

ment of the grants, without increasing the appropriation, to secure the construction of the Portland, Salt Lake and South Pass Railroad; which was ordered to lie on the table and be printed.

EXECUTIVE SESSION.

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

Mr. DAVIS, of West Virginia. I suggest to the Senator from Rhode Island that we had better go on a while longer with the Calendar.

Mr. OGLESBY. Oh, yes.

Mr. DAVIS, of West Virginia. Say for half an hour.

Mr. ANTHONY. If it is the wish of the Senate, I will withdraw the motion.

Mr. SARGENT. Is the motion withdrawn to proceed to the consideration of executive business?

The PRESIDING OFFICER. The motion is withdrawn.

Mr. SARGENT. I renew it.

The PRESIDING OFFICER. The Senator from California moves that the Senate now proceed to the consideration of executive business.

The motion was agreed to—ayes 22, noes 17; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at four o'clock and seventeen minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

MONDAY, April 22, 1878.

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

The Journal of Saturday last was read and approved.

ORDER OF BUSINESS—PRESIDENTIAL ELECTORAL VOTE.

The SPEAKER. The regular order is the morning hour, which begins at five minutes past twelve o'clock. This being Monday, the first business during the morning hour is the call of States and Territories for bills and joint resolutions for introduction and reference to appropriate committees. During this call memorials and joint resolutions of State and territorial Legislatures are in order for reference.

When the call of States and Territories was interrupted on last Monday at two o'clock by business of the Committee for the District of Columbia, the question was on the reference of the joint resolution presented by the gentleman from Maryland [Mr. SWANN] from the Legislature of that State authorizing judicial proceedings to give effect to the electoral vote of Maryland. The pending motion was that of the gentleman from Texas [Mr. MILLS] to refer the resolution to the Committee of the Whole House on the state of the Union.

Mr. BUTLER. Was not there a prior order of unfinished business, to wit, a motion to suspend the rules?

The SPEAKER. The motion to suspend the rules is the unfinished business after the morning hour; this is the unfinished business of the morning hour.

The question was taken on the motion of Mr. MILLS; and it was not agreed to.

The question recurred upon the motion of Mr. SWANN to refer to the Committee on the Judiciary; and it was agreed to.

ORDER OF BUSINESS.

The SPEAKER. The call still rests with the State of Maryland.

Mr. CUMMINGS. Before the call is proceeded with, I would ask unanimous consent that the order be made that all the States and Territories be called to-day.

The SPEAKER. That order was made on Monday last, but was not carried out; and the rule requires that the call shall be resumed to-day where it left off last Monday.

Mr. CUMMINGS. What I mean is, that the morning hour be extended until all the States and Territories have been called.

The SPEAKER. That requires unanimous consent.

Mr. HUBBELL. I object.

Mr. CUMMINGS. I do not see why the gentleman should object.

TAX ON SALES OF SPIRITUOUS LIQUORS.

Mr. ROBERTS (by request) introduced a bill (H. R. No. 4428) to levy a tax on the sale of spirituous and malt liquors in bar-rooms and all places where intoxicants are sold by the drink in the District of Columbia; which was read a first and second time, referred to the Committee for the District of Columbia, and ordered to be printed.

JOHN T. HENNAMAN.

Mr. ROBERTS also introduced a bill (H. R. No. 4429) for the relief of John T. Hennaman; which was read a first and second time, referred to the Committee of Ways and Means, and ordered to be printed.

WASHINGTON CITY MONUMENTAL SOCIETY.

Mr. WALSH introduced a bill (H. R. No. 4430) to incorporate the Washington City Monumental Society; which was read a first and second time, referred to the Joint Committee on the Library, and ordered to be printed.

BOUNDARY LINE BETWEEN MARYLAND AND VIRGINIA.

Mr. WALSH also introduced a bill (H. R. No. 4431) giving the consent of Congress to an agreement or compact entered into between the States of Virginia and Maryland respecting the boundary between said States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

MARYLAND AND DELAWARE SHIP-CANAL.

Mr. WALSH also presented a joint resolution of the General Assembly of Maryland, praying for aid to the Maryland and Delaware Ship-Canal Company; which was referred to the Committee on Commerce.

JOHN OWINS.

Mr. GOODE introduced a bill (H. R. No. 4432) to remove the political disabilities of John Owins, of Virginia; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

WILLIAM LAVERY.

Mr. GOODE also introduced a bill (H. R. No. 4433) for the relief of William Lavery; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

WEATHER-OBSERVATION STATION AT AIKEN, SOUTH CAROLINA.

Mr. SMALLS introduced a bill (H. R. No. 4434) to establish a weather-observation station at Aiken, Aiken County, State of South Carolina; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

ADOLPH NIMITZ.

Mr. SMALLS also introduced a bill (H. R. No. 4435) making an appropriation to pay the claim of Adolph Nimitz, trustee of Meta Nimitz, his wife, for loss of property at Beaufort, South Carolina, November 8, 1861; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

LOWERY INDUSTRIAL ACADEMY, ALABAMA.

Mr. CAIN introduced a bill (H. R. No. 4436) for the endowment of the Lowery Industrial Academy, in the State of Alabama, and to accept a donation of buildings and land in aid of the same, and for other purposes; which was read a first and second time, referred to the Committee on Education and Labor, and ordered to be printed.

PRESBYTERIAN CHURCH, MARIETTA, GEORGIA.

Mr. FELTON introduced a bill (H. R. No. 4437) for the relief of the trustees of the Presbyterian church in Marietta, Georgia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

JAMES F. SEWELL.

Mr. FELTON also introduced a bill (H. R. No. 4438) for the relief of James F. Sewell, of Georgia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

MEDICAL COLLEGE OF ALABAMA.

Mr. JONES, of Alabama, introduced a bill (H. R. No. 4439) for the relief of the Medical College of Alabama; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

ODD-FELLOWS, OKALONA, MISSISSIPPI.

Mr. MULDRUP introduced a bill (H. R. No. 4440) for the payment of certain property of the Independent Order of Odd-Fellows of Okalona, Mississippi, destroyed by the United States Army; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

ELIZA J. MOHAN AND OTHERS.

Mr. CHALMERS introduced a bill (H. R. No. 4441) for the relief of Eliza J. Mohan and Sophia G. Mitchell; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

JUDGMENTS ISSUED BY CIRCUIT AND DISTRICT COURTS.

Mr. MANNING introduced a bill (H. R. No. 4442) to give effect to judgments and decrees rendered in the circuit and district courts of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SAMUEL COLLINS.

Mr. MANNING also introduced a bill (H. R. No. 4443) for the further relief of Samuel Collins, of Water Valley, Mississippi; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

CLAIMS OF LOYAL CITIZENS.

Mr. MANNING also introduced a bill (H. R. No. 4444) for the relief of certain citizens claiming to be loyal and whose claims are now pending before Congress; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

JAMES M. CLARKE.

Mr. MANNING also introduced a bill (H. R. No. 4445) for the relief of James M. Clarke, postmaster at Hernando, Mississippi; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

HENRY HULL.

Mr. ACKLEN introduced a bill (H. R. No. 4446) for the relief of Henry Hull, of Pattersonville, Louisiana; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

MRS. JULIA E. BARNES.

Mr. VAN VORHES introduced a bill (H. R. No. 4447) granting a pension to Mrs. Julia E. Barnes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

AMENDMENT OF THE REVISED STATUTES.

Mr. KNOTT introduced a bill (H. R. No. 4448) to declare the meaning of chapter 230 of the Statutes of 1866, and title Sixty-five of the Revised Statutes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

IMPROVEMENT OF THE RIVERS OF KENTUCKY.

Mr. MCKENZIE presented joint resolutions of the Legislature of the State of Kentucky, relating to the improvement of the rivers of that State; which were referred to the Committee on Commerce.

AMENDMENT OF THE REVISED STATUTES.

Mr. TURNER introduced a bill (H. R. No. 4449) to amend sections 193, 194, and other sections of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on Reform in the Civil Service, and ordered to be printed.

Mr. TURNER also introduced a bill (H. R. No. 4450) to amend section 494 of the Revised Statutes; which was read a first and second time, referred to the Committee on Reform in the Civil Service, and ordered to be printed.

Mr. TURNER also introduced a bill (H. R. No. 4451) to amend section 5498 of the Revised Statutes of the United States, and for other purposes; which was read a first and second time, referred to the Committee on Reform in the Civil Service, and ordered to be printed.

ATOMIC STEAM COAL-GAS COMPANY.

Mr. TURNER also introduced a bill (H. R. No. 4452) to incorporate the Atomic Steam Coal-Gas Company of the District of Columbia; which was read a first and second time, referred to the Committee for the District of Columbia, and ordered to be printed.

TAX ON NOTES OF STATE BANKING ASSOCIATIONS.

Mr. WHITTHORNE introduced a bill (H. R. No. 4453) to repeal section 3412 of the Revised Statutes of the United States, which provides for a tax on notes of State banking associations; which was read a first and second time, referred to the Committee on Banking and Currency, and ordered to be printed.

SIGNAL STATION AT CHATTANOOGA, TENNESSEE.

Mr. DIBRELL introduced a bill (H. R. No. 4454) to establish a signal weather observation station at Chattanooga, Hamilton County, in the State of Tennessee; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

HARVEY BURK.

Mr. BICKNELL introduced a bill (H. R. No. 4455) granting a pension to Harvey Burk; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

NIMROD D. KINEASTER.

Mr. BROWNE (by request) introduced a bill (H. R. No. 4456) for the relief of Nimrod D. Kineaster, of Indianapolis, Indiana; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

GEORGE W. LOWE.

Mr. BROWNE also introduced a bill (H. R. No. 4457) granting a pension to George W. Lowe, late captain Eighty-third Regiment Indiana Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SUITS BY STATES AGAINST THE UNITED STATES.

Mr. BROWNE also introduced a bill (H. R. No. 4458) to authorize the States of Ohio, Indiana, and Illinois, respectively, to commence and prosecute suits against the United States in the Supreme Court of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ATTORNEYS PRACTICING IN DEPARTMENTS.

Mr. BROWNE also introduced a bill (H. R. No. 4459) restoring to practice in the Departments all attorneys and agents who have been disbarred without charges and notice; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

A. J. ARNOLD.

Mr. HARTZELL introduced a bill (H. R. No. 4460) granting a pension to A. J. Arnold, late a private in Company D, Eighty-ninth Regiment Illinois Infantry Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JAMES O'CONNOR.

Mr. HATCHER introduced a bill (H. R. No. 4461) for the relief of James O'Connor, of Cape Girardeau County, Missouri; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

AMENDMENT OF REVISED STATUTES.

Mr. BUCKNER introduced a bill (H. R. No. 4462) to amend section 1782 of the Revised Statutes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

WEATHER-OBSERVATION STATION AT LITTLE ROCK, ARKANSAS.

Mr. CRAVENS introduced a bill (H. R. No. 4463) to establish a weather-observation station at Little Rock, in the State of Arkansas; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

CLAIMS AGAINST THE DISTRICT OF COLUMBIA.

Mr. WILLIAMS, of Michigan, introduced a bill (H. R. No. 4464) to provide for the settlement of all outstanding claims against the District of Columbia, and for other purposes; which was read a first and second time, referred to the Committee for the District of Columbia, and ordered to be printed.

SANITARY IMPROVEMENT OF WASHINGTON CITY.

Mr. WILLIAMS, of Michigan, also introduced a bill (H. R. No. 4465) for the improvement of the sanitary condition of Washington, and for deepening the river channel; which was read a first and second time, referred to the Committee for the District of Columbia, and ordered to be printed.

LICENSES OF TRADES AND PROFESSIONS IN WASHINGTON.

Mr. WILLIAMS, of Michigan, also introduced a bill (H. R. No. 4466) imposing a license on trades, business, and professions practiced or carried on in the District of Columbia, and providing for the enforcement and collection of fines and penalties for carrying on business in the said District without licenses; which was read a first and second time, referred to the Committee for the District of Columbia, and ordered to be printed.

DISTRICT BOARD OF CHARITIES.

Mr. WILLIAMS, of Michigan, also introduced a bill (H. R. No. 4467) to establish a board of charities in the District of Columbia; which was read a first and second time, referred to the Committee for the District of Columbia, and ordered to be printed.

ROCK STREET, WASHINGTON CITY.

Mr. WILLIAMS, of Michigan, also introduced a bill (H. R. No. 4468) to abandon a portion of Rock street, in the city of Georgetown, and for other purposes; which was read a first and second time, referred to the Committee for the District of Columbia, and ordered to be printed.

AMENDMENT OF DISTRICT LEGISLATION.

Mr. WILLIAMS, of Michigan, also introduced a bill (H. R. No. 4469) to amend sections 682 and 685 of an act approved June 22, 1874, relating to the District of Columbia; which was read a first and second time, referred to the Committee for the District of Columbia, and ordered to be printed.

LIGHT-HOUSE, FORT POINT, TEXAS.

Mr. GIDDINGS introduced a bill (H. R. No. 4470) to provide for the erection of a light-house at Fort Point, Galveston Harbor, Texas; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

G. W. SAMPSON AND BENJAMIN HENRICKS.

Mr. GIDDINGS also introduced a bill (H. R. No. 4471) for the relief of George W. Sampson and Benjamin Henricks; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

MISSISSIPPI RIVER AND LAKE MICHIGAN CANAL.

Mr. SAMPSON presented a memorial and joint resolution of the Legislature of the State of Iowa in reference to securing a commercial highway by water between the Mississippi River and Lake Michigan via the valleys of the Fox and Wisconsin Rivers; which was referred to the Committee on Commerce.

SIGNAL STATION, DES MOINES, IOWA.

Mr. CUMMINGS introduced a bill (H. R. No. 4472) to establish and maintain a signal-service station at the city of Des Moines, in the State of Iowa; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

MISSISSIPPI RIVER AND LAKE MICHIGAN CANAL.

Mr. STONE, of Iowa, presented memorial and joint resolution of the State of Iowa, in reference to securing a commercial highway between the Mississippi River and Lake Michigan; which was referred to the Committee on Commerce.

ONEIDA INDIANS.

Mr. BOUCK presented a memorial of the State of Wisconsin, for enactment of law for the improvement of the condition of the Oneida Indians located in the State of Wisconsin; which was referred to the Committee on Indian Affairs.

SURVEY OF PUBLIC LANDS, MINNESOTA.

Mr. STRAIT introduced a bill (H. R. No. 4473) for the survey of public lands lying within meandered lines in the State of Minnesota, and for other purposes; which was read a first and second time, referred to the Committee on Public Lands, and ordered to be printed.

SIOUX INDIAN WAR.

Mr. STRAIT also introduced a bill (H. R. No. 4474) for the relief of citizens who were engaged in the suppression of the Sioux Indian war in Minnesota, 1862; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

IMPROVED ARMY TENTS.

Mr. STRAIT also introduced a joint resolution (H. R. No. 163) authorizing the Quartermaster-General to have improved tents made as recommended by a board of Army officers March 16, 1878; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

NATHAN BLAKELY.

Mr. WELCH introduced a bill (H. R. No. 4475) for the relief of Nathan Blakely, late receiver of the land office at Beatrice, Nebraska; which was read a first and second time, referred to the Committee on Public Lands, and ordered to be printed.

IRRIGATING CANALS, UTAH TERRITORY.

Mr. CANNON, of Utah, presented a memorial of the Legislative Assembly of the Territory of Utah, asking for appropriate legislation by Congress for the benefit of *bona fide* builders of irrigating canals and ditches; which was referred to the Committee on Public Lands.

LEGISLATIVE ASSEMBLY, UTAH TERRITORY.

Mr. CANNON, of Utah, also presented a memorial of the Legislative Assembly of the Territory of Utah, asking Congress to increase the number of days' session of the Legislative Assembly to sixty days instead of forty days, as now allowed by law; which was referred to the Committee on the Judiciary.

UTAH INDIAN WAR OF 1865-'67.

Mr. CANNON, of Utah, also presented the memorial of the Legislative Assembly of the Territory of Utah, asking for an appropriation by Congress to reimburse that Territory for money expended in the Indian war of 1865-'67; which was referred to the Committee on Military Affairs, and ordered to be printed.

UNITED STATES MINT, SALT LAKE CITY.

