

vote by which the joint resolution was passed; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

#### DAILY HOUR OF MEETING.

The next resolution was the following, offered by Mr. PRICE on the 9th instant:

*Resolved*, That on and after Tuesday, the 10th instant, and until otherwise ordered, the House will commence its sessions at eleven o'clock a. m.

Mr. PRICE. I move to amend the resolution by striking out the word "tenth" and inserting in lieu thereof the word "seventeenth." I presume the House is well satisfied by this time that there is very urgent necessity for the passage of this resolution, and I therefore call the previous question.

The previous question was seconded and the main question ordered.

The amendment was agreed to.

The question was taken upon the resolution as amended; and upon a division there were—ayes 51, noes 39; no quorum voting.

The SPEAKER, under the rule, ordered tellers; and appointed Messrs. PRICE and J. L. THOMAS.

The House divided; and the tellers reported—ayes 48, noes 51.

So the resolution was not agreed to.

#### RIGHT OF WAY—MILITARY RESERVATIONS.

The SPEAKER. The next business in order is a joint resolution (H. R. No. 183) concerning the right of way of railroad companies through military reservations, and for other purposes. This resolution was introduced on the 9th of July by the gentleman from Missouri, [Mr. ANDERSON,] under the call of States, and, giving rise to debate, it went over under the rules. The question is on ordering the resolution to be engrossed and read the third time.

The joint resolution, which was read, provides that, subject to the approval of the President of the United States, to be filed with the Secretary of the Interior, the right of way not exceeding one hundred feet in width on each side of the track, with the necessary grounds for depots and stations, shall be granted to all railroad companies for the construction and operation of their roads over and upon all military reserves. The President is authorized to restore from time to time to the public domain any portion of such reserve over or near which the Union Pacific railroad or any of its branches may pass, and which shall not be required for military purposes; the same, when so restored, to be subject to existing laws concerning public lands in the same manner as if the reserve had never been made. It is provided further that the President shall not permit the construction of any railroad upon any such reserve, or diminish such reserve in any manner so as to impair its usefulness for military purposes so long as it shall be required therefor.

Mr. RANDALL, of Pennsylvania. Has this joint resolution been before any committee?

The SPEAKER. The Chair understood the gentleman from Missouri to state last Monday that the resolution had been considered by the Committee on Public Lands.

Mr. ANDERSON. Mr. Speaker, this resolution was considered by the Committee on Public Lands, who are unanimous in recommending its passage. The resolution grew out of a petition to Congress to grant the right of way to the eastern division, Union Pacific railroad, through the Fort Riley reservation. General Grant, General Sherman, and other military officers who have examined the matter, are not in favor of granting the right of way to this railroad through that particular reservation, but are willing that there should be granted four or five thousand acres of the lands reserved for military purposes, but the committee thought it would be sufficient to grant one hundred feet on each side of the road. When this resolution was introduced the other day, several gentlemen rose to debate it, and there seemed to be objection to it. But I do not see why there should be objection to the measure. The whole

matter is subject to the approval of the President. There are some twenty-two thousand acres of land in the Fort Riley reservation. Under this joint resolution not more than one thousand acres will be taken for railroad purposes, leaving still twenty-one thousand acres for the reservation. The War Department states that the fort will be abandoned in the course of a year, and that nineteen thousand acres will be amply sufficient for all military purposes. The resolution does not grant the right of way except subject to the approval of the President, and not even in that event if the land is necessary for military purposes. I hope gentlemen will not persist in their objections to the measure. I call the previous question.

Mr. WASHBURN, of Illinois. Mr. Speaker, when—

The SPEAKER. Does the gentleman from Missouri [Mr. ANDERSON] yield to the gentleman from Illinois?

Mr. ANDERSON. Certainly.

