XXXIXth Congress—First Session.

[CLOSE OF YESTERDAY'S PROCEEDINGS.]

SENATE.—Mr. Brown (Mo.) introduced a bill to aid in the construction of the Kansas and Neosho Valley Railroad, connecting the Great Lakes, Iowa, Missouri and Kansas with Texas and the Gulf of Mexico, and to secure to the Government the use of the same for military, postal and other purposes. Referred to the Committee on Public Lands.

The bill authorizes the above road to construct a road and telegraph line from the eastern terminus of the Union Pacific Railroad, eastern division, at the mouth of Kansas river, through the eastern tier of counties, to Red river, to connect with the railways from Galveston to Preston, with a branch to Fort Smith, and gives the right of way for two hundred feet in width, and needed materials from public lands. It extends the original grant of land through the entire route, subject to the same conditions, and empowers the company to negotiate with Indian tribes for the lands granted through Indian reservations.

It authorizes the issue of construction bonds of one thousand dollars each, and guarantees the interest upon twenty of said bonds for twenty years by the Government. The guarantee shall be on condition that the company pay the bonds at maturity and keep the road in repair, and that all Government use of the road shall be applied in satisfaction of the interest. In default of such fulfillment the Secretary of the Treasury may take possession of the road. The patents of the lands shall be issued upon the completion of each twenty miles of the road. The United States Government must extinguish, as rapidly as is compatible with public policy, the title of the Indians to lands granted by this act. A connection is authorized by any other road chartered by the United States, or by any State, with this road.

Mr. Ramsey (Minn.) presented the memorial of the Minnesota Legislature, asking an appropriation for the improvement of harbors on Lake Superior; also, for the establishment of a port of entry at the head of Lake Superior. Referred to the Committee on Commerce.

Mr. Sumner (Mass.) presented the petition of colored citizens of Virginia for equal rights. Also, the petition of citizens of Pennsylvania, asking that the Constitution be amended so as to prohibit any State from making distinctions in civil rights on account of color. Referred to the Committee on Reconstruction.

Mr. Fessenden (Maine) presented the petition of New York dressmakers, for relief from the burdens of the present tax on their business. Referred to the Committee on Finance.

Mr. Conway (Penn.) presented two petitions for a protective tariff, numerously signed, which were referred to the Committee on Finance.

Mr. Cowan (Penn.) presented the petition of assistant assessors for an increase of pay, which was referred to the Committee on Finance.

Mr. Anthony (R. I.) from the Committee on Printing, to whom was referred a resolution of inquiry as to what legislation was necessary for the publication of the statutes of the United States, reported a joint resolution that the Secretary of State be authorized to renew the contract with Little, Brown & Co., who shall be required to publish the statutes within seventy days of the adjournment of Congress, and the cost to the United States shall not exceed the actual expenditures of Little, Brown & Co., for printing, editing, etc., and five per cent. added. The resolution was adopted.

Mr. Pomeroy (Kansas) called up the Senate bill to grant land to the State of Kansas to aid in the construction of the Northern Kansas Railroad, which was passed.

The following bill was called up by Mr. Poland (Vt.), and passed;

A bill more effectually to provide for the punishment of certain crimes against the United States.

SECTION 1. That if any person or persons shall falsely make, alter, forge, or counterfeit, or cause, or procure to be falsely made, altered, forged, or counterfeited, or willingly aid or assist in the false making, altering, forging, or counterfeiting any bond, bid, proposal, guarantee, security, official bond, public record, affidavit or other writing, for the purpose of defrauding the United States, or shall utter or publish as true, or cause to be uttered or published as true, any such false, forged, altered, or counterfeited bond, bid, proposal, guarantee, security, official bond, public record, affidavit or other writing, for the purpose of defrauding the United States, knowing the same to be false, forged, altered or counterfeited, or shall transmit to or present at, or cause or procure to be transmitted to or presented at the office of the United States, any such false, forged, or counterfeited bond, bid, proposal, guarantee, security, official bond, public record, affidavit or other writing, knowing the same to be false, forged, altered or counterfeited, for the purpose of defrauding the United States, every such person shall be deemed and adjudged guilty of felony, and being thereof duly convicted, shall be sentenced to be imprisoned and kept at hard labor for a period not exceeding ten years, or be fined not exceeding one thousand dollars, or both of said punishments, at the discretion of the Court.

SEC. 2. That if any offence shall be committed in any place which has been, or shall be hereafter, ceded to and is under the jurisdiction of the United States, which offence is not prohibited, or the punishment whereof is not specially provided for by any law of the United States, such offender shall, upon conviction in any Court of the United States having cognizance thereof, be liable to and receive the same punishment as the laws of the State in which such place is or may be situated now in force, provide for the like offence when committed within the jurisdiction of such State, and no subsequent repeal of any such State law shall affect any prosecution for such offence in any of the Courts of the United States.