Mr. CANNON, of Utah, also presented a memorial to Congress for the establishment of a mint, assay and refining office at Salt Lake City, Utah Territory; which was referred to the Committee on Coinage, Weights, and Measures.

ABRAM HATCH & CO.

Mr. CANNON, of Utah, also introduced a bill (H. R. No. 4476) for the payment of Abram Hatch & Co. for cattle sold to Uintah Indian agency, Utah Territory; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

CHAPLAINS OF UNITED STATES NAVY.

Mr. JONES, of New Hampshire, introduced a bill (H. R. No. 4477) to reduce the number and to promote the efficiency of chaplains of the United States Navy; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

JAMES MEDCALF.

Mr. JONES, of New Hampshire, also introduced a bill (H. R. No. 4478) for the relief of James Medcalf, of the United States Marine Corps; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

AMERICAN SHIP-BUILDING.

Mr. CRAPO introduced a bill (H. R. No. 4479) for the encouragement of American ship-building; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

JOHN PRATT.

Mr. RICE, of Massachusetts, introduced a bill (H. R. No. 4480) granting a pension to John Pratt, of Worcester, Massachusetts, of Company C, Fifty-first Regiment Massachusetts Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LIGHT-HOUSE, STAMFORD, CONNECTICUT.

Mr. WARNER presented resolutions of the General Assembly of Connecticut, asking for a light-house at Stamford, Connecticut; which were referred to the Committee on Commerce, and ordered to be printed.

MARSHALL O. ROBERTS.

Mr. HEWITT, of New York, introduced a bill (H. R. No. 4481) for the relief of Marshall O. Roberts, of New York; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PATENT LAWS.

Mr. LOCKWOOD introduced a bill (H. R. No. 4482) to amend section 4903 of the Patent Laws; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

WILLIAM M'GOVERN.

Mr. COX, of New York, introduced a bill (H. R. No. 4483) to direct the issue of an honorable discharge to William McGovern; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

JAMES B. HANVEY.

Mr. HART introduced a bill (H. R. No. 4484) for the relief of James B. Hanvey, of Rochester, New York; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LYMAN F. MUNGER.

Mr. HART also introduced a bill (H. R. No. 4485) for the relief of Lyman F. Munger, of Rochester, New York; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

ANN JANE MACKKEY.

Mr. WILLIAMS, of New York, introduced a bill (H. R. No. 4486) granting a pension to Ann Jane Mackey; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SARAH H. BRADFORD.

Mr. LAPHAM introduced a bill (H. R. No. 4487) granting a pension to Sarah H. Bradford, mother of William H. Bradford, deceased; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SALE OF WATERVLIET ARSENAL.

Mr. LAPHAM also presented a joint resolution of the Legislature of the State of New York, against the sale of the Watervliet arsenal; which was referred to the Committee on Military Affairs, and ordered to be printed.

LIFE-SAVING SERVICE.

Mr. LAPHAM also presented a joint resolution of the Legislature of the State of New York, in opposition to the proposed transfer of the life-saving service from the Treasury to the Navy Department; which was referred to the Committee on Commerce, and ordered to be printed.

IMMIGRANT TAX.

Mr. LAPHAM also presented a joint resolution of the Legislature of the State of New York, relating to an immigrant tax; which was referred to the Committee on Commerce, and ordered to be printed.

FREIGHT ON RAILROADS.

Mr. LAPHAM also presented a joint resolution of the Legislature of the State of New York, relative to freight on railroads and to equalize the same; which was referred to the Committee on Railways and Canals, and ordered to be printed.

TERMS OF COURT IN NORTHERN DISTRICT OF NEW YORK.

Mr. JAMES introduced a bill (H. R. No. 4488) to amend the Revised Statutes, fixing the times and places for holding terms of the district court in the northern district of New York; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

FOREIGN INSURANCE COMPANIES.

Mr. PEDDIE introduced a bill (H. R. No. 4489) regulating foreign insurance companies doing business in the United States of America; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

JOHN W. VAN PELT.

Mr. ROSS introduced a bill (H. R. No. 4490) granting a pension to John W. Van Pelt; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MRS. ANN DOBSON.

Mr. ROSS also introduced a bill (H. R. No. 4491) granting a pension to Mrs. Ann Dobson; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MARTHA FORDHAM.

Mr. ROSS also introduced a bill (H. R. No. 4492) granting a pension to Martha Fordham; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

RICHARD DECKER.

Mr. ROSS also introduced a bill (H. R. No. 4493) granting a pension to Richard Decker; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JOHN GRUBBINS.

Mr. SINNICKSON introduced a bill (H. R. No. 4494) granting a pension to John Grubbins; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ST. CLAIR A. MULHOLLAND.

Mr. MAISH introduced a bill (H. R. No. 4495) for the relief of St. Clair A. Mulholland, late colonel of the One hundred and sixteenth Regiment of Pennsylvania Volunteer Infantry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JOHN S. SPANGENBURG.

Mr. WRIGHT introduced a bill (H. R. No. 4496) for the relief of John S. Spangenburg; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

ZIBA STEPHENS.

Mr. WRIGHT also introduced a bill (H. R. No. 4497) for the relief of Ziba Stephens; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

STEPHEN S. WELCH.

Mr. WRIGHT also introduced a bill (H. R. No. 4498) for the relief of Stephen S. Welch; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

W. W. WARNER.

Mr. WRIGHT also introduced a bill (H. R. No. 4499) for the relief of W. W. Warner; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

NATHANIEL FITCH.

Mr. WRIGHT also introduced a bill (H. R. No. 4500) for the relief of Nathaniel Fitch; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

A. M. MAYNARD.

Mr. WRIGHT also introduced a bill (H. R. No. 4501) for the relief of A. M. Maynard; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

A. B. TEMPLETON.

Mr. WRIGHT also introduced a bill (H. R. No. 4502) for the relief of A. B. Templeton; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

CHARLES EDWARDS.

Mr. COLLINS introduced a bill (H. R. No. 4503) for the relief of Charles Edwards, late second lieutenant of Company C of the Eighteenth Pennsylvania Cavalry; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

DAVID J. JAMES.

Mr. COLLINS also introduced a bill (H. R. No. 4504) for the relief of David J. James; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

AMENDMENT OF SECTION 2774 OF REVISED STATUTES.

Mr. OVERTON introduced a bill (H. R. No. 4505) to amend section 2774 of the Revised Statutes; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

MARGARET E. WEST.

Mr. WARD introduced a bill (H. R. No. 4506) granting a pension to Margaret E. West, widow of Robert M. West, late colonel of Fifth Pennsylvania Cavalry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JOHN S. M'MILLIN.

Mr. ERRETT introduced a bill (H. R. No. 4507) for the relief of John S. McMillin; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

EXEMPTION OF SAFETY MATCHES FROM STAMP TAX.

Mr. WATSON introduced a bill (H. R. No. 4508) to exempt safety matches from the payment of stamp tax; which was read a first and second time, referred to the Committee of Ways and Means, and ordered to be printed.

The SPEAKER. The call of the States and Territories for bills and joint resolutions is now completed, and the Chair will receive bills from those members who were absent when their States were called.

JAMES M. KIRKPATRICK.

Mr. RICE, of Ohio, introduced a bill (H. R. No. 4509) for the relief of James M. Kirkpatrick, of Columbiana County, Ohio, late quartermaster of Forty-first Ohio Volunteer Infantry; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

SAMUEL W. FUTHY.

Mr. MONEY introduced a bill (H. R. No. 4510) for the relief of Samuel W. Futhy, a mail messenger; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

SWAMP AND OVERFLOWED LANDS.

Mr. HEWITT, of Alabama, introduced a bill (H. R. No. 4511) in relation to the swamp and overflowed lands of the State of Alabama; which was read a first and second time, referred to the Committee on Public Lands, and ordered to be printed.

SARAH B. FRANKLIN.

Mr. DICKEY introduced a bill (H. R. No. 4512) for the relief of Sarah B. Franklin, of Chillicothe, Ohio; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SIGNAL STATION, COLUMBUS, OHIO.

Mr. EWING introduced a bill (H. R. No. 4513) to establish and maintain a signal station at the city of Columbus, State of Ohio; which was read a first and second time, referred to the Committee on Appropriations, and ordered to be printed.

THOMAS WORTHINGTON.

Mr. EWING also introduced a bill (H. R. No. 4514) granting a pension to Thomas Worthington, late colonel Forty-sixth Ohio Volunteer Infantry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MRS. JANE M'KEE.

Mr. BLACKBURN introduced a bill (H. R. No. 4515) increasing the pension of Mrs. Jane McKee from \$30 to \$50 a month; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

IRRIGATION DISTRICTS.

Mr. WIGGINTON introduced a bill (H. R. No. 4516) to authorize the organization of irrigation districts by homestead settlement upon the public lands requiring irrigation for agricultural purposes; which was read a first and second time, referred to the Committee on Public Lands, and ordered to be printed.

REFUGIO M. BOWLER.

Mr. WIGGINTON also introduced a bill (H. R. No. 4517) for the relief of Refugio M. Bowler, widow and administratrix of Thomas F. Bowler, deceased; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

PASTURE DISTRICTS.

Mr. WIGGINTON also introduced a bill (H. R. No. 4518) to authorize the organization of pasture districts by homestead settlement on the public lands which are of value for pasturage purposes only; which was read a first and second time, referred to the Committee on Public Lands, and ordered to be printed.

ELECTION OF REPRESENTATIVES FROM CALIFORNIA.

Mr. WIGGINTON also introduced a bill (H. R. No. 4519) fixing the time for holding the election for Representatives to the Forty-sixth Congress of the United States in and for the State of California; which was read a first and second time, referred to the Committee of Elections, and ordered to be printed.

JESSE D. SEATON.

Mr. WILLIS, of Kentucky, introduced a bill (H. R. No. 4520) for the relief of Jesse D. Seaton, of Louisville, Kentucky; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

KETURAH A. COLLINS.

Mr. WILLIS, of Kentucky, also introduced a bill (H. R. No. 4521) granting a pension to Keturah A. Collins; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MONUMENT TO PRESIDENT ZACHARY TAYLOR.

Mr. WILLIS, of Kentucky, also introduced a joint resolution (H. R. No. 164) for the erection of a monument over the grave of Zachary Taylor, near Louisville, Kentucky; which was read a first and second time, referred to the Committee on the Library, and ordered to be printed.

He also presented a memorial of the Legislature of the State of Kentucky, soliciting an appropriation from the General Government to aid in the erection of a monument over the grave of Zachary Taylor; which was referred to the Committee on the Library.

BRYAN TYSON.

Mr. VANCE (by request) introduced a bill (H. R. No. 4522) for the relief of Bryan Tyson, to indemnify him for moneys paid as a deficit for certain mail service; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

JOHN H. M'BRUYER.

Mr. DURHAM introduced a bill (H. R. No. 4523) granting a pension to John H. McBrayer, captain of Company K, Second Regiment of Kentucky Cavalry, in the Mexican war; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SALLY A. DUNN.

Mr. DURHAM also introduced a bill (H. R. No. 4524) for the benefit of Mrs. Sally A. Dunn, of Garrard County, Kentucky; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

CHARLES O. ALLIBONE.

Mr. KIMMEL introduced a bill (H. R. No. 4525) for the relief of Charles O. Allibone; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

THOMAS P. WESTMORELAND.

Mr. EVINS, of South Carolina, introduced a bill (H. R. No. 4526) for the relief of Thomas P. Westmoreland; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

JAMES C. FREMAN.

Mr. CANDLER introduced a bill (H. R. No. 4527) for the relief of James C. Freman, of Georgia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

ROBERT H. CALDWELL.

Mr. CANDLER also introduced a bill (H. R. No. 4528) for the relief of Robert H. Caldwell, of Georgia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

JOHN N. SWIFT.

Mr. CANDLER also introduced a bill (H. R. No. 4529) for the relief of John N. Swift, of Georgia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

CORNELIUS P. CASSON.

Mr. CANDLER also introduced a bill (H. R. No. 4530) for the relief of Cornelius P. Casson, of Georgia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

THOMAS G. W. CRUSSELL.

Mr. CANDLER also introduced a bill (H. R. No. 4531) for the relief of Thomas G. W. Crussell, of Georgia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

CRISTIAN KONTZ.

Mr. CANDLER also introduced a bill (H. R. No. 4532) for the relief of Cristian Kontz, of Georgia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

ROBERT WEBSTER.

Mr. CANDLER also introduced a bill (H. R. No. 4533) for the relief of Robert Webster, of Georgia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

AUSTIN WRIGHT.

Mr. CANDLER also introduced a bill (H. R. No. 4534) for the relief of Austin Wright, of Georgia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

JOHN SILVY.

Mr. CANDLER also introduced a bill (H. R. No. 4535) for the relief of John Silvy, of Georgia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

ORDER OF BUSINESS.

Mr. BUTLER. Has the morning hour expired?

The SPEAKER. The morning hour has expired, but the Chair would state that there are some gentlemen who desire to introduce bills, who were not present when their States were called.

Mr. BUTLER. I have no objection to anything that will not cause too much delay.

The SPEAKER. If there is no objection, the Chair will recognize gentlemen for the introduction of bills for reference.

There was no objection.

PUBLIC BUILDING AT TOLEDO, OHIO.

Mr. COX, of Ohio, introduced a bill (H. R. No. 4536) to authorize the purchase of additional land for court-house and post-office lot in Toledo, Ohio; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

CHARLES C. MERRICK.

Mr. ALDRICH introduced a bill (H. R. No. 4537) for the relief of Charles C. Merrick, captain Company G, Fifty-first Regiment Illinois Volunteer Infantry; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

JACOB PRINCE.

Mr. BURCHARD introduced a bill (H. R. No. 4538) granting a pension to Jacob Prince; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SPITZ DOGS IN THE DISTRICT OF COLUMBIA.

Mr. HUMPHREY introduced a bill (H. R. No. 4539) declaring the keeping of a Spitz dog within the limits of the District of Columbia a public nuisance; which was read a first and second time, referred to the Committee for the District of Columbia, and ordered to be printed.

DANIEL MURPHY.

Mr. SCHLEICHER introduced a bill (H. R. No. 4540) for the relief of Daniel Murphy, of Fort Davis, Texas; which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

PUBLIC BUILDING, FAYETTEVILLE, NORTH CAROLINA.

Mr. WADDELL introduced a bill (H. R. No. 4541) to provide for the purchase or erection of a public building in Fayetteville, North Carolina; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SEAMAN'S FRIEND SOCIETY, WILMINGTON, NORTH CAROLINA.

Mr. WADDELL also introduced a bill (H. R. No. 4542) for the relief of the Seaman's Friend Society of Wilmington, North Carolina;

which was read a first and second time, referred to the Committee of Claims, and ordered to be printed.

JOHN HOSTAT.

Mr. GLOVER introduced a bill (H. R. No. 4543) for the relief of John Hostat, a soldier of the war of 1812; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

PAYMENT OF EXPERTS.

Mr. GLOVER also introduced a joint resolution (H. R. No. 165) authorizing the Clerk of the House of Representatives to pay certain clerks and experts out of the contingent fund of the House; which was read a first and second time, referred to the Committee of Accounts, and ordered to be printed.

TERRITORY OF OKLAHOMA.

Mr. MULDROP, by unanimous consent, presented a memorial of delegates from the Indian Territory, respecting certain bills to organize the Territory of Oklahoma; which was referred to the Committee on Territories.

Mr. MULDROP. I ask by unanimous consent that memorial be printed in the RECORD.

There was no objection, and it was ordered accordingly.

The memorial is as follows:

To the Senate and House of Representatives of the United States:

The undersigned delegates, representing the Cherokee, Choctaw, Creek, and Seminole Nations of Indians, respectfully call attention to the several bills and other propositions now before Congress to establish a territorial government for the Territory owned and occupied by their people and other Indian tribes, and having for their object in whole or in part—

First. The opening to white settlers of country set apart by law and treaty exclusively for Indians.

Second. The extension of the laws of the United States and of the jurisdiction of its courts to all causes of action, civil or criminal, on the part of one Indian against the person or property of another Indian.

Third. The abolition of tribal relations and the adoption of Indians as citizens of the United States.

Fourth. The change of land titles from a national tenure in common to an individual tenure in severalty.

