIA.

Mr. HARTRIDGE, from the Committee on the Judiciary, reported a bill (H. R. No. 1891) as a substitute for the bill (H. R. No. 808) for the relief of the Eagle and Phoenix Manufacturing Company of Columbus, Georgia; which was read a first and second time, referred to the Committee of the Whole on the Private Calendar, and ordered to be printed.

MRS. AMANDA RAINS.

Mr. SHELLEY, from the Committee on War Claims, reported a bill (H. R. No. 1892) for the relief of Mrs. Amanda Rains, of Illinois; which was read a first and second time, referred to the Committee of the Whole on the Private Calendar, and, with the accompanying report, ordered to be printed.

CORA A. SLOCUMB AND OTHERS.

Mr. SHELLEY also, from the Committee on War Claims, reported a bill (H. R. No. 1893) for the relief of Cora A. Slocumb, Ida A. Richardson, and Caroline A. Urquhart; which was read a first and second time, referred to the Committee of the Whole on the Private Calendar, and, with the accompanying report, ordered to be printed.

BARTHOLOMEW COUNTY AGRICULTURAL SOCIETY.

Mr. SHELLEY also, from the Committee on War Claims, reported a bill (H. R. No. 1894) for the relief of Bartholomew County Agricultural Society, in the State of Indiana; which was read a first and second time, referred to the Committee of the Whole on the Private Calendar, and, with the accompanying report, ordered to be printed.

W. H. NEWMAN.

Mr. ROBINSON, of Indiana, from the Committee on War Claims, reported a bill (H. R. No. 1895) for the relief of W. H. Newman and L. A. Van Hoffman; which was read a first and second time, referred to the Committee of the Whole on the Private Calendar, and, with the accompanying report, ordered to be printed.

NANCY A. HERRICK.

Mr. MCGOWAN, from the Committee on War Claims, reported a bill (H. R. No. 1896) as a substitute for the House bill No. 89, for the relief of Nancy A. Herrick; which was read a first and second time, referred to the Committee of the Whole on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM REDUS.

On motion of Mr. BANNING, the Committee on Military Affairs was discharged from the further consideration of the bill (H. R. No. 1126) for the relief of William Redus; and the same was referred to the Committee on Indian Affairs.

CHARLES A. LUKE.

On motion of Mr. DIBRELL, the Committee on Military Affairs was discharged from the further consideration of the bill (H. R. No. 1194) for the relief of Charles A. Luke; and the same was referred to the Committee on Claims.

CAPTAIN JOSEPH H. J. RUTTER.

Mr. DIBRELL, from the Committee on Military Affairs, reported adversely upon the memorial of Captain Joseph H. J. Rutter, of Maryland, for compensation for services rendered the military authorities of the Middle Military Department in 1861; and the same was laid on the table, and the accompanying report ordered to be printed.

CHARLES W. WOOD.

Mr. DIBRELL, from the Committee on Military Affairs, reported back, with a recommendation that the same do pass, the bill (H. R. No. 1142) for the relief of Charles W. Wood, late of Company E, First Battalion, Thirteenth Regiment United States Infantry; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

JAMES SMITH.

Mr. DIBRELL, from the Committee on Military Affairs, reported back, with a recommendation that the same do pass, the bill (H. R. No. 591) for the relief of James Smith, late first lieutenant, Company F, Forty-sixth Missouri Infantry; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

DUTIES OF COMMITTEE ON RAILWAYS AND CANALS.

Mr. SCHLEICHER, from the Committee on Railways and Canals, submitted a report, accompanied by a preamble and resolution, as follows:

The Committee on Railways and Canals desire to call the attention of the House to the fact that recent custom has been in violation of House Rule 94, which prescribes that the duties of the Committee on Railways and Canals shall be "to take into consideration all such petitions and matters or things relating to roads and canals and the improvement of the navigation of rivers as shall be presented or may come in question and be referred to them by the House." Not knowing of any valid reason for the violation of this rule of the House, we have investigated the history of legislation on the duties of the committee and what duties it has heretofore performed, and for the information of the House we report that we find the following facts:

We find that previous to the Twenty-second Congress all matters relating to the improvement of rivers, roads, canals, and internal improvements were referred to select committees appointed by each successive Congress and designated as the Committee on Roads and Canals, and that such select committee reported all bills to the House for the survey or improvement of rivers. In the first session of the Twenty-second Congress Mr. Mercer, of Virginia, who was chairman of the select committee at that time, introduced a resolution to make the committee a standing committee under the rules of the House, to be known as the Committee on Roads and Canals. This resolution was adopted December 15, 1831, and forms Rule 94 of the House, which rule sets forth the purposes and prescribes the duties of this committee.

The first time that any question as to the duties and privileges of this committee appears to have arisen was in the Congress immediately following its formation. In the first session, Twenty-third Congress, December 31, 1833, Mr. Baylies presented a memorial asking for an appropriation for the removal of obstructions and placing buoys in Great Taunton River, which memorial he moved to have referred to the Committee on Commerce. Mr. Mercer, of Virginia, objected to the reference, and moved that so much only as related to placing buoys be referred to that committee, and that so much as related to obstructions in the river be referred to the Committee on Roads and Canals. Discussion arose as to the appropriate duties of these respective committees, which was participated in by Messrs. Sutherland, Whittlesey, Reid, Foot, Hall, Selden, and Harvey. The details of the discussion are not related in the official report of debates; but it appears that the motion to refer the whole memorial to the Committee on Commerce was defeated by a vote of 65 yeas to 76 nays, and that Mr. Mercer's motion to refer so much as related to obstructions in the river to the Committee on Roads and Canals was adopted.

During the same session of the Twenty-third Congress, on January 10, 1834, Mr. Mercer presented a report from the Committee on Roads and Canals recommending that in addition to the duty of considering all matters relating to the improvement of rivers as prescribed by rule, that the rule be amended by adding after the word "rivers" the word "harbors." Though this report was made the special order for consideration several times, it does not appear to have been acted on by the House.

Up to the time of the Twenty-eighth Congress the distinction in the duties of the Committee on Commerce and the Committee on Roads and Canals seems to have been that the former reported bills for harbors and the latter bills for rivers. That such was the practice appears not only from the Journals of the House but is confirmed by a report made to the House by the Committee on Roads and Canals in the second session Twenty-fifth Congress, in which report the committee complain of the infringement on their privileges by other committees, and speak particularly of the efforts of the Committee on Commerce to consider harbors of cities on rivers as harbors proper, and therefore including them in their general bills for the improvement of harbors.

In the first session Twenty-eighth Congress that portion of the President's message relating to the improvement of the western lakes and rivers was by special action of the House referred to the Committee on Commerce, and that committee for the first time reported a general bill of appropriations for harbors and rivers.

Thereafter there seems to have been confusion and an utter want of uniformity of action on the part of the House. We find from the Journals of the House that bills and petitions relating to the improvement of rivers were indiscriminately referred to the Committee on Commerce and then the Committee on Roads and Canals; and that such variation in reference often occurred on the same day, and that no well defined division of duties between the two committees was adhered to by the House. The Committee on Commerce, however, seem to have assumed the prerogative of including appropriations for rivers in the general bills reported by them for appropriations for harbors.

During the first session of the Thirty-second Congress, however, a test question was again made on the proper reference of a bill for the improvement of the Illinois River. Mr. Yates, of Illinois, introduced the bill and moved its reference to the Committee on Roads and Canals. Mr. Seymour, of New York, moved its reference to the Committee on Commerce. Tellers were demanded, and then the yeas and nays ordered on the question, and it was decided by a vote of 113 yeas to 70 nays to refer the bill to the Committee on Roads and Canals. Following this, many other similar bills had a similar reference, among others a bill for the improvement of the Des Moines and Rock River Rapids, introduced by Mr. Campbell, of Illinois, who, in his remarks on the bill, said that he had procured that reference because he "desired to make an effort to separate the improvement of rivers from the improvement of harbors on the lakes," and that "he might, perhaps, succeed in having appropriations for rivers in one bill and appropriations for harbors in another."

Since that time it does not appear that the House has given any expression of opinion on the subject or that the question of the privileges and duties of this committee has been brought before it. Nor has the practice of the House since that time been uniform, for in each succeeding Congress down to the last many matters relating to the improvement of rivers have been referred to this committee, while at the same time the Committee on Commerce have gone on performing the functions they had assumed, and have included appropriations for rivers in their bills making appropriations for harbors.

In view of all these facts, and, further, because, in the opinion of this committee, the public interests would be promoted by giving separate consideration to questions relating to the improvement of rivers as distinct from the improvement of sea-coast harbors, the committee deem it proper to call the attention of the House to its unquestionable rule on the subject and ask its enforcement, and recommend to the House the adoption of the following preamble and resolution:

Whereas House Rule 79 defines the duties of the Committee on Commerce to be "to take into consideration all such petitions and matters or things touching the commerce of the United States as shall be presented or shall or may come in question and be referred to them by the House;" and

Whereas House Rule 94 defines the duties of the Committee on Railways and Canals to be "to take into consideration all such petitions and matters or things relating to roads and canals, and the improvement of the navigation of rivers, as shall be presented or may come in question and be referred to them by the House;" and

Whereas various bills, resolutions, reports, memorials, and petitions relating to the improvement of the navigation of rivers have been referred to the Committee on Commerce in violation of the above rules: Therefore,

Be it resolved, That all bills, resolutions, reports, memorials, and petitions relating to the improvement of the navigation of rivers that have been referred to the Committee on Commerce be reported back to the House by that committee without action, for proper reference to the Committee on Railways and Canals; and that hereafter all such bills, reports, memorials, and petitions be referred to the Committee on Railways and Canals, as prescribed by House Rule 94.

The SPEAKER. The Chair has not interrupted the reading of this report and the accompanying preamble and resolution, because he deemed it proper and useful that the facts stated in the report, perhaps in the nature of an argument, should be submitted to the House. The Chair now desires to ask the gentleman from Texas [Mr. SCHLEICHER] whether the subject of this preamble and resolution was referred by the House to the Committee on Railways and Canals?

Mr. SCHLEICHER. This resolution was not referred by the House to the Committee on Railways and Canals. The subject-matter of it, however, of necessity comes before that committee when we take up our business, for we then must consider what our business is under the rules. Where there is any doubt about it, the only manner of bringing the subject before the House, as the committee considered, was by this resolution. Therefore the committee in instructing me to submit this report with the accompanying resolution to the House adopted the only course which was proper and possible for the committee to bring the question before the House in order to obtain a decision upon the duties of the committee.

The SPEAKER. The Chair will direct the Clerk to read from the Manual a paragraph in this connection.

The Clerk read as follows:

It is not competent for a committee to report a bill where the subject-matter has not been referred to them by the House, by the rules, or otherwise.

Mr. CONGER. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. CONGER. My point is that the House has already by resolution referred the subject-matter of this resolution together with other matters to the Committee on Rules. The subject of the powers of the committees, embracing this Committee on Railways and Canals, has already been referred by the House to the Committee on Rules, and not to the Committee on Railways and Canals or the Committee on Commerce.

The SPEAKER. The Chair does not think it necessary to decide the point of order made by the gentleman from Michigan, [Mr. CONGER.] The Chair thinks the objection set forth in the paragraph just read by the Clerk is sufficient, and that the Committee on Railways and Canals has no power to report upon any subject by bill which the House has not referred to it. The gentleman from Texas [Mr. SCHLEICHER] is mistaken in one statement which he has made; his remedy is through the Committee on Rules; and perhaps it may not be amiss for the Chair to state that the Committee on Rules has this subject under consideration.