Mr. Harris (Md.) reported from the Judiciary Committee, without amendment, the bill concerning appeals, writs of errors and injunction.

Mr. Stewart (Nevada) reported from the Committee on the Judiciary the bill to provide for reports of decisions of the Supreme Court, with an amendment striking out all after the enacting clause and inserting a provision for extending the term of six months allowed for the publication of reports to eight months.

Mr. Wilson (Mass.) offered a resolution tendering the use of the Senate Chamber to Mr. M. C. Walling, a refugee from Texas, for the purpose of delivering a lecture, on Tuesday evening next.

Mr. Grimes (Iowa) said that as this was establishing a precedent for the future, he would call the yeas and nays on the adoption.

Mr. Riddle (Del.) objected to the resolution, and it goes over.

At the expiration of the morning hour the unfinished business of yesterday, which was the bill to authorize the establishment of telegraphic communication between the United States and the West Indies, was taken up, the pending question being upon Mr. Sherman's amendment to the last section, authorizing Congress to fix the rate to be charged by the company.

Mr. Chandler (Mich.) said the Committee on Commerce had bestowed more care on the pending bill than upon any bill before it this session. He regarded it as the most important bill before the Senate. In the British Parliament, said he, all their bills are prepared in committee, and when they are reported those who know nothing must take the advice of those who do. He wished that was practised here.

Mr. Fessenden (Maine) said, when the proper time came, he intended to offer an amendment' striking out the provision giving a sole privilege to this Company, and inserting in lieu of it a provision that no company shall be authorized to establish telegraphic communication between the coast of the United States and any foreign country through the waters of the United States without the consent of Congress. This, he thought, would be sufficient. If another company proposed to build a line, Congress could take into consideration the question whether it would be just to the existing company to do so.

Mr. Harris (N. Y.) was persuaded that no injury could result to the country, even from the great monopoly which Mr. Fessended thought it was. The risk was great and the expenditure was such as to justify a monopoly for the term of years specified in the bill.

The yeas and nays were demanded on Mr. Sherman's amendment, which was disapproved of, yeas 17, nays 21, as follows:

YEAS—Messrs. Brown, Buckalew, Clark, Doolittle, Fessenden, Henderson, Hendricks, Howe, Kirkwood, Lane (Ind.), Lane (Kansas), Sherman, Sprague, Trumbull, Van Winkle, Willey, and Yates—17.

NAYS—Messrs. Chandler, Cowan, Cragin, Creswell, Davis, Guthrie, Harris, Johnson, Morgan, Morrill, Nesmith, Norton, Nye, Poland, Pomeroy, Ramsey, Saulsbury, Stewart, Sumner, Wade, and Wilson—21.

Mr. Howe (Wis.) moved to amend by requiring the completion of the work in three years instead of five, as in the bill originally.

The amendment was adopted.

The question then recurred on striking out the word "sole" before the word "privilege" in the section granting to the company the privilege of establishing the line.

The amendment was disagreed to. Yeas 13, nays 22.

Mr. Cowan (Penn.) said he proposed to vote for the bill, though he did not know that Congress had jurisdiction except over the marine league. He believed that the jurisdiction belonged to one of the States.

Mr. Harris (N. Y.) said Congress had exclusive jurisdiction over the marine league. The company would have to get authority also from the State of Florida for jurisdiction over the territory between high and low water.

The bill was then a third time read and passed.

Mr. Chandler (Mich.) called up a bill for the relief of Thomas F. Wilson, United States Consul at Bahia, Brazil. It gives to Mr. Wilson fifteen hundred dollars to compensate him for loss sustained by a mob at the place named on the occasion of the capture of the rebel pirate Florida. The bill was passed.

Mr. Chandler called up a House resolution authorizing the Secretary of War and of the Navy to place the hulks of certain United States vessels at the disposal of the Commissioners of the Quarantine, in the ports of the United States, to aid in enforcing quarantine regulations.

Mr. Grimes (Iowa) said this resolution was intended for the port of New York alone. He moved to strike out the words "Secretary of the Navy," so as to have it applicable only to the "Secretary of War," who, he said, had three or four vessels at his disposal, which he (Mr. Grimes) was willing should be used for the purpose named. He did not believe there were any vessels in the navy that could be used for the purpose.

Mr. Chandler (Mich.) said the Secretary of the Navy had told him that the North Carolina was a condemned vessel.

Mr. Grimes said the North Carolina was in use as a receiving ship.

Mr. Nye (Cal.) spoke in favor of the resolution. He did not believe the navy of the United States could be better engaged than in protecing the lives of the citizens of the United States. It was only asked that hulks be appropriated, and it was generally admitted that there were hulks enough in the navy. [Laughter.] There were many vessels in the navy that would not be safe even for cholera patients. [Laughter.]

Mr. Riddle (Del.) believed that the Secretary was inviting the cholera here by talking about it. The discussion was calculated to excite the fears of the people, and in order to bring it to a close he moved to lay the whole subject on the table.