Mr. WASHBURN, of Illinois. When the gentleman from Missouri, on last Monday, asked the House to pass this bill, I had to interpose a very resolute objection, and I think that the House will second me to-day in that objection, when the attention of members is called to the first section. I desire particularly the attention of the chairman of the Committee on Military Affairs to this point, for the bill, would appropriately come from that committee, if from any. The first section provides—

That, subject to the approval of the President of the United States, to be made and filed with the Secretary of the Interior, the right of way, not exceeding one hundred feet in width on each side of the track, with the necessary grounds for depots and stations, is hereby granted to all railroad companies for the construction and operation of their roads over and upon all military reserves.

This proposes that every railroad in the United States shall have the right to go over the military reservations of the country—

Mr. ANDERSON. Subject to the approval of the President.

Mr. WASHBURN, of Illinois. As every bill is subject to the approval of the President; and I hope that he will veto a great many bills of this kind. Now, sir, can we afford to pass such a bill? I think the House will not consent to pass any such measure; and I hope the gentleman from Missouri will withdraw his call for the previous question, and consent to the reference of the bill to the Committee on Military Affairs.

Mr. ANDERSON. I yield ten minutes to the gentleman from Ohio, [Mr. SCHENCK.]

Mr. SCHENCK. Mr. Speaker, the gentleman from Missouri having yielded the floor to me, I will avail myself of the opportunity to say that I trust no general resolution or act of this kind will be passed. There have been three or four applications for the privilege of constructing railroads through military reservations at this session of Congress, each one of which in succession has been referred to the Committee on Military Affairs, each one of which has been carefully considered, and the report in each case has been made, allowing the privilege, but restricting it according to the particular circumstances of the case.

Now, for instance, one application was made for the construction of a road along the border of the Columbia river, between a bluff and the river, to which this resolution would not at all apply, where there was not one hundred feet to be given on either side, or scarcely one hundred feet at all; and after the consideration of the whole matter it was found absolutely essential to guard the public interest by putting in a provision not more than was barely sufficient should be occupied for the track, and there should be no houses or constructions of any kind in connection with the railroad which should interfere with any other canal or railroad that may be constructed hereafter between the bluff and the river. The committee, after examination, came to the conclusion there was underneath the application, if not designed, at least the possibility of the railroad having the entire monopoly of the transit

along that route to the exclusion of any other public interest in all time to come.

Again, in the case of a horse railway between the city of Leavenworth and Fort Leavenworth, it was found necessary to require that, if operated by steam, the railroad should run beneath the bank to be out of the way, and not to obstruct the military reservation for the proper use of the Government; and they found more than fifty feet could not be granted, while this authorizes a grant not exceeding one hundred feet. My inference from all this is, the United States, as the proprietor of these military reservations, ought to grant, according to the special circumstances of each case, the privilege when applied for, and no general act whatever is necessary. There have been, as I have said, three or four applications, each one of which has differed from the other, and the recommendation of the committee in each case has been made to conform to the circumstances of the case. I think that had better be the way hereafter. Under a general law an opening may be left under the broad discretion granted which may be abused. I hope, therefore, the resolution may be referred to the Committee on Military Affairs to consider the necessity and propriety of such a general law. That committee has had under consideration three or four special cases, each of which has been acted on, as I have said, according to the peculiar circumstances attending it. I move to refer the resolution to the Committee on Military Affairs.

Mr. ALLISON. It seems to me that this resolution goes further than it would seem from the explanation given by the member who reports this resolution. It is provided in the second clause that the President shall restore from time to time to the public domain any portion of said reserves over or near the Union Pacific railroad, or any of its branches, which shall not be required for military purposes, the same, when so restored, to be subject to the existing laws concerning the public lands in the same manner they would have been if said reserves had never been made. This resolution will not only grant the right of way, but, if those lands are restored to the public domain, it will grant to these companies a large portion of the public lands in addition. These military reservations comprise many thousands of acres of the most valuable lands. The resolution should not pass.

Mr. ANDERSON. There has been more opposition than I expected, and I do not object to the reference of the resolution.

The resolution was then referred to the Committee on Military Affairs.

Mr. SCHENCK moved to reconsider the vote by which the joint resolution was referred to the Committee on Military Affairs, and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

#### ORDER OF BUSINESS.

The SPEAKER. The next business in order is the call of the States and Territories for resolutions and bills on leave, in inverse order, commencing with the Territory of Montana.