Mr. SCHLEICHER. I would like to inquire whether, as a matter of course, without any special order of reference, the subject of the duties of each committee are not before it for consideration; whether the duties of the committee under the rules are not as a matter of course and of necessity referred to the committee without a special resolution to that effect? I would suggest that the action of the Committee on Railways and Canals is in the nature of an inquiry of the House as to what matters properly go before the committee under the rules. It is asking instructions of the House; and as I have said before, it is the only way in which we can ask for those instructions.

The SPEAKER. In that connection the Chair would say that this very subject has been referred by the House to the Committee on Rules.

Mr. SCHLEICHER. Does the Chair decide that it is not proper for the House to act upon this subject at this time?

The SPEAKER. The Chair thinks the Committee on Railways and Canals had not the right to report upon any subject not referred to it.

Mr. SCHLEICHER. Has not the committee the right to ask instructions of the House as to what are the duties of that committee?

The SPEAKER. The Clerk will again read the paragraph from the Manual.

The Clerk read as follows:

It is not competent for a committee to report a bill where the subject-matter has not been referred to them by the House, by the rules, or otherwise.

Mr. SCHLEICHER. This is no bill; and it is not in the nature of a bill. It is in the nature of an inquiry as to the duties of the committee.

Mr. GARFIELD. The rule which has just been read contemplates two ways in which a measure (and the general word measure includes resolutions as well as bills) can originate in a committee. Of course the ordinary method is by the reference of the very measure itself to the committee for investigation. The other, and the only other, way is where the rules of the House themselves refer to the committee the general subject clearly covering the measure.

Now, this subject has not been referred by the House to the Committee on Railways and Canals; they do not get power over the question in that way. The only remaining inquiry is, do they get jurisdiction on the subject under the rules? Now, the only rule on the subject is Rule 94, which reads thus:

It shall be the duty of the Committee on Railways and Canals to take into consideration all such petitions and matters or things relating to roads and canals and the improvement of the navigation of rivers as shall be presented or may come in question and be referred to them by the House; and to report thereupon, together with such propositions relative thereto as to them shall seem expedient.

Now, the present proposition, it occurs to me, is not in relation to roads and canals, but it is in relation to the scope of this committee as compared with other committees. In other words, the resolution reported is about the order of business in this House, in relation to two committees. This question was never referred to the Committee on Railways and Canals to be determined upon. On the contrary, it is the very class of business referred by the rules to another committee, the Committee on Rules. It seems to me, therefore, that the Chair is clearly right.

Mr. CRITTENDEN. Let me ask the gentleman one question before he sits down. Has there been referred to the Committee on Rules anything calling for the determination of this point at all? The present question is simply whether Rule 94 shall be so amended as to determine which committee shall have charge of this business.

Mr. GARFIELD. Of course I cannot say anything as to what the Committee on Rules is doing; but I do say—

The SPEAKER. The Chair can answer the inquiry of the gentleman from Missouri, [Mr. CRITTENDEN.] This very subject has been referred to the Committee on Rules.

Mr. GARFIELD. I was about to say that this precise question has been referred to the Committee on Rules for examination.

The SPEAKER. The Chair has sent for the resolution referring this subject to the Committee on Rules; and it will be read, so that the House may act understandingly.

Mr. SCHLEICHER. Then I understand the Chair to rule that this inquiry is not in order.

The SPEAKER. The Chair rules that the committee has not the power to report upon any subject not referred to it by the House.

Mr. SCHLEICHER. Does the Chair rule that the inquiry as to the duties of the committee is not in order?

The SPEAKER. The Chair rules that the report is not in order at this time.

Mr. GARFIELD. I should be very glad to hear this matter discussed, that the Committee on Rules, in their deliberations, may have the benefit of such discussion.

The SPEAKER. That, the Chair thinks, would be very wise.

Mr. REAGAN. If discussion be in order I would be very glad to submit some facts to be considered in connection with the report of my colleague, [Mr. SCHLEICHER.]

Mr. GARFIELD. I suggest that by unanimous consent the House allow this matter to be discussed with a view to its reference at the close of the discussion.

Mr. CONGER. Reference to what committee?

Mr. GARFIELD. To the Committee on Rules.

Mr. REAGAN. I hope that proposition will be agreed to.

The SPEAKER. Is there objection to allowing the discussion upon this question to proceed? The Chair hears none. Before the discussion is entered upon the Chair desires to have read from the proceedings of November 15 the resolution referring this subject to the Committee on Rules.

The Clerk read as follows:

Resolved, That the Committee on the Rules be directed to take into consideration the following rules of the House of Representatives, to wit: Rule 79, which relates to the business which may be referred to and considered by the Committee on Commerce; Rule 94, which relates to the business which may be referred to and considered by the Committee on Railways and Canals; and the resolution which relates to the business which may be referred to and considered by the Committee on the Mississippi River; and that the Committee on the Rules consider whether there is a conflict between said rules, and, if necessary, that said rules be revised so that there shall be no conflict between them.

Mr. REAGAN. Mr. Speaker—

Mr. CONGER. I would like to inquire what is the position of this question under the decision of the Chair.

The SPEAKER. The Chair ruled that this committee had not the

right to report on the subject; and the gentleman from Ohio [Mr. GARFIELD] asked unanimous consent, which was given, for the consideration of the subject with a view to its reference finally to the Committee on Rules.

Mr. REAGAN. If the gentleman will now permit me, I will go on.

The SPEAKER. With a view that all the light possible may be shed on the subject, it is agreed to be sent to that committee.

Mr. CONGER. The only point is in reference to the Committee on Rules. I will make objection if it is to be referred back to the Committee on Railways and Canals, thus giving them power; but I do not object to its going to the Committee on Rules.

The SPEAKER. The Chair understood the gentleman from Texas, who reported the subject from the Committee on Railways and Canals, to assent to the proposition, after proper discussion, of reference of the subject to the Committee on Rules.

Mr. SCHLEICHER. Yes, sir.

Mr. REAGAN. Mr. Speaker, the question presented by the resolution submitted on behalf of the Committee on Roads and Canals is one of very considerable public interest. Under the provisions of Rule 94 bills for the improvement of the navigation of rivers of the United States may be referred to the Committee on Roads and Canals. I will read the whole of Rules 79 and 94:

79. It shall be the duty of the Committee on Commerce to take into consideration all such petitions and matters or things touching the commerce of the United States as shall be presented, or shall or may come into question, and be referred to them by the House; and to report from time to time their opinion thereon.

This rule, it will be observed, appears to have been adopted on the 14th of December, 1795. I will now read Rule 94:

94. It shall be the duty of the Committee on Roads and Canals to take into consideration all such petitions and matters or things relating to roads and canals, and the improvement of the navigation of rivers, as shall be presented, or may come in question, and be referred to them by the House; and to report thereupon, together with such propositions relative thereto as to them shall seem expedient.

I concede, sir, under these two rules bills which relate to the improvement of the navigation of rivers may be referred to either of these committees. The authority for this jurisdiction arises under the third clause of section 8, article 1, of the Constitution, "to regulate commerce with foreign nations, and among the several States, and with the Indian tribes."

If we have not power under this constitutional authority authorizing the regulation of commerce and the improvement of the navigation of the rivers and harbors, we have no authority in the Constitution. So, then, it rightly comes within the purview and the object and scope of the powers of the Committee on Commerce, a committee constituted especially with reference to the consideration of questions affecting the commerce of the United States.

Since this question came up, Mr. Speaker, (for I have been advised for some time it was to come up,) I have taken pains to collect and tabulate the history of each bill which has been passed by the Congress of the United States from the foundation of the Government to the present time, appropriating money for the improvement of rivers and harbors, and I take occasion now to present that table so we may have the history of this subject as taken from the statutes and Journals of Congress. This shows, notwithstanding the statement made in the report just read at the Clerk's desk, that the first five bills in the history of the Government for the improvement of rivers and harbors were reported by the Committee on Commerce: one of them on the 27th of December, 1816, approved by Mr. Madison; one March 3, 1823, approved by Mr. Monroe; one May 26, 1824, approved by Mr. Monroe; one May 20, 1826, approved by John Quincy Adams; and the other March 2, 1827, approved by John Quincy Adams. These were the first five bills reported from the Committee on Commerce. I only refer to these because the statement in the report just read is somewhat different. Subsequently to that time there were in the history of the Government thirteen bills for the improvement of rivers and harbors reported by the Committee of Ways and Means. But these reports were made during that part of the history of the Government in which there was serious conflict between the political parties of this country about the power of the Government to enter into a general system of internal improvements. The reference was made to the Committee of Ways and Means of these bills, and reports were made from that committee, on account of the fact that the prevailing majority refused to go so far as to refer these matters to the Committee on Commerce, and thereby recognize it as the organ and representative of a sentiment which favored a general system of internal improvements. There were in the mean time three bills, but each was for a separate and single item, and amounted in all to \$360,000, reported from the Committee of the Whole, never going to any of the subcommittees of the House. From 1854 to the present time each bill which has passed Congress was reported by the Committee on Commerce. The table which I have here shows the amount appropriated by each bill, the date of the act passed, the number of the volume of the Laws of the United States and the page in which this is shown, by what committee reported to Congress, the name of the person making the report, the date of the report, the session of Congress and the page of the House Journal, and by what President signed. I put all of this in in order to give a full statement.

Table showing amounts appropriated for the improvement of rivers and harbors, date of the appropriations, volume and page of laws where found, by what committee reported, by whom reported, date of report, session of Congress and page of the Journal, and by what President approved.