Mr. Chandler (Mich.) inquired if Mr. Riddle meant to lay cholera and all on the table? [Laughter.]

Mr. Cresswell (Md.) said if Mr. Riddle's motion carried the cholera with it he would vote for it. [Laughter.]

Mr. Riddle's motion was disagreed to.

The question recurring on the amendment of Mr. Grimes, it was disagreed to—yeas 11, nays 17.

Mr. Buckalew (Pa.) moved a proviso that this resolution shall continue in force one year after its passage. Adopted.

The resolution was then passed. As amended by Mr. Buckalew, it goes back to the House for concurrence in the amendment.

Mr. Chandler (Mich.) gave notice that he would at an early day call up the bill to regulate the commerce between the several States.

The House bill relating habeas corpus was referred to the Judiciary Committee.

Mr. Nesmith (Oregon) called up a bill authorizing and requiring the Secretary of the Treasury to issue to Goldsmith Brothers, of California and Oregon, five thousand dollars in seven-thirty bonds, in lieu of a like amount lost at sea.

Mr. Fessenden (Me.) had no objections to the bill, but he thought it ought to contain the clause providing that the Secretary of the Treasury shall first be satisfied of the actual loss of the bonds. He suggested to the chairman of the Committee on Claims if it would not be better to pass a general law covering such cases, many of which were now pending.

Mr. Clark (N. H.) said the Committee on Claims took great care in examining those cases to obtain all the information possible before coming to any conclusion. They were careful not to report in favor of the re-issue of the bonds until they were satisfied of the loss.

He moved to strike out the words "and required" from the bill. The Secretary of the Treasury would then be simply authorized to make good the loss, and would, undoubtedly, do so, when satisfied that it was actually incurred as stated.

The amendment was agreed to, and the bill was then passed.

Mr. Morrill (Me.) called up the bill to incorporate the National Mutual Protection Homestead Company. It incorporates certain parties under the name and style of the National Mutual Protection Homestead Company, for the encouragement of settlements and the organization of industry in the American States, with a capital of three million dollars.

The first three sections name the corporators and provide for the election of officers.

SEC. 4 provides that the capital stock shall be called in, and paid in such installments and proportions, and at such times and place as the president and directors for the time being may require and designate, who shall give fifteen days notice thereof in two or more daily papers in the city of Washington, and if any stockholder, subscriber, their assignee or transferee, shall refuse or neglect to pay such proportion or installment at the time and place appointed, such stockholder, subscriber, transferee or assignee shall, at the option of the president and directors forfeit to the use of the company all his, her or their right, title and interest in and to every share on which such installment has not been duly paid, and fresh subscriptions may be opened for the same in such manner as the by-laws may prescribe. Or the president or directors may at their own option commence suit for the same, and recover against the holder of the said stock for the amount of the installment or proportion so unpaid. Provided, that no stockholder or subscriber shall be permitted to vote at any election for directors, or at any general or special meeting of the company, on whose shares any installments or arrearages may be due more than fifteen days previous thereto.

SEC. 5. That the president and directors for the time being shall have power to ordain, establish and put in execution such rules, regulations, ordinances and by-laws as they may deem essential for the well government of the institution, not contrary to the Constitution of the United States, or of this act, or to the constitution and laws of the State in which the same is located, and generally to do and perform all acts, matters and things which a corporation may or can lawfully do.

SEC. 6. That the president and directors are hereby empowered and fully authorized, on behalf of the company, to lease or purchase and hold lands, and sub-let or sell and convey the same for use, settlement and cultivation, and may also lend money on mortgage of lands or pledges of growing crops, with a view to promote the reorganization of labor on the basis of freedom, and to promote the obtaining of homesteads by the landless; provided, that all leases given or taken by said company, shall provide that the lessee may purchase the lands leased at a price stipulated in the lease, at any time within the term thereof, which shall not in any case exceed the time when this corporation will expire by virtue of this act.

SEC. 7, That before said corporation commences business, the president, treasurer, and a majority of the directors, shall sign, swear to and publish three times in some newspaper printed in the District of Columbia, and record in the office of the register of deeds for said District a certificate setting forth the amount of the capital stock, and the amount actually paid in, and within thirty days after the payment of any installment called for by the directors, a certificate thereof shall, in like manner, be signed, sworn to, published, and recorded.

SEC. 8. That in the month of January of each year the president and treasurer, and a majority of the directors shall sign, swear to and publish three times in each of two newspapers printed in the District of Columbia a full statement of the amount of capital stock actually paid in, the amount invested in real estate, and the amount of existing demands against said corporation.

SEC. 9. That the president and directors shall make a yearly dividend of so much of the profits of said company as to them may appear advisable, first deducting all expenses, and pay the same to the respective stockholders, or their agents, duly empowered, within ten days after such dividend shall have been declared.