All of which propositions are in violation of numerous treaty stipulations and guarantees, especially of the fourth article of the Choctaw treaty of 1830 and the fourth article of the Cherokee treaty of 1835, which provide that no part of the lands granted to either nation shall ever be included without their consent in the limits of any State or Territory, and secures to them forever the right to be governed by their own laws.

The fourth article of their treaty of 1856 contains a similar guarantee to the "Creek and Seminole tribes of Indians."

The guarantees to the Choctaws are repeated in the seventh article of the Choctaw and Chickasaw treaty of 1855, which secures the "unrestricted right of self-government and full jurisdiction over persons and property within their respective limits," and provides for the exclusion of all persons not "citizens or members of either tribe found within their limits."

The same guarantee, in nearly the same words, is given to the Creeks and Seminoles in the fifteenth article of their treaty of 1856.

The first article of the Cherokee treaty of 1846 provides that the Cherokee lands "shall be secured to the whole Cherokee people for their common use and benefit."

The Choctaw lands were ceded by the United States to the Choctaw Nation, second article, treaty 1820, 7 Statutes, 211. The Chickasaws having subsequently acquired an interest therein, the first article of the Choctaw and Chickasaw treaty of 1855 guarantees the lands embraced within their limits "to the members of the Choctaw and Chickasaw tribes, their heirs and successors, to be held in common, so that each and every member of either tribe shall have an equal, undivided interest in the whole."

The country of the Creeks and Seminoles was originally granted to the "Creek Nation of Indians" by the third article of their treaty of 1833, to be theirs "so long as they shall exist as a nation and continue to occupy."

The third article of the Creek and Seminole treaty of 1856 repeats the same guarantee to the Creeks and to the Seminoles who had acquired part of the Creek country.

The third article of the two treaties, one with the Creeks, the other with the Seminoles in 1866, contains similar provisions. Their lands are to be held by each nation, in the one case "as a home for said Creek Nation," in the other as the "national domain of the Seminole Indians."

All the treaties of 1866 with the five nations referred to in this memorial reaffirm the provisions of former treaties not inconsistent therewith.

The twenty-sixth and twenty-seventh articles of the Cherokee treaty of 1866 provide for the exclusion from their country of those who are "not citizens of the Cherokee Nation." The seventh article of the Choctaw and Chickasaw treaty of 1855 and the fifteenth article of the Creek and Seminole treaty of 1856 contain provisions of like character.

No one of the Indian nations embraced in the foregoing guarantees has asked for any change in its relations with the United States. They have all done well under the system of self-government, isolation, and tenure in common intended to be secured in their treaties. Under that system they were growing in wealth and strength in their former homes. Disease and exposure, consequent upon removal and change of climate, cut off on an average one-third of each tribe. When thoroughly acclimated they again increased in numbers, and were increasing and otherwise improving when the war checked their progress and again heavily reduced them, more than a third of the Cherokees, Creeks, and Seminoles having perished during the contest, and the two or three ensuing years after that they again began to increase and are now increasing in population. That they are in other respects doing well under the present system is abundantly proved by the official statements not only of Government agents specially in charge, but also of heads of bureaus and of the board of Indian commissioners.

The report of that board for 1872, page 12, gives the comparative statistics of the Territories, ten in number, showing that the Indian Territory, in the language of the commissioners, "in population, number of acres cultivated, products, wealth, valuation, and school statistics, is equal to any organized Territory of the United States and far ahead of most of them."

The detailed statement on page 14 shows that the foregoing remarks apply chiefly to the Cherokees, Choctaws, Chickasaw, Creeks, and Seminoles as distinguished from twenty-one other enumerated bands, constituting more than one-fourth of the population, the proportion of wealth, acres cultivated, grain produced, schools, teachers, and scholars being overwhelmingly in favor of the five nations and that too notwithstanding the fact noted by the commissioners on page 13, that they "had their lands devastated and their industries paralyzed during the war of the rebellion in

the same relative proportion as other parts of the South and have not fully recovered from the effects."

They add that "the partially civilized tribes, (the five nations,) numbering about fifty thousand souls, have in proportion to population more schools and with a larger average of attendance, more churches, church-members, and ministers, and spend far more of their own money for education than the people of any Territory of the United States. Life and property are more safe among them and there are fewer violations of law than in the other Territories."

The undersigned request that the foregoing statements and others of like tenor in the annual reports of the Indian Office may be compared with the official accounts of those Indians upon whom the experiments of United States citizenship, tenure in severalty and contact with white settlers have heretofore been tried.

Without going into detail it is sufficient for the purposes of this paper to refer to two of these accounts.

One is in the treaty on pages 839-852 of the Revision. Previous treaties having made the Wyandottes and Ottawas citizens with allotments in Kansas, the preamble virtually declares the experiment a failure, the object of the treaty so far as they are concerned being to restore them to their former tribal condition as Indians and to provide homes for them in the Indian Territory to be held not as individuals, in severalty, but as tribes in common.

The other is the summing up by the Commissioner of Indian Affairs in his report for 1876, page 25, of the results in the case of the Pottawatomies "who, after becoming citizens, squandered their substance, and have now returned as Indians depending upon the bounty of the Government."

It is the conviction that disastrous consequences would result from the proposed changes which causes the nearly unanimous opposition to such measures on the part of the five nations. Their own experience tells them exactly what the system of allotment and citizenship means. Provisions for that purpose were made in the treaties of 1817 and 1819 with the Cherokees, of 1830 with the Choctaws, and of 1832 with the Creeks. Hundreds of Indians entitled to patents for land under those treaties have never secured a single acre. Many more whose rights were recognized by the Government were shamefully wronged by the whites and have to this day been unable to obtain relief or redress.

The mischievous working of that system under those three treaties induced President Jackson to prohibit the introduction of similar features in other treaties made during his administration; and it is believed that no treaties containing such provisions were made under his successors until the accession of President Pierce. Since then the experiment has been frequently reported with results in the main such as those above indicated in the case of the Wyandottes, Ottawas, and Pottawatomies.

Another serious objection to the proposed system of allotment and citizenship is found in the litigation which in case it is adopted must necessarily result from the land grants to railroads running through the Indian Territory to take effect "when-ever the Indian title shall be extinguished by treaty or otherwise."

The Indian title is held by each nation over whose land the railroads pass. It will of course be contended:

First, That when any one of those nations by the dissolution of its tribal relations ceases to exist, or

Second, When its title is transferred from the nation holding in common to individual members holding in severalty, who have become citizens of the United States and have thus practically ceased to be Indians, that the "Indian title" will necessarily be extinguished.

While deprecating any action that might lead to such litigation, the undersigned wish to place on record the conviction universally prevailing among their people that the Indian title rests on too firm a basis to permit them to doubt the ultimate result of a judicial test. It is true that they regard the railroad land grants as a perpetual menace to the owners of the soil, and feel that they have been the main cause of the majority of the territorial bills introduced during the last ten years. That the grants do harm rather than good, the companies claiming them have begun to discover, and have signified their willingness to have them repealed. The undersigned trust that they will be, and that Congress will relieve their people from further risk of annoyance on that account.

But whether those grants are repealed or not, the undersigned feel confident that the courts will never decide that the Indian owners can be deprived of the soil without their own consent.

Whatever words may have occasionally been used in describing the Indian title, on carefully sifting the controlling decisions they will be found to concur in the opinion that the Government interest in Indian lands is simply a right of pre-emption, or rather of purchase, and the history of the country from its earliest settlement shows that such lands have almost invariably been acquired by purchase from the original owners.

The transfer of the main body of the southern nations to their present homes was preceded by the act of Congress of May 28, 1830, authorizing an exchange of territory based upon the idea of perpetual possession, with the assurance to the "tribe or nation making the exchange that the United States will forever secure and guarantee to them and their heirs and successors the country so exchanged."

The same idea runs through the treaties made immediately before and after that act. The preamble to the treaty of 1828 expresses the "anxious desire" of the Government to secure to the Cherokees "a permanent home which shall under the most solemn guarantees remain theirs forever." Its second article agrees "to guarantee it to them forever."

The preamble to the Creek treaty of 1833 states its objects to be to establish boundaries which will "secure a permanent home to the whole Creek Nation and to the Seminoles," and the same idea is expressed in the third and fourth articles of the treaty. The Choctaw title rests on the same basis of perpetuity, though its history is materially different. Their country was acquired by the second article of the treaty of 1820, which makes an unqualified grant, without limitation or restriction of any kind. (7 Statutes, 211.) In 1837 they sold an undivided interest in the same to the Chickasaws.

In 1855 a treaty was made between the Choctaws, the Chickasaws, and the United States, by which the title was changed. The grant of 1820 was from the United States to the Choctaw Nation. The treaty of 1855 "forever secures and guarantees" their lands to "the members of the Choctaw and Chickasaw tribes, their heirs and successors, to be held in common, so that each and every member of either tribe shall have an equal undivided interest in the whole."

Before this transfer to the "members of the Choctaw and Chickasaw tribes" two patents had been issued to the Choctaw Nation, one by President Jackson, the other by President Tyler under the treaty of 1830, which provides for a special conveyance of the country previously granted in 1820. These patents conform to the treaty under which they were issued in describing a smaller area and in certain restrictions not in the original grant; but they had no effect in injuring the Choctaw title, as the binding force and superior validity of the treaty of 1820, which was made under authority previously given by Congress, and under which the higher grade of title was acquired, was in various ways acknowledged both by Congress and the treaty-making power down to 1855, when the convention between the Choctaws, the Chickasaws, and the United States, by its twenty-first article, was made to "supersede and take the place of all former treaties." Fortunately that convention is so framed that, while providing for and recognizing to the fullest extent the national existence and government of both Choctaws and Chickasaws, their title is placed beyond the reach of interference in the event and because of tribal dissolution, should any such calamity befall them. So long as a single Choctaw or Chickasaw is left, or the heir or successor of a Choctaw or Chickasaw, and occupies the country described in the treaty of 1855 east of the ninety-

eighth meridian, so long will the courts recognize and enforce the right to hold that country against all adverse claimants.

The qualifying words in the Choctaw and Chickasaw treaty and in the other treaties herein referred to, as applied to their title, obviously mean nothing more than the general principle under which, in the absence of legal representatives, land always reverts to the State and by which it may be lost through a failure to occupy. The history of Indian legislation from the first settlement of the country shows that the restrictions upon alienation were meant for the benefit of the Indian, having their origin in the desire to guard against danger from the designs of evil-disposed white men. The wisdom of retaining those restrictions and the ancient safeguard of tenure in common as a protection against fraudulent devices the undersigned cannot doubt will be appreciated by every member of Congress who carefully examines the subject. Such examinations cannot fail to show the evils of the allotment system and of the proposed disintegration by making citizens of such tribal members as may desire it, which can only serve to stimulate efforts in behalf of a few individuals to divide national funds held for the good of the whole.

The Indians constituting the five leading tribes have felt that the various evils pointed out in this paper could be made known and by making them known could be averted only through the active agency of delegations at Washington. The expense incurred, however heavy it may be, counts for nothing in their estimation compared with the ruin threatened in the bills annually introduced in Congress.

F. P. PITCHLYNN,
Choctaw Delegation.
W. P. ADAIR,
DAN'L H. ROSS,
Cherokee Delegation.
JNO. R. MOORE,
P. PORTER,
D. M. HODGE,
YAR-TE-KER HARJO,
Creek Delegation.
JOHN F. BROWN,
THOMAS CLOUD,
Seminole Delegation.

FRANCIS YATES.

Mr. MARTIN introduced a bill (H. R. No. 4544) for the relief of Francis Yates, of Jefferson County, West Virginia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

FRANCIS KOTZ.

Mr. MARTIN also introduced a bill (H. R. No. 4545) for the relief of Francis Kotz, of Jefferson County, West Virginia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

CAREY THOMPSON.

Mr. MARTIN also introduced a bill (H. R. No. 4546) for the relief of Carey Thompson, of Jefferson County, West Virginia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

JOHN T. HARRIS.

Mr. MARTIN also introduced a bill (H. R. No. 4547) for the relief of John T. Harris, of Jefferson County, West Virginia; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

MONUMENT TO ZACHARY TAYLOR.

Mr. MCKENZIE presented joint resolutions of the Kentucky Legislature in relation to the erection of a monument at the tomb of Zachary Taylor; which were referred to the Committee on Appropriations.

MISSISSIPPI RIVER AND LAKE MICHIGAN CANAL.

Mr. SAMPSON asked that, by unanimous consent, the memorial and joint resolution of the Legislature of Iowa in reference to securing a commercial highway by water between the Mississippi River and Lake Michigan, via the valleys of the Fox and Wisconsin Rivers, be printed in the RECORD.

There was no objection, and it was ordered accordingly.

The resolution is as follows:

Memorial and joint resolution in reference to securing a commercial highway by water between the Mississippi River and Lake Michigan via the valleys of the Fox and Wisconsin Rivers.

Whereas the General Government has entered upon the task of opening up a commercial highway from the valley of the Mississippi River to Lake Michigan via the valleys of the Fox and Wisconsin Rivers; and

Whereas the people of the Western States especially feel an absorbing interest in the speedy and successful accomplishment of this desirable result: Therefore, *Be it resolved*, That we again repeat our request to our Representatives and Senators in Congress that they be diligent in securing, if possible, such legislation in Congress as will enable the commerce of the central States of the continent to pass unfettered and unvexed to the markets of the world.

Resolved, That the secretary of state be directed to forward a copy of this resolution to the President of the United States Senate and the Speaker of the House of Representatives, with a request that the same may be laid before each House of Congress, and that a copy be sent to each Senator and Member of Congress from this State.

Approved March 15, 1878.

BOARD OF ASSISTANTS UNITED STATES NAVY.

Mr. HARRIS, of Massachusetts, by unanimous consent, from the Committee on Naval Affairs, reported, as a substitute for House bill No. 1974, a bill (H. R. No. 4548) providing for the establishment of a board of assistants for the Navy of the United States, and for other purposes; which was read a first and second time, ordered to be printed, and recommitted.

The SPEAKER. Not to be brought back by a motion to reconsider.

NAVAL COURT-MARTIAL PRISONERS.

On motion of Mr. DANFORD, by unanimous consent, from the Com-

mittee on Naval Affairs, that committee was discharged from the further consideration of a letter of the Secretary of the Navy of March 12, 1878, relative to expenses of prisoners sentenced by naval courts-martial to confinement in the penitentiary; and the same was referred to the Committee on the Judiciary.

HOUR OF DAILY MEETING.

Mr. PRICE, by unanimous consent, submitted the following resolution; which was referred to the Committee on Rules:

Resolved, For the purpose of speedy settlement of questions of vital importance to the country, the House will hereafter and until further notice meet for the transaction of business at eleven o'clock a. m. instead of twelve o'clock as heretofore.

ENFORCEMENT OF REVENUE LAWS.

Mr. WHITE, of Pennsylvania. I ask, by unanimous consent, to submit the following resolution:

Resolved, That the Commissioner of Internal Revenue be, and is hereby, requested to inform this House of the number of United States marshals and other persons employed in enforcing the revenue laws since the 1st of November last, that have been killed or wounded by persons interfering with such enforcement.

Mr. MILLS. I object.

PROHIBITION OF SPECIAL LEGISLATION.

Mr. SPRINGER, by unanimous consent, introduced a joint resolution (H. R. No. 166) proposing an amendment to the Constitution prohibiting special legislation; which was read a first and second time, referred to the Committee on Civil Service Reform, and ordered to be printed.

CURRENCY.

Mr. BUTLER. I demand the regular order.

The SPEAKER. The regular order is the motion of the gentleman from Massachusetts, pending when the House adjourned on Monday, 8th instant, to suspend the rules and pass the bill (H. R. No. 4238) to supply a convenient currency by which the minor business transactions of the people may be done. The bill will be read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to issue United States notes of denominations for the fractions of a dollar representing fifty and twenty-five cents each, only to the extent and according to the provisions of sections 3572, 3573, 3574, 3575, and 3576 of the Revised Statutes.

Sec. 2. And the same may be redeemed either in other notes of the United States, as provided in section 3574 of the Revised Statutes, or in coin.

