

CONGRESSIONAL RECORD.

DEBATES AND PROCEEDINGS OF THE FORTY-FOURTH CONGRESS.

SPECIAL SESSION OF THE SENATE.

IN SENATE.

FRIDAY, March 5, 1875.

The VICE PRESIDENT of the United States (Hon. HENRY WILSON, of Massachusetts) called the Senate to order at twelve o'clock noon.

Rev. BYRON SUNDERLAND, D. D., offered the following prayer:

O Thou Almighty and everlasting God, the maker of heaven and earth, we come in this place to acknowledge and to worship Thee, for with Thee are all our beginnings and all our endings. And now, as Thy servants have assembled here to commence a new chapter in the history of this body, we humbly entreat Thee, regard them with Thy favor. Give to each of them life, and health, and strength. Give them to see eye to eye in all the grave matters of this nation committed to their charge, and in all their labors and responsibilities may they lean upon Thy arm for support. Through Jesus Christ. Amen.

The VICE-PRESIDENT. The proclamation of the President of the United States convening the Senate will be read.

The Chief Clerk (W. J. McDONALD, esq.) read the following proclamation:

By the President of the United States of America.

A PROCLAMATION.

Whereas objects of interest to the United States require that the Senate should be convened at twelve o'clock on the 5th day of March next, to receive and act upon such communications as may be made to it on the part of the Executive:

Now, therefore, I, Ulysses S. Grant, President of the United States, have considered it to be my duty to issue this, my proclamation, declaring that an extraordinary occasion requires the Senate of the United States to convene for the transaction of business at the Capitol, in the city of Washington, on the 5th day of March next, at twelve o'clock at noon on that day, of which all who shall at that time be entitled to act as members of that body are hereby required to take notice.

Given under my hand and the seal of the United States at Washington, the 17th day of February, in the year of our Lord 1875, and of the Independence of the United States of America the ninety-ninth.

[SEAL.]

By the President:

HAMILTON FISH.

U. S. GRANT.

The VICE-PRESIDENT. The Senators-elect whose credentials have already been presented will, as their names are called, advance to the chair and take the oaths of office.

The Chief Clerk called the names of the following Senators-elect:

Thomas F. Bayard, of Delaware.
Branch K. Bruce, of Mississippi.
Ambrose E. Burnside, of Rhode Island.
Angus Cameron, of Wisconsin.
Isaac P. Christiancy, of Michigan.
Henry L. Dawes, of Massachusetts.
William W. Eaton, of Connecticut.
George F. Edmunds, of Vermont.
Hannibal Hamlin, of Maine.
Andrew Johnson, of Tennessee.
Francis Kernan, of New York.
Joseph E. McDonald, of Indiana.
Samuel J. R. McMillan, of Minnesota.
Algernon S. Paddock, of Nebraska.
Theodore F. Randolph, of New Jersey.
Allen G. Thurman, of Ohio.
William A. Wallace, of Pennsylvania.
William Pinkney Whyte, of Maryland.

As their names were called, these gentlemen came forward and the oath to support the Constitution of the United States, and also the

oath prescribed by the act of July 2, 1862, were administered to them respectively by the Vice-President.

The names of the following Senators-elect were next called:

Allen T. Caperton, of West Virginia.
Francis M. Cockrell, of Missouri.
Charles W. Jones, of Florida.
Samuel B. Maxey, of Texas.
Robert E. Withers, of Virginia.

The oath to support the Constitution and also the oath prescribed by the act of July 11, 1863, were administered to these gentlemen.

The Senators-elect having been sworn and taken their seats in the Senate, the following Senators were present:

From the State of—

Maine—Hannibal Hamlin and Lot M. Morrill.
New Hampshire—Aaron H. Cragin and Bainbridge Wadleigh.
Vermont—George F. Edmunds and Justin S. Morrill.
Massachusetts—George S. Boutwell and Henry L. Dawes.
Rhode Island—Henry B. Anthony and Ambrose E. Burnside.
Connecticut—Orris S. Ferry and William W. Eaton.
New York—Roscoe Conkling and Francis Kernan.
New Jersey—Frederick T. Frelinghuysen and Theodore F. Randolph.
Pennsylvania—Simon Cameron and William A. Wallace.
Delaware—Thomas F. Bayard and Eli Saulsbury.
Maryland—George R. Dennis and William Pinkney Whyte.
Virginia—John W. Johnston and Robert E. Withers.
North Carolina—Augustus S. Merrimon and Matthew W. Ransom.
South Carolina—John J. Patterson and Thomas J. Robertson.
Florida—Simon B. Conover and Charles W. Jones.
Georgia—Thomas M. Norwood.
Alabama—George Goldthwaite and George E. Spencer.
Mississippi—James L. Alcorn and Branch K. Bruce.
Louisiana—J. Rodman West.
Texas—Morgan C. Hamilton and Samuel B. Maxey.
Arkansas—Powell Clayton and Stephen W. Dorsey.
Missouri—Lewis V. Bogy and Francis M. Cockrell.
Tennessee—Andrew Johnson.
Kentucky—Thomas C. McCreery and John W. Stevenson.
West Virginia—Allen T. Caperton and Henry G. Davis.
Ohio—John Sherman and Allen G. Thurman.
Indiana—Joseph E. McDonald and Oliver P. Morton.
Illinois—John A. Logan and Richard J. Oglesby.
Michigan—Isaac P. Christiancy and Thomas W. Ferry.
Wisconsin—Angus Cameron and Timothy O. Howe.
Iowa—William B. Allison and George G. Wright.
Minnesota—Samuel J. R. McMillan and William Windom.
Kansas—James M. Harvey and John J. Ingalls.
Nebraska—Phineas W. Hitchcock and Algernon S. Paddock.
Nevada—John P. Jones.
California—Aaron A. Sargent.
Oregon—James K. Kelly and John H. Mitchell.