#### PUBLIC MINERAL LANDS.

Mr. HIGBY introduced a bill to legalize the occupation of the public mineral lands and to extend the right of preemption thereto; which was read a first and second time and referred to the Committee on Mines and Mining.

Mr. HIGBY moved to reconsider the vote by which the bill was referred; and also moved to lay the motion to reconsider upon the table.

The latter motion was agreed to.

Mr. HIGBY. I ask unanimous consent that the bill be printed.

No objection was made, and the bill was ordered to be printed.

#### PAY OF A MEMBER.

Mr. WILSON, of Iowa. I offer the following resolution:

*Resolved*, That there be paid out of the contingent fund of the House to Hon. JOHN L. THOMAS, JR., \$1,225 34, the same being the amount of salary accruing between the 4th day of March, 1865, and 1st day of August, 1865.

For the information of the House I will say that the gentleman from Maryland was not elected until the August preceding the commencement of this Congress, and he cannot draw his salary, there having been another member elected from his district to the Thirty-Ninth Congress who never qualified. I ask the previous question.

Mr. PHELPS. Will the gentleman yield to me for a moment?

Mr. WILSON, of Iowa. For what purpose?

Mr. PHELPS. To make an explanation in connection with this subject.

Mr. WILSON, of Iowa. Oh, yes, sir; I withdraw the demand for the previous question.

Mr. PHELPS. I wish to state that the case covered by the resolution offered by the gentleman from Iowa is precisely the case which has been already acted upon by this House in relation to the claim of Mr. Daniel W. Gooch, a member elected to this House from the seventh district of the State of Massachusetts, who resigned his seat for the same purpose that the predecessor of my colleague [Mr. J. L. THOMAS] resigned his, and he did it about the same time. He resigned his seat for the purpose of accepting the office of naval officer of the port of Boston, and the predecessor of my colleague, Colonel Webster, resigned to accept the collectorship of Baltimore. That has established a precedent in this case, in which the amount of pay from the time the Congress commenced on the 4th of March has been awarded by this House in the case of Mr. Gooch, and should be awarded for the same reasons to Colonel Webster in the case now pending. That is the explanation I wish to make. I trust the House will not put itself in the position of having awarded this pay to a member from Massachusetts and under the same circumstances refuse to a member from Maryland the same emolument.

Mr. WILSON, of Iowa. I do not wish to encumber this resolution with anything in relation to the pay of Mr. Webster. I understand that there are two other members in the same position.

Mr. PHELPS. I wish to offer a substitute for the resolution.

Mr. WILSON, of Iowa. I will hear what it is.

Mr. PHELPS. It is precisely the same resolution that was passed in the case of Mr. Gooch, but applying to Colonel Webster, the name only being changed.

Mr. WILSON, of Iowa. If it only relates to that of course I cannot yield to have it offered as a substitute. I call the previous question. The previous question was seconded and the main question ordered.

Mr. PHELPS. I desire to ask the gentleman from Iowa a single question.

The SPEAKER. The House is acting under the previous question.

Mr. WILSON, of Iowa. I have no objection to the gentleman asking me a question, if the House will permit it.

No objection was made.

Mr. PHELPS. I wish to ask the gentleman if, in his opinion, the passage of this resolution would reverse the action of the House in the case to which I have called attention, and preclude Colonel Webster from receiving the same emolument that has been already voted to Mr. Gooch, of Massachusetts.

Mr. WILSON, of Iowa. I do not suppose that the passage of this resolution would prevent the House from disposing of so much of its contingent fund as would pay Mr. Webster from the 4th of March up to the 4th of August. That is a question for the House to consider. The resolution was agreed to.

Mr. WILSON, of Iowa, moved to reconsider the vote by which the resolution was adopted; and also moved to lay the motion to reconsider upon the table.

The latter motion was agreed to.

Mr. PHELPS. I desire now to offer my resolution.

The SPEAKER. The State of Iowa is now being called, and the gentleman does not represent that State.