Sec. 3. Any person paying into the Treasury either United States legal-tender notes or coin shall receive therefor such amount of said fractional currency as he may desire, equal to the amount so paid in, until the limit of issue of said fractional currency shall be reached.

Sec. 4. The Secretary of the Treasury shall pay out one-sixth of all payments made from the Treasury in redemption of national-bank notes in United States legal-tender notes of the denominations of one, two, three, and five dollars, each in equal proportions, and all payments for the current expenses of the Government in like proportion, until the amount of such notes in circulation shall be equal to one-sixth of all the legal-tender notes and bank notes shown by the books of the Treasury to have been issued, and to remain uncanceled until the amount of one-sixth thereof shall be reached. And the Secretary of the Treasury shall, from time to time, thereafter pay out United States legal-tender notes of such small denominations, in payment of current expenses, in such proportion with the other notes as to maintain the proportion of one sixth of small legal-tender notes of the whole amount of bank-notes and legal-tender notes which shall appear to have been issued and to remain uncanceled by the books of the Treasury of the United States.

Mr. ATKINS. Has that bill been before any committee? Has it been before the Committee on Banking and Currency?

Mr. BUTLER. It has been before the Committee on Banking and Currency and has been reported favorably.

Mr. EWING. The committee ordered it to be reported. It has not yet been reported.

Mr. EAMES. I object to debate.

The SPEAKER. The gentleman from Massachusetts moves that the Committee on Banking and Currency be discharged from the further consideration of the bill, and that the same be passed.

Mr. COX, of New York. That bill ought to be debated. It brings back the old, shabby, shinplaster currency.

Mr. POWERS. I rise to a parliamentary inquiry: I should cheerfully vote for so much of the bill as provides for the issue of small bills, but do not desire to vote to issue fractional currency.

The SPEAKER. The gentleman cannot debate the bill.

Mr. POWERS. I do not wish to debate the bill, but I desire to make a parliamentary inquiry whether the proposition is divisible.

The SPEAKER. It is not. The motion is to suspend the rules, and that rule with the rest which allows the division of a question.

Mr. HALE. I rise to a parliamentary inquiry. If the proposition covering both small bills and fractional currency is voted down, will it be possible under the rule adopted by the Chair as to a list on Monday for a resolution to be offered immediately covering only the small bills? Will the Chair entertain a motion to suspend the rules for that purpose?

The SPEAKER. The Chair cannot do that. The Chair will conform to the list. That is a matter of individual right.

Mr. BRIGHT. Would it be in order to have the bill again read?

The SPEAKER. The bill will be again read.

The bill was again read.

Mr. HANNA. I call for the reading of those sections of the Revised Statutes which are referred to in the bill.

The SPEAKER. That would be in the nature of debate.

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

The question being taken on ordering the yeas and nays, there were—yeas 46, noes 117.

So (the affirmative being more than one-fifth of the whole vote) the yeas and nays were ordered.

Mr. WILSON. Before the roll is called I would be very much gratified if the House would hear the gentleman from Massachusetts explain the object of the bill.

Several members called for the regular order.

The question was taken; and there were—yeas 121, nays 124, not voting 46; as follows:

YEAS—121.

Atkins,	Davidson,	Hooker,	Robbins,
Baker, John H.	Deering,	House,	Robertson,
Banning,	Dibrell,	Hunton,	Robinson, M. S.
Bell,	Dickey,	Jones, James T.	Ryan,
Bicknell,	Dunnell,	Kelley,	Sapp,
Blackburn,	Durham,	Kenna,	Saylor,
Blair,	Ellis,	Killingier,	Sexton,
Blount,	Evins, John H.	Knapp,	Shelley,
Bouck,	Ewing,	Knott,	Singleton,
Boyd,	Felton,	Ligon,	Slemmons,
Bragg,	Finley,	Lynde,	Smith, William E.
Bright,	Fort,	Mackey,	Southard,
Browne,	Franklin,	Manning,	Sparks,
Buckner,	Fuller,	Marsh,	Springer,
Butler,	Garth,	Martin,	Steele,
Cain,	Gause,	McKenzie,	Stephens,
Caldwell, John W.	Giddings,	McMahon,	Thornburgh,
Caldwell, W. P.	Glover,	Mills,	Throckmorton,
Calkins,	Goode,	Money,	Turney,
Camp,	Gunter,	Morgan,	Vance,
Caswell,	Hamilton,	Muldrow,	Waddell,
Chalmers,	Hanna,	Oliver,	Welch,
Clark of Missouri,	Harris, Henry R.	Patterson, G. W.	White, Harry
Clark, Rush	Harris, John T.	Phillips,	White, Michael D.
Clymer,	Hartridge,	Pollard,	Williams, Jere N.
Cobb,	Hartzell,	Price,	Willis, Albert S.
Collins,	Haskell,	Rea,	Wilson,
Cook,	Hatcher,	Reagan,	Wright.
Crittenden,	Herbert,	Reilly,	
Culberson,	Hewitt, G. W.	Rice, Americus V.	
Cummings,		Riddle,	

NAYS—124.

Acklen,	Dean,	Keightley	Rice, William W.
Aldrich,	Denison,	Ketcham,	Roberts,
Bagley,	Douglas,	Kimmel,	Robinson, G. D.
Baker, William H.	Dwight,	Landers,	Ross,
Ballou,	Eames,	Lapham,	Schlicher,
Bayne,	Eickhoff,	Lathrop,	Shallenberger,
Beebe,	Errett,	Lindsey,	Sinnickson,
Benedict,	Freeman,	Lockwood,	Smalls,
Bisbee,	Fry,	Loring,	Starin,
Blair,	Gardner,	Luttrell,	Stenger,
Bliss,	Gibson,	McCook,	Stewart,
Brewer,	Hale,	McKinley,	Stone, John W.
Bridges,	Hardenbergh,	Metcalf,	Strait,
Briggs,	Harmer,	Mitchell,	Thompson,
Bundy,	Harris, Benj. W.	Monroe,	Townsend, Amos
Burhard,	Hart,	Morrison,	Townsend, M. I.
Campbell,	Hayes,	Morse,	Walker,
Candler,	Hazelton,	Mu'ler,	Walsh,
Carlisle,	Hendee,	Neal,	Ward,
Clafin,	Henkle,	Norcross,	Warner,
Clarke of Kentucky,	Henry,	O'Neill,	Watson,
Cole,	Hewitt, Abram S.	Overton,	Whitthorne,
Conger,	Hubbell,	Page,	Wigginton,
Covert,	Humphrey,	Patterson, T. M.	Williams, Andrew
Cox, Samuel S.	Hungerford,	Potter,	Williams, James
Cox, Jacob D.	Hunter,	Peddle,	Williams, C. G.
Crapo,	Itnner,	Pound,	Williams, Richard
Cravens,	James,	Powers,	Willis, Benj. A.
Cutler,	Jones, Frank	Rainey,	Willits,
Danford,	Jones, John S.	Randolph,	Wood,
Davis, Horace	Joyce,	Reed,	Wren.

NOT VOTING—46.

Aiken,	Eden,	Maish,	Tipton,
Bacon,	Ellsworth,	Mayham,	Townshend, R. W.
Banks,	Evans, I. Newton	McGowan,	Tucker,
Banks,	Evans, James L.	Phelps,	Turner,
Boone,	Forney,	Pridemore,	Van Vorhes,
Boonano,	Foster,	Pugh,	Yeeder,
Brogden,	Garfield,	Quinn,	Wait,
Burdick,	Harrison,	Sampson,	Williams, A. S.
Cabell,	Henderson,	Scates,	Yeates,
Cannon,	Hiscock,	Smith, A. Herr	Young.
Chittenden,	Jorgensen,	Stone, Joseph C.	
Clark, Alvah A.	Keifer,	Swann,	
Davis, Joseph J.			

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

During the call of the roll the following announcements were made: Mr. DAVIS, of North Carolina. I am paired with Mr. ELLSWORTH, of Michigan. If he were here, I would vote "ay." My colleague, Mr. YEATES, is paired on this question with Mr. HENDERSON, of Illinois. If Mr. YEATES were present he would vote "ay." My colleague, Mr. SCALES, is paired with Mr. VAN VORHES, of Ohio. If he were present Mr. SCALES would vote "ay." My colleague, Mr. BROGDEN, is confined to his room by sickness.

Mr. FORNEY. I am paired with Mr. WAIT.

Mr. CALDWELL, of Kentucky. My colleague, Mr. BOONE, is paired with Mr. SAMPSON, of Iowa. If he were present, Mr. BOONE would vote "ay."

Mr. CABELL. I am paired with Mr. PUGH, of New Jersey. If he were here, I would vote "ay."

Mr. WILLIAMS, of Michigan. I am paired with Mr. BANKS, of

Massachusetts; but as I understand he would vote "no" on this question, I desire to vote. I vote "no."

Mr. STONE, of Iowa. I am paired with Mr. YOUNG, of Tennessee.
Mr. CAMP. My colleagues from New York, Mr. HISCOCK and Mr. VEEDER, are paired.

Mr. VAN VORHES. On this question I am paired with Mr. SCALES, of North Carolina.

Mr. GLOVER. Mr. JORGENSEN, of Virginia, is paired with Mr. PRIDEMORE, of Virginia.

Mr. MAISH. I am paired with my colleague from Pennsylvania, Mr. SMITH.

Mr. TURNER. I am paired with Mr. MCGOWAN, of Michigan.

Mr. CANNON, of Illinois. I am paired with Mr. CLARK, of New Jersey. If he were present, I would vote "ay."

Mr. SAMPSON. I am paired with the gentleman from Kentucky, Mr. BOONE.

Mr. GARFIELD. I am paired upon this question with the gentleman from Virginia, Mr. TUCKER. If he were present, he would vote for the bill and I should vote against it.

The result of the vote was then announced as above stated.

RIVER AND HARBOR BILL.

Mr. REAGAN. By direction of the Committee on Commerce I report the river and harbor bill, and move that the rules be suspended and that the bill be put upon its passage. I will state that since the bill was printed there have been added to it eight items, amounting to \$160,000, and some surveys that cost no money.

Mr. COX, of New York. I rise to a point of order upon that bill.

The SPEAKER. The Chair will state that the gentleman from Michigan [Mr. HUBBELL] was the next member upon the list entitled to move a suspension of the rules, but this is a public measure, and therefore the Chair has given the floor to the gentleman from Texas. Mr. HUBBELL. I will state that unless the gentleman from Texas had been recognized, I should have availed myself of my right to the floor to report this bill from the committee.

The SPEAKER. The Chair, although he recognizes the right of the gentleman from Texas to the floor on a public bill, yet he strikes the name of the gentleman from Michigan from the list.

Mr. REAGAN. The list should not be allowed to interfere with important public business.

The SPEAKER. The Chair never has allowed it to interfere with important public measures, but the Chair is not willing to exercise his own choice in the recognition of members to move to suspend the rules or to take the responsibility of asking members for what purpose they wish to move to suspend the rules. The Chair thinks that that is not within his province.

Mr. COX, of New York. Do I understand that the gentleman from Texas moves to suspend the rules and pass a bill which has not yet been read?

The SPEAKER. The bill, of course, will be read before the vote is taken.

Mr. KENNA. There is no desire on the part of the committee to suppress the reading of the bill.

The SPEAKER. Parliamentary law covers that question. Every body of legislators have a right to hear what they are going to vote upon.

Mr. COX, of New York. I will make my point of order now, and it is, that there are items in this bill not within our constitutional power to appropriate. The Constitution, in section 8 of the first article, gives Congress power to regulate commerce with foreign nations and among the several States; but it never intended to pay money by the million for local improvements to inconsiderable rivers and creeks. Here is a bill for seven millions. It is sought to pass it through without consideration in committee; and even if the bill were right in detail, it is a vicious practice, never to be done and cannot be done without protest. The shrieks of locality may be loud; for one I will not heed them by making precedents whose effect is to destroy constitutional limitations and beget a log-rolling system utterly subversive of fair legislation and actually destructive of the just appropriations in a bill loaded down to its sinking point.

Mr. REAGAN. The gentleman's point of order is an objection to the bill; it cannot lie against a motion to suspend the rules.

Mr. KENNA. I submit that the gentleman's remarks were not addressed to the point of order.

The SPEAKER. The point of order is that the Constitution prohibits the passage of this bill for the reason that it contains items that are unconstitutional. That is a question for each member of the House to determine for himself, and not for the Chair.

Mr. SOUTHARD. I hope this House will not pass a bill which will not bear the test of discussion.

Mr. FINLEY. And which looks like a steal.

Mr. HUBBELL. I object to debate. [Cries of "Regular order!"]

Mr. SPRINGER. I wish to reserve all points of order upon the bill until after it has been read.

Mr. TOWNSEND, of New York. I desire to know the contents of this bill, but it is impossible to hear anything in the present condition of the House.

The SPEAKER. The Chair thinks the gentleman from New York should have that right and the Chair will suspend all business until gentlemen are seated and are in order.

The Clerk commenced the reading of the bill.

Mr. FORT, (interrupting.) I trust the gentleman from Texas is not desiring to deceive the House, as the bill now being read is not the printed bill.

Mr. REAGAN. I stated at the outset that there had been seven or eight items added since the bill was printed, increasing the amount \$160,000.

The SPEAKER. This bill is introduced as an independent bill, as the Chair understands it.

Mr. FORT. The bill now being read is not the bill which has been printed.

Mr. KENNA. It is except in regard to four or five items, and the gentleman from Texas stated that they had been added.

Mr. REAGAN. It makes no matter whether the bill has been printed or not; it is before the House for consideration.

The Clerk resumed and concluded the reading of the bill, as follows:

A bill making appropriations for the construction, repair, preservation, and completion of certain public works on rivers and harbors, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums of money be, and are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War, for the repair, preservation, construction, and completion of the public works hereinafter named:

