Fortieth Congress—Third Session.

[CLOSE OF SATURDAY'S PROCEEDINGS.]

SENATE.—The consideration of the bill to strengthen the public credit, was continued.

Mr. Frelinghuysen moved to strike out the clause of the second section providing that on the trial of a suit brought for the enforcement of a contract the burden of the real consideration may be given. Agreed to.

Mr. Henderson moved to amend the second section so as to have only the word "any contract heretofore made specifically payable in coin, shall be legally valid, and shall be enforced according to its terms."

Mr. Henderson's amendment was then rejected—yeas 10, nays 37.

Mr. Sherman's motion to strike out the second section was then rejected—yeas 7, nays 37.

The Senate, at 4.20, took a recess until seven o'clock.

Evening Session.—Mr. Wilson introduced a bill for the more equal distribution of the national bank capital. It provides that there shall be at a hundred millions of greenback notes shall be withdrawn so that the amount of circulation shall not be increased. The object of this bill is to give increased facilities not now adequately supplied.

Mr. Sherman offered a resolution to authorize the recognition of the Independence of Cuba, authorizing the President to intervene if it has shown that it has established an independent government *de facto*, according to the laws of nations, to recognize her Independence. Referred to the Committee on Foreign Relations.

Mr. Cole offered the following joint resolution and asked to have it laid on the table:

Be it resolved, that it is the sense of the United States be requested to communicate to the Great Powers of Europe the grave concern with which the United States would regard any interference in the war between Cuba and Spain, the perpetuation of Turkish supremacy in the island of Crete.

Mr. Nye—That is all over now.

Mr. Wilson said it was a time to proceed with the business for which we came here.

The Senate then resumed the consideration of the bill to strengthen the public credit.

After several hours' discussion the amendment offered by Mr. Henderson to the first section was rejected, and the bill was then passed by the following vote:

YEAS—Messrs Abbott, Cattell, Conkling, Conness, Corbett, Cragin, Drake, Dimmnds, Ferry, Fessenden, Frelinghuysen, Guinea, Harlan, Hayne, Howard, Howe, Morrill, Morton, Patterson (N. H.), Robertson, Sawyer, Sherman, Stewart, Sumner, Thayer, Tipton, Trumbull, Williams, Wilson—29.

NAYS—Messrs Cole, Dale, Doolittle, Fowler, Henderson, Hendricks, McCreery, McDonald, Morton, Osborne, Patterson (Tenn.), Pomeroy, Ross, Spencer, Van Winkle, Vickers, Willey—19.

Mr. Cameron and Mr. Anthony were paired. Have voted yeas, Mr. Anthony, Mr. Kellogg said Mr. Norton, who would have voted nay.

On motion of Mr. Sherman, the title of the bill was changed.

At 7 o'clock the Senate adjourned.

The bill, as passed, is as follows: An act relating to the public debt.

Be it enacted, That in order to remove any doubt as to the purpose of the Government to discharge all just obligations to the public creditors, and to affirm the faith of the nation in the interpretations of the laws, by virtue of which such obligations have been contracted, it is hereby provided and declared that the faith of the United States is solemnly pledged to the payment of the coin, or its equivalent, of all the obligations of the United States, except in cases where the law authorizing the issue of any obligation shall have expressly provided that the same may be paid in lawful money or other legal tender than gold or silver.

And be it further enacted, That any contract heretofore made specifically payable in coin, and the consideration of which shall have been received, or the sale of property, or the rendering of labor or service of any kind shall have been adjusted on the basis of the coin value thereof, at the time of such sale, or the rendering of such service, or labor, shall be legal and valid, and shall be enforced according to its terms. *Adjourned.*

HOUSE.—The consideration of the Louisiana contested election case was continued.

Mr. *Boland* offered a resolution for the report and resolution of the Committee on Elections, a resolution recommitting the case to the Committee on Elections, with instructions to take testimony as to the validity of the election, &c. He stated that that could not be done as the Congress would expire on Thursday, but he offered the resolution for the purpose of disposing of a legislative body once so numerous as failing into the dilemma of making an unsound and unfair precedent.

Mr. Paine moved to amend the resolution by a proviso excluding Mr. Mismelle from the seat.

The vote was first taken on the resolution of the minority of the Committee on Elections, declaring Carter and Flanders elected, and was rejected—yeas 41, nays 136.