SEC. 10. That the stock of the said company shall be transferred to the books of the company in such manner as the by-laws of the company shall direct.

SEC. 11. That nothing in this act shall be construed as making it perpetual; but the same shall terminate and cease at the expiration of ten years from the organization of said company, and may at any time be amended, altered or repealed by Congress.

Mr. Johnson (Md.) called attention to the privileges granted by the bill to go into any State under a charter granted by Congress. He believed Congress had the right to charter corporations in the District, but not for operation in the States.

Mr. Clark (N. H.) said the bill proposed to erect a grand land speculating company. It was proposed, under a law of Congress, for a party of gentlemen to go into the several States to speculate in lands.

Mr. Morrill (Me.) spoke in favor of the bill, advocating it as a commendable measure, and believing that, under the corporators named its effects would be good.

Mr. Conness (Cal.) said the corporation might pass out of the hands of the corporators named in less than a year, and it might pass into the hands of men who would use it in such a way as to produce results quite different from what appeared on the face of the bill.

Mr. Cresswell (Md.) objected to the bill as an attempt to authorize land speculations. This he delared to be its avowed object.

Mr. Clark said it was proposed for the company to operate in the District. There was no pretence that there were lands here to sell. It was designed to create a company and authorize it to go into any of the States to buy and sell lands. It was better to leave it for the States to grant charters, if they desired to do so.

On motion of Mr. Clark, the further consideration of the bill was postponed until to-morrow.

Mr. Doolittle (Wis.) called up a bill to carry into effect the fourth article of the treaty of Washington, concluded between Great Britain and the United States on the 9th of August, 1842, which was passed.

It provides, for the purpose of executing the fourth article of the treaty between the United States and Great Britain, concluded at Washington on the 9th of August, 1842, that the Secretary of the Treasury be and he is hereby directed to pay, out of any money in the Treasury not otherwise appropriated, to the State of Massachusetts the sum of $32,688, and to the State of Maine the sum of $113,908, being at the rate of $1 25 per acre, for the amount of the public lands of these two States in the possession of the classes of persons described in said fourth article of said treaty, as ascertained by a joint committee instituted by Massachusetts and Maine in 1842, and by a commission instituted by Maine in 1854, the said money to be paid as soon as the State of Maine shall, by resolutions of the Legislature thereof, agree to quiet, by good and sufficient releases, all the occupants of the public lands of Massachusetts and Maine, whether holding under grants from New Brunswick, or holding by possessory, or equitable possessory, titles according to the reports of the aforesaid Commissions, so far as they have not been already quieted by such releases; and shall further undertake at its own expense, to quiet in like manner any other possessory rights under said fourth article of said treaty which may hereafter be discovered to exist upon the public lands of said State of Maine. Provided, That the Secretary of the Treasury may, at his discretion, make the payments directed by this section in any of the six per centum securities of the United States which are or may be authorized by law.

Mr. Sumner (Mass.) called up a joint resolution authorizing Commodore William Radford to accept a decoration from the King of Italy, which was passed. It provides that the assent of Congress be and the same is hereby given to Commodore William Radford, of the Navy of the United States, to accept a decoration from the King of Italy, as a reward for the assistance rendered by him to the Italian frigate Re d'Italia, when she got ashore near Long Branch.

Mr. Brown (Mo.) called up the bill to authorize the construction of a bridge across the Mississippi at St. Louis, but gave way on the consideration to

Mr. Wilson, who moved an Executive session,

The Senate went into Executive session, and soon after adjourned.

HOUSE.—The House proceeded to the consideration of the act to facilitate commercial, postal and military communication with the several States, which had been referred to the Judiciary Committee, for such amendment as would prevent land grants to railroads, such as the Illinois Central, from receiving pay from the government.

Mr. O'Neill (Pa.) desired to have a proviso inserted to the effect that the law should not be so construed as to give railroad companies the right to make connections with railroads in other States without the consent of their Legislatures.

Mr. Wilson (Iowa) declined to consent to such an amendment being offered, but he would consent to an amendment being offered by the gentleman from Ohio, (Mr. Garfield,) to secure to railroad companies the right to make connections at the boundaries of States, so that there should be no break in transportation.

Mr. O'Neill thought that the bill had better be again postponed, and time allowed for its consideration. He did not suppose that the gentleman from Iowa (Mr. Wilson) intended that States separated by broad rivers should have railroad connection except under State legislation. Years ago the great Pennsylvania Railroad had to wait several years before it was permitted to make connections across the "Panhandle," in the State of Virginia.

Mr Wilson (Iowa)—Yes, and the State of Iowa does not want connections made now between roads similarly circumstanced

Mr. O'Neill—The people of Pennsylvania do not want their interests destroyed by such legislation as this.

Mr. Wilson—That was the objection made by the people of Virginia, and now the gentleman is on the other side of that question. I move the previous question.

Mr. Rogers—My State is the only State interested in this bill, and I desire to say a word.