#### COINAGE, WEIGHTS, AND MEASURES.

Mr. KASSON submitted the following resolution; which was read, considered, and agreed to:

*Resolved*, That the Secretary of State be directed, if compatible with the public interests, to communicate to this House any information he has received from the United States commissioner general to the Paris Exposition in relation to international movements for a reform of the system of coinage, weights, and measures.

#### PAY OF HON. E. H. WEBSTER.

Mr. HUBBARD, of Iowa, submitted the following resolution, upon which he called the previous question:

*Resolved*, That the Sergeant-at-Arms be, and he is hereby, directed to pay Hon. E. H. Webster, who was elected a member of the House of Representatives for the Thirty-Ninth Congress, from the second district of Maryland, the amount of his salary from the 4th of March, 1865, to the day of the date of his resignation as a member of this House.

The previous question was seconded and the main question ordered; and under the operation thereof the resolution was agreed to.

Mr. HUBBARD, of Iowa, moved to reconsider the vote by which the resolution was agreed to; and also moved to lay the motion to reconsider upon the table.

The latter motion was agreed to.

#### PAY OF CLERKS OF COMMITTEES.

Mr. WASHBURN, of Illinois, submitted the following resolution, upon which he called the previous question:

*Resolved*, That the several clerks of the committees of the House, whose pay has heretofore been four dollars per day, shall be paid at the rate of five dollars per day during this Congress for the time actually employed.

The previous question was seconded and the main question ordered.

Mr. WARD. I rise to a question of order. There has been adopted by this House a resolution directing that all propositions for increase of salary or compensation of the employés of this House shall be referred to the Committee of Accounts without debate.

The SPEAKER. The House has ordered the main question to be now put, no member making that point in time.

Mr. WASHBURN, of Illinois. With the permission of the gentleman from New York [Mr. WARD] I will say that the salaries of most of these clerks have been increased at this rate. And this is but simple justice to the others, if we are going to deal alike with all, "without regard to race or color," and all that sort of thing.

The question was taken upon agreeing to the resolution; and upon a division there were—ayes 43, noes 29; no quorum voting.

Tellers were ordered; and Mr. WARD, and Mr. WASHBURN, of Illinois, were appointed.

The House again divided; and the tellers reported—ayes 63, noes 35.

Before the result of the vote was announced, Mr. WARD called for the yeas and nays.

The yeas and nays were not ordered.

The resolution was accordingly agreed to.

Mr. WASHBURN, of Illinois, moved to reconsider the vote by which the resolution was agreed to; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

#### EXEMPTING PENSIONS FROM TAXATION.

Mr. INGERSOLL introduced a bill exempting pensions from the internal tax; which was read a first and second time.

The bill was read at length. It provides that from and after the passage of this act any person receiving a pension from the United States is hereby authorized to deduct, in addition to the \$600 now exempted, the amount of such pensions in making the return of his or her income required under the internal revenue law.

The question was upon ordering the bill to be engrossed and read a third time.

Mr. INGERSOLL. I call the previous question.

The previous question was seconded and the main question ordered.

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

Mr. INGERSOLL. I call the previous question upon the passage of the bill.

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

Mr. INGERSOLL moved to reconsider the vote by which the bill was passed; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

#### PAY OF HON. R. S. HALE.

Mr. KUYKENDALL submitted the following resolution, upon which he called the previous question:

*Resolved*, That the Sergeant-at-Arms be, and is hereby, directed to pay to Hon. R. S. HALE, from the sixteenth congressional district of New York, the amount of salary due from March 4 to August 24, 1865.

The previous question was seconded and the main question ordered; and under the operation thereof the resolution was agreed to.

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

The latter motion was agreed to.

#### PAY OF HOUSE CLERKS AND EMPLOYÉS.

Mr. WASHBURN, of Illinois. I rise to a question of privilege, to the correction of the records of the House. It will be recollected that the gentleman from Vermont [Mr. WOODBRIDGE] introduced a resolution providing for the increase of pay of the clerks and employés of the House. I moved an amendment providing that the salaries of all officers of the House which had been increased at the present session should not extend beyond the first day of next Congress. That was the nature of my amendment, as the Speaker will very well recollect, because he made the suggestion. But the resolution has been engrossed so as to read "shall not extend beyond the first session of the next Congress." I ask that the correction be made in accordance with the facts.