- For improving Chester River, at Kent Island Narrows, Maryland, \$3,000.
- For improving harbor at Baltimore, Maryland, \$75,000.
- For improving Wicomico River, Maryland, \$5,000.
- For improving James River, Virginia, \$70,000.
- For improving Appomattox River, Virginia, \$30,000.
- For improving Great Kanawha River, West Virginia, \$222,000.
- For improving New River, from Lead Mines in Wytthe County, Virginia to mouth of Greenbrier River, \$15,000.
- For improving Cape Fear River, North Carolina, \$85,000.
- For improving mouth of Occoquan River, Virginia—completing the improvement—\$10,000.
- For improving Aquia Creek, Virginia—completing the improvement—\$5,000.
- For improving mouth of Nomoni Creek, Virginia—completing the improvement—\$5,000.
- For improving the Rappahannock River, Virginia, \$13,500.
- For improving South Branch of Elizabeth River, Virginia, \$5,000.
- For continuing the construction of ice-harbor at New Castle, Delaware, \$10,000.
- For improving harbor at Norfolk, Virginia, \$20,000.
- For improving Nansemond River, Virginia—completing the improvement—\$2,000.
- For improving Roanoke River, North Carolina, \$4,000.
- For improving harbor at Charleston, South Carolina, \$5,000.
- For improving harbor at Savannah, Georgia, \$70,000.
- For improving harbor at Cedar Keys, Florida, \$30,000.
- For improving Choctawhatchee River, Florida and Alabama, \$10,000.
- For improving Appalachicola River, Florida, \$8,000.
- For improving Chattahoochee River, Alabama and Georgia, \$18,000.
- For improving Alabama River, \$25,000.
- For removing bar at Urbana, Virginia, \$10,000.
- For deepening the bar at the mouth of Saint John's River, Florida, \$10,000.
- For Port Clinton, Ohio, \$10,000.
- For improving Flint River, Georgia, \$10,000.
- For improving the Warrior and Tombigbee Rivers, Alabama and Mississippi, \$40,000; of which sum \$25,000 shall be expended on the Warrior and Lower Tombigbee and \$15,000 on the Upper Tombigbee.
- For improvement of ship-channel in Galveston Bay, Texas, between Bolivar Channel and Red Fish Bar, \$75,000; and the appropriation made for this work by the act of 14th of August, 1876, is hereby made available for the same part of said channel.
- For improving Mississippi and Arkansas Rivers: continuing operations, removing snags and other obstructions, \$150,000; of which sum \$10,000 shall be used for removing the bar in the Arkansas River at Fort Smith.
- For the survey of the Missouri River from its mouth to Sioux City and estimates for the improvement and maintenance of its navigation, \$50,000.
- For the improvement of the Missouri River: removal of snags, wrecks, &c., \$70,000.
- For improving mouth of Mississippi River, Southwest Pass, \$10,000.
- For improving entrance to Galveston Harbor, Texas, \$125,000.
- For improving Sabine Pass, Texas, deepening channel at the entrance and at Blue Buck Bar, \$30,000.
- For improving Passo Cavallo Inlet into Matagorda Bay, Texas, \$25,000.
- For improving Ouachita River, Arkansas and Louisiana, \$10,000.
- For improving Yazoo River, Mississippi, \$25,000.
- For removing raft in Red River and closing Tones Bayou, Louisiana, \$24,000.
- For improving Cypress Bayou, Texas and Louisiana, \$15,000.
- For annual expense of gauging the waters of the Lower Mississippi River and its tributaries: Continuing observations of the rise and fall of the river and its chief tributaries, as required by joint resolution of February 21, 1871, \$5,000.
- For improving White and Saint Francis Rivers, Arkansas: building one stern-wheel iron snag-boat and operating the same ten months, \$75,000.
- For improving the Missouri River opposite or near Saint Joseph, Missouri, \$50,000.
- For improving the mouth of Red River, Louisiana, \$50,000.
- For improving the Missouri River at Nebraska City, Nebraska, \$30,000.
- For improving White River above Jacksonport, Arkansas: removing snags and wrecks and other obstructions, \$10,000.
- For removing bar in Mississippi River opposite Dubuque, Iowa, \$10,000.
- For improving Rush Chute and the harbor of Burlington, Iowa, \$10,000.
- For improving harbor at Fort Madison, Iowa, \$8,000.
- For improving Rock Island Rapids, Mississippi River, \$30,000.
- For improving Illinois River, \$75,000.
- For the improvement of the Mississippi River: removal of snags and obstructions between the mouths of the Ohio and Illinois Rivers, \$240,000; of which sum \$20,000 shall be expended between the mouths of the Illinois and Missouri Rivers; \$40,000 on the improvement of Cahokia Chute, opposite Saint Louis; \$40,000 between the foot of Dickey's Island and the mouth of the Ohio River; and \$10,000 between Islands Nos. 14 and 15, near the town of Kaskaskia, Illinois.
- For removing snags and other obstructions from Red River, Louisiana, \$25,000.
- For the improvement of the Missouri River above the mouth of the Yellowstone, \$30,000.
- For the improvement of the Mississippi River: widening and deepening the channel from Saint Paul to Des Moines Rapids, \$250,000.
- For widening and deepening the channel of the Mississippi River from Des Moines Rapids to the mouth of the Ohio, \$100,000.

For the improvement of Mobile Harbor, including costs of survey and estimates, \$10,000.

For the improvement of Cumberland River above Nashville, Tennessee, \$60,000; of which sum \$20,000 shall be expended between Nashville and the Kentucky line; thence to the foot of Smith's Shoals, \$8,000; and for Smith's Shoals, \$30,000; thence to the falls of the Cumberland, \$2,000.

For improving Minnesota River, \$10,000.

For improving Red River of the North, Minnesota, \$30,000.

For improving Tennessee River: continuing operations above Chattanooga, \$15,000; continuing operations below Chattanooga, including Muscle Shoals, \$300,000, \$15,000 of which sum, or so much thereof as may be necessary, to be expended on the improvements of Duck River Shoals in the Tennessee River.

For improving Cumberland River below Nashville, Tennessee, \$45,000.

For improving Coosa River between Rome, Georgia, and the Selma, Rome and Dalton Railroad bridge, Alabama, \$75,000.

For improving Hiawasse River, Tennessee, \$10,000.

For improving Ocmulgee River, Georgia, \$15,000.

For improving Oostenaula and Coosawattee Rivers, Georgia, \$4,000.

For improving Little Kanawha River, West Virginia, \$18,000.

For improving Wabash River, Indiana, \$50,000.

For dredging Superior Bay, Wisconsin: improving natural entrance to Superior Bay, \$3,000; continuing improvement of the harbor of Duluth, \$30,000.

For improving harbor at Ontonagon, Michigan, \$15,000.

For improving Eagle Harbor, Michigan, \$3,000.

For improving harbor at Marquette, Michigan, \$2,000.

For improving harbor at Menomonee, Wisconsin, \$10,000.

For improving harbor at Green Bay, Wisconsin, \$5,000.

For improving harbor of refuge, entrance at Sturgeon Bay Canal, \$30,000.

For improving harbor at Ahapee, Wisconsin, \$8,000.

For improving harbor at Two Rivers, Wisconsin, \$10,000.

For improving harbor at Manitowish, Wisconsin, \$15,000.

For improving harbor at Sheboygan, Wisconsin, \$2,000.

For improving harbor at Port Washington, Wisconsin, \$5,000.

For improving and deepening the channel of the Ohio River, including the removal of snags, wrecks, &c., from Pittsburgh to its mouth, \$300,000; of which sum \$50,000 shall be expended at Grand Chain for removal of obstructions and deepening the channel at that point.

For improvement of the harbor at New Orleans, Louisiana, including the cost of surveys and estimates, \$50,000.

For the improvement of Monongahela River, West Virginia and Pennsylvania, to be expended in completing lock and dam at Hoard's Rocks, \$35,000.

For the improvement of harbor at Michigan City, Indiana, \$75,000; of which sum \$25,000 shall be expended for the improvement of the inner harbor.

For the improvement of Gut opposite Bath, Maine, \$17,000.

For the improvement of Waddington Harbor, New York, \$5,000.

For the improvement of Oakland Harbor, California, \$30,000; but this sum shall not be available until the right of the United States to the bed of the estuary and training walls of this work is secured, free of expense to the Government, in a manner satisfactory to the Secretary of War.

For improving harbor at Milwaukee, Wisconsin, \$15,000.

For improving harbor at Racine, Wisconsin, \$10,000.

For improving harbor at Kenosha, Wisconsin, \$8,000.

For removing rocks and other obstructions to navigation at Brazos Santiago, Texas, \$6,000.

For improving Fox and Wisconsin Rivers, \$250,000.

For improving harbor at Chicago, Illinois: extending breakwater and dredging channel, \$75,000.

For improving harbor at Calumet, Illinois, \$15,000.

For improving harbor at Charlevoix, Michigan, \$12,000.

For improving harbor at Frankfort, Michigan, \$8,800.

For improving harbor at Manistee, Michigan, \$15,000.

For improving harbor at Ludington, Michigan, \$15,000.

For improving harbor at Pentwater, Michigan, \$10,000.

For improving harbor at White River, Michigan, \$12,000.

For improving harbor at Grand Haven, Michigan, \$15,000.

For improving harbor at Black Lake, Michigan, \$10,000.

For improving harbor at Saugatuck, Michigan, \$2,500.

For removing obstructions in Bayou Lafourche, Louisiana, \$10,000.

For improving harbor at South Haven, Michigan, \$12,000.

For improving harbor at Saint Joseph, Michigan, \$12,000.

For improving Saint Mary's River and Saint Mary's Falls Canal, Michigan, \$175,000.

For improving harbor of refuge, Lake Huron, Michigan, \$100,000.

For improving Saint Clair River, at mouth of Black River, Michigan, \$1,500.

For improving Detroit River, Michigan, \$100,000.

For improving Saint Clair Flats, Michigan, \$5,000.

For improving Saginaw River, Michigan, \$25,000.

For improving harbor at Cheboygan, Michigan, \$8,000.

For improving harbor at Monroe, Michigan, \$2,500.

For improving harbor at Toledo, Ohio, \$50,000.

For the improvement of Guyandotte River, West Virginia, \$2,000.

For the improvement of the Raritan River, New Jersey, \$200,000.

For the improvement of Blackwater River, Virginia, \$5,000.

For the improvement of Hampton River, Virginia, \$10,000.

For the improvement of Chickahominy River, Virginia, \$5,000.

For the improvement of the Narrows above Orange, on the Sabine River, Texas, and deepening the channel at the mouth of said river, \$10,000.

For deepening the channel at the mouth of the Trinity River, Texas, and removing obstructions to Liberty, \$10,000.

For deepening the channel at the mouth of the Neches River, Texas, and removing obstructions to Beaumont, \$8,000.

For improving Pascagoula River, Mississippi, and deepening the channel at its mouth, \$10,000.

For the protection of the wharf-landing and channel of the Mississippi River at Memphis, Tennessee, \$46,000.

For the improvement of Elk River, West Virginia, \$5,000.

For improving harbor at Sandusky City, Ohio, \$20,000.

For improving harbor at Huron, Ohio, \$1,000.

For improving harbor at Vermillion, Ohio, \$4,000.

For breakwater at Cleveland, Ohio, and repairs of harbor, \$100,000.

For improving harbor at Fairport, mouth of Grand River, Ohio, \$12,000.

For improving harbor at Ashabula, Ohio, \$12,000.

For improving harbor at Erie, Pennsylvania, \$25,000.

For improving harbor at Buffalo, New York, \$80,000.

For improving harbor at Oak Orchard, New York, \$2,000.

For improving harbor at Charlotte, New York, \$1,000.

For improving harbor at Pultzeville, New York, \$5,000.

For improving harbor at Great Sodus Bay, New York, \$5,000.

For improving harbor at Little Sodus Bay, New York, \$10,000.

For improving harbor at Oswego, New York, \$90,000.

For breakwater at Wilmington, California, \$20,000.

For improving Sacramento and Feather Rivers, California, \$15,000.

For improving Lower Willamette and Columbia Rivers, from Portland, Oregon, to the sea, \$30,000.

For improving Upper Willamette River, Oregon, \$20,000.

For improving Upper Columbia River, including Snake River, \$20,000.

For constructing a canal around the Cascades of Columbia River, \$75,000.

For the improvement of Big Sandy River, from Catlettsburgh, Kentucky, to the head of navigation, \$12,000.

For repairs of ice-harbor at Chester, Pennsylvania, \$3,400.

For the improvement of the Oconee River, Georgia, \$10,010; of which sum \$8,000 shall be expended between Dublin and Central Railroad bridge, and \$2,000 between Dublin and the Ocmulgee River.

For the improvement of Galena River, Illinois, making a channel of one hundred feet width, and the improvement of the harbor at Galena, \$30,000.

For the improvement of the Mississippi River at and near Vicksburgh, Mississippi, and protection of harbor at Vicksburgh, Mississippi, \$40,000.

For improving the channel of Salem River, New Jersey, and removing obstructions in the Delaware River at the mouth of Salem River, \$3,000.

For improving the Missouri River at Omaha City, Nebraska, \$30,000.

For the improvement of the Saint Croix River, Wisconsin, \$10,000.

For the improvement of the Missouri River, at Atchison, Kansas, \$20,000.

For the improvement of the Neuse River, North Carolina, \$20,000.

For the improvement of the harbor, including survey and estimate for removal of wrecks at Pensacola, Florida, \$4,000.

For the improvement of Currituck Sound and North River Bar, North Carolina, \$20,000.

For the improvement of Scuppernon River, North Carolina, \$2,000.

For the improvement of Edenton Harbor, North Carolina, \$4,000.

For completing the improvement of Black River Harbor, Ohio, \$1,000.

For the improvement of the harbor at New Haven, Connecticut, \$10,000.

For the improvement of the harbor at Darien, Georgia, \$8,000.

For continuing the improvement of Penobscott River, Maine, \$12,030; of which sum \$2,500, or so much thereof as may be necessary, shall be expended at or near the narrows in said river at Bucksport.

For the improvement of the harbor at Bridgeport, Connecticut, \$10,000; of which sum not less than one-half shall be expended between the lower bridge and the horse-railroad bridge.

For the improvement of Harlem River, New York, \$150,000; but this sum is not to be available until the right of way for this work is secured to the United States free of cost.

For improving harbor at Belfast, Maine, \$12,000.

For improving Richmond Island Harbor, Maine, \$6,000.

For improving Cochecho River, New Hampshire, \$4,400.

For improving Merrimac River, Massachusetts, below Mitchell's Falls, \$10,000.

For improving harbor at Boston, Massachusetts, \$30,000.

For improving harbor at Plymouth, Massachusetts, \$5,000.

For improving harbor at Provincetown, Massachusetts, \$1,000.

For improving harbor at Hyannis, Massachusetts, \$3,000.

For improving Taunton River, Massachusetts, \$2,000.

For improving Providence River, Rhode Island: removing Bulkhead Rock, \$5,000.

For improving Little Narragansett Bay, Rhode Island and Connecticut, \$10,000.

For improving Providence River and Narragansett Bay, \$50,000.

For the improvement of Echo Harbor, New Rochelle, New York, \$10,000.

For the improvement of Staten Island Sound, between New Jersey and Staten Island, \$15,000.

For improving the harbor of Breton Bay, Leonardtown, Maryland, \$5,000.

For improving the inner harbor at Cambridge, Maryland, \$5,000.

For improving the harbors and channels at Washington and Georgetown, District of Columbia, \$50,000; of which sum \$20,000 is to be expended in Washington Harbor and channel below the Long Bridge, and \$30,000 to be expended in Georgetown Harbor and channel.

For improving Connecticut River, below Hartford, Connecticut, \$30,000; of which sum \$5,000 shall be used for dredging the river between Hartford and Middletown.

For improving harbor at Stonington, Connecticut, \$15,000.

For improving Thames River, Connecticut, \$10,000.

For improving harbor at Milford, Connecticut, \$10,000.

For improving Housatonic River, Connecticut, \$5,000.

For improving harbor at Norwalk, Connecticut, \$6,000.

For improving harbor at Port Jefferson, Long Island Sound, New York, \$8,000.

For improving Hudson River, New York, \$70,000.

For removing obstructions in East River and Hell Gate, New York, \$350,000.

For improving Passaic River, New Jersey, \$10,000.

For improving East Chester Creek, New York, \$10,000.

For improving harbor at Rondout, New York, \$30,000.

For improving harbor at Burlington, Vermont, \$20,000.

For improving harbor at Swanton, Vermont, \$20,000.

For improving Otter Creek, Vermont, \$8,000.

For constructing piers in Delaware Bay, near Lewes, Delaware, \$20,000.

For improving harbor at Wilmington, Delaware, \$7,000.

For improving Schuylkill River, Pennsylvania, \$30,000.

For improving Delaware River, below Bridesburgh, \$100,000.

For improving Delaware River, between Trenton and White Hill, New Jersey, \$10,000.

For improving North and South Branches of Shrewsbury River, New Jersey, \$18,000.

For improving Cohansay Creek, New Jersey, \$5,000.

For improving Des Moines Rapids, and operating the canal, \$95,000.

For improving Upper Mississippi River, from the mouth of the Illinois: removal of snags and obstructions, \$41,500.

It shall be the duty of the Secretary of War to apply the moneys herein appropriated for improvements, other than surveys and estimates, in carrying on the various works by contract or by hired labor, at his discretion, and as in his judgment may be most advantageous to the Government; and where said works are done by contract such contracts shall be made after sufficient public advertisement for proposals in such manner and form as the Secretary of War shall prescribe; and such contracts shall be made with the lowest responsible bidders therefor, accompanied by such securities as the Secretary of War shall require.