Mr. Wilson, (Iowa) —It is not interested at all. I yield to the gentleman from Ohio to offer an amendment.

Mr. Garfield offered an amendment to insert as follows: "And to connect with roads of other States so as to form continuous lines for the transportation of the same to the place of destination."

Mr. Garfield explained the object of his amendment, saying all it meant was that where roads met at a State line there should be no law forbidding them to connect. There were several instances where laws had been attempted to be got through Legislatures, and some where such laws had been got through, preventing railroad companies making connections with the companies of other States, and necessitating the transhipment of freight from the cars of the one to the cars of the other. There was an instance of that kind in the case of a road which ran through his own district to a neighboring State. His amendment provided that connections might be made across the line of a State.

Mr. Farnsworth inquired whether the amendment compelled railroad companies to make connections.

Mr. Garfield replied that it did not, but it gave them permission to do so, that a State law could not prevent them.

The previous question was renewed and seconded, and then

Mr. Wilson (Iowa), who was entitled to the floor, yielded to

Mr. Thayer (Penna.) who said that if the object of the amendment was what it was alleged to be, it was very skilfully worded. He was opposed to any legislation that would step outside of a fair construction of the constitutional power under which it was proposed to pass this law. He was not in favor of Congress taking under the protection of Congress the whole railway system of the United States. He would not say whether or not he would vote for the bill as it came from the committee, but he would say most emphatically that he would not vote for the amendment offered by the gentleman from Ohio, and if that amendment were adopted it would transcend the powers of Congress.

Mr. Wilson (Iowa) then yielded five minutes to Mr. Rogers.

Mr. Rogers said it was well known that the original bill on this subject was intended to apply only to the State of New Jersey. It was to authorize to railroads in that State, incorporated to do local business, to override their charter, and connect their roads so as to do business between Philadelphia and New York. He appealed to the House to wait until the termination of the charter granted to the Camden and Amboy Railroad Company, which would be in 1869. If this bill were passed now the State of New Jersey would be deprived of an annual tax of over two hundred thousand dollars which that corporation now paid for its exclusive privileges. This bill could have no application to any other State in the Union. There were two small corporations—the Camden and Atlantic and the Delaware and Raritan Bay—asking for this legislation, so as to authorize them to do in the State of New Jersey what they had, under their charters, no authority to do. He protested against any legislation giving the general government the power to enter a State and undertake to control railroad communication.

Mr. Wilson (Iowa) stated that the question which the gentleman from New Jersey had been discussing had been pronounced upon by the House when it granted the bill originally. He would therefore occupy no time in discussing it.

The proviso reported by the Judiciary Committee was agreed to.

The question recurred on Mr. Garfield's amendment, on which Mr. Thayer demanded the yeas and nays.

The vote was taken, and resulted yeas 73, nays 62; so the amendment was agreed to.

The question was then taken on the passage of the bill, on which Mr. Rogers demanded the yeas and nays, and it resulted in a vote of yeas 79, nays 46; so the bill was passed.

The following is the vote in detail:

YEAS—Messrs. Alley, Allison, Ames, Anderson, Ashly (Ohio), Baker, Banks, Barker, Baxter, Beaman, Bidwell, Bingham, Blow, Boutwell, Bromwell, Buckland, Clarke (Ohio), Conkling, Cook, Cullom, Delano, Dumont, Eggleston, Elliott, Farnsworth, Garfield, Grinnell, Hale, Harding (Ill.), Hart, Hayes, Henderson, Higby, Hill, Holmes, Hubbard (Iowa), Hubbard (Conn.), Hubbell (Ohio), James Humphrey, Ingersoll, Jenckes, Julian, Kelley, Kelso, Kuykendall, Laflin, Lawrence (Ohio), Loan, Lynch, McClurg, McKee, McRuer, Morrill, Moulton, Paine, Perham, Plants, Price, Raymond, Sawyer, Scofield, Shellabarger, Sloan, Smith, Spaulding, Stevens, Stillwell, Trowbridge, Upson, Van Aernum, Van Horn (N. Y.), Van Horn (Mo.), Ward, Warner, Washburne (Ill.), Welker, Wentworth, Wilson (Iowa), and Windom—79.

NAYS—Messrs. Ancona, Baldwin, Bergen, Boyer, Brooks, Broomall, Coffroth, Davis, Dawes, Dawson, Dennison, Eldridge, Glossbrenner, Goodyear, Grider, Harding (Ky.), Hubbard (W. Va.), Hubbell (N. Y.), Jones, Kerr, Le Blond, Marshall, McCullough, Mercur, Miller, Moorhead, Myers, Newell, Nicholson, Noell, O'Neill, Randall (Pa.) Ritter, Rogers, Ross, Sitgreaves, Strouse, Taber, Taylor, Thayer, Thornton, Trimble, Whaley, Williams, Winfield—46.