The SPEAKER. The Chair cannot state whether the gentleman from Illinois said "first day of the next Congress" or "first session of the next Congress." The gentleman did not reduce his amendment to writing; and the Clerk took it down as he supposed was intended.

Mr. WASHBURN, of Illinois. I said "the first day of the next Congress." I offer the following resolution, to conform to what I believe the House understood:

*Resolved*, That the salaries of the employés of the House, increased at this session of Congress, shall not extend beyond the first day of the next Congress.

The SPEAKER. The gentleman having already offered one resolution, unanimous consent is necessary to allow him to offer another.

Mr. WOODBRIDGE. I object.

Mr. COOK. I submit the following resolution:

*Resolved*, That the salaries of all officers of the House, increased at the present Congress, shall not extend beyond the first day of the next Congress.

Mr. ROLLINS. I suggest to the gentleman to modify his resolution by inserting after the word "officers" the words "and employés."

Mr. COOK. I modify the resolution in that way.

Mr. RANDALL, of Pennsylvania. We have heretofore agreed to grant these employés a certain amount, and no doubt they have drawn it. Why should we now take it back?

Mr. COOK. This simply limits the increase to the present Congress. I call for the previous question.

The previous question was seconded and the main question ordered.

On agreeing to the resolution, there were—ayes fifty-seven, noes not counted.

So the resolution was adopted.

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

The latter motion was agreed to.

#### POLITICAL RIGHTS OF REBELS.

Mr. FARNSWORTH submitted the following resolution; which was read, considered, and agreed to:

*Resolved*, That the Secretary of War be, and is hereby, directed to furnish this House with copies of opinions given by members of the so-called cabinet of the Confederate States of America to Jefferson Davis, at or about the time of the negotiations preceding the surrender of Johnston to General Sherman, concerning the effect of such surrender upon the political rights of the people then in rebellion against the United States; and also any other papers in the War Department relating to the same subject.

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

The latter motion was agreed to.

#### PUBLICATION OF MAIL CONTRACTS, ETC.

Mr. BAKER. By request of the chairman of the Committee on the Post Office and Post Roads, I submit the following resolution:

*Resolved*, That the Committee on Printing be instructed to inquire into the expediency of repealing so much of the act of June 25, 1864, to expedite and regulate the printing of public documents, and for other purposes, as directs that the annual reports of the Postmaster General of offers received and contracts made for conveying the mails be no longer printed, or of repealing so much of the act to change the organization of the Post Office Department, approved July 2, 1836, as requires such reports to be annually made to Congress.

The resolution was considered and agreed to.

#### PAYMENT FOR SLAVES ENLISTED.

Mr. HARDING, of Kentucky, submitted the following resolution, on which he demanded the previous question:

*Resolved*, That the debts and obligations of the Government should be held sacred, especially such as have been solemnly recognized by law as just, and their payment provided for by appropriating and setting apart a fund for that purpose; and the repudiation of any such debts, whether they be for partial compensation to loyal men for slaves taken and employed in military service by the Government or for other property, should be discountenanced and condemned by all loyal men and by every department of the Government.

On seconding the demand for the previous question, there were—ayes 23, noes 70.

Mr. HARDING, of Kentucky, called for tellers.

Tellers were not ordered.

So the previous question was not seconded.

Mr. KERR. I move that the resolution be laid on the table.