The vote was next taken on Mr. Paine's amendment admitting Mr. Menard to a seat in the House, upon the credentials of the Governor, and the amendment was rejected—yeas 37, nays 140.

Mr. Dawes moved that the whole subject be laid on the table. Agreed to without a division.

Mr. Dawes then offered a resolution for the payment to the two claimants, Messrs. Jones and J. W. Menard, $2,500 each, for the time spent and expenses incurred.

Mr. Kerr moved to amend the resolution by adding to it the name of Caleb S. Hunt, the other claimant.

The resolution and amendment were agreed to.

The House, at half-past four, took a recess until half-past 7 o'clock.

Evening Session.—The House resumed its session at half-past seven, the Speaker in the chair.

Mr. Hubbard (N. Y.), from the Committee on Public Expenditures, made a report on the subject of claims based on the unexpended appropriations from some members of the Committee. Ordered to be printed.

The House then went into Committee of the Whole, on Pension Bills, and passed Senate amendments to the Indian Appropriation Bill.

A long debate followed, and resulted in a vote on any of the amendments the committee chose, at any time, to offer.

Mr. Peine introduced a joint resolution directing the Secretary of War to furnish the Mayor of Washington, for the use of the inaugural military organizations wishing to take part in the inauguration ceremonies, 4,000 muskets, 4 brass field pieces, caissons, cavalry accoutrements, flags, &c. Referred.

The Constitution of Texas.

Major-General Canby, commanding the Fifth Military District, has addressed a letter to the Secretary of War, dated Austin, February 1, in which he says:

The convention has completed the work of forming a constitution for Texas. He understands that the time fixed for submitting it to the people will be some time in July, as the convention was originally made by himself. He states the reason why the time was fixed so far off, the counties there is no civil organization that is in relation with the Executive department of the State; in some of the counties there is none whatever; in others it is organized, but it is not understood to be complete, but the county officers have refused to recognize the Secretary of State as authority for their reports to him, the counties are so remote, and so difficult are the means of communication, that it takes from twenty days to forty days to send to them and to receive an answer.

In many other counties the county organization is still very imperfect, and in Gen. Canby's judgment it will take at least ninety days to complete the civil organization of the State. The registrars of election having been discharged last fall, there are no registrars in office. Registrars have been taken, however, to collect the original records, and to reorganize the machinery of the registration. Although the condition of the State has materially improved since the November election, and appears to be improving constantly, there are still some sections in which the authority of the United States and of the State is openly defied. If not resisted, and the civil authorities assisted there is too small to make itself respected.

He concludes as follows:

The arrangement of the troops now being made will, I hope, cure the evil, but until that be done, and the machinery for the registration of voters and holding elections be established, a fair and free election, as contemplated by the fifth section of the law of March 23, 1867, cannot be secured. For these reasons, having been consulted by the president and other members of the convention, I suggested that the election should not be ordered earlier than June 1.

General Canby appends a letter addressed to him by the President of the Constitutional Convention, in which the latter says the convention has passed a resolution to submit to the people, which is only a question of time. The opposition comes from Internal Revenue, as Amnesty and the late rebel newspapers. The division of the State, however, is supported by nine-tenths of the loyal people. He considers an election "We earnestly believe that this measure will finally degrade and destroy the loyal element, and give us a separation of the State which will bring in war, misery and poverty, which we see not to many years been striving to secure."

The Contingent Fund of the House.

Hon. J. M. Broomall, Chairman of the House Committee on Accounts, reported on Saturday night, in the House, upon the order of the House to investigate the disbursement of the contingent fund of the House for 1867 and 1868. It says:

It is a great mistake to suppose that the unnecessary expenses of the House are an enormous drain upon the public treasury. The committee think; neither is it true that any gaining its access of trade, involving large sums of money, can be traced to the door of any member or officer of the body. The evils consist of a multiplicity of petty results upon the contingent fund, amounting in the aggregate to a considerable sum, but by no means such as to satisfy the morbid taste for economy from which the complaint seems to be in public mind of late.

All the expenses of the House, except salaries to members and officers, are paid out of the contingent fund, and all expenses to be incurred in the Capitol building, as well as materials for folding. That this is not greatly too much for service rendered, may be seen from the fact that in 1868 there were 7,156,956 documents, of which 939,824 were bound in volumes, ready, stored, folded and delivered in the Doorkeeper's department, which embraces the bulk of the work of that entire business. This item, too, does not include the expense of the Congressional Globe, which consists of paper, printing, binding and delivery by mails. The committee recommend that great good is done by the distribution of these documents, as far as the expense is concerned.