The bill as passed reads as follows:

Whereas, The Constitution of the United States confers upon Congress, in express terms, the power to regulate commerce among the several States, to establish post roads, and to raise and support armies; therefore,

Be it enacted by the Senate and House of Representative of the United States of America, in Congress assembled, That every railroad company in the United States, whose road is operated by steam, its successors and assignees, be and is hereby authorized to carry upon and over its road connections, boats, bridges and ferries, all passengers, troops, government supplies, mails, freight and property on their way from any State to another State, and to receive compensation therefor, and to connect with roads of other States, so as to form continuous lines for the transportation of the same to the place of destination; provided, that this act shall not affect any stipulation between the government of the United States and any railroad company for transportation or fares without compensation, nor impair nor change conditions imposed by the terms of any act granting lands to any such company to aid in the construction of its road.

Reports from Committees being next in order during the morning hour, Mr. Washburn (Mass.), from the Committee on Claims, presented a number of adverse reports, which were laid on the table.

Mr. Grinnell (Iowa), from the Committee on Agricultural, reported back the House resolution to encourage education in agriculture and the mechanic arts, with a recommendation that it be indefinitely postponed. It was so ordered.

Mr. Bidwell (Cal.), from the same committee, reported back a resolution of inquiry as to seeds to be distributed among farmers, and asked that the committee be discharged from its further consideration. So ordered.

Mr. Bidwell, also from the same committee, reported back, with a substitute, a bill to amend the Agricultural College bill, which was ordered to be printed, and its consideration postponed until to-morrow.

The morning hour having expired, Mr. Stevens (Pa.), from the Committee on Appropriations, reported the Senate amendments to the Deficiency bill, and asked for their consideration.

Me. Washburne (Ill.) suggested that, as some of the amendments were very important, they ought to be printed.

Mr. Stevens admitted that the suggestion was a reasonable one, and he assented to it.

The amendments were ordered to be printed, and postponed till to-morrow, after the morning hour.

Mr. Smith (Ky.) offered a resolution, which was adopted, instructing the Committee on Military Affairs to inquire into the propriety of making an appropriation to complete the work inaugurated by Major General Thomas, commanding the Military Division of the Tennessee, and other officers commanding divisions and departments, of disinterring and gathering into national cemeteries the soldiers who gave their lives for the salvation of the Union, with power to send for persons and papers.

Mr. Raymond (N. Y.) presented the petition of Walter W. Price and others, of New York, for a reduction of the duty on imported barley. Referred to the Committee on Ways and Means.

Mr. Laflin (N. Y.) from the Committee on Printing, reported back a resolution for the printing of the Annual Report of the Commissioner of Patents for the year 1865, together with the illustrations, one thousand extra copies for the use of the Commissioner of Patents and five thousand extra copies for the use of the House, and directing that the orders heretofore given for the printing of the reports of 1863 and 1864, yet unfilled, be made to correspond in amount with this order for the report of 1865.

Mr. Laflin proceeded to explain at length the object of the resolution. He said that it referred to the mechanical report, not to the agricultural. He referred to the immense amount of work performed at the public printing office, and to that now waiting to be executed. As an illustration of it he mentioned the fact that the paper consumed by the government last year was one-thirteenth of all the paper made in the United States, according to the census of 1860. The government was the greatest publishing house in the world. There was not an establishment in Europe that began to compare with it. The government had paid for printing alone, last year, one-twelfth of the cost of all the publications of the United States in 1860, including newspapers and pamphlets and all. The resolution reported contemplated a saving of $127,128, and he wished that a similar economy would be practised by the Departments.

Mr. Grinnell (Iowa) said that he subscribed to every word and sentiment uttered by the Chairman of the Committee on Printing.

Mr. Kelley (Pa.) advocated a more liberal policy in printing these mechanical works for the benefit of the rising genius of the country in the mechanic arts.

Mr. Washburne (Ill.) moved to amend the resolution so as to make it read ten thousand copies for the House and five thousand for the Commissioner.

The amendment was agreed to, and the resolution as amended was adopted.

Mr. Morrill, from the Committee on Ways and Means, made a report in answer to the resolution of the House of the 26th of February, asking for certain information in relation to clerks of committees. The report states that the clerk to that committee is indispensable, and it refers the House as to the other matters inquired of to the letter of the clerk.

Mr. Basset's letter was read, and the report and letter were ordered to be printed.

Mr. Banks (Mass.) stated that the working men of Lyons, France, had manufactured a flag of the United States, in memory of the late President Lincoln. He asked leave to submit a letter from the Secretary of State, transmitting the correspondence, and he moved that it be printed and referred to the Committee on Foreign Affairs.

It was so ordered,

Mr. Banks also presented a letter from Commodore Radford, asking permission to receive a decoration from the King of Italy, and a letter from Admiral Paulding on the same subject, which were referred to the Committee on Foreign Affairs.