Mr. HARDING, of Kentucky. On that motion I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 88, nays 32, not voting 62; as follows:

YEAS—Messrs. Alley, Allison, Ames, Anderson, Delos R. Ashley, James M. Ashley, Banks, Benjamin, Bidwell, Bingham, Boutwell, Buckland, Bundy, Reader W. Clarke, Sidney Clarke, Cobb, Conkling, Dawes, Delano, Deming, Donnelly, Driggs, Eckley, Eggleston, Eliot, Farnsworth, Grinnell, Hart, Henderson, Higby, Holmes, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, James R. Hubbard, Hulburt, Ingersoll, Jencks, Julian, Kasson, Kelley, Ketcham, Kuykendall, Laflin, George V. Lawrence, William Lawrence, Longyear, Lynch, Marshall, Marston, Marvin, McClurg, McKee, Miller, Moorhead, Morrill, Moulton, Myers, Newell, O'Neill, Perham, Pike, Plants, Price, Raymond, Alexander H. Rice, Rollins, Sawyer, Schenck, Seefeldt, Shellabarger, Spalding, Stevens, Thayer, Trowbridge, Van Aernam, Ward, Warner, Elihu B. Washburne, Henry D. Washburn, William B. Washburn, Welker, Wentworth, Whaley, Williams, James F. Wilson, and Windom—88.

NAYS—Messrs. Ancona, Baker, Boyer, Dawson, Eldridge, Finck, Glossbrenner, Grider, Hale, Aaron Harding, Hogan, Johnson, Kerr, Latham, McCullough, McRuer, Morris, Niblack, Nicholson, Neill, Phelps, Samuel J. Randall, Ritter, Rogers, Ross, Rousseau, Sitgreaves, Taber, Taylor, Thornton, Trimble, and Wright—32.

NOT VOTING—Messrs. Baldwin, Barker, Baxter, Beaman, Bergen, Blaine, Blow, Brandegee, Bromwell, Broomall, Chanler, Coffroth, Cook, Cullom, Culver, Darling, Davis, Deftrees, Denison, Dixon, Dodge, Dumont, Farquhar, Ferry, Garfield, Goodyear, Griswold, Abner C. Harding, Harris, Hayes, Hill, Chester D. Hubbard, Demas Hubbard, Edwin N. Hubbell, Humphrey, Jones, Kelso, Le Blond, Loan, McIndoe, Mercer, Orth, Paine, Patterson, Pomroy,

Radford, William H. Randall, John H. Rice, Shanklin, Sloan, Smith, Starr, Stilwell, Strouse, Francis Thomas, John T. Thomas, Upson, Bart Van Horn, Robert T. Van Horn, Stephen F. Wilson, Winfield, and Woodbridge—62.

So the resolution was laid on the table.

During the vote,

Mr. TROWBRIDGE stated that Mr. CROTH and Mr. FARQUHAR were detained from the House by illness.

The vote was then announced as above recorded.

The SPEAKER then announced that the morning hour had expired.

#### DORENCE ATWATER.

The SPEAKER laid before the House a communication from the Secretary of War transmitting, in compliance with a resolution of the House, the papers in the case of Dorence Atwater, late a private in the general service United States Army; which, on motion of Mr. HALE, was ordered to be printed and referred to the select committee on the subject.

#### PUBLIC LANDS IN CALIFORNIA.

The SPEAKER also laid before the House a communication from the Secretary of the Interior, in compliance with a resolution of the House, transmitting a report of the Commissioner of the General Land Office in relation to the public lands within certain limits in the State of California; which, on motion of Mr. HIGBY, was ordered to be printed and referred to the Committee on Public Lands.

#### BREVETS IN THE REGULAR ARMY.

The SPEAKER also laid before the House a communication from the Secretary of War transmitting, in compliance with a resolution of the House, a report of all brevet ranks conferred upon officers of the regular Army since April 12, 1861, to the date of the report; which was ordered to be printed and referred to the Committee on Military Affairs.

#### MERCHANTS' NATIONAL BANK OF WASHINGTON.

Mr. HOOPER, of Massachusetts. I am instructed, Mr. Speaker, by the Committee on Banking and Currency to make a report in the case of the Merchants' National Bank of Washington.

Mr. RANDALL, of Pennsylvania. I call for the reading of the report.

Mr. HOOPER, of Massachusetts. I was going to move that the report and the documents referred to therein be ordered to be printed.

Mr. RANDALL, of Pennsylvania. I will yield if the motion embraces the printing of the entire testimony.