This whole expenditure should be cut down at least four-fifths, but how is this to be done? Not merely less just where the fault lies—with members themselves. Perhaps Harvey voted for relative franking, franking from sale of expensive entirely unprofitable book would reduce that, would reduce it to one-fifth or one-tenth of the present low rate of taxes, and would set an example in the Executive department of economy in this particular. Another large item, is included, is what is called miscellaneous account." It is the cost of investigating committees, $47,024.50.

All or nearly all of this is thrown away. In many cases investigations are gotten up upon some sensation stories told to the press of the country by its inventors. In the few cases in which there is real ground of complaint, very rarely does any good result from the Congressional investigation. In fact, the complaints exists usually in the Executive department of the law, or in the counties there is some whatever, or parts of it is operative, but it is not understood to be complete, but the county officers have refused to recognize the Secretary of State as authority for their reports to him, the counties are so remote, and so difficult are the means of communication, that it takes from twenty days to forty days to send to them and to receive an answer.

In many other counties the county organization is still very imperfect, and in Gen. Canby's judgment it will take at least ninety days to complete the civil organization of the State. The registrars of election having been discharged last fall, there are no registrars in office. Registrars have been taken, however, to collect the original records, and to reorganize the machinery of the registration. Although the condition of the State has materially improved since the November election, and appears to be improving constantly, there are still some sections in which the authority of the United States and of the State is openly defied. If not resisted, and the civil authorities assisted there is too small to make itself respected.

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Carter	63,500	4,072	3,142	491	1,303	9,445
Contingent expenses of witnesses and mileage	56,855	12,421	16,194	15,555	12,555	56,545
Folding documents	63,669	46,663	27,625	16,232	16,211	110,657
Folding, &c., Capitol	2,895	13,182	15,891	20,927	22,148	59,948
Horses, &c., Capitol	3,000	2,656	1,656	10,100	1,656	15,968
Laborers	6,772	6,256	6,797	7,741	10,555	32,370
Miscellaneous	47,024	47,024				47,024
Paper, printing and binding	10,879	13,163	12,564	11,541	9,475	47,623
Paper, mail	24,399	21,667	19,556	18,951	24,179	88,351
Furniture, repairs of furniture and stationery	52,056	19,854	21,721	24,525	23,158	84,453
Sergeant-at-Arms				49,053	36,720	11,101
Sergeant-at-Arms, Capitol					74,488	50
Stationery	29,248	11,299				
Stationery, Capitol	2,000	1,000	1,000	1,000		4,000
Engraving	55,150	15,501	31,907			
Thirty-first Congress						873,027
Thirty-second Congress						1,000,000
Thirty-third Congress						1,000,000
Thirty-fourth Congress						200,000
Thirty-fifth Congress						200,000
Thirty-sixth Congress						200,000
Total	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	5,000,000

The foregoing look large, and it is not to be denied that they are greatly in excess of what is authorized by the law, which contemplated the amount of excess, it will not do to contrast the expenditures of 1868 with those of 1867 and other business. Public affairs never can be adjusted on a basis of economy contrary to the interest of individuals. No man devotes his whole attention to the interest of the community as well as his own. The only fair method is to contrast the expenditures of the Congress with those of 1867 and 1868 with those of other times. Contrast the House and Senate bills during the year 1868:

Contingent expenses of House	$176,899
Mileage and contingent expenses of Senate	354,863
Number of Representatives	241
Number of Senators	61
Expenses of Senate per capita	6,118
Expenses of House per capita	734

It may be said that the increase of members is a legislative body does not increase the expenses pro rata. With some items of expense this may be true, but not with the most of them. A careful inspection of the items of the foregoing table will not conclude that any one to will question whether the House or Senate is injured by the comparison. The contrast may be said, therefore, to be substantially fair, and members of the House have reason to be proud of the marked difference between the two bodies. Contrast the House in 1868 with itself in former years. In 1858 the contingent expenses were $207,000. Three items of this sum, to wit: Binding *Globe*, binding documents, and engraving, amounting to $212,275, are not now paid out of this fund, but are thrown upon the Congressional Printer, leaving net leaves 382,245 for 1858, against $476,339 for 1868.

The expenses of the House are greatly too large, and the blame may attach both ways as it belongs. This committee will proceed to point out in what items economy may be, and, in the opinion of the committee, ought to be, practised.

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