Amount appropriated for rivers and harbors.	Date of the act when passed and approved.	Number of volume of U. S. Laws and page where found.	By what committee reported to Congress.	Name of the person making the report.	Date of report.	Session of Congress and page of House Journal.	By what President approved.
\$178,907 37	April 27, 1816	3 U. S. Laws, 316...	Commerce.....	Mr. Newton.....	April 15, 1816	1 sess. 14 Cong., p. 649.....	James Madison.
98,850 00	Mar. 3, 1823	3 U. S. Laws, 780...	Commerce.....	Mr. Newton.....	Feb. 18, 1823	2 sess. 17 Cong., H. J., p. 229.....	James Monroe.
40,000 00	May 26, 1824	4 U. S. Laws, 33...	Commerce.....	Mr. Newton.....	April 29, 1824	1 sess. 18 Cong., H. J., p. 474.....	James Monroe.
85,330 00	May 20, 1826	4 U. S. Laws, 175...	Commerce.....	Mr. Newton.....	Mar. 30, 1826	1 sess. 19 Cong., H. J., p. 390.....	John Quincy Adams.
82,179 45	Mar. 2, 1827	4 U. S. Laws, 228...	Commerce.....	Mr. Tomlinson.....	Feb. 15, 1827	2 sess. 19 Cong., H. J., p. 300.....	John Quincy Adams.
601,637 06	May 19, 1828	4 U. S. Laws, 275...	Ways and Means.....	Mr. McDuffee.....	Jan. 30, 1828	1 sess. 20 Cong., H. J., p. 232.....	John Quincy Adams.
123,492 00	Mar. 3, 1829	4 U. S. Laws, 363...	Ways and Means.....	Mr. McDuffee.....	Feb. 12, 1829	2 sess. 20 Cong., H. J., p. 274.....	John Quincy Adams.
374,633 63	April 23, 1830	4 U. S. Laws, 394...	Ways and Means.....	Mr. McDuffee.....	Feb. 12, 1830	1 sess. 21 Cong., H. J., p. 259.....	Andrew Jackson.
555,656 84	Mar. 2, 1831	4 U. S. Laws, 459...	Ways and Means.....	Mr. Verplanck.....	Jan. 18, 1831	2 sess. 21 Cong., H. J., p. 194.....	Andrew Jackson.
716,143 43	July 3, 1832	4 U. S. Laws, 551...	Ways and Means.....	Mr. McDuffee.....	Jan. 16, 1832	1 sess. 22 Cong., H. J., p. 195.....	Andrew Jackson.
1,030,493 30	Mar. 2, 1833	4 U. S. Laws, 648...	Ways and Means.....	Mr. Verplanck.....	Jan. 26, 1833	2 sess. 22 Cong., H. J., p. 240.....	Andrew Jackson.
771,967 16	June 23, 1834	4 U. S. Laws, 702...	Ways and Means.....	Mr. Verplanck.....	Jan. 31, 1834	1 sess. 23 Cong., H. J., p. 267.....	Andrew Jackson.
448,486 27	Mar. 3, 1835	4 U. S. Laws, 753-55	Ways and Means.....	Mr. Hubbard.....	Jan. 16, 1835	2 sess. 23 Cong., H. J., p. 231.....	Andrew Jackson.
150,521 91	July 2, 1836	5 U. S. Laws, 67-69	Ways and Means.....	Mr. Smith.....	Feb. 10, 1836	1 sess. 24 Cong., H. J., p. 321.....	Andrew Jackson.
1,150,521 91	Mar. 3, 1837	5 U. S. Laws, 187...	Ways and Means.....	Mr. Smith.....	Jan. 31, 1837	2 sess. 24 Cong., H. J., p. 323.....	Andrew Jackson.
1,618,154 16	July 7, 1838	5 U. S. Laws, 268...	Ways and Means.....	Mr. McKim.....	Jan. 19, 1838	2 sess. 25 Cong., H. J., p. 257.....	Martin Van Buren.
655,000 00	June 11, 1844	5 U. S. Laws, 661...	Commerce.....	Charles M. Reade.....	Mar. 8, 1844	1 sess. 28 Cong., H. J., p. 542.....	John Tyler.
15,000 00	Mar. 3, 1845	5 U. S. Laws, 748...	Commerce.....	Mr. McClelland.....	Jan. 28, 1845	2 sess. 28 Cong., H. J., p. 277.....	John Tyler.
7,150 00	Mar. 2, 1847	9 U. S. Laws, 149...	Ways and Means.....	Mr. McKay.....	Jan. 9, 1847	2 sess. 29 Cong., H. J., p. 150.....	James K. Polk.
1,609,500 00	Aug. 30, 1852	10 U. S. Laws, 66...	Commerce.....	Mr. Seymour.....	June 14, 1852	1 sess. 32 Cong., H. J., p. 811.....	Millard Fillmore.
877 32	Mar. 3, 1853	10 U. S. Laws, 86...	Ways and Means.....	Mr. Houston.....	Dec. 23, 1852	2 sess. 32 Cong., H. J., p. 74.....	Millard Fillmore.
140,000 00	July 22, 1854	10 U. S. Laws, 307...	Commerce.....	Mr. Fuller.....	May 31, 1854	1 sess. 33 Cong., H. J., p. 567.....	Franklin Pierce.
101,000 00	Mar. 3, 1855	10 U. S. Laws, 640...	of the Whole.....	Mr. Fuller.....	May 31, 1854	2 sess. 33 Cong., S. J., p. 217; 2	Franklin Pierce.
330,000 00	July 8, 1856	11 U. S. Laws, 24....	Commerce.....	Mr. Eustis.....	April 30, 1856	1 sess. 34 Cong., p. 908; vetoed and passed by two-thirds vote.	Franklin Pierce.
100,000 00	July 8, 1856	11 U. S. Laws, 25....	of the Whole.....		Mar. 17, 1856	1 sess. 34 Cong., p. 186; vetoed and passed by two-thirds vote.	Franklin Pierce.
100,000 00	Aug. 16, 1856	11 U. S. Laws, 44....	of the Whole.....		April 3, 1856	1 sess. 34 Cong., H. J., p. 779; vetoed and passed by two-thirds vote.	James Buchanan.
350,000 00	June 23, 1864	13 U. S. Laws, 200-1.	Commerce.....	E. B. Washburn.....	May 30, 1864	1 sess. 38 Cong., H. J., p. 718.....	A. Lincoln.
200 acres land	April 10, 1866	14 U. S. Laws, 49....	Public Lands.....	Mr. Eckley.....	April 2, 1866	1 sess. 39 Cong., H. J., p. 457.....	Andrew Johnson.
\$3,492,048 00	June 23, 1866	14 U. S. Laws, 70....	Commerce.....	Mr. Elliott.....	April 17, 1866	1 sess. 39 Cong., H. J., p. 571.....	Andrew Johnson.
4,2 0 781 00	Mar. 2, 1867	14 U. S. Laws, 418...	Commerce.....	Mr. Eggleston.....	Feb. 16, 1867	2 sess. 39 Cong., H. J., p. 410.....	Andrew Johnson.
1,500,000 00			Commerce.....	Mr. Elliott.....	May 11, 1868	2 sess. 40 Cong., H. J., p. 666.....	Andrew Johnson.
2,000,000 00	April 10, 1869	16 U. S. Laws, 44....	Commerce.....	Mr. Sawyer.....	Mar. 22, 1869	1 sess. 41 Cong., H. J., p. 88.....	U. S. Grant.
3,947,900 00	July 11, 1870	16 U. S. Laws, 223...	Commerce.....	Mr. Sawyer.....	May 26, 1870	2 sess. 41 Cong., H. J., p. 844.....	U. S. Grant.
4,407,500 00	Mar. 3, 1871	16 U. S. Laws, 538...	Commerce.....	Mr. Sawyer.....	Feb. 13, 1871	3 sess. 41 Cong., H. J., p. 335.....	U. S. Grant.
5,538,000 00	June 10, 1872	17 U. S. Laws, 370-76	Commerce.....	Mr. Sawyer.....	April 5, 1872	2 sess. 42 Cong., H. J., p. 641.....	U. S. Grant.
6,102,900 00	Mar. 3, 1873	17 U. S. Laws, 560...	Commerce.....	Mr. Sawyer.....	Feb. 11, 1873	3 sess. 42 Cong., H. J., p. 360.....	U. S. Grant.
5,193,000 00	June 23, 1874	18 U. S. Laws, 237-44	Commerce.....	Mr. Sawyer.....	April 30, 1874	1 sess. 43 Cong., H. J., p. 181.....	U. S. Grant.
6,643,517 00	Mar. 3, 1875	18 U. S. Laws, 456-66	Commerce.....	Mr. Sawyer.....	Feb. 16, 1875	2 sess. 43 Cong., H. J., p. 733.....	U. S. Grant.
4,748,900 00	Aug. 14, 1876	19 U. S. Laws, 132-39	Commerce.....	Mr. Hereford.....	April 3, 1876	1 sess. 44 Cong., H. J., p. 733.....	U. S. Grant.
59,275,087 00							

*Referred to Committee on Appropriations.

Connected with this, and as a part of its detail, I have a supplementary table giving the three bills with their dates, amounts, and by whom approved, making \$161,000 reported from the Committee of the Whole. There was one bill reported April 10, 1866, by the Committee on Public Lands, appropriating two hundred thousand acres of land for the improvement of a river.

Laws passed on report of Committee of the Whole, with their dates, the amount appropriated, and by what President approved.

Date of report.	Amount appropriated.	President.
March 3, 1855.....	\$161,000 00	Franklin Pierce.
July 8, 1856.....	100,000 00	Franklin Pierce.
August 16, 1856.....	100,000 00	James Buchanan.
	361,000 00	

From Committee on Public Lands.

Date of report, April 10, 1866; 200,000 acres of land appropriated; Andrew Jackson, President.

I said fifteen bills had been reported by the Committee of Ways and Means. I was mistaken. The number was thirteen. I have here a statement of them with their dates from 1828 to 1853. But these are not all the bills reported within those dates. This shows the amount under each law and the President by whom signed, making the aggregate amount appropriated on the report of the Committee of Ways and Means, \$7,558,000.

Laws passed on report of the Committee of Ways and Means, with their dates, the amounts appropriated, and by what President approved.

Date of report.	Amount appropriated.	President.
May 19, 1828.....	\$601,637 06	John Quincy Adams.
March 3, 1829.....	128,492 00	John Quincy Adams.
April 23, 1830.....	374,633 63	Andrew Jackson.
March 2, 1831.....	555,656 84	Andrew Jackson.
July 3, 1832.....	716,143 43	Andrew Jackson.
March 2, 1833.....	1,030,493 30	Andrew Jackson.
June 23, 1834.....	771,967 16	Andrew Jackson.
March 3, 1835.....	448,486 27	Andrew Jackson.
July 2, 1836.....	150,521 91	Andrew Jackson.
March 3, 1837.....	1,150,521 91	Andrew Jackson.

Laws passed on report of Committee of Ways and Means—Continued.

Date of report.	Amount appropriated.	President.
July 7, 1838.....	1,618,154 16	Martin Van Buren.
March 2, 1847.....	7,150 00	James K. Polk.
March 3, 1853.....	877 32	Millard Fillmore.
	7,555,784 99	

Then there are twenty-two bills reported by the Committee on Commerce. The dates of them are given in this table with the amount of each appropriation and by what President approved; two or three of them having been vetoed and passed over the veto of the President. The amount of the bills reported by the Committee on Commerce aggregates \$51,358,902.

Laws passed on report of Committee on Commerce, with their dates, the amount of appropriations, and by what President approved.

Date of report.	Amount appropriated.	President.
April 27, 1816.....	\$178,907 37	James Madison.
March 3, 1823.....	98,850 00	James Monroe.
May 26, 1824.....	40,000 00	James Monroe.
May 20, 1826.....	85,330 00	John Quincy Adams.
March 2, 1827.....	82,179 45	John Quincy Adams.
June 11, 1844.....	655,000 00	John Tyler.
March 3, 1845.....	15,000 00	John Tyler.
August 30, 1852.....	1,609,500 00	Millard Fillmore.
July 22, 1854.....	140,000 00	Franklin Pierce.
July 8, 1856.....	330,000 00	Franklin Pierce.
June 23, 1864.....	350,000 00	A. Lincoln.
June 23, 1866.....	3,492,048 00	Andrew Johnson.
March 2, 1867.....	4,200,781 00	Andrew Johnson.
1868.....	1,500,000 00	Andrew Johnson.
April 10, 1869.....	2,000,000 00	U. S. Grant.
July 11, 1870.....	3,947,900 00	U. S. Grant.
March 3, 1871.....	4,407,500 00	U. S. Grant.
June 10, 1872.....	5,538,000 00	U. S. Grant.
March 3, 1873.....	6,102,900 00	U. S. Grant.
June 23, 1874.....	5,193,000 00	U. S. Grant.
March 3, 1875.....	6,643,517 00	U. S. Grant.
August 14, 1876.....	4,748,900 00	U. S. Grant.
	51,358,902 82	

It is proper to say here that no bill appropriating money to improve rivers or harbors has been reported by the Committee on Railroads and Canals and passed into a law by Congress—not one in the history of the Government. I say this from a thorough examination of the statutes upon this subject.

I have another table which shows that from 1789 to 1816—twenty-seven years after the beginning of the Government—no bill for the improvement of the rivers and harbors was passed.

For the year 1817 no bill was passed; for 1825 no bill was passed; from 1839 to 1844, four years, no bill was passed; for 1846 no bill was passed; from 1848 to 1852 no bill was passed, and from 1857 to 1864, seven years, no bill was passed. The same was the case in 1865 and 1877, the last session of Congress. No bill was passed in those years, making in all fifty-three years since the foundation of the Government during which no bill for the improvement of rivers and harbors was passed by Congress.

No appropriations for the improvement of rivers and harbors were made during the following periods, to wit:

From 1789 to 1816, making.....	27 years.
From 1817 to 1823, making.....	6 years.
1825, making.....	1 year.
From 1839 to 1844, making.....	5 years.
1846, making.....	1 year.