SEC. 2. That the Secretary of War is hereby directed to cause examinations or surveys, or both, and estimates of cost of improvements to be made at the following points, namely:

Portsmouth Harbor, New Hampshire;
The Mispillion Creek, Delaware;
Cape Foulweather, Oregon, to ascertain its adaptability as a harbor of refuge;
The Conecuh, Patsaligo, and Escambia Rivers, Alabama;
The Yadkin, North Carolina, between the bridge on the North Carolina Railroad and Wilkesborough;
Flushing Bay, New York;
The Thames River, Connecticut;
The Big Sunflower, Chickasahoy, Tallehatchie, Coldwater, Pearl, and Pascagoula, Mississippi; and the expenses of survey of the Pascagoula shall be defrayed out of the sum herein appropriated for the improvement thereof;

The Mobile Harbor, Alabama; and the expenses of the survey thereof shall be defrayed out of the sum appropriated herein for the improvement of said harbor;

North Landing River, Virginia;

The Salem River, New Jersey, between Sharpstown and Delaware Canal;

The Suwannee River, Florida;

The Caloosahatchie River, Florida;

Mississippi River, and above the city of Alexandria, Missouri;

The mouth of Hillsborough River and Tampa Bay, Florida;

Coney's Fork and Obey's Rivers, Tennessee;

Bayou Bartholomew, Arkansas;

Upper Red River, from the raft up to the Missouri, Kansas and Texas Railroad bridge;

Araucan Pass and Bay, up to Rockport and Corpus Christi, Texas;

Little River, Arkansas;

The bar at the mouth of Brazos River, Texas, including a report upon the capacity of the harbor at the mouth of the Brazos, and its adaptability as a harbor of refuge and naval station;

The Missouri River at Cedar City, in Callaway County, Missouri;

The Nottaway River, Virginia;

The coast of Long Island, New York, between Coney Island Point and Rockaway Inlet, in New York Bay;

Sheepshead Bay, New York;

Canarsie Bay, New York;

The Chattahoochee River, Georgia, above Columbus;

The Flint River, Georgia, from Albany to Montezuma;

The Etowah River, Georgia;

The Savannah River, above Augusta, Georgia;

Fouche La Fave, in Arkansas;

The harbor of San Luis Obispo, California, with a view to the practicability of building breakwater;

The harbor of San Buenaventura, California, with a view to the practicability of building breakwater;

The harbor of Santa Barbara, California, with a view to the practicability of building breakwater;

The Mississippi River, to ascertain the practicability, cost, and utility of a dike from Bloody Island, opposite the city of Saint Louis, Missouri, north to the dike or dam opposite Brooklyn, on the Illinois shore;

A survey and estimate of the damages, if any, done, or to be done, to riparian owners of lands, and improvements thereon, at or in front of the town of Venice, Illinois, near Saint Louis, Missouri, by reason of Government improvements made, or to be made, at or near said town of Venice;

Dan River, Virginia, from Clarksville, via Danville, Virginia, to Danbury, North Carolina;

Staunton River, from Roanoke Depot, in Charlotte County, Virginia, to Brookneal, in the county of Campbell, Virginia;

New River, from the lead mines in Wythe County to the mouth of Wilson, in Grayson County, Virginia;

The harbor at Quincy, Illinois;

Tones Bayou, Bayous Pierre and Wincey, and Lakes Bayou Pierre and Cannasnier, Louisiana;

Scituate Harbor, Massachusetts;

Tongapough River, Louisiana;

Wolf River, from Lake Boygan to Red River, Wisconsin;

The Arkansas River, from Fort Smith, Arkansas, to the mouth of Little Arkansas;

Woodbridge Creek, Middlesex County, New Jersey;

Elizabeth River, New Jersey;

Rahway River, New Jersey;

Charles River, Massachusetts, to the head of tide-water;

Manasquan River, New Jersey;

White River, Indiana, including the East Fork to the new bridge in course of construction near Bedford, and the West Fork to the town of Gosport;

Portage Lake, Manistee County, Michigan, with a view to its adaptability as a harbor of refuge;

Westport Harbor, Massachusetts;

Wood's Hole, Massachusetts;

Pedee River, from Cheraw, South Carolina, to the mouth of Uwharrie River, North Carolina;

The bars at the entrance of Annapolis Harbor, Maryland, with a view to accommodation of deep-draught vessels at low tide;

West Branch of Patuxent River, Maryland, from Light street bridge to head of tide-water, and an estimate of the cost of making the same navigable for canal-boats;

The Kentucky River and navigable tributaries, Kentucky;

The Licking River, Kentucky;

The Falls of the Cumberland, Kentucky;

Clearwater River, Idaho;

The Missouri and Kansas Rivers, at and near their junction;

The Trent River, North Carolina;

Neuse River, from Smithfield to Goldsborough, North Carolina;

Chowan River, North Carolina;

The Tar River, North Carolina, from Washington to Tarborough;

Humboldt River, California, with a view to its adaptability as a harbor of refuge;

Crescent City Harbor, California, with a view to its adaptability as a harbor of refuge;

The examination of the Saint Croix River, in Wisconsin and Minnesota, and of the Chippewa and Wisconsin Rivers, in the State of Wisconsin, to determine the practicability and cost of creating and maintaining reservoirs upon the headwaters of said rivers and their tributaries for the purpose of regulating the volume of water and improving the navigation of said rivers and that of the Mississippi River, and an estimate of the damage to result therefrom to property of any kind;

The Colorado of the West, from Fort Yuma to Eldorado Cañon;

The Muskingum River, Ohio, below the second dam, to ascertain its adaptability for an ice-harbor, for the protection of steamers and other craft on the Ohio River;

The Kiskiminetas and Conemaugh Rivers, Pennsylvania, from the mouth of the Kiskiminetas to the mouth of Stony Creek on the Conemaugh;

The Allegheny River, up to the mouth of French Creek;

The Kankakee River, Illinois;

Lincolnton Harbor, Maine;

Lubec Channel, Maine;

Apalachicola Bay, Florida;

East River, New York, at its junction with Newtown Creek.

SEC. 3. That for the examinations and surveys herein provided for, and for incidental repairs of harbors for which there is no special appropriation, the sum of \$150,000 is hereby appropriated, to be paid out of any moneys in the Treasury not otherwise appropriated.

This bill appropriates the sum of \$7,293,700.

Mr. FINLEY. I call for the yeas and nays on the motion to suspend the rules.

Mr. BRIGHT. I desire to make a parliamentary inquiry.

Mr. COX, of New York. I made a point of order which I would like to have a ruling upon by the Chair.

Mr. BRIGHT. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BRIGHT. Should this bill fail to receive a two-third majority, would it still remain—

The SPEAKER. It would not be before the House.

Mr. BRIGHT. Would it be competent then to refer it to the Committee of the Whole?

The SPEAKER. The bill would remain with the Committee on Commerce, as that committee have instructed its chairman to make the motion he has.

Mr. COX, of New York. My point of order is, that under the Constitution regulating commerce between the States this bill is not properly a bill for the action of the House.

The SPEAKER. That is a question for each member to determine for himself, not for the Chair.

Mr. KENNA. I insist upon the regular order.

Mr. COX, of New York. I am on a point of order.

The SPEAKER. The gentleman will state it.

Mr. COX, of New York. My point of order is that the power to regulate commerce between the States does not mean commerce between congressional districts or any individual districts. I would like, moreover, to amend this bill so as to provide water for some of these creeks mentioned in it. [Laughter.]

Mr. KENNA. The gentleman's point of order is not in order. Whether this bill is constitutional or not, is a question for the House to decide.

Mr. REAGAN. If there is a want of water in the composition of this bill, a stranger listening to the arguments of gentlemen opposing the bill would come to the conclusion that there was a superabundance of some other fluid in them. [Laughter.]

Mr. SOUTHWARD. I desire to make an inquiry.

The SPEAKER. The gentleman will state it.

Mr. SOUTHWARD. It is whether, if this motion is voted down, this bill can be reported from the committee on the regular call and be referred to the Committee of the Whole for discussion?

The SPEAKER. It can at such times as the Committee on Commerce may be called.

Mr. MILLS. Everybody knows that. I call for the regular order.

Mr. SOUTHWARD. I have a point of order on the bill.

The SPEAKER. The gentleman will state it.

Mr. SOUTHWARD. The latter portion of Rule 77 requires that bills shall state the amount appropriated by them.

The SPEAKER. That applies to bills reported from the Appropriation Committee.

Mr. REAGAN. This bill does state it.

Mr. COX, of New York. How much is it.

Mr. REAGAN. It is \$7,293,700.

Mr. KENNA. And even if it did not state it, this is a motion to suspend the rules.

Mr. RICE, of Ohio. I move that the House now adjourn.

Mr. FINLEY. And on that motion I call for the yeas and nays.

The question was taken upon ordering the yeas and nays; and upon a division there were—yeas 33, noes 138; not one-fifth in the affirmative.

Before the result of this vote was announced,

Mr. FINLEY called for tellers on ordering the yeas and nays.

The question was taken upon ordering tellers; and there were 30 in the affirmative, one-fifth of a quorum.

So tellers were ordered; and Mr. FINLEY and Mr. REAGAN were appointed.

The House again divided; and the tellers reported that there were—yeas 39, noes 148.

So (more than one-fifth voting in the affirmative) the yeas and nays were ordered.

The question was taken; and there were—yeas 33, nays 207, not voting 51; as follows:

YEAS—33.			
Blackburn,	Fort,	Luttrell,	Springer,
Cannon,	Gardner,	Mackey,	Stenger,
Carlisle,	Hewitt, Abram S.	McMahon,	Thornburgh,
Clarke of Kentucky,	Jones, Frank	Morse,	Townsend, M. I.
Clymer,	Jones, John S.	Neal,	Williams, James
Cox, Samuel S.	Killinger,	Randolph,	Willis, Albert S.
Danford,	Kimmel,	Rice, Americus V.	
Dickey,	Knott,	Southard,	
Finley,	Lockwood,	Sparks,	
NAYS—207.			
Acklen,	Boyd,	Caswell,	Davidson,
Aldrich,	Bragg,	Chalmers,	Davis, Horace
Atkins,	Brewer,	Claffin,	Davis, Joseph J.
Bagley,	Bridges,	Clark of Missouri,	Dean,
Baker, William H.	Briggs,	Clark, Rush	Deering,
Ballou,	Bright,	Cobb,	Detroit,
Banning,	Browne,	Cole,	Dibrell,
Bayne,	Buckner,	Collins,	Douglas,
Beobe,	Bundy,	Conger,	Dunnell,
Bell,	Burchard,	Cook,	Durham,
Benedict,	Cabell,	Covert,	Eames,
Bicknell,	Cain,	Cox, Jacob D.	Elam,
Bisbee,	Caldwell, John W.	Crapo,	Ellis,
Blair,	Caldwell, W. P.	Cravens,	Ewins, John H.
Bland,	Calkins,	Crittenden,	Ewing,
Bliss,	Camp,	Cullerson,	Felton,
Blount,	Campbell,	Cummings,	Forney,
Bouck,	Candler,	Cutler,	Franklin,

Freeman,	James,	Patterson, T. M.	Starin,
Frye,	Jones, James T.	Peddie,	Steele,
Garth,	Joyce,	Phillips,	Stewart,
Gause,	Keightley,	Pollard,	Stone, John W.
Gibson,	Kelley,	Potter,	Stone, Joseph C.
Giddings,	Kenna,	Pound,	Strait,
Glover,	Ketcham,	Powers,	Thompson,
Goode,	Knapp,	Price,	Throckmorton,
Gunter,	Landers,	Rainey,	Townsend, Amos
Hanna,	Lapham,	Rea,	Turner,
Hardenbergh,	Lathrop,	Reagan,	Turney,
Harmer,	Ligon,	Reed,	Vance,
Harris, Benj. W.	Lindsey,	Reilly,	Van Vorhes,
Harris, Henry R.	Lynde,	Rice, William W.	Waddell,
Harris, John T.	Manning,	Riddle,	Walker,
Hart,	Marsh,	Robbins,	Walsh,
Hartbridge,	Martin,	Roberts,	Ward,
Hartzell,	McCook,	Robertson,	Warner,
Haskell,	McKinley,	Robinson, G. D.	Watson,
Hatcher,	Metcalfe,	Robinson, M. S.	Welch,
Hayes,	Mills,	Ross,	White, Harry
Hazelton,	Mitchell,	Ryan,	White, Michael D.
Hendee,	Money,	Sampson,	Whitthorne,
Henderson,	Monroe,	Sapp,	Wigginton,
Henkle,	Morgan,	Sayler,	Williams, Andrew
Henry,	Morrison,	Schleicher,	Williams, C. G.
Herbert,	Muldrow,	Sexton,	Williams, Jere N.
Hewitt, G. W.	Muller,	Shallonberger,	Williams, Richard
Hooker,	Norcross,	Shelley,	Willis, Benj. A.
House,	Oliver,	Singleton,	Willits,
Hubbell,	O'Neill,	Sinnickson,	Wilson,
Humphrey,	Overton,	Slemmons,	Wood,
Hunter,	Page,	Smalls,	Wren.
Itner,	Patterson, G. W.	Smith, William E.	

NOT VOTING—51.

Aiken,	Eickhoff,	Hunton,	Smith, A. Herr
Bacon,	Edsworth,	Jorgensen,	Stephens,
Baker, John H.	Errett,	Keifer,	Swann,
Banks,	Evans, I. Newton	Loring,	Townsend, R. W.
Boone,	Evans, James L.	Maish,	Tucker,
Brentano,	Foster,	Mayham,	Veeder,
Brogden,	Fuller,	McGowan,	Wait,
Burdick,	Garfield,	McKenzie,	Williams, A. S.
Butler,	Hale,	Phelps,	Wright,
Chittenden,	Hamilton,	Pridemore,	Yeates,
Clark, Alvah A.	Harrison,	Pugh,	Young.
Dwight,	Hiscock,	Quinn,	
Eden,	Hungerford,	Scales,	

So the motion to adjourn was not agreed to.

During the call of the roll the following announcements were made: Mr. DAVIS, of North Carolina. My colleague, Mr. YEATES, is absent on account of a death in his family. My colleague, Mr. SCALES, is absent by leave of the House, and paired on all political questions. My colleague, Mr. BROGDEN, is confined to his room by illness.

Mr. GLOVER. I have been requested to state that Mr. JORGENSEN, of Virginia, is paired with his colleague, Mr. PRIDEMORE.

Mr. MAISH. I am paired on the river and harbor bill with Mr. CLARK, of New Jersey, and therefore I decline to vote on this motion.

Mr. MCKENZIE. I am paired with Mr. YEATES, of North Carolina. If he were present, I would vote "ay" and I suppose he would vote "no."

Mr. HAMILTON. I am paired with Mr. STEPHENS, of Georgia. If present, he would vote in the negative and I would vote in the affirmative.

Mr. WILLIAMS, of Michigan. I am paired with Mr. BANKS, of Massachusetts.

Mr. BAKER, of Indiana. On the river and harbor bill I am paired with the gentleman from Ohio, Mr. FOSTER. If he were present, I presume he would vote "no" on this motion and I would vote "ay."

Mr. SINNICKSON. My colleague, Mr. PUGH, is paired with Mr. CABELL, of Virginia. If present, Mr. PUGH would vote "no."

Mr. HUNTON. My colleague, Mr. TUCKER, is paired with General GARFIELD, of Ohio.

The result of the vote was then announced as above stated.

The question then recurred on the motion of Mr. REAGAN, to suspend the rules and pass the bill.

Mr. FINLEY. On that motion I call for the yeas and nays.

Mr. MITCHELL. I rise to a parliamentary inquiry. I desire to ask the Speaker whether Rule 121 applies to the bill now before the House. That rule reads as follows:

Upon the engrossment of any bill making appropriations of money for works of internal improvement of any kind or description, it shall be in the power of any member to call for a division of the question, so as to take a separate vote of the House upon each item of improvement or appropriation contained in said bill, or upon such items separately, and others collectively, as the members making the call may specify; and if one-fifth of the members present second said call, it shall be the duty of the Speaker to make such divisions of the question and put them to vote accordingly.

The SPEAKER. This is a motion to suspend the rules, which includes that rule among others.

Mr. COX, of New York. That is the mischief of it. [Laughter.]

Mr. MITCHELL. I observe, also, that by another rule of the House it is required that the amount appropriated in a bill shall be stated.

The SPEAKER. That applies only to appropriation bills reported from the Committee on Appropriations.

Mr. MITCHELL. This is an appropriation bill, as I understand. I wish to know, as a matter of information to which I think we are entitled, how much is appropriated by this bill.

Mr. COX, of New York. Seven million two hundred and ninety-three thousand dollars.

The SPEAKER. The Chair understands the amount to be what has just been stated by the gentleman from New York.

Mr. MITCHELL. Does that include all the appropriations in this bill? [Cries of "Regular order!"]

The SPEAKER. The question is on ordering the yeas and nays, which have been called for by the gentleman from Ohio, [Mr. FINLEY.]

The yeas and nays were ordered.

Mr. MITCHELL. I rise to another point of order. [Cries of "Order!"]