HOOR OF MEETING.

On motion of Mr. ANTHONY, it was

Ordered, That the hour of the daily meeting of the Senate, until otherwise ordered, be twelve o'clock meridian.

NOTIFICATION TO THE PRESIDENT.

Mr. EDMUNDS. Mr. President, I offer the following resolution:

Resolved, That a committee of two members be appointed by the Vice-President to wait upon the President of the United States and inform him that a quorum of

the Senate has assembled, and that the Senate is ready to receive any communication he may be pleased to make.

The resolution was considered by unanimous consent; and Messrs. EDMUNDS and STEVENSON were appointed the committee.

GOVERNMENT OF LOUISIANA.

Mr. MORTON. I offer a resolution, which I ask to have read and laid upon the table.

The resolution was read as follows:

Resolved by the Senate, That the State government now existing in Louisiana, and represented by William P. Kellogg as governor, is the lawful government of said State; that it is republican in form; and that every assistance necessary to sustain its proper and lawful authority in said State should be given by the United States, when properly called upon for that purpose, to the end that the laws may be faithfully and promptly executed, life and property protected and defended, and all violators of law, State or national, brought to speedy punishment for their crimes.

The VICE-PRESIDENT. The resolution will lie upon the table and be printed.

SENATOR FROM LOUISIANA.

Mr. MORTON. I offer the following resolution, which I ask may be laid on the table for the present:

Resolved, That P. B. S. Pinchback be admitted as a Senator from the State of Louisiana for the term of six years beginning the 4th day of March, 1873.

I desire to give notice that perhaps on Monday, or at any early day next week, I shall ask the Senate to proceed to the consideration of this resolution.

The VICE-PRESIDENT. The resolution will lie over.

ADJOURNMENT TO MONDAY.

Mr. ANTHONY. I move, Mr. President, that when the Senate adjourns to-day it be to meet on Monday next.

Mr. HAMLIN. Mr. President, we may just as well meet to-morrow and receive from the President of the United States such communications as he may have to make to us and thus save one day. We shall forward the progress of the business by a whole day if we sit to-morrow. It is well known that there will be a necessity for a reorganization of our committees, and that may just as well be done this week as next. I have no disposition to hurry matters, nor have I any disposition or desire to stay here and procrastinate a session which may just as well and just as easily be shortened. I hope we shall meet to-morrow.

Mr. THURMAN and others. O, no.

Mr. HAMLIN. I knew the Senator from Ohio would say that, and I supposed that would be a very general expression all around. I shall be very glad, however, if we can save a day, and we certainly can do it by meeting to-morrow. I hope we shall meet to-morrow.

Mr. MORRILL, of Maine. Allow me to suggest to my colleague that we have had an unusual strain upon us for the last three weeks, and I hope he will not press his objection to this motion.

Mr. HAMLIN. Yes, Mr. President, we have had a severe strain on our physical systems; but I do not think the strain will be very hard to meet here to-morrow and receive communications from the President of an executive character that he may have ready for us. I do not think my colleague would stagger very much under such an enormous load, and I think if he would only join with me we might save one day in the length of this session.

Mr. CRAGIN. It is perfectly evident that a meeting to-morrow will not advance the business at all. If we receive communications from the President, they can only lie on the table. The committees cannot be organized and announced to-morrow, certainly not before Monday if we work as hard as it is possible to work. A meeting to-morrow would simply be a loss of time.

The VICE-PRESIDENT. The question is on the motion of the Senator from Rhode Island that when the Senate adjourns it be to meet on Monday next.

The motion was agreed to.

RECESS.

Mr. MORTON. I move that the Senate do now adjourn.

Mr. FRELINGHUYSEN. I suggest that we take a recess until we hear from the committee sent to wait upon the President.

Mr. MORTON. I withdraw the motion.

Mr. FRELINGHUYSEN. I move that the Senate take a recess until one o'clock.