Table showing what reference has been made of all bills for the improvement of rivers and harbors from the year 1831 to 1877, with the dates and pages of the Journal showing the reference.

No. of bills presented.	Referred to Committee on Commerce.	Referred to Committee on Roads and Canals.	Referred to Committee of Ways and Means.	House Journal, session, and Congress.
None	None	None	1 bill, Ways and Means	2 sess. 22 Congress, p. 240, House Journal.
None	None	None	None	1 sess. 22 Congress, p. 551, House Journal.
1	Committee on Commerce	Roads and Canals	None	1 sess. 23 Congress, p. 70, House Journal.
3	Committee on Commerce	None	None	2 sess. 23 Congress, pp. 229, 230, House Journal.
7	Committee on Commerce	None	None	1 sess. 24 Congress, p. 618, House Journal.
7	Committee on Commerce	None	None	2 sess. 21 Congress, p. 667, House Journal.
None	None	None	None	1 sess. 25 Congress.
33	Committee on Commerce	1 bill, Roads and Canals, p. 30, H. J.	None	2 sess. 25 Congress, pp. 410-13, House Journal.
3	Committee on Commerce	None	None	3 sess. 25 Congress, pp. 516, 411, 493, House Journal.
37	Committee on Commerce	None	None	1 sess. 26 Congress, pp. 600-2, House Journal.
None	None	None	None	2 sess. 26 Congress.
None	None	None	None	1 sess. 27 Congress.
2	Committee on Commerce	None	None	2 sess. 27 Congress, pp. 674, 675, House Journal.
2	Committee on Commerce	None	None	3 sess. 27 Congress, p. 694, House Journal.
4	Committee on Commerce	None	None	1 sess. 28 Congress, p. 1256, House Journal.
4	Committee on Commerce	None	None	2 sess. 28 Congress, p. 671, House Journal.
4	Committee on Commerce	None	None	1 sess. 29 Congress, p. 1457, House Journal.
1	Committee on Commerce	Roads and Canals	None	2 sess. 29 Congress, p. 604, House Journal.
3	Committee on Commerce	None	None	1 sess. 30 Congress, p. 1453, House Journal.
3	Committee on Commerce	None	None	2 sess. 30 Congress, p. 728, House Journal, Index.
7	Committee on Commerce	None	None	1 sess. 31 Congress, p. 1777, House Journal, Index.
23	Committee on Commerce	None	None	1 sess. 32 Congress, pp. 1350, 1351, House Journal, Index.
5	Committee on Commerce	None	None	2 sess. 32 Congress, p. 615, House Journal, Index.
22	Committee on Commerce	None	None	1 sess. 33 Congress, pp. 1548, 1549, House Journal.
188	Committee on Commerce	None	None	2 sess. 33 Congress, pp. 670-73, House Journal.
200	Committee on Commerce	None	None	1 sess. 34 Congress, pp. 1821-24, House Journal.
80	Committee on Commerce	None	None	3 sess. 34 Congress, pp. 817-19, House Journal.
None	None	None	None	1 sess. 35 Congress.
27	Committee on Commerce	None	None	2 sess. 35 Congress, p. 745, House Journal, Index.
16	Committee on Commerce	1 bill, Roads and Canals	None	1 sess. 36 Congress, pp. 1441, 1442, House Journal, Index.
None	None	None	None	2 sess. 36 Congress.
None	None	None	None	1 sess. 37 Congress.
None	None	None	None	2 sess. 37 Congress.
None	None	None	None	3 sess. 37 Congress.
3	Committee on Commerce	None	None	1 sess. 38 Congress, p. 1108, House Journal, Index.
4	Committee on Commerce	None	None	2 sess. 38 Congress, p. 522, House Journal, Index.
2	Committee on Commerce	None	None	1 sess. 39 Congress, p. 1341, House Journal, Index.
2	Committee on Commerce	None	None	2 sess. 39 Congress, p. 734, House Journal, Index.
1	Committee on Commerce	Roads and Canals	None	1 sess. 40 Congress, p. 107, House Journal, Index.
33	Committee on Commerce	None	None	2 sess. 40 Congress, pp. 1370, 1371, House Journal, Index.
1	Committee on Commerce	None	None	3 sess. 40 Congress, p. 653, House Journal, Index.
5	Committee on Commerce	None	None	1 sess. 41 Congress, p. 292, House Journal, Index.
94	Committee on Commerce	None	None	2 sess. 41 Congress, pp. 844, 1576-79, House Journal, Index.
109	Committee on Commerce	None	None	3 sess. 41 Congress, pp. 35, 627, 628, House Journal, Index.
8	Committee on Commerce	None	None	1 sess. 42 Congress, p. 271, House Journal, Index.
48	Committee on Commerce	None	None	2 sess. 42 Congress, pp. 1319-22, House Journal, Index.
152	Committee on Commerce	None	None	3 sess. 42 Congress, { pp. 710-12, House Journal, Index.
101	Committee on Commerce	None	None	{ vol. 17, United States Laws, p. 560.
89	Committee on Commerce	None	None	1 sess. 43 Congress, p. 1548, House Journal, Index.
22	Committee on Commerce	None	None	2 sess. 43 Congress, p. 766, House Journal, Index.
87	Committee on Commerce	None	None	1 sess. 44 Congress, pp. 1739-41, House Journal, Index.
Total. 1441				2 sess. 44 Congress, pp. 838, 839, House Journal, Index.

*Reported from Committee on Internal Improvements.

I have done this for the purpose of illustrating the practice of the House and showing that notwithstanding the wording of these rules, notwithstanding that Rule 94 does authorize the reference of bills for the improvement of rivers to the Committee on Roads and Canals, the practice of the House has been nearly uniform to refer them to the Committee on Commerce, and not to refer them to that committee.

I may also state, and I would have been prepared to have read from the debates of Congress upon this subject if I had known that it was to come up now, that in 1854 a very able and earnest debate took place in this House on the subject of the reference of bills for the improvement of rivers and harbors. It was a contest between the Committee of Ways and Means, the Committee on Roads and Canals, and the Committee on Commerce. The question was ably discussed by able men, and upon deliberate consideration of both rules, standing

From 1848 to 1852, making.....	4 years.
From 1857 to 1864, making.....	7 years.
1865, making.....	1 year.
1877, making.....	1 year.

Aggregate of.....53 years.

In order to go further in ascertaining the practice of this House as illustrated by its Journals and proceedings, I have made up another table from the Journal, showing the number of bills introduced for the improvement of rivers and harbors between 1831 (the year in which the Committee on Roads and Canals was created) and the present time. This table gives the number of bills at each session, the committee to which they were referred, and the date and page of the Journals of the House on which the reference will be found; and it shows that, from the time that the Committee on Roads and Canals was created, in 1831, to this day, fourteen hundred and forty-one bills for the improvement of rivers and harbors, have been referred to the Committee on Commerce; four to the Committee on Roads and Canals, and one to the Committee of Ways and Means. I have gone to the trouble, Mr. Speaker, to ascertain the practice of the House, and shall ask that these tables be printed in the proceedings, because they may save some other person the amount and character of the labor I have had to go through in preparing them:

as they do now, the contest was settled by a reference to the Committee on Commerce.

During the last session of Congress the same question was raised upon this floor by the gentleman from Kentucky, Mr. Jones, upon some bills introduced by his colleague, Mr. White. Mr. Jones being chairman of the Committee on Roads and Canals, proposed to refer the bills to that committee. The then Speaker of the House decided that the reference properly belonged to the Committee on Commerce. I have not gone further to see how many such contests have arisen. There are two in which the question was presented, there being on one of those occasions a full debate, as I mentioned a little while ago. In that debate it was elicited that the feeling still prevailed that there was a danger in referring such propositions to the Committee on Commerce, because that might recognize the principle that we proposed

regularly to improve rivers and harbors under the direction of a committee set apart to improve the commerce of the United States. That was one of the questions raised; and the expression given to the opinions of members in their speeches shows that they were controlled by that consideration.

We have passed on in the course of our history until the reasoning in regard to the improvement of the navigable waters of the United States, which long ago played so important a part in the politics of the country, has ceased to exist now. I do not mean that the Constitution has ceased to exist, but the construction attempted to be given to it has been overborne by the steady, unvarying practice of Congress, and by the uniform decisions of the courts, including the opinions of the Supreme Court of the United States.

I desire here to refer for one moment to what took place during the last session of Congress. I had occasion in another connection to state the rule and the interpretation of the Constitution as it now exists, and to state it upon judicial authority; and at the risk of tasking the patience of the House for two or three minutes I will send to the Clerk's desk and ask to have read the portions of the RECORD of last session which I have there marked.

The Clerk read as follows:

In the case of the General Cass, in United States district court for the eastern district of Michigan, January term, 1872, Mr. Justice Longyear says:

"Those waters are navigable in law which are navigable in fact, and they are public navigable waters in fact when they are used or are susceptible of being used in their ordinary condition as highways of commerce, over which trade and travel are or may be conducted in the customary modes of trade and travel on water."

And he adds:

"That the Saginaw River, (in Michigan,) from Saginaw City to its mouth, upon which the towage services are claimed to have been rendered, fully answers the description above given, there can be no dispute. It is, therefore, public navigable water and is clearly within the admiralty jurisdiction of this court."—*American Law Times Reports*, volume 5, page 13.

This river was navigable about forty miles.

In the case of the Daniel Ball, in the Supreme Court of the United States, Mr. Justice Field delivering the opinion of the court, (December term, 1870,) says:

"The doctrine of the common law as to the navigability of waters has no application in this country. Here the ebb and flow of the tide do not constitute the usual test, as in England, or any test at all of the navigability of waters."

After giving the reasons for this, he adds:

"Those rivers must be regarded as public, navigable rivers in law which are navigable in fact. And they are navigable in fact when they are used, or are susceptible of being used, in their ordinary condition, as highways for commerce, over which trade and travel are or may be conducted in the customary modes of trade and travel on water. And they constitute navigable waters of the United States within the meaning of the acts of Congress, in contradistinction from the navigable waters of the State, when they form in their ordinary condition by themselves, or by uniting with other waters, a continued highway over which commerce is or may be carried on with other States or foreign countries in the customary modes in which commerce is conducted by water."—10 Wallace, 563.

Mr. Justice Story, in his Commentaries on the Constitution, section 1273 of the edition of 1873, in treating the question of the appropriation of money for internal improvements, says:

"The true test is, whether the object be of a local character and local use, or whether it be of general use to the States. If it be purely local, Congress cannot constitutionally appropriate money for the object. But if it be general, it matters not whether in point of locality it be in one State or several; whether it be of large or of small extent; its nature and character determine the right, and Congress may appropriate money in aid of it, for it is then, in a just sense, for the general welfare."

Other authorities might be added to the same effect, but these are believed to contain the spirit of the decisions of the courts on the points considered in them. They show:

First. That all rivers are navigable in law which are navigable in fact.

Second. That they are public navigable waters in fact when they are used, or are susceptible of being used, in their ordinary condition, as highways of commerce, over which trade and travel are or may be conducted in the customary modes of trade and travel on water.

Third. That the doctrine of the common law as to the navigability of waters has no application in this country.

Fourth. That the ebb and flow of the tides do not constitute the test of the navigability of waters in this country.

Fifth. That they constitute navigable waters of the United States within the meaning of the acts of Congress, in contradistinction from navigable waters of the States, when they form in their ordinary condition by themselves, or by uniting with other waters, a continued highway over which commerce is or may be carried on with other States or foreign countries in the customary modes in which commerce is conducted by water.

Sixth. That the true test as to whether Congress can appropriate money for such works is, whether the object be of local character and local use, or whether it be of general use to the States.