The SPEAKER. The gentleman will state it.

Mr. MITCHELL. Gentlemen may call "Order!" but I have rights here as much as other members, and my constituents have rights equally with those of other gentlemen. I desire to know whether it is not the privilege of a member of this House to have before him in print a copy of the bill on which he is required to vote. I understand it is stated by the committee that certain items which they propose to appropriate are not included in the printed bill.

Mr. REAGAN. If allowable, I will state—

The SPEAKER. It is not allowable.

Mr. MITCHELL. What is the fact about the matter?

The SPEAKER. The Chair thinks that is not a point of order.

Mr. MITCHELL. Well, Mr. Speaker, [cries of "Regular order!"] I desire to protest against this bill as omnibus legislation on the "log-rolling" principle, "You help me and I will help you."

Mr. COX, of New York. I have raised a point of order under the Constitution.

The SPEAKER. The Chair rules that he is not to construe the Constitution for members of the House. It is the province of each member to determine for himself such questions arising in regard to any proposed legislation.

The question was taken; and there were—yeas 167, nays 66, not voting 58; as follows:

YEAS—167.

Acklen,	Dunnell,	Joyce,	Robertson,
Atkins,	Eames,	Keightley,	Ross,
Bagley,	Elam,	Kelley,	Ryan,
Baker, William H.	Evins, John H.	Kenna,	Sampson,
Ballou,	Ewing,	Ketcham,	Sapp,
Banning,	Felton,	Kimball,	Sayler,
Bell,	Forney,	Knapp,	Schleicher,
Bicknell,	Franklin,	Landers,	Shallonberger,
Bisbee,	Freeman,	Lathrop,	Shelley,
Bland,	Frye,	Ligon,	Singleton,
Bliss,	Garth,	Lindsey,	Sinnickson,
Bouck,	Gause,	Lockwood,	Siemons,
Boyd,	Giddings,	Loring,	Smalls,
Brewer,	Glover,	Lynde,	Smith, William E.
Buckner,	Goode,	Manning,	Starin,
Burchard,	Gunter,	Marsh,	Steele,
Cain,	Hale,	Martin,	Stewart,
Calkins,	Hanna,	McCook,	Stone, John W.
Camp,	Hardenbergh,	Metcalfe,	Stone, Joseph C.
Caswell,	Harmer,	Mills,	Strait,
Chalmers,	Harris, Benj. W.	Money,	Throckmorton,
Claffin,	Harris, Henry R.	Monroe,	Townsend, Amos
Clark of Missouri,	Hart,	Muldrow,	Van Vorhes,
Cole,	Hartridge,	Muller,	Waddell,
Conger,	Hartzell,	Norcross,	Walker,
Cook,	Haskell,	Oliver,	Walsh,
Covert,	Hatcher,	O'Neill,	Ward,
Cox, Jacob D.	Hayes,	Overton,	Warner,
Crapo,	Hazelton,	Page,	Watson,
Cravens,	Hendee,	Patterson, T. M.	Welch,
Crittenden,	Henderson,	Peddie,	White, Harry
Culbertson,	Henkle,	Phillips,	Wigginton,
Cummings,	Henry,	Pollard,	Williams, A. S.
Cutler,	Henry, Henry R.	Pound,	Williams, C. G.
Davidson,	Hewitt, G. W.	Price,	Williams, Jere N.
Davis, Horace	Herbert,	Powers,	Williams, Richard
Davis, Joseph J.	Hooker,	Rea,	Willis, Benjamin A.
Dean,	House,	Reagan,	Willits,
Deering,	Hubbell,	Reed,	Wilson,
Denison,	Humphrey,	Rice,	Wood,
Dibrell,	Hunter,	Riddle,	Wren.
Douglas,	Itner,	Robbins,	
	Jones, J. T.	Roberts,	

NAYS—66.

Aldrich,	Collins,	Knott,	Sexton,
Benedict,	Cox, Samuel S.	Lapham,	Southard,
Blackburn,	Danford,	Luttrell,	Sparks,
Bragg,	Dickey,	Mackey,	Springer,
Bridges,	Eickhoff,	McMahon,	Stenger,
Briggs,	Ellis,	Mitchell,	Thompson,
Bundy,	Errett,	Morgan,	Thornburgh,
Caldwell, John W.	Finley,	Morrison,	Townsend, Martin I.
Caldwell, W. P.	Fort,	Neal,	Turney,
Campbell,	Fuller,	Patterson, G. W.	White, Michael D.
Candler,	Gibson,	Potter,	Whitthorne,
Cannon,	Hewitt, Abram S.	Randolph,	Williams, Andrew
Carlisle,	Hunton,	Reilly,	Williams, James
Clarke of Kentucky,	James,	Rice, Ameriens V.	Willis, Albert S.
Clark, Rush	Jones, Frank	Rice, William W.	Wright.
Clymer,	Jones, John S.	Robinson, G. D.	
Cobb,	Killingier,	Robinson, M. S.	

NOT VOTING—58.

Aiken,	Beebe,	Bright,	Cabell,
Bacon,	Blair,	Brogden,	Chittenden,
Baker, John H.	Blount,	Browne,	Clark, Alvah A.
Banks,	Boone,	Burdick,	Durham,
Bayne,	Brentano,	Butler,	Dwight,

Eden,	Hiscock,	Phelps,	Townshend, R. W.
Ellsworth,	Hungerford,	Pridemora,	Tucker,
Evans, I. Newton	Jorgensen,	Pugh,	Turner,
Evans, James L.	Kelfer,	Quinn,	Vance,
Foster,	Maish,	Rainey,	Veeder,
Garner,	Mayham,	Scales,	Wait,
Garfield,	McGowan,	Smith, A. Herr	Yeates,
Hamilton,	McKenzie,	Stephens,	Young.
Harris, John T.	McKinley,	Swann,	
Harrison,	Morse,	Tipton,	

So (two-thirds voting in favor thereof) the motion to suspend the rules and pass the bill was agreed to.

During the roll-call the following announcements were made:

Mr. ROBBINS. My colleague, Mr. SCALES, is absent on leave and is paired, but I do not know with whom. My colleague, Mr. YEATES, is absent on account of affliction in his family, and is paired with Mr. MCKENZIE, of Kentucky. Mr. YEATES, if here, would vote "ay."

Mr. TURNER. I am paired with Mr. MCGOWAN, of Michigan; and as his State is well provided for in the bill I presume he would vote "ay." My State is not provided for, and if he were here I should vote "no" on the proposition to suspend the rules and pass the bill, because it cuts off all debate and amendments and all opportunity to get appropriations to the rivers of Kentucky, and does not do my section justice; and not because I am opposed to the policy of improving rivers and harbors.

Mr. BEEBE. I am paired with Mr. PHELPS. If he were here, I would vote in the negative.

Mr. CABELL. I am paired with Mr. PUGH. If he were here, I would vote in the negative and he would vote in the affirmative.

Mr. MCKENZIE. I am paired with Mr. YEATES. If he were here, I would vote "no."

Mr. CARLISLE. I am requested to announce that my colleague, Mr. DURHAM, is paired with Mr. BLOUNT, they having been called to the other end of the Capitol on a committee of conference. I also announce that my colleague, Mr. BOONE, is absent on account of sickness.

Mr. HAMILTON. I am paired with Mr. STEPHENS, of Georgia. He would vote "ay" and I would vote "no."

Mr. WILLIAMS, of Michigan. I am paired with Mr. BANKS. If he were here, I understand he would vote in the affirmative, and therefore as I also would vote in the affirmative I ask to have my vote recorded accordingly.

Mr. BLAIR. I am paired with Mr. BUTLER.

Mr. GARDNER. I am paired with Mr. EVANS, of Indiana. He would vote "ay" and I would vote "no."

Mr. BROWNE. I am paired with Mr. WAIT.

Mr. BAYNE. I am paired with Mr. MCKINLEY.

Mr. HUNGERFORD. I am paired with Mr. HISCOCK. He would vote in the affirmative and I would vote in the negative.

Mr. STEELE. My colleague, Mr. BROGDEN, is still detained at his room by illness. If he were present, he would vote in the affirmative.

Mr. GARFIELD. I am paired with the gentleman from Virginia, Mr. TUCKER. I would vote "ay" and he would vote "no."

Mr. BAKER, of Indiana. On this question I am paired with Mr. FOSTER, of Ohio. If present he would vote "aye" and I would vote "no."

The vote was then announced as above recorded.

Mr. COX, of New York. I rise, Mr. Speaker, for the purpose of presenting a protest against the passage of this bill, signed by members of Congress, and I ask to have it read.

Mr. HARRIS, of Virginia. I move the House adjourn.

Mr. CONGER. Has the gentleman any such right?

The SPEAKER. The right was established in the Thirty-ninth Congress by the democratic side of the House—

Mr. KENNA. I rise to a parliamentary inquiry.

Mr. COX, of New York. I have the floor on a question of privilege, and I do not yield for debate.

Mr. KENNA. Mr. Speaker, I wish to inquire whether the motion of the gentleman from Virginia is not of higher privilege, being a motion to adjourn, and having been submitted before the gentleman from New York took the floor?

The SPEAKER. But the gentleman from New York was recognized by the Chair on a question of privilege.

Mr. COX, of New York. I do not yield the floor.

Mr. MILLS. Do the rules provide for the entering of a protest?

The SPEAKER. The Chair will have read an instance in the nature of a precedent.

Mr. MILLS. Is there any rule authorizing it?

The SPEAKER. Is the Chair to understand it is a protest against the bill?

Mr. COX, of New York. It is.

Mr. BURCHARD. Then is it of any more effect than a vote against the bill?

The SPEAKER. That is a matter of opinion.

Mr. BURCHARD. Has it any effect upon the bill?

The SPEAKER. It has none.

Mr. COX, of New York. Several gentlemen are signing it and more wish to sign it. I ask it to be read.

Mr. WADDELL. Does it require unanimous consent?

The SPEAKER. It does not. In the Thirty-ninth Congress a precedent was established in reference to a like condition of things.

Mr. SPRINGER. Let it be read.

Mr. COX, of New York. Let the protest be read.

Mr. FORT. The title of the bill should be amended so as to read "An act to legalize log-rolling," for that is what it is.

The SPEAKER. The gentleman from New York asks to have read this paper as part of his remarks explanatory of the question of privilege he has raised.

Mr. GARFIELD. No remarks can be allowed.

Mr. WADDELL. In the absence of any rule allowing this, I object.

The SPEAKER. It is universal custom—

Mr. WADDELL. Does it not require unanimous consent to go upon the Journal?

Mr. COX, of New York. It is done in accordance with universal custom.

The SPEAKER. It does not go upon the Journal. It is not read to go upon the Journal, but whatever occurs in the House goes in the CONGRESSIONAL RECORD as a part of the proceedings.

Mr. KENNA. The reading of the paper has not yet taken place.

Mr. COX, of New York. I call for its reading.

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

The SPEAKER. The gentleman will state it.

Mr. KENNA. My point of order is that this cannot go into the RECORD as a part of the gentleman's remarks, because the remarks themselves are not in order under the rules.

Mr. ROBERTS. That is the point.

The SPEAKER. The gentleman from New York rises to a question of privilege.

Mr. KENNA. Then I insist he must state his question of privilege, in order that the House may know what action to take upon it.

The SPEAKER. Certainly the gentleman from New York has the right to send forward this paper to be read as part of his remarks in stating the question of privilege.

Mr. WILLIS, of New York. Ought we not to know in the first instance what is the question of privilege?

Mr. GARFIELD. I move to adjourn.

The SPEAKER. The gentleman from New York [Mr. Cox] has the floor.

Mr. COX, of New York. I claim that this is a question of privilege on the ground of general usage for many years.

Mr. MILLS. I desire to ask a parliamentary question.

The SPEAKER. The Chair will hear it.

Mr. MILLS. Is it a privilege accorded to a minority of this House to protest against the action of the majority?

The SPEAKER. The gentleman from New York rises to a question of privilege, and as a part of his remarks thereon submits this paper. The Chair is unable, until the paper is read, to rule whether or not it embraces a question of privilege.

Mr. WILLIS, of New York. What is the question of privilege?

The SPEAKER. The Chair is trying to find out.

Mr. GARFIELD. I would suggest that the Chair might inspect the paper to see if it embraces a question of privilege or not, before allowing it to go upon our records.

The SPEAKER. Not at all. The paper may contain charges against members.

Mr. FRANKLIN, Mr. FINLEY, Mr. BUTLER, and others addressed the Chair.

The SPEAKER. The Chair cannot recognize any one until order is restored. The House will come to order.

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

The SPEAKER. The gentleman from Massachusetts is not on the floor for that purpose.

Mr. REAGAN. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. REAGAN. It is that the gentleman from New York has stated his object to be to protest against the passage of a bill. I submit that the protest itself cannot be admitted, and that it cannot be converted into a question of privilege, the object of the paper having been stated when presented. I ask the ruling of the Chair upon that question.

The SPEAKER. The gentleman from New York rose in his place and was recognized, and stated that he rose to a question of privilege. He then sends to the desk a paper which he desires to have read as relating to the question of privilege. The Chair is unable to state whether it is a question of privilege or not till he hears that paper read.

There is an example of this: when Mr. James Brooks, then a member from New York in the first session of the Thirty-ninth Congress, had entered at length upon the record a protest against the conduct of the Clerk of the House as to the manner in which he made up the roll, which was largely signed by democratic Representatives of that Congress.

Mr. GARFIELD. I wish to inquire whether the question was then made. If not, that case has no authority.

The SPEAKER. The question was raised. The Clerk declined to receive the protest, but still it is in the RECORD, having been read.

Mr. GARFIELD. But was the question raised whether it should go into the RECORD? If the question was not raised, it does not make a precedent.

The SPEAKER. The gentleman from New York is on the floor on a question of privilege. He is entitled to be heard, and in that connection sends this paper to the desk to be read.

Mr. ROBERTS. I rise to make a parliamentary inquiry. [Cries of "Regular order?"]

Mr. BUTLER. I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BUTLER. My parliamentary inquiry is this: has any man claiming the floor on a privileged question a right to prevent the House from adjourning?

The SPEAKER. The gentleman from New York is on the floor, and declines to yield to a motion to adjourn.

Mr. REAGAN. I desire to appeal from the decision of the Chair.

Mr. ROBERTS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ROBERTS. I call the attention of the Chair to the paragraph on page 289 of the Manual:

It is not a matter of right and parliamentary privilege to have received and entered upon the Journal a protest of members against the action of the House.

I submit that the rule is explicit, and that the gentleman from New York cannot submit this matter as a question of privilege.

The SPEAKER. The Chair ruled that the gentleman from New York is entitled to have this paper read as a part of his remarks on the question of privilege, and the gentleman from Texas [Mr. REAGAN] appeals from the decision of the Chair.

Mr. MILLS. I call the attention of the Chair to Rule 141, which states that when the reading of a paper is called for and the same is objected to by any member, it shall be determined by a vote of the House.

Mr. BUTLER. Pending the appeal of the gentleman from Texas, I move that the House do now adjourn.

Mr. SPRINGER. I desire to submit that the Chair has not yet ruled upon the question raised by the gentleman from New York, whether it be a question of privilege or not. [Cries of "Regular order!"] The Chair has stated that he would rule on that when the paper was read.

The SPEAKER. The Chair did rule that the gentleman from New York had a right, rising to a question of privilege, to have the paper read as a part of his remarks, and from that decision the gentleman from Texas appealed.

Mr. CARLISLE. I move to lay the appeal on the table.

The SPEAKER. And pending that, the gentleman from Massachusetts [Mr. BUTLER] moves that the House do now adjourn. The Chair would prefer to have the gentleman withdraw that motion so that the House may vote on the ruling of the Chair as to the right of the gentleman from New York [Mr. COX] to have the paper read as part of his remarks on a question of privilege.

Mr. BUTLER. It is after four o'clock, and I think we should adjourn.

Mr. BEEBE. I desire to make a point of order.

Mr. BUTLER. I think if we adjourn now the appeal would be withdrawn in the morning.