Mr. HOOPER, of Massachusetts. I cannot agree to that. The testimony is submitted with the report, and is voluminous; and it appears to me if the report and documents referred to therein be printed it will be quite sufficient. There are some six hundred pages of the testimony. I think a great deal of it will be found to be of little interest. The report and the documents referred to are all that can be needed to give the public a complete knowledge of the whole subject.

Mr. RANDALL, of Pennsylvania. Then I shall exercise my privilege and call for the reading of the report.

Mr. HALE. I have the floor, and yielded to the gentleman from Massachusetts, but if the reading of the report be demanded I hope it will be withdrawn.

Mr. RANDALL, of Pennsylvania. I shall insist on having the report read; and I move that all of the evidence taken be printed with the report.

Mr. ASHLEY, of Ohio. I move to suspend the rules, so as to dispense with the reading of the report.

Mr. HOOPER, of Massachusetts. I withdraw the report for the present.

#### PACIFIC RAILROAD.

Mr. PRICE. I ask unanimous consent to report back from the Committee on the Pacific Railroad Senate bill No. 20, granting lands to aid in the construction of a railroad and tele-

graph line from the States of Missouri and Arkansas to the Pacific coast.

Mr. WRIGHT. I object.

#### INDIAN APPROPRIATION BILL.

Mr. KASSON. I am instructed by the Committee on Appropriations to report back the amendments of the Senate to House bill No. 387, making appropriations for the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with various Indian tribes for the year ending 30th June, 1867. As preliminary to the proposition I have to submit I wish to make a brief statement. This is the regular Indian appropriation bill, intended to provide supplies called for by treaties with the various Indian tribes. It was so reported from the Committee on Appropriations, and it went to the Senate as a bill appropriating about two million one hundred and fifty thousand dollars. It comes back from the Senate appropriating something over four million dollars. Nearly all of the \$2,000,000 added in the Senate is for supplies called for by new treaties made with the Indians.

In connection with these new treaties, the Committee on Appropriations have proposed to non-concur in the amendment of the Senate, *pro forma* in order to obtain proper information from the conferees on the part of the Senate touching the provisions of the treaties under which these grants are made. Some of these treaties introduce a new practice and provide annuities for forty years, while formerly they were limited to twenty years, with here and there an exception as far as thirty years. The Committee on Appropriations have deemed it proper, if possible, to come to some understanding with the Senate as to the extent to which the treaty-making power should be carried in binding us to carry out treaties.

I wish here to submit a statement of the yearly appropriations for Indian expenditures. In the year 1829 the appropriation was \$199,102 53; in 1839 it was \$603,693 45; in 1861 it was \$1,822,930 43; in 1863 it was \$1,866,835 88; in 1864 it was \$2,131,865 67; in 1865 it was \$2,257,932 96; in 1866 it was \$3,036,848 91; and now, under this bill, it is about \$4,050,000.

With this increase in the appropriations for this one branch of the public service, mainly arising from the unlimited discretion of the Senate in making treaties with Indian tribes, it has seemed to the Committee on Appropriations necessary, in connection with this bill, to come to some understanding that will limit this extravagant increase in the appropriations for this branch of the public service. With this intention the Committee on Appropriations propose that the House non-concur in the amendments of the Senate involving appropriations to carry out the new treaties, so that the committee may examine the treaties and ascertain whether any guard can be thrown around the expenditure of appropriations for Indian affairs. We have, therefore, recommended a non-concurrence in all the miscellaneous extra treaty appropriations in the bill with a view to a free conference with the Senate on the proper mode of arranging these matters for the future as well as in the present bill. If the House concurs in the propriety of this course, I propose that the action recommended by the Committee on Appropriations be concurred in in gross, and the bill allowed to go to a committee of conference for the purposes which I have named.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. FORNEY, their Secretary, informed the House that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the bill of the Senate (S. No. 343) to quiet land titles in California.

The message further informed the House that the Senate had passed a joint resolution and a bill of the following titles, in which he was directed to ask the concurrence of the House:

Joint resolution (S. R. No. 132) authorizing the Secretary of the Treasury to audit and set-