Seventh. If it be purely local, Congress cannot appropriate money for it; but if it be general, it matters not whether in point of locality it be in one State or several, or whether it be of large or small extent; its nature and character determine the right.

Mr. REAGAN. Mr. Speaker, as I have already stated, we have passed away from the doctrine that prevailed so extensively in that portion of the Union from which I come, in past times. It was a doctrine which prevented the improvement of the waters of our own country, and to that extent paralyzed our commerce; and however high the authorities, however high the names of those who sustain that doctrine, the lapse of time and the decision of the highest tribunal in the country and the effect of that policy on the country, and especially upon the southern portion of the country, where these doctrines largely prevail, show that there can be no doubt that it was a mistake, that it was carrying out an abstract idea to the detriment of our portion of the country, while another portion of the country, more wise, adopted the opposite policy and so increased its commerce and increased its wealth and power.

I take it, then, sir, that the day has passed when such considerations are to control the Representatives of the people. I take it that the day has arrived when we must recognize the importance of look-

ing to the means of promoting the commerce generally, and by thus doing promote the welfare of the people. On this point I desire to read from the first annual report made upon the internal commerce of the United States, by Mr. Nimmo:

It is impossible to ascertain the quantity and value of the commodities embraced in our internal commerce in as complete a manner as such information is presented in our annual reports of foreign commerce, since internal commerce, in its fullest signification, embraces every purchase and sale and every exchange of commodities, between individuals throughout the entire country. But such information in detail, even if collected and published, would be of little practical value. It is, however, quite practicable to procure such characteristic data and such other information in regard to the principal movements and conditions of our internal commerce as may be needful for the information of the public and for purposes of legislation.

The relative importance of internal and of foreign commerce may be inferred from the following comparative statements:

Estimated value of shipping (American and foreign) employed in our foreign trade	\$200,000,000
Estimated value of the railroads of the United States	4,600,000,000
The value of the commodities embraced in our foreign commerce and the estimated value of commodities transported on railroads are as follows:	
Value of imports and exports, (foreign commerce)	\$1,121,634,277
Estimated value of commodities transported on rail, (internal commerce)	18,000,000,000

It appears from these estimates that the value of the railroads of the country is about twenty-three times the value of the shipping engaged in our foreign trade, and that the value of our internal commerce on railroads is about sixteen times the value of our foreign commerce.

It is to be observed that these comparative statements embrace the value of our entire foreign commerce, whereas the data in regard to internal commerce relate only to railroads. If it were possible to ascertain the value of the commerce between the different sections of the country on the ocean and Gulf and on the lakes, rivers, and other avenues of transportation, we should probably find that the total value of our internal commerce is at least twenty-five times greater than the value of our foreign commerce. But the average value per ton of the commodities composing the internal commerce of the country being very much less than the average value of the commodities composing our foreign commerce, it is evident that the tonnage of internal commerce (i. e., employment of the vehicles of transportation) bears a very much higher ratio to the tonnage of our foreign commerce than does the value of our internal commerce to the value of our foreign commerce. It is probable, therefore, that the tonnage transported on the various avenues of internal commerce is more than one hundred times greater than the tonnage composing our foreign commerce. If in the estimate of tonnage transported we should assume each passenger to be the equivalent in car-service of one ton of freight—the estimate sometimes adopted by railroad managers in equating traffic—the relative magnitude of our internal commerce would appear to be very much greater.

He says that our internal commerce is no less than \$25,000,000,000, and this vast commerce, concerning the interests and welfare of forty millions of people spread over a vast territory, who are dependent upon these lines of communication, is of the highest possible moment to the American people.

The water lines of communication—the bays, the lakes, and the rivers—constitute an element of great value to the producing interests of the country, because those lines compete for transportation with the railroads and keep down the rates of freight for transportation, thereby saving a vast sum of money to the people annually.

Water communication, as all recognize, is the cheapest mode of transporting commerce. I make this statement so that by looking at the amounts of this commerce, at the necessity of affording facilities to it, of cheapening it in the interest of both producers and consumers, the duty of Congress to make all needful and proper regulations in reference to it will be seen and comprehended. He who legislates for the interests of this country and fails to grasp this problem and to comprehend it and to act upon it in a spirit of intelligence and enlightenment, fails in one of the highest duties of American statesmanship. This is about all I desire to say on that subject.

I desire to add the remark that notwithstanding rule 94 authorizes the reference to the Committee on Roads and Canals of bills for the improvement of navigable rivers, that rule, according to those rules of law which are recognized by lawyers, has become obsolete by non-user. It is not a law, but is similar to a rule or by-law of a corporation. It is a rule for our government; has reference to the particular business of legislation and the government of our conduct in legislation. It is not a law, but a rule for our government, for our construction, for our practical action. I say, then, that the non-user of the rule from 1831 to now, the constant reference of the subject to another committee, the fact that all such bills have been reported from other committees—no single law on this subject has been passed on a report from the Committee on Roads and Canals—show conclusively that the whole history of the action of Congress on this subject has meant that no such reference should be made. It is right for us to presume, we are required in reason to presume, that Congress has always had just reasons for its action.

Besides this, in regard to the rules for parliamentary bodies—I have not time to go into that subject now beyond a simple statement—it will be recognized by all who make the rules of parliamentary law their study that it is laid down by the best writers on the subject that the rules of deliberative bodies are scarcely ever to be understood from the books themselves, but are often only to be interpreted and understood by the practical experience of the men who administer them. This principle is laid down in Cushing's Parliamentary Law. Taking, then, the practice of Congress, its interpretation of its own rules, the rule that refers to the duties of the Committee on Roads and Canals would seem to have been rendered obsolete by non-user.

Aside from this there is a practical question to which I desire to call the attention of this House, and in doing so I would especially

call the attention of those gentlemen who concur with me in opinion that it is the duty of this Government to provide for this country all proper commercial facilities: If the subject of the improvement of the navigable rivers of this country shall be referred to the Committee on Roads and Canals, leaving all bills and petitions with reference to the improvement of harbors for the consideration of the Committee on Commerce, let me tell you that, in my judgment, that will end all possibility of the further improvement of the navigation of this country.

I say so for this reason: Of late years, and for many years past, all bills that have been passed for the improvement of rivers and harbors have come before us in an anomalous and not very agreeable way. They come before us upon the reports of committees. If they are referred to the Committee of the Whole and left open to amendment and debate, any bill that could possibly be reported to this House would soon be so loaded down with amendments that no member of the House could vote for it. I suppose every member of this House recognizes that fact. This being so, then if you separate the improvement of rivers from the improvement of harbors, and give those subjects to two separate committees, I say to you now that the practical effect will be that you can frame no bill for either purpose so that it will command the vote of two-thirds of this House to suspend the rules and pass it.

I know that it is not very pleasant to contemplate that a bill of so important a character must be passed without going to the Committee of the Whole and being subject to general debate and amendment. Yet the practical fact is before us, that, so far as I can now see, the only relief is that the Committee on Commerce shall be so constituted with reference to the distribution of its members in relation to the different geographical parts of the country, with reference to the different interests of the country, and with reference to the intelligence, the impartiality, and the justice of its members as that you may rely upon it to report a reasonably good bill. The only check upon that is that if reason, if justice, are so violated as to shock the sense of the House, the bill cannot be passed by a two-thirds vote under a suspension of the rules. Therefore, while it is an evil, fortunately that evil is checked and controlled by the rules so as to prevent a mere majority from imposing on the House a bill that would be unjust and unequal in the benefits conferred by it upon the different parts of the country.

If, therefore, this subject of the improvement of rivers is referred to the Committee on Roads and Canals, then as a friend of internal improvement, believing in the necessity of improving the rivers and harbors of the country so as to meet the necessities of the commerce of the country, I should appeal to this House to also send to that committee all questions with reference to the improvement of the harbors of the country, so that we may get a law passed for that purpose.

The fact that this resolution comes in after the committees of the House have been constituted forms, I take it, another difficulty in the way of its adoption. The committees were doubtless constituted with reference to the peculiar duties devolved upon them by the rules and practice of the House, and with the object of meeting in this regard the just expectations of the country. If after the committees have thus been constituted a particular business should be taken from the committee which has habitually transacted it, which has by the practice heretofore received petitions and memorials on the subject and reported them to the House—if this subject-matter should be sent to a committee upon whose recommendation no single bill with reference to this subject has ever been passed, it would constitute something of an anomaly.

There is another consideration which may not be important to members generally. The Committee on Commerce having been constituted with reference to the rules and practice of the House, to take away from them at this time their accustomed jurisdiction and transfer it to a committee that never before had it would be a direct reflection either upon the capacity or the integrity of the Committee on Commerce. It could be taken in no other way. I do not speak of this as resting alone upon the rules; but I say taking the rules and the practice—the long continued and uniform practice of the House—such action could be susceptible of no other reasonable interpretation than as a reflection either upon the intelligence or the justice of the Committee on Commerce.

Mr. SCHLEICHER. Mr. Speaker, much of the argument of my colleague, [Mr. REAGAN,] the chairman of the Committee on Commerce, interesting as it is, does not bear upon the question before the House. The considerations touching the constitutional authority given to this House and the policy of encouraging commerce apply equally, whether the House chooses to refer the subject to one agency or another; for the committees are nothing more than agents of the House. The constitutional authority of the House and its policy are matters for the House to consider; and such considerations constitute no reason for preferring one committee to the other, as either committee is only an agency for carrying out the purposes of this body.

Another consideration urged by my colleague is the practical inconvenience of bringing bills of this kind before the Committee of the Whole House, involving the danger of overloading the measure with numerous amendments. In reply to this I will only say that it is just as easy to pass an "omnibus bill" containing river improvements as it is to pass an omnibus bill containing river and harbor improve-

ments. The same usage of not referring the measure to the Committee of the Whole, but passing it in the House by a two-thirds vote, might apply in one case just as much as in the other.

But, sir, can the action here proposed be construed as a reflection upon the Committee on Commerce, as indicated by my colleague? When the Committee on Railways and Canals of the present Congress met, the first thing we considered was the rule under which we were acting. That rule was so plain that there can be no dispute about it. It places under the jurisdiction of the Committee on Railways and Canals everything relating to roads and canals and the improvement of the navigation of rivers. Now, the Committee on Commerce hold their jurisdiction as to rivers by inference only, because rivers are the means of carrying on commerce. But if, because rivers are highways of commerce, the inference arises that this subject belongs to the Committee on Commerce, would not a similar inference take away from the jurisdiction of the Committee on Railways and Canals their jurisdiction as to railways and canals? For certainly railways and canals are highways of commerce as much as navigable rivers; so that if all highways of commerce are by inference to be taken away from the province of our committee, then you must take away not only the subject of rivers but all questions relating to railways and canals, which the plain letter of the rule refers to our committee.

This is a question simply of the rules. I take it that the rules mean something; and if this discussion should have no other effect than to do away with the impropriety of having a rule read one way while the usage is perpetually in conflict with it, I believe a desirable end would be reached. I think the rule on this subject is so clear that any one who reads it cannot doubt its meaning. The usage, I admit, is to a great extent on the other side. It is not, however, invariably on the other side; and there have been exceptions all the time until the Forty-third Congress, when the improvement of the Mississippi River was referred to the Committee on Railways and Canals, the chairman of the committee being then Mr. McCrary, the present Secretary of War. It is true that during the last session of Congress the point was not made, and we might now have passed it over, but the Committee on Railways and Canals considered it their duty to bring the matter before the House in the manner in which they have done. To reverse a rule by a continued disregard of it strikes me as not the correct manner of proceeding. If the House considers it proper, for any reasons, that this subject should go to the Committee on Commerce, let the rule be changed; but do not allow the rule to stand one way while the usage is the other way. As to any personal reflection which may be involved in the action of the House, the Committee on Railways and Canals might as well say that it is a personal reflection when a subject given to them by the direct letter of the rule is taken away from them and intrusted by usage to another committee, as my colleague says has been done with reference to the improvement of rivers.