Mr. Latham (Cal.) asked leave to introduce a preamble and resolution reciting that it is the sense of the House that the people of the State of Tennessee are in a condition entitling them to be represented in the House of Representatives, and resolving that the Committee on Reconstruction be relieved from the further consideration of all matters pertaining to the representation of Tennessee in this House.

Mr. Ashley (Ohio) objected.

Mr. Price (Iowa) asked leave to introduce a resolution that, until otherwise ordered, the evening sessions shall be held on Tuesday and Thursday evenings of each week, for the purpose of allowing committees to report in their regular order.

Mr. Washburne (Ill.) objected, saying that the House was getting along so well that it was far ahead of the Senate in its business.

Mr. Lawrence (Ohio) offered a resolution, which was adopted, instructing the Committee on Military Affairs to inquire into the expediency of authorizing the Secretary of War to purchase for the use of the army a certain number of copies of a work on infantry tactics prepared by Colonel James Dugan.

On motion of Mr. Henderson the Senate bill to grant the right of way to the Cascade Railroad Company through a military reservation in Washington Territory was taken from the Speaker's table, read twice and referred to the Committee on Military Affairs.

The House then went into Committee of the Whole on the State of the Union, Mr. Washburne, of Illinois, in the chair, and took up as a special order the bill reported on the 7th of March from the Committee on Appropriations, to reimburse the State of Pennsylvania for moneys advanced the government for war purposes.

The bill enacts that, to supply deficiencies in paying the army under the act, and to reimburse the State of Pennsylvania for money advanced at the request of the government, for the payment of troops in the service of the United States, under an express promise of repayment, the sum of nine hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of any money in the treasury not otherwise appropriated. *Provided*, That before the same is paid, the claim of the said State shall be again examined and settled by the Secretary of War.

Mr. Stevens (Pa.) moved to amend by reducing the amount to $800,000. The amendment was agreed to.

Mr. Stevens explained the object of the bill. He said that at the time of the invasion up the valley the States of New Jersey and New York sent a large number of troops to operate in repelling that invasion, who were placed under command of United States officers. After the battle of Gettysburg and after the withdrawal of the troops the government wanted to settle the accounts of the States for the sums expended in raising and supplying these troops. A sum of fifteen millions had been appropriated for the purpose of settling all such claims by the act of 25th February, 1862. The claims of New York and New Jersey absorbed all that amount, Pennsylvania having agreed to wait till the others should be paid. The President then telegraphed to the Governor of Pennsylvania, asking him to raise the money to pay the troops of that State, and stating that he would recommend to Congress to make an appropriation for its reimbursement. The Governor went to Philadelphia and there raised about $700,000, and the troops were paid. The account had since been settled in the department, and the total amount was $671,476 43. It was that amount with the interest due which had since been paid by the State of Pennsylvania, that this appropriation was now intended to pay.

Mr. Blaine (Me.) moved to amend Mr. Stevens' bill, by substituting his bill to reimburse the loyal States for advances made and expenses incurred in supporting the war for the Union.

Mr. Blaine's bill proposes to reimburse twenty five per cent. of the war expenses of the States, the amount to be distributed in five per cent. bonds of the United States, in proportion to the number of soldiers furnished by the States respectively, fifty-five dollars for each man furnished, the bonds not to be negotiable for twenty years from date. The total amount embraced in the bill is $118,000,000.

Mr. Blain stated that the precedents in history were all on the face of the action proposed in his bill. He cites the cause of the first Congress in assuming the war debt of the revolution, quoting from Mr. Hamilton's celebrated treasury report, and from the speeches of the leading statesmen of the day. He also recited at some length the course of Congress in regard to the State debts growing out of the war of 1812, and also out of the Mexican war, contending that, without exception, the precedents were on the face of the bill now under discussion. He further argued that expediency and justice called for the support of the bill as strongly as precedent justified it. The amount expended by the States was for the benefit of the whole Union, and it should, so far as practicable, be fairly and impartially shared between them. The eleven seceded States and the forty new States yet to be added to the Union, were as much benefitted by the result of the contest as were the twenty-five loyal States that proceeded to a triumphant conclusion. Why, then, should not each and every State contribute in due proportion to the cost of saving the common government of all. His bill would nominally and not really add to the national debt, for the local and State debt would be relieved in a proportionate degree, and the local debt was the most oppressive of all, for it called for a direct tax on real and personal property to pay both interest and principal; and this direct tax was all the more oppressive on the agricultural community, from the fact that so large a proportion of the personal property had sought investment in government bonds, which were specially exempt from State and municipal taxation. The general government had, moreover absorbed all the indirect and ready available channels of taxation, and had thus taken from the States all the easy modes of raising revenue, and having thus taken away from the State the power to bear the burden of debt entailed by the war, common justice demanded that the burden should be taken away also.