The motion was agreed to; and (at twelve o'clock and twenty-two minutes p. m.) the Senate took a recess until one o'clock.

The VICE-PRESIDENT again called the Senate to order at one o'clock p. m.

Mr. EDMUNDS. Mr. President, the committee appointed by the Senate to wait upon the President of the United States and inform him of the meeting of a quorum of the Senate and of its readiness to proceed to business, have attended to that duty, and the President of the United States has requested us to inform the Senate that he will communicate with it on Monday next.

Mr. CONKLING. Unless some Senator has business to suggest, I move that the Senate do now adjourn.

The motion was agreed to; and (at one o'clock and one minute p. m.) the Senate adjourned.

IN SENATE.

MONDAY, March 8, 1875.

HENRY COOPER, a Senator from the State of Tennessee, appeared in his seat to-day.

Prayer by the Chaplain, Rev. BYRON SUNDERLAND, D. D. The Journal of the proceedings of Friday last was read and approved.

COMMITTEE TO VISIT THE INDIAN COUNTRY.

Mr. CLAYTON. Mr. President, is a resolution in order?

The VICE-PRESIDENT. Resolutions will be received.

Mr. CLAYTON. I offer the following resolution:

Resolved, That a committee, consisting of four members of the Committee on Indian Affairs and three members of the Committee on Territories, making seven in all, be appointed to visit the Indian Territory during the recess of the Senate, with authority to inquire into the condition of affairs in that country, the manner in which justice is administered, and the wants and capacities of the lawful inhabitants thereof with respect to self-government; and to report at the next session of the Senate the result of their inquiry and what legislation, if any, is needed.

I move that the resolution be printed and lie on the table. I wish to say, however, in offering this resolution, that I do not desire to be appointed on the committee.

Mr. FERRY, of Connecticut. I object to the reception of that resolution, and I make the point of order—

Mr. CLAYTON. What is the Senator's objection?

Mr. FERRY, of Connecticut. That it is not in order.

Mr. CLAYTON. I asked the Chair if it was in order, and he said it was, and I offered it on that decision of the Chair.

The VICE-PRESIDENT. The Chair will submit the question to the Senate whether it be in order or not.

Mr. FERRY, of Connecticut. At the called session of the Senate, I think two years ago, the then Senator from Michigan [Mr. Chandler] moved that the Committee on Commerce be instructed to perform certain duties in the recess, among which was one involving, as I remember, a visit to the Pacific coast and a report at the regular session. To that resolution I raised the same point of order that I do now, which was laid before the Senate, and the point of order was sustained. Several other resolutions of a similar character were offered at that session, to some of which the point of order was made and some not. In every instance in which the point of order was raised it was ruled by the Senate, if I remember aright, that it was out of order to receive such a resolution.

Mr. CLAYTON. Will the Senator from Connecticut please state his point of order?

Mr. FERRY, of Connecticut. That at this called session of the Senate business of a legislative character, or looking to legislation, cannot be entertained by the Senate.

Mr. CLAYTON. This is not, in my opinion, business of a legislative character. The proposition is to raise a committee of the Senate for the purpose of getting information which may be laid before the Senate when it convenes again. The question of legislation will come up when the Senate convenes again. I do not think that the proposition to make this inquiry for the information of the Senate hereafter can be considered as coming under the rule sought to be applied by the Senator from Connecticut.

Mr. SAULSBURY. If it is in order to make a remark now, I wish to say that, even if this resolution were properly before the Senate, the appointment of special committees to roam over this country at public expense is a matter which is seriously objected to by the people of the United States.

Mr. CLAYTON. I dislike very much to call the Senator from Delaware to order, but it seems to me a discussion—

The VICE-PRESIDENT. The Senator from Delaware has the floor.

Mr. CLAYTON. But discussion—

The VICE-PRESIDENT. The Senator from Delaware has the floor unless he yields to the Senator from Arkansas.

Mr. SAULSBURY. I cannot. I only wish to put in a general remark that the appointment of committees to roam over this country—

Mr. CLAYTON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Delaware yield to the Senator from Arkansas?

Mr. SAULSBURY. I will yield in a moment. The appointment of committees to travel over this country at the public expense is a matter about which the people of this country have heretofore made complaint; and unless there is special necessity for it, I hope no such committees will be appointed at this extra session.

Mr. CLAYTON. Since the merits of this proposition are being discussed, I hope I may be pardoned if I enter upon the same line.

In offering this resolution I stated that it was not my intention to become a member of this committee. I desire to say now that I consider there is no question before the people of this country which requires investigation so much as this touching the management of Indian affairs. If the Presiding Officer will excuse me one moment further, I beg to suggest that the discussion of the merits of this question can very properly be raised when the resolution is called up. Of course it will then be for Senators to say whether it is wise or unwise to create such a committee. I shall not, therefore, go any further