The subject of interior improvements and that of harbor improvements can be very easily distinguished. Harbor improvements, improvements of the sea-coast, go to the Committee on Commerce by inference merely; they are not specially mentioned in the rule prescribing the business of that committee; but the Committee on Railways and Canals make no claim of jurisdiction over those subjects. The necessary distinction can be readily made. Railroads and navigable rivers are subjects of interior improvements; harbor improvements constitute another subject. I see no reason why these two subjects should be inseparable. If they must be inseparable, it would seem to me the most reasonable inference that they should all go in the direction where one has been especially sent, than where neither has been sent except by inference only.

It has been said that the rule on this subject stands in the attitude of a statute which has become obsolete by non-user. But I call attention to the fact that this rule was re-enacted as recently as the 15th of October. At the beginning of every Congress the rules of the House are re-enacted; they have no existence between one Congress and another; and although this rule was originally adopted in 1831 and has been readopted in every subsequent Congress, still its present strength rests on its re-enactment by the present Congress. It therefore seems to me an unfounded assumption that a rule enacted but a few weeks ago and not interfered with in the present Congress so far as the action of either committee is concerned, should have become obsolete by non-user.

I will only say in conclusion, Mr. Speaker, as it looks to me, it should be apparent to every one that the rules should not be one way and the observance another. If this House on full consideration of the whole subject thinks it proper to refer it to the Committee on Commerce, whether for the reason that they object to the composition of the Committee on Railways and Canals or not, in that case I say change the rule and make usage and law uniform and not have one in direct contradiction to the other.

But I may add that the Committee on Commerce is overloaded. It has an enormous number of bills referred to it. The Committee on Railways and Canals on the contrary has very little business before it. If any such reason should be considered therefore, why not subdivide measures of this kind where they are capable of subdivision not only, but where they are subdivided by the letter of the rule itself, and let them go to be considered each subject by its separate committee? Divide the business, in other words, between the two committees.

I repeat again, Mr. Speaker, that the practical result will be the same thing, that all bills relating to the improvement of the navigation of rivers may be considered in one omnibus bill like the general bill including both rivers and harbors, and it may be disposed of in the same summary manner. The danger of being overloaded with amendments does not apply to it any more than to the bill providing for both rivers and harbors; and it is just as easy to have the same practice in reference to these two omnibus bills, one for the improvement of rivers and the other for the improvement of harbors, as it is to have it on a bill comprising the two subjects. That disposes in my opinion of the only practical objection raised to it.

Mr. DUNNELL. Mr. Speaker, I desire to make a few observations in reference to the question now pending before the House. I am glad the whole subject is to be referred to the Committee on Rules, having the utmost confidence in the ability of that committee to decide fairly and fully the very interesting question now raised.

It has been evident since the commencement of this Congress that the Committee on Railways and Canals was ambitious to get hold of matters which have never heretofore in the history of the Government been referred to that committee. The argument of the gentleman from Texas [Mr. REAGAN] the chairman of the Committee on Commerce, is overwhelming in its statements. The history of legislation in this House shows that the reference of bills for harbor and river improvement has been to the Committee on Commerce without exception, and that no river and harbor appropriation bill ever came before either branch of Congress which was not reported from that committee except in the early days, when in a few instances it came from the Committee of Ways and Means. The Committee on Railways and Canals was never intrusted with the formation of a river and harbor bill.

Another point has been made which I think ought not to escape the attention of the House, and especially the attention of the Committee on Rules, and that is the impossibility of having two committees act upon the same subject, the improvement of commerce by the improvement of our rivers and harbors. There may be a proposition to improve a given harbor at the mouth of a river and also the river. It is here contended that one committee shall discuss how much money should be appropriated to the improvement of the harbor at the mouth of the river, and another and different committee to discuss how much money should be given for the improvement of the river itself. The Committee on Commerce must necessarily have charge of all matters which pertain to the facility of commerce, and the rivers which may be navigable and upon which the commerce of the country floats are as much within the province of the improvement of the commerce of the country as the seas themselves or the harbors upon the coast.

The very fact, Mr. Speaker, that for so long a time Congress has so invariably sent to the Committee on Commerce questions which affect the commerce of the country, including always the improvement of the rivers and harbors, is to my mind very conclusive. In 1831 this Committee on Railways and Canals first came into existence, but in that year nor ever since did anybody propose to send a bill providing for the improvement of rivers and harbors to that committee; and the gentleman from Texas [Mr. SCHLEICHER] who has just taken his seat admits that such has been the custom of the House. That custom indicates clearly the construction given to these two rules.

All at once we see the ambition of this Committee on Railways and Canals seeking to obtain what does not belong to it, and never has belonged to it according to the practice. There may be cases where the river to be improved is local in its character, with the beginning and end inside the same State, which might properly be referred to the Committee on Railways and Canals. I have noticed, in looking through the history of this matter, a number of instances in the early times that bills were referred to that committee when they were for the improvement of a harbor, not in the interest of commerce, but a bill coming from the War or Navy Department where the improvement was desired for the purpose of the Army—where the improvement was asked that the Army might move more readily from one point to another, or that a harbor might be improved for naval purposes. In such cases bills have gone to other committees than the Committee on Commerce; but where the question was one of commerce as generally understood, as interpreted always in the history of the Government down to the present time, ninety-nine out of every hundred of such bills as shown by the record, and as I am glad will appear by the RECORD in the morning, have gone to the Committee on Commerce. To divide the work of that committee is not politic; it will render the labor of the two committees conflicting and no good can come out of it.

Now, it will be seen at once that if the Committee on Railways and Canals should report an appropriation bill for rivers then those members of the House who might desire the improvement of the harbors formed by these rivers would be solicitous to know what the Committee on Commerce would recommend for the improvement of the harbors, and *vice versa*. The whole question of improvement, whether it be of harbors or rivers, in the interest of the commerce of the country, should be in the hands of one committee, whatever that committee may be. The whole question should be grasped and provided for by one committee. Any attempt to divide this question of improvement will bring about a conflict that must result disastrously to the interests of commerce.

Mr. Speaker, I believe that the Government ought to do more than it has been doing in the past in the interest of commerce. I believe in internal improvements, in the improvement of the harbors and rivers of the country. It is my hope that there may not be discovered in this House or in this Congress a disregard of our foreign and internal commerce, whether it be shown by failing to provide for an improvement of the harbors and rivers or by failing to remove obstructions to our interstate commerce. I hope, sir, this House will pass a liberal appropriation bill during the present session, for the improvement of the harbors and the rivers.

Let me say to the gentleman from Texas, [Mr. SCHLEICHER,] who represents a State that has asked a good deal and is every day asking, that it is not in the interest of that State to seek a division of the agencies that may here be made use of to bring about liberal appropriations, not only for that State but the whole country. He knows very well that there has entered into this controversy something of personal feeling. It is not for the interest of his State that there shall be discovered a clashing of interests when one great interest is to be subserved. I am in favor of a liberal appropriation for the rivers and harbors of Texas. I will vote as liberal appropriations for that State as for my own or for any other State in the Union. We need liberality in this direction. We shall not get a proper appropriation if we attempt to divide the jurisdiction over this question by giving a part to one committee and a part to another. I repeat that I am well satisfied with the tribunal to which this question is to be sent.

Mr. SCHLEICHER. I desire to say one word in reply to the gentleman who has just taken his seat. He refers to this as a personal matter which I have brought up, if I understand him aright, and he says it is not in my interest or the interest of the improvements of my State that I bring this forward. Now, sir, it happens that the chairmen of both committees are from the same State, and there is really no clashing of interest between them. But I have not brought this forward as a personal matter. I have brought it forward under the instructions of my committee. It is not on account of any personal preference or personal choice of my own, but I cannot disobey the instructions of my committee. The committee find in the rules that there are certain duties assigned to them, and they instruct me to bring this before the House, and that I have done.

Mr. MITCHELL. I should not have taken part in this discussion were it not for the fact that reference has been made to the action of the committee of which I am a member, the Committee on Railroads and Canals, as if it were dictated by ambition on the part of that committee and its chairman. So far as that statement is concerned, I will say that I admit the force of that argument and its consistency in the gentleman who makes it, [Mr. DUNNELL,] for he belongs to the committee which has been most ambitious in this matter in face of the express rule of the House on this subject.

In so far as my action on this question is concerned, I desire to say that there is no interest at all involved affecting myself or the locality which I have the honor to represent in this House. I came here, Mr. Speaker, in October, a new member. I shall not detain the House, either now or in future, in any case unless I believe it to be my duty to give expression to my views on the question which may happen to be under discussion. In this matter I find myself in this position. I am a member of the Committee on Railroads and Canals; and I find that that committee has its existence by reason of Rule 94, which reads as follows:

It shall be the duty of the Committee on Roads and Canals to take into consideration all such petitions and matters or things relating to roads and canals, and the improvement of the navigation of rivers, as shall be presented, or may come in question, and be referred to them by the House, &c.

Here, Mr. Speaker, we find the express terms of this rule controlling—absolutely and essentially, with the force of law, controlling this subject. Why, sir, I am surprised by the remark of my friend from the West, who sits at my right, [Mr. DUNNELL,] when he says that the argument of the gentleman from Texas [Mr. REAGAN] is overwhelming on this subject. My friend is too good a lawyer to claim for a moment that any custom or practice has force or effect in face of an express rule or regulation of law. Why, sir, there is no force in any custom or any practice except from the presumption that that custom and that practice are founded upon some express resolution of the body having power to enact such custom or regulation. Then, sir, I say a custom cannot be pleaded in face of the express rule of this House. I assert as a rule of parliamentary practice that if there be no objection, a custom may obtain by common consent and have force against a rule, if it be not invoked against such practice; and this upon the ground that all rules may be rendered inoperative by common consent; but when the aid of a rule is invoked, no mere sufferance of a breach thereof can be permitted to override the rule. Hence whenever objection is made the question is brought to the attention of the body and it must be decided in accordance with the express terms of the rule.

I will say, if I am correctly informed, that the question has never been raised in the House when the matter has been decided in the House, that it has not been decided in favor of the Committee on Railroads and Canals, and there are two instances embodied in the report of the Committee on Railways and Canals which have been read to the House this morning, in which the question was decided in favor of that committee. The Committee on Commerce was created in 1795; necessarily until the Committee on Railways and

Canals was created that committee had charge of the subject because it does relate to the question of commerce; but to what kind of commerce do all these bills for the improvement of navigation of rivers relate? I answer, the internal commerce of the country. Now, I submit for the consideration of this House that Rule 94 created expressly the Committee on Railways and Canals for the purpose of sending to that committee all questions relating to inland transportation. At the time that committee was organized there was not a railroad in existence in the country and hence its name has been changed from the Committee on "Roads and Canals" to that of the Committee on Railways and Canals, as has been stated to-day. The thought that seems to have been embodied in the rule was to take from the Committee on Commerce these subjects relating to inland transportation and commerce.

I am not on my feet to insist that the Committee on Railways and Canals should have jurisdiction of these bills, if in the discretion of the House it is thought best to amend the rule and to permit the Committee on Commerce to have charge of them. I do not care which committee has charge, but I submit that if we are to send these bills to the Committee on Commerce we ought to amend the rule. It is best to put this question at rest at once and forever, that the rule and practice of the House may hereafter be certain, uniform, and unquestionable.

Mr. CONGER obtained the floor.

Mr. WHITE, of Pennsylvania. Will the gentleman yield to me for a motion to adjourn?

Mr. CONGER. I have but a few remarks to make and I prefer to make them to-day.