A further reason for passing this bill was that the uncertainty in regard to the amount that ought to be assumed by the States would tend to injure the National credit. If the subject were left open and unadjusted, it might in the future become complicated and coalesced with gigantic schemes for paying the Southern States for losses entailed upon them in consequence of the war. Pass the pending bill, and you close the door against all opportunity for a dangerous combination of this kind. Give one hundred and eighteen millions now, and you avoid the risk of paying twelve hundred millions at some future day. The subject was one whose eminent justice commended it to Congress and the country, and, to quote the language of Mr. Hamilton used in regard to the revolutionary debt of 1790, "Justice is not completely fulfilled until the entire debt of every State contracted in support of the war is embraced in one general and comprehensive plan of payment."

Mr. Stevens raised the point of order that the amendment was an original law on another subject altogether.

The Chairman overruled the point of order on precedents set by this House, although he said that as an original question he would have decided the amendment out of order.

Mr. Myers (Pa.) raised another point of order that the bill was an appropriation in pursuance of an existing law, while the substitute was an unliquidated assessment.

The chair did not think that that changed the principle of his decision, and overruled the point of order.

Mr. Myers inquired whether the gentleman from Maine, after making his speech, would not withdraw his amendment?

Mr. Blaine—By no means.

Mr. Myers said he was half inclined to think that the gentleman had only offered his amendment in order to be able to make his speech. The proposition which he (Mr. Blaine) had submitted would pay Pennsylvania, $14,715,690, while all that Pennsylvania now asked was $700,000. When the gentleman's proposition would come before the House in a fair and proper manner he (Mr. Myers) would be in favor of it; but now it was an attempt to engraft a general law upon a special act. He was opposed to it, and if it was offered as a bribe to Pennsylvania, he spurned it.

A discussion sprung up in reference to whether the volunteers raised in Pennsylvania, to whom the bill referred, were or were not credited to the quota of that State, and in reference to other details of the question.

The debate was participated in by Messrs. Myers, Delano, Blaine, Wilson (Iowa), Randall (Pa.), Rogers, Stevens, Wentworth and Hale. Without disposing of the bill or amendment the committee rose, and the House adjourned.

LEGAL NOTICES.

IN THE ORPHANS' COURT FOR THE CITY AND COUNTY OF PHILADELPHIA.—Estate of FRANCIS KEILION, deceased.—Notice is hereby given that LOUISA KEILION, the widow of the decedent, has filed in said Court an appraisement and her petition claiming to receive and retain personal and real property, to the amount of $300, out of said estate, under the act of Assembly of the 14th of April, 1851, and the supplements thereto, and that the same will be approved by the Court on FRIDAY, April 6th, 1866, unless exceptions be filed thereto.

JOHN P. O'NEILL, Attorney for Petitioner.
mh15-th,s,4t*

IN THE SUPREME COURT OF PENNSYLVANIA, EASTERN DISTRICT.—JOSEPH STONE, Administrator of Daniel Stone, dec'd vs. ISAAC R. TRIMBLE. In Equity. January Term, 1866: No. 54. In the matter of the account of JOHN E. SHAW, Receiver. The Master appointed by the Court to report distribution of the balance in the hands of said Receiver, will meet all parties interested at his office, 623 WALNUT Street, on MONDAY, March 26th, 1866 at 4 o'clock P.M.
mh15-th,s,tu,5t* ROBERT N. WILSON, Master.

ESTATE OF JAMES FULTON, DECEASED.—Letters testamentary having been granted to the undersigned upon the Estate of JAMES FULTON, deceased, all persons indebted to the same will make payment, and those having claims against the said Estate will present them without delay to GEORGE HENDERSON, Executor, No. 412 Market street; REBECCA J. FULTON, Executrix, No. 703 Walnut street.
fe15th6t*

ESTATE OF ELIZABETH SLACK, dec'd.—LETTERS TESTAMENTARY upon the Estate of Elizabeth Slack, deceased, having been granted to the undersigned, all persons indebted to said estate are requested to make payment, and those having claims against the same, to present them without delay to JOHN B. HAWK, Executor; ESTHER BINCKER, Executrix, Richmond street, above Ann.
mh1-th6t*

ESTATE OF CHARLES A. POULSON, deceased.—LETTERS TESTAMENTARY having been duly granted to the undersigned on the Estate of said decedent, all persons having claims against the same are requested to present them, and those thereto indebted to make payment, to CHAS. G. POULSON, Franklin, Venango County; JOHN HOSKINS 921 Spring Garden street; Z. POULSON DOBSON, 1214 Chestnut street, Executors, or at 735 Walnut street.
fe22-th,3t*

ESTATE OF WILLIAM B. HAZELL, DECD.—Letters Testamentary upon the Estate of William B. Hazell, deceased, having been granted to the undersigned, all persons indebted to said Estate are requested to make payment, and those having claims to make known the same without delay to JOHN G. WILSON, Executor, No. 1405 Hanover street, or to his Attorney, THOMAS J. DIEHL, 630 Walnut street.
mh1-th6t

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