Mr. REAGAN. I wish the House to understand the grounds on which I rest my appeal from the Speaker's decision. The gentleman from New York arose and presented a protest. Afterward it was claimed that it was a question of privilege; but when he rose it was to present a protest against the action of the House. And I insist that as the protest was not admissible the pretense of its being a personal explanation or a matter of privilege should not enable him to get it before the House.

Many members called for the regular order.

The SPEAKER. The gentleman from New York stated to the Chair that he rose to a question of privilege, and was recognized for that purpose. He has the right to be heard on that, and the Chair has ruled that he has a right to have that paper read as a part of his remarks, showing in what the question of privilege consists.

Mr. BUTLER. The Chair recognized me to make the motion to adjourn. If we can have a vote at once upon the appeal and then I can be recognized to renew the motion, I am willing to withdraw it; if not, I stand by the motion to adjourn.

Mr. BEEBE. I rise to a point of order upon the motion of the gentleman from Massachusetts, and it is that my colleague [Mr. COX] having the floor it was not competent for the gentleman from Texas to raise a point of order in order to allow any gentleman on the floor to move to adjourn.

The SPEAKER. The Chair thinks that an appeal from his decision is in order, and pending that, that a motion to adjourn is in order, but the Chair asks the gentleman from Massachusetts not to press that motion.

Mr. FRANKLIN. Is it in order for a member to have read a decision upon this point at the Clerk's desk? If it is I desire to have it done.

Mr. BUTLER. I insist upon the motion to adjourn.

The SPEAKER. The Chair hopes that the House will let the vote be taken upon the appeal.

The question was taken on Mr. BUTLER's motion; and on a division there were—ayes 120, noes 77.

Mr. FINLEY. I call for tellers.

Tellers were ordered; and Mr. BUTLER, and Mr. COX of New York, were appointed.

The House again divided; and the tellers reported—ayes 124, noes 81.

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

The yeas and nays were ordered.

Mr. BEEBE. I rise to make a parliamentary inquiry: if the House adjourns will this matter come up as the unfinished business to-morrow?

The SPEAKER. As a question of privilege, it must be proceeded with until it is disposed of.

Mr. MILLS. Will it not be in order to enter a protest against calling the yeas and nays?

The SPEAKER. That is the constitutional privilege of one-fifth of the members present.

The question was taken; and there were—yeas 120, nays 101, not voting 70; as follows:

YEAS—120.

Aeklen,	Danford,	Hubbell,	Reed,
Atkins,	Davidson,	James,	Riddle,
Bagley,	Davis, Horace	Jones, James T.	Robbins,
Baker, William H.	Dean,	Kenna,	Roberts,
Ballou,	Deering,	Ketcham,	Ross,
Banning,	Denison,	Killinger,	Ryan,
Bell,	Dibrell,	Kimmel,	Sampson,
Benedict,	Douglas,	Knapp,	Saylor,
Bicknell,	Eames,	Lapham,	Sinnickson,
Bland,	Elam,	Ligon,	Slemmons,
Bliss,	Ewing,	Lindsey,	Southard,
Blount,	Felton,	Loring,	Steele,
Bouck,	Forney,	Martin,	Stewart,
Boyd,	Franklin,	McCook,	Stone, Joseph C.
Bridges,	Frye,	Mills,	Strait,
Buckner,	Garth,	Money,	Townsend, Amos
Burchard,	Gause,	Monroe,	Vance,
Butler,	Goode,	Morrison,	Van Vorhes,
Cain,	Gunter,	Muldraw,	Waddell,
Calkins,	Hanna,	Muller,	Ward,
Camp,	Harris, Henry R.	Norcross,	Welch,
Caswell,	Hartridge,	Oliver,	White, Harry
Claffin,	Hatcher,	Page,	White, Michael D.
Cobb,	Hayes,	Patterson, G. W.	Williams, Andrew
Cole,	Hendee,	Peddie,	Williams, C. G.
Cook,	Henry,	Potter,	Williams, Jere N.
Cox, Jacob D.	Herbert,	Pound,	Willis, Benj. A.
Crapo,	Hewitt, G. W.	Randolph,	Wilson,
Cravens,	Hooker,	Rea,	Wood,
Crittenden,	House,	Reagan,	Wren.

NAYS—101.

Aldrich,	Cummings,	Ittner,	Rice, William W.
Baker, John H.	Cutler,	Jones, Frank	Robertson,
Beebe,	Dickey,	Jones, John S.	Robinson, G. D.
Blackburn,	Dunnell,	Joyce,	Robinson, M. S.
Blair,	Durham,	Keightley,	Sapp,
Bragg,	Eickhoff,	Landers,	Shelley,
Brewer,	Ellis,	Lathrop,	Smalls,
Briggs,	Errett,	Lockwood,	Sparks,
Bright,	Evins, John H.	Luttrell,	Starin,
Browne,	Finley,	Mackey,	Stenger,
Bundy,	Fort,	Manning,	Stone, John W.
Cabell,	Freeman,	Marsh,	Throckmorton,
Caldwell, J. W.	Gardner,	McKenzie,	Townsend, M. L.
Caldwell, W. P.	Giddings,	McMahon,	Turner,
Campbell,	Hamilton,	Metcalfe,	Turney,
Candler,	Hardenbergh,	Mitchell,	Walker,
Cannon,	Harmer,	Morgan,	Walsh,
Carlisle,	Harris, Benj. W.	Morse,	Warner,
Clark, Rush	Hart,	O'Neill,	Wigginton,
Clark of Kentucky,	Hartzell,	Overton,	Williams, A. S.
Clymer,	Haskell,	Patterson, T. M.	Williams, James
Collins,	Hazelton,	Phillips,	Willis, Albert S.
Conger,	Henderson,	Pollard,	Wright.
Covert,	Hewitt, Abram S.	Price,	
Cox, Samuel S.	Humphrey,	Reilly,	
Culberson,	Hunton,	Rice, Americus V.	

NOT VOTING—70.

Aiken,	Evans, James L.	Maish,	Springer,
Bacon,	Foster,	Mayham,	Stephens,
Banks,	Fuller,	McGowan,	Swann,
Bayne,	Garfield,	McKinley,	Thompson,
Bisbee,	Gibson,	Neal,	Thornburgh,
Boone,	Glover,	Phelps,	Tipton,
Brentano,	Hale,	Powers,	Townsend, R. W.
Brogden,	Harris, John T.	Pridemore,	Tucker,
Burdick,	Harrison,	Pugh,	Veeder,
Chalmers,	Henkle,	Quinn,	Wait,
Chittenden,	Hiscock,	Rainey,	Watson,
Clark, Alvah A.	Hungerford,	Scalus,	Whitthorne,
Clark of Missouri,	Hunter,	Schleicher,	Williams, Richard
Davis, Joseph J.	Jorgensen,	Sexton,	Willits,
Dwight,	Keifer,	Shallenberger,	Yeates,
Eden,	Kelley,	Singleton,	Young.
Ellsworth,	Knott,	Smith, A. Herr	
Evans, I. Newton	Lynde,	Smith, William E.	

So the motion was agreed to; and accordingly (at four o'clock and forty 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. BRAGG: Memorial of the Legislature of Wisconsin, relative to the improvement of the condition of the Oneida Indians—to the Committee on Indian Affairs.

By Mr. CANDLER: Papers relating to the claim of R. H. Caldwell—to the Committee on War Claims.

By Mr. CLARK, of Iowa: Joint resolutions of the Legislature of Iowa, favoring the construction of a commercial highway between the Mississippi River and Lake Michigan by way of the valleys of the Fox and Wisconsin Rivers—to the Committee on Commerce.

By Mr. COX, of New York: The petition of William McGovern, for the erasure of "deserter" from his Army record—to the Committee on Military Affairs.

Also, the petition of Frederick Buckner and other pensioners of the war of 1812, to be relieved of biennial medical examinations—to the Committee on Revolutionary Pensions.

By Mr. CUMMINGS: Joint resolution of the Legislature of Iowa, favoring the construction of a commercial highway between the Mississippi River and Lake Michigan by way of the valleys of the Fox and Wisconsin Rivers—to the Committee on Commerce.

By Mr. FORNEY: The petition of J. W. Moore and others, citizens of Blount County, Alabama, for a favorable consideration of House bill No. 1670—to the Committee of Ways and Means.

By Mr. FULLER: The petition of Hon. John Walz, of New Harmony, Indiana, for the distribution by Congress of public documents to public libraries containing two thousand volumes and over—to the Committee on the Library.

By Mr. GARDNER: The petition of T. Worthington, of Ohio, late colonel Forty-sixth Regiment Ohio Volunteers, for a pension—to the Committee on Invalid Pensions.

By Mr. GARTH: The petition of J. S. Collins, R. M. King, John B. Tally, jr., and other citizens of Jackson County, Alabama, for the favorable consideration of House bill No. 1670—to the Committee of Ways and Means.

By Mr. HUMPHREY: Memorial of the North Wisconsin Railway Company, asking that they may not be divested of the title to certain lands—to the Committee on Public Lands.

By Mr. JOYCE: The petition of James C. Swassick, of Perrysville, Ohio, for a pension—to the Committee on Invalid Pensions.

By Mr. LIGON: The petition of citizens of Coosa County, Alabama, in relation to the cotton tax—to the Committee of Ways and Means.

By Mr. LUTTRELL: Joint resolution of the Legislature of California, favoring the appointment of M. G. Marsilliot to examine and report all the information that can be obtained upon the subject to the Secretary of the Treasury of the United States as to the production and manufacture of sugar from beets and melons in California—to the same committee.

Also, joint resolution of the Legislature of California, for the establishment of a mail route, with tri-weekly mails, from Reno, Nevada, to Chico, California—to the Committee on the Post-Office and Post-Roads.

By Mr. LYNDE: Memorial of the Legislature of Wisconsin, for the improvement of the condition of the Oneida Indians located on the reservation in the counties of Brown and Outagamie—to the Committee on Indian Affairs.

Also, memorial of the Legislature of Wisconsin, asking for an appropriation for constructing a harbor at Kewaunee, Wisconsin—to the Committee on Commerce.

By Mr. MARTIN: The petition of John T. Janney and others, of West Virginia, for the issue of \$500,000,000 of legal tenders, the calling in of the 6 per cent. matured bonds, and for the repeal of the resumption act—to the Committee on Banking and Currency.

Also, the petition of Franklin Ball, that his war claim be referred to the southern claims commission—to the Committee on War Claims.

By Mr. McMAHON: The petition of George Karner, for a pension—to the Committee on Invalid Pensions.

By Mr. METCALFE: The petition of Nathan Corona, to be refunded certain taxes illegally assessed and collected from him—to the Committee of Ways and Means.

By Mr. MITCHELL: The petition of merchants of Philadelphia, against the passage of the Wood tariff bill, on the ground that in the present depressed condition of business it would be vitally injurious to manufacturing interests and disastrous to the mercantile community—to the same committee.

By Mr. MULBROW: The petitions of Mrs. Wincy Newbury and of Mrs. L. E. Sharp, for compensation for quartermaster and commissary stores taken by the United States Army—to the Committee on War Claims.

By Mr. OLIVER: Joint resolution of the Legislature of Iowa, in reference to the construction of a commercial highway by water between the Mississippi River and Lake Michigan via the valleys of the Fox and Wisconsin Rivers—to the Committee on Commerce.

By Mr. O'NEILL: The petition of James F. Larkin, that the record of his discharge may be changed—to the Committee on Military Affairs.

Also, the petition of the publishers and booksellers of Philadelphia, against the reduction of the duty on books; against the ad valorem system and the principle in the Wood tariff bill of placing all unenumerated articles on the free list, which would make free trade the rule and protection incidental; against the passage of this tariff bill; and against the importation of books free of duty through the mails—to the Committee of Ways and Means.

By Mr. REED: The petition of John R. Bean and others, of Kennebunk, Maine, against the proposed change of the tariff, and against the reimposition of duties on tea and coffee—to the same committee.

By Mr. RICE, of Ohio: Papers relating to the pension claim of Annie W. Osborne—to the Committee on Invalid Pensions.

By Mr. ROBERTS: The petition of Lewis K. Herbst, of Havre de Grace, Maryland, for compensation for damages sustained by the occupation of his property by the United States Army—to the Committee on War Claims.

By Mr. ROBINSON, of Massachusetts: Papers relating to the claim of J. Nelson Trask—to the Committee of Claims.

By Mr. VAN VORHES: The petition of Mrs. Julia E. Barnes, for a pension—to the Committee on Invalid Pensions.

By Mr. WARD: The petition of 90 merchants and manufacturers of the city of Philadelphia and of Delaware and Montgomery Counties, Pennsylvania, against any reduction of tariff duties—to the Committee of Ways and Means.

By Mr. WILLIAMS, of New York: The petition of Ann Jane Mackey, for a pension—to the Committee on Invalid Pensions.

By Mr. WILLIS, of Kentucky: The petition of Keturah A. Collins, for a pension—to the same committee.

Also, papers relating to the bill for the relief of Jesse D. Seaton—to the Committee on Military Affairs.

By Mr. WILSON: The petition of William M. Patton, for compensation for services rendered as a messenger in the Doorkeeper's department, House of Representatives—to the Committee on Appropriations.

By Mr. WRIGHT: The petition of Stephen S. Welsh, Nat Fitch, W. W. Warner, Ziba Stephens, A. B. Templeton, A. M. Maynard, and John S. Spangenberg, for compensation for services rendered in the Quartermasters' Department, United States Army, in the year 1865—to the Committee of Claims.

IN SENATE.

TUESDAY, April 23, 1878.

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

The Journal of yesterday's proceedings was read and approved.

HOUSE BILLS REFERRED.

The following bill and joint resolutions from the House of Representatives were severally read twice by their titles and referred to the Committee on Naval Affairs:

A bill (H. R. No. 4420) for the relief of Horace E. Mullan;

A joint resolution (H. R. No. 109) authorizing Lieutenant T. B. M. Mason, United States Navy, to accept a medal conferred by the King of Italy for extinguishing a fire on a powder-ship; and

A joint resolution (H. R. No. 162) for the relief of Bushrod B. Taylor.

The following bills were severally read twice by their titles and referred to the Committee on the District of Columbia:

A bill (H. R. No. 4055) to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes;

A bill (H. R. No. 4425) to alter and amend a law of the District of Columbia relative to the inspection of flour; and

A bill (H. R. No. 4426) relative to the Washington Market Company.

The bill (H. R. No. 4413) to provide for the free entry of articles imported for exhibition by societies established for encouragement of the arts or sciences, and for other purposes, was read twice by its title, and referred to the Committee on Finance.

The bill (H. R. No. 4416) referring the claim of the legal representatives of Captain John G. Todd, of Texas, to the Court of Claims was read twice by its title, and referred to the Committee on Claims.

The bill (H. R. No. 4422) to amend section 4395 of the Revised Statutes of the United States was read twice by its title, and referred to the Committee on Pensions.

The bill (H. R. No. 4222) to provide for a deficiency in the appropriation for the public printing and binding for the current fiscal year was read twice by its title, and referred to the Committee on Appropriations.

JAMES SHIELDS.

The PRESIDENT *pro tempore* laid before the Senate the amendments of the House of Representatives to the bill (S. No. 931) granting a pension to James Shields; which, on motion of Mr. SARGENT, were referred to the Committee on Pensions.

PETITIONS AND MEMORIALS.

Mr. MATTHEWS presented the petition of Thomas Worthington, of Ohio, late colonel of the Forty-sixth Regiment Ohio Volunteers, praying that he may be placed on the retired list of the Army; which was referred to the Committee on Military Affairs.

Mr. CAMERON, of Wisconsin, presented the memorial of the Legislature of Wisconsin, in favor of legislation by Congress for the improvement of the condition of the Oneida tribe of Indians located on the reservation in the counties of Brown and Outagamie, in that State; which was referred to the Committee on Indian Affairs.

Mr. WALLACE presented a memorial of the Board of Trade of Philadelphia, Pennsylvania, remonstrating against the proposed transfer of the life-saving service from the Treasury to the Navy Department; which was ordered to lie on the table.

He also presented the petition of John Thomas and 100 other citizens of Hokendauqua, Pennsylvania, and the petition of John Williams and 400 others, citizens of Catasauqua, Pennsylvania, praying for the passage of the bill authorizing the construction of the Texas Pacific Railroad; which were referred to the Committee on Railroads.