Mr. Speaker, I cannot see that there is any conflict between the committees headed by the two distinguished gentlemen from Texas [Mr. SCHLEICHER and Mr. REAGAN] or that the practice of the House has in any manner made a conflict with the rule. The rule is perfectly plain and the practice of the House is admitted to be, by all parties on all sides, what my friend says the rule requires. I see no conflict at all. The rule read by the gentleman from Pennsylvania [Mr. MITCHELL] refers to the Committee on Railways and Canals such matters relating to roads and to canals and the improvement of the navigation of rivers as should be presented and referred—the word is referred—to that committee. The gentleman should be satisfied with what the House sees fit to refer to the Committee on Railways and Canals, and if the House under the rules does not refer a matter to that committee and never has done so, they can feel in no manner aggrieved; they cannot feel insulted. The rule gives them whatever the House refers to them and nothing more; but, sir, it is important that the appropriations for rivers and harbors should not be divided; that the appropriation for one should not be referred to one committee and the appropriation for the other to another committee, because they are so intimately connected with the object and subject-matter of the appropriation in connection with the value of the harbor and the value of the navigation of the river that two committees could not act advisedly in regard to an appropriation for a harbor at the mouth of the river which would be only valuable perhaps if another appropriation were given for the improvement of the river itself.

Now, the original object of this rule and the only reason for the rule referring this matter to the Committee on Railways and Canals was that in those days the Government entered into a system of improvement of navigation of rivers by means of locks, and dams, and canals around rapids, and they did it by an appropriation of public lands; appropriations for canals independent of river navigation; and they added to that the improvement of rivers, because at that time, as gentlemen will find if they refer to the records, the improvements of rivers contemplated merely means of land grants for the construction of locks for slack-water navigation, and canals to pass around the rapids and falls in the rivers. It was therefore very proper that the subject should go to the Committee on Railways and Canals at that time; but there has never been to my knowledge committed to the Committee on Railways and Canals measures for the improvement of navigable rivers solely. More than that, there have never been committed to that committee the improvement of navigable rivers by means of canals and locks which merely connected the navigation above the rapids or falls of the river with the navigation below them, as, for instance, in the cases of the Louisville and Portland Canal, the canal at Rock Island, the Des Moines, and the Sault Sainte Marie Canal. All these canals were constructed to make continuous navigation upon rivers, and such measures have never been referred to the Committee on Railways and Canals.

But, sir, bills providing for an artificial channel, passing from still water to still water, an artificial canal, have been referred from the beginning to the present time to the Committee on Railways and Canals. You will recollect, Mr. Speaker, that when, in the last Congress or the last Congress but one, the subject was brought before the House whether there should be a canal from the Mississippi River into Breton Bay, a purely artificial channel going out of the river and into the Gulf, not through any part of the river, that subject was committed by the House to the Committee on Railways and Canals. That committee examined the subject, brought in their bill, and tried to pass it through the House. The House, however, did not support the bill. That measure was for an artificial canal as an outlet from the Mississippi River as a means of passage from the Mississippi River into the Gulf.

That bill having failed, and another measure for the improvement of the river itself being brought before the House, it was without any question immediately referred to the Committee on Commerce. On the other hand, when the canal project was about to be submitted to the Committee on Railways and Canals, the Speaker will remember that that committee was organized with special reference to the consideration of that great question, with the distinguished gentleman from Iowa, the present Secretary of War, at its head.

I may say further, and I call the attention of the Speaker and of the members of the Committee on Rules to this fact: the power upon this subject in every Congress has for years been originally given, not first perhaps by the reference of bills, but in the distribution of the subjects of the President's message, which almost invariably contains some recommendations for the improvement of rivers and harbors. The reports and documents accompanying that message have always contained the engineers' reports of surveys and their recommendations for the improvement of harbors and rivers. And invariably in the distribution of these matters to the several committees, as the Committee on Rules will find upon examination, this subject has been uniformly, at the commencement of every session of Congress, referred to the Committee on Commerce, and that reference has carried with it the whole subject.

For years no improvement of rivers or harbors has been made except upon the examination and survey of the Corps of Engineers and the report of engineers made to this House. At the commencement of every regular session of Congress that report, accompanying the President's annual message, with all the recommendations for every improvement of every river and every harbor for which appropriation was asked, has been referred by resolution to the Committee on Commerce, unquestioned and unchallenged by anybody. The Committee on Rules will find an unbroken line of precedents showing that the whole subject-matter, with all the surveys, estimates, and recommendations, with the portion of the President's message relating thereto, has been referred to the Committee on Commerce without question or challenge.

I will not enlarge upon this subject now. If that matter should come from the Committee on Rules (I presume they will report upon it) and we come to discuss the occasion for referring any of these matters to the Committee on Railways and Canals—except the artificial canals which are not properly improvements of rivers, and inasmuch as we have with very few exceptions not entered into the plan of improving rivers by slack-water navigation, by means of locks, and by side canals, for that is not the present mode of improvement—I think the rules should be changed, and that the subject of the improvement of harbors and rivers should all be given to the Committee on Commerce.

Now, to my democratic friends on the other side of the House (and both the gentlemen who are claiming these powers for their committees belong to that illustrious party and are worthy of that distinguished name) let me say that the great reason why the Committee on Railways and Canals has never had assigned to it by any Congress this power over the navigation of rivers was this: All the strict constructionists of the Constitution deny the right of Congress to make these interior and internal improvements and to appropriate money for any such purpose. Those who desired, in favor of their constituencies and of the commerce and navigation of the country, to find somewhere a power by which they could make appropriations for the improvement of their harbors and their rivers, all the leaders of the fierce democracy bent every effort within their power to avoid what they called the strict construction of the Constitution, and to find some opening by which, without violating the democratic conscience, they could improve their harbors and their rivers. They could not find it in the power to make railroads or roads and canals. If there was any power to improve roads they found it in the power to establish post-roads, and therefore the subject would have to be referred to the Committee on Post-Offices and Post-Roads.

They could find no power either to improve roads or to build canals. But, in order to quiet the conscience of our democratic friends all over the country, they did look for and they did find, too, in the power to regulate commerce the power to pass all necessary laws to effect that object.

Mr. SCHLEICHER. Will the gentleman allow me to ask him a question?

Mr. CONGER. One little question. [Laughter.]

Mr. SCHLEICHER. Do I understand the gentleman to say that this House has more power through one committee than through another?

Mr. CONGER. Not entirely that, although the power of which we are speaking, the power to regulate commerce, has by every strict-construction democrat for the last ten years been admitted to be so broad as to enable the most tender conscienced of all the democrats of this House, the very strictest constructionist, to vote for river and harbor bills.

Mr. TOWNSEND, of New York. For improvements in his own neighborhood. [Laughter.]

Mr. CONGER. Yes; and to vote for all the river and harbor improvements all over the country, in order to secure that one in his own neighborhood.

Mr. SCHLEICHER. Do I understand the gentleman to say that the conscience of the Committee on Commerce is more tender than the conscience of the Committee on Railways and Canals?

Mr. CONGER. I can scarcely believe that, with the distinguished chairman of the Committee on Railways and Canals standing visibly before me, so plain that even I, short-sighted as I am, can behold him. [Laughter.]

But the point I make is this: The reason the rule has become obsolete under the usage of the House, is a reason that lies deeper than the demands of a committee; it lies far back of the pride or the ambition of the chairman of any committee; it lies in that principle of strict construction, of which my distinguished friend from Virginia, [Mr. TUCKER,] who sits near me, is the physical and beautiful embodiment in this House. [Laughter.] The Committee on Railways and Canals and their friends could find no power in the Constitution to appropriate money for roads or canals or for improving the navigation of rivers. But, sir, there is always found a great general power, a blessed power—to be used when we want to use it and to be thrown aside when we do not want to use it—a power to be found in those beautiful clauses upon which the feet of the strict constructionist from Virginia may rest in peaceful repose—the power to regulate commerce and to do all that benefits commerce. Ah, the Committee on Commerce was able to discover this sweet resting place for the fierce democracy to gather round in voting money for internal improvements—the power to regulate commerce, as including the improvement of rivers and harbors, as well as the building of light-houses, &c. Under this power the entire democratic vote, North and South, East and West, has been found in late years putting through these internal-improvement bills, under a suspension of the rules, so quickly that the tender conscience of the strictest constructionist could not be offended. In this way hundreds of thousands of dollars have been voted, contrary to the old doctrine of the democracy, and with no authority whatever, if they had not been able, under the lead of the Committee on Commerce, to find authority under the power to regulate commerce.

Now, sir, I fear that if we take away from the Committee on Commerce the control of this subject, the traditions which have gathered around it may all go for naught; that we shall no more have this tender, delicate, sensitive yielding up or pushing aside of the old strict-construction notions of my democratic friends. The cherished traditions of the democracy cannot gather around the Committee on Railways and Canals as they do around the Committee on Commerce. The stern Committee on Railways and Canals have no white-winged commerce to admire, and no suitable place of repose for the strict constructionist. Let us keep—and I trust the Committee on Rules will remember what I say upon this subject—let us keep this power of appropriating money for the improvement of the grand rivers and harbors of our land; for the building of light-houses on our coast wherever a pharos is needed—let us keep this power where republican and democrat can clasp hands upon a construction of the Constitution which will enable us all to give our votes for internal improvements.

When, eight years ago, I first became a member of the Committee on Commerce, I recollect that one democrat especially came before our committee and urged an appropriation for a river in his neighborhood; a river that flowed past his door, in which in other days he had bathed his weary limbs and in which his children now found refreshment. I asked him whether he was ready to vote for the appropriation, and he said: "I am a strict constructionist; unfortunately I cannot vote for the appropriation myself, but the republicans will pass some bill, and I would like my river to appear on the map of internal improvements." One after another, as some gentlemen here will recollect, democratic members came before the committee and urged appropriations for their rivers and harbors, Texan gentlemen among others; but they said that they belonged to the old school of strict constructionists and could not themselves vote for the appropriations. I, a young, inexperienced member, not knowing anything about the proprieties of the House, thought that I might say to these gentlemen: "But, if you cannot vote for these improvements of rivers in your districts, I will not agree to put them in the bill." It was rude for me to use such language; I have learned better now than to say those rough things. [Laughter.] But I did say so then, and our committee said so too. Then, one after another, my strict-construction democratic friends pored over the Constitution night and day till they found a clause under which they could feel authorized to vote for such improvements. It was in the power to regulate commerce that they found this infinite relief. [Laughter.]

In this age of conciliation, when the waters flow peacefully, we have reached the stage when we may join hands in improving our rivers and harbors, when we may make the navigation of the vast multitude of our streams a competing power with the monopolies which would otherwise oppress those who have freight to carry, the products of the soil and of the mine.

And, sir, to be more serious, perhaps, than is becoming me on this auspicious occasion, [laughter,] I very much doubt whether, if the Committee on Rules should become so infatuated, should be misled by the eloquence of the chairman of the Committee on Railways and Canals, or by his threatening appearance, as to transfer to that committee the power to improve the navigation of rivers, and divide that improvement from that of harbors, the days of such improvements in these United States are ended for many long years. No, sir; let us keep these subjects as they have been kept heretofore, the light-houses, the improvement of harbors, the improvement of rivers,

all in the hands of the same committee, and, if it be possible, let us keep them in the hands of a committee around which is gathered that constitutional power which appeals with such eloquence and in such persuasive tones to the strict-constructionist, democratic mind. [Laughter.]

Mr. CRITTENDEN obtained the floor.

Mr. WOOD. If the gentleman from Missouri will yield I will move the House adjourn.

Mr. CRITTENDEN. I will yield for that purpose.

The SPEAKER. If there be no objection pending the motion to adjourn, the Chair will lay before the House certain communications now lying upon the Speaker's table.

There was no objection.

RUSH LAKE MILITARY RESERVATION.

The SPEAKER, by unanimous consent, laid before the House a letter from the Secretary of War, transmitting a report on House bill No. 779, granting right of way through Rush Lake military reservation; which was referred to the Committee on Military Affairs.

LIEUTENANT CHARLES WILKINSON.

The SPEAKER also, by unanimous consent, laid before the House a letter from the Secretary of War, transmitting report on House bill No. 119, to remove charges against Lieutenant Charles Wilkinson, late One hundred and second Pennsylvania Volunteers; which was referred to the Committee on Military Affairs.

EXPENSES OF THE WAR DEPARTMENT.

The SPEAKER also, by unanimous consent, laid before the House a letter from the Secretary of War, transmitting a statement showing the expenditures of the appropriations for contingent expenses of the War Department and its bureaus for the fiscal year ending June 30, 1877; which was referred to the Committee on Expenditures in the War Department.

J. D. RYAN.

On motion of Mr. SINGLETON, by unanimous consent, leave was granted for the withdrawal from the files of the House of the papers in the case of J. D. Ryan and their reference again to the same committee, no adverse report having been made.

ROBERT CROZIER.

On motion of Mr. THROCKMORTON, by unanimous consent, leave was granted for the withdrawal from the files of the House of the papers in the case of Robert Crozier, no adverse report having been made.

LEAVE OF ABSENCE.

Mr. VAN VORHES was granted ten days' leave of absence, on account of important business.

WEST FRONT OF CAPITOL BUILDING.

On motion of Mr. WILLIAMS, of Michigan, by unanimous consent, the bill (S. No. 179) to authorize the taking of certain parcels of land for public use at the intersection of Pennsylvania avenue and Maryland avenue, on the west front of the Capitol grounds, was taken from the Speaker's table, read a first and second time, and referred to the Committee for the District of Columbia, not to be brought back by a motion to reconsider.

And then (at four o'clock and twenty minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions, &c., were presented at the Clerk's desk, under the rule, and referred as stated:

By Mr. CALDWELL, of Tennessee: Papers relating to the claims of James A. Bowling, John J. Hill, James Moffitt, John W. Rosaman, and John M. Watkins, for compensation for property taken by the United States Army—to the Committee on War Claims.

By Mr. CAMPBELL: The petition of 900 citizens of Altoona, Pennsylvania, and vicinity, for an amendment of the homestead laws—to the Committee on Public Lands.

By Mr. CRAVENS: The petition of John C. Ray, for relief—to the Committee on War Claims.

Also, the petition of W. Jesse Buchanan, late first lieutenant Third Michigan Cavalry, that his military record be corrected so that his discharge from the Army date from February 12, 1866—to the Committee on Military Affairs.

By Mr. DWIGHT: The petition of citizens of Tompkins County, New York, for the payment of the expenses incurred by the Twenty-first Regiment New York Cavalry in returning to their homes after being discharged—to the same committee.

By Mr. FORNEY: The petition of W. M. Weaver, for an allowance due Robert Johnson for compensation under the second proviso of section 25 of the act of June 30, 1874, relating to the internal revenue—to the Committee of Claims.

By Mr. GARDNER: Papers relating to the claim of D. W. McClung for compensation for services rendered as an assistant quartermaster, United States Army—to the Committee on War Claims.

By Mr. GAUSE: Papers relating to the claims of Jeremiah F. Darris, Philip R. Jones, Thomas A. Moore, W. N. Robertson, and Miles W. Vansickle, for compensation for property taken by the United States Army—to the same committee.

By Mr. HENKLE: Papers relating to the claim of Joseph Forest for compensation for the occupation of his property and for wood taken from his lands by the United States Army—to the same committee.

By Mr. HERBERT: A paper relating to the establishment of a post-route between Pollard and Monroeville, Alabama—to the Committee on the Post-Office and Post-Roads.

By Mr. HOUSE: Papers relating to the claims of William S. Callaway, Jesse H. Harper, Martha A. Gardner, James N. Hunter, and Lytle Newton, for compensation for property taken by the United States Army—to the Committee on War Claims.

By Mr. HUNTON: Papers relating to the claims of M. N. Davis and J. C. Lewis for compensation for property taken by the United States Army—to the same committee.

Also, papers relating to the claim of John Q. Larman, Joseph L. Harley, and Thomas P. Sparks, for compensation for services rendered the United States—to the Committee of Claims.

By Mr. KNOTT: The petition of Cora S. Ives, for an appropriation to pay the amount due her late husband, Joseph C. Ives, deceased, for services rendered the United States—to the Committee on Appropriations.

By Mr. MANNING: Memorial of the board of regents of the American Printing House for the Blind and American University for the Blind, for an appropriation to afford advanced facilities for the education of the blind, similar to those provided for deaf mutes—to the Committee on Education and Labor.

Also, papers relating to the claim of M. W. Young for property taken by the United States Army—to the Committee on War Claims.

By Mr. MULBROW: Papers relating to the claims of J. W. Cansey and Andrew Cathey for compensation for property taken by the United States Army—to the same committee.

By Mr. PHELPS: The petition of Mason A. Steele, for relief from a charge of desertion from the United States Army—to the Committee on Military Affairs.

By Mr. PHILLIPS: The petition of W. A. Tannahill, for a pension—to the Committee on Invalid Pensions.

By Mr. POLLARD: A paper relating to the establishment of a post-route between Chillicothe, Cary Hill, and Blue Mound, Missouri—to the Committee on the Post-Office and Post-Roads.

By Mr. SEXTON: The petition of Commander Bushrod B. Taylor, United States Navy, for an investigation as to whether the resolution of Congress adopted July 1, 1870, relating to the examination of officers for promotion, &c., has been complied with—to the Committee on Naval Affairs.

By Mr. STEPHENS, of Georgia: Papers relating to the claim of James C. McBurney to be relieved from accounting for an amount of money embezzled by one of his deputies while collector of the second district of Georgia—to the Committee of Claims.

By Mr. THROCKMORTON: A paper relating to the establishment of a post-route between Coleman City, Belle Plain, and Buffalo Gap, Taylor County, Texas—to the Committee on the Post-Office and Post-Roads.

By Mr. VANCE: A paper relating to the establishment of a post-route between Waynesville, North Carolina, and Big Creek, Tennessee, by way of Mack's Patch, Fine's Creek, and Crab Tree—to the same committee.

By Mr. WATSON: The petition of Hon. James Sill and other citizens of Erie, Pennsylvania, for the purchase of land and the erection thereon of a suitable building for the United States courts and Government offices in said city—to the Committee on Public Buildings and Grounds.

By Mr. WILLIAMS, of Delaware: The petition of Anna H. Nones, for a pension—to the Committee on Invalid Pensions.

By Mr. WILLIAMS, of Michigan: The petition of John Hallaran, for relief—to the Committee on War Claims.

By Mr. WILLIAMS, of Oregon: Papers relating to the claim of Samuel Schiffer for compensation for cotton seized by United States officials—to the same committee.

By Mr. YOUNG: Papers relating to the claims of Mary M. Mannan, Charles D. McLean, Thomas G. Neal, Edward J. Tucker, John Pittman, and Mary L. Rodner, and Caroline Kehoe, Clara E. Bryan, and James J. Ammonett, executor, &c., for compensation for property taken, used, and destroyed by the United States Army—to the same committee.

Also, papers relating to the claim of H. F. Farnsworth to be reimbursed the amount wrongfully collected of him as a fine by United States officials—to the same committee.

Also, papers relating to the claim of James G. Williams for compensation for services rendered the United States as a guide and scout during the late war and for property lost while in the service of the United States—to the same committee.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, December 5, 1877.

The House met at twelve o'clock m. Prayer by the Chaplain, Rev. W. P. HARRISON.

The Journal of yesterday was read and approved.

DUTIES OF THE COMMITTEE OF RAILWAYS AND CANALS.

The SPEAKER. The question first in order is the unfinished business of yesterday, the preamble and resolution submitted by the gentleman from Texas, [Mr. SCHLEICHER,] on which the gentleman from Missouri [Mr. CRITTENDEN] is entitled to the floor.

Mr. CRITTENDEN. I yield to gentlemen to ask unanimous consent.

ADJOURNMENT OVER THE HOLIDAYS.

Mr. WILLIAMS, of Alabama, by unanimous consent, submitted the following resolution; which was referred to the Committee of Ways and Means.

Resolved by the House of Representatives, (the Senate concurring,) That when the House adjourns on the 10th of the present month it adjourn to meet on the 10th of January next.

W. E. EVANS.

Mr. ELLIS, by unanimous consent, introduced a bill (H. R. No. 1897) to remove the political disabilities of W. E. Evans, a citizen of Louisiana; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

GEORGE W. CUSHMAN.

Mr. EWING, by unanimous consent, introduced a bill (H. R. No. 1898) for the relief of George W. Cushman; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

REAR ADMIRAL W. REYNOLDS.

Mr. SMITH, of Pennsylvania. I ask unanimous consent to take from the Speaker's table Senate joint resolution No. 5, authorizing Rear Admiral W. Reynolds, of the United States Navy, to accept certain presents tendered him by the Kings of Siam, for reference to the Committee on Foreign Affairs.

Mr. WHITTHORNE. I suggest to the gentleman from Pennsylvania matters of that kind have heretofore had the consideration of the Committee on Naval Affairs, and this should take the same reference.

Mr. SMITH, of Pennsylvania. I have no objection to that.

The joint resolution was taken from the Speaker's table, read a first and second time, and referred to the Committee on Naval Affairs.

IMPROVEMENT OF LITTLE KANAWHA.

Mr. WILSON. I ask unanimous consent, Mr. Speaker, to present the proceedings of a public meeting of the citizens of the counties of Wood, Wirt, Calhoun, and Gilmer, held at the court-house of Grantsville, Calhoun County, and the accompanying memorial, for reference to the Committee on Commerce; and I ask that the papers be printed in the RECORD.

Mr. DUNNELL. What is the object of the memorial?

Mr. WILSON. It asks for an appropriation of money for the improvement of the navigation of the Little Kanawha River.

Mr. DUNNELL. Why print it in the RECORD?

Mr. WILSON. As a matter of courtesy to these citizens of West Virginia.

Mr. DUNNELL. All other resolutions and memorials on the same subject have been referred to the Committee on Commerce without printing in the RECORD, and I do not see why this should be an exception to the rule.

The SPEAKER. Objection is made to the printing in the RECORD.

Mr. WILSON. I move, then, that the memorial be referred to the Committee on Commerce.

The motion was agreed to.

TRANSFERENCE OF CLAIMS.

Mr. WILSON. I ask unanimous consent to submit for present consideration the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That so much of the President's message as relates to claims arising under the act of July 4, 1864, and now pending in the offices of the Commissary and Quartermaster Generals, and so much of the report of the Secretary of War as relates to the same subject, be referred to a special committee of ——— members of this House, to be appointed by the Speaker; and that such committee be charged with the duty of ascertaining and reporting whether the claims aforesaid should be transferred from the offices of the Quartermaster and Commissary Generals as recommended; and, if so, to what tribunal now existing or to be created they should be transferred.

Mr. WOOD. I object. This matter is now before the Ways and Means Committee, which will report a general resolution for the disposition of the President's message.

Mr. WILSON. I ask, then, that the resolution may be referred to the Committee on the Judiciary.

The SPEAKER. The Chair would suggest that the resolution should more properly be referred to the Committee of Ways and Means.

Mr. WILSON. I would prefer that it should go to the Committee on the Judiciary. It is proposed to transfer these claims to a new tribunal.

Mr. EDEN. The resolution should go to the Committee on War Claims.

The SPEAKER. The gentleman from West Virginia asks to have the resolution referred to the Judiciary Committee; and the gentle-