my party? That would make me as much a partisan as wrong in principle as those who refuse to vote for political introduction or debt or because I would vote as I vote. Such an example I cannot follow.

I cannot recognize a man's political opinions at all in exercising the right to vote and hold office in this country. While men obey the laws and pay their taxes I shall make no further inquiry as to their political views. It matters not what one name in a bill shall vote with the Republican party. It is a higher question than that. It is the question of this very winter; but I hold the right that I stand, whatever may be the political bias or sentiment of these persons. Having said this as a matter for present consideration, let me state my profound regret that mercy does not flow faster and freer; that it should come in that strained and stunted measure, which is condemned by the philosophy and the religion of civilized mankind; that it should be so slow in these Halls, and that universal amnesty has not been proclaimed. Indeed it is one of the wonderful seeming times in which the people and the rebuke the minds of men here, that even the colored race of the South is asking for an amnesty which shall wipe away all the bitterness which has been passed through which we have passed. In their simplicity they speak but the voice of untutored nature.

I have some reason to complain; and if my private disappointment governed my vote here I might vote against this bill. I have this session tried hard to get just one man, an excellent quiet gentleman, relieved from political disabilities. It was at one time agreed that his name should be put in the bill which passed the House last evening; but somehow or other unknown to me the name was dropped out at the last moment. It was done possibly because I recommended him. The bill was in the hands of a Representative from South Carolina who is here no longer. Possibly the fact that my name was upon the application weighed with him, if not with other members of that committee.

I have to day been to the gentleman from Illinois [Mr. Farnsworth] and asked him for the privilege of speaking in this bill in the name of the gentleman. The opportunity was refused me. But what matters that? Am I to stand here in spirit of spite? Am I to say that because he cannot have his local disabilities removed, therefore I will range myself upon the side of proscription, hate, malice, and malignity? Sir, I cannot do that. I take the privilege as a man and as a representative of the people of the State of Illinois, where I reside, to introduce this bill in the name of the gentleman. The bill passed the House last evening and the question is on the third reading. Mr. FARNSWORTH. I withdraw the motion to reconsider.

The SPEAKER. The bill is now in the hands of the Clerk. Mr. FERNISS. I call for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

The bill was passed.

Mr. FERNISS. I call for the yeas and nays on the passage of the bill. The bill, as amended, was ordered to be printed, and recommitted.

LOUISIANA ELECTION CONTEST.

Mr. STEVENSON, presented from the Committee of Elections, a report in the contested-election case of Morey vs. McRae, from the fifth congressional district of the State of Louisiana.

The following resolution, accompanying the report, was read:

Resolved, That there was no legal election in the fifth congressional district of the State of Louisiana for Representative in the Fortieth Congress, and that the absence of George W. McRae, and Frank McCallum, from the House of Representatives, was not a sufficient reason to void the election.

The latter motion was agreed to.

The amendment reported by the committee was adopted, as follows:

Add to the title, section two, the following:

"Add to section two the following:"

"That this act shall not affect any suit pending in the district court of said Territory at the time of its passage."

The amendment was agreed to.

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

Mr. KELLOGG moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MEMOLED BILL SIGNED.

Mr. PERCE from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

An act (H. R. No. 770) to redefine a portion of the boundary line between the State of Nebraska and the Territory of Dakota.

WASHINGTON AQUEDUCT.

Mr. COCK, by unanimous consent, reported from the Committee for the Committee for the Columbia testimony taken by the committee in relation to the construction of the Washington aqueduct; which was ordered to be printed, and recommitted.

LAND DISTRICT IN COLORADO.

Mr. VAN WYCK. Let me appeal to the gentleman who has called for the regular order of business to yield for a moment to the gentleman from Iowa.

Mr. SMITH, of Iowa. I ask unanimous consent to take from the Speaker's table Senate bill No. 177, to create a territorial land district in the Territory of Colorado.

Mr. INGERSOLL. Perhaps this is right, but I wish the aid of the gentleman to go to the Speaker's table, and I must object.

Mr. VAN WYCK. This bill has been unanimously approved by the committee of the House. The gentleman knows that Delegates have little opportunity to get their business before the House, and as the Delegate from Colorado is desirous to have this bill taken up and passed I hope the gentleman will not object.

Mr. INGERSOLL. I will help the gentleman to go to the business upon the Speaker's table. Mr. STILES. I call for the regular order of business.

DEPARTMENT OF JUSTICE.

The SPEAKER. The regular order being called, the morning hour has now begun, and the pending question is House bill No. 1289, a department of the Interior. I understand that yesterday from the Committee on Reerechtment the gentleman from Rhode Island, Mr. S. CARPENTER,pone to a department of the Interior. The question was on ordering the bill to be engrossed and read a third time.

Mr. JENCKES. Mr. Speaker, I wish to explain to the House as briefly as may be the scope and purpose of this bill. It does not propose to create a new department in this Government, but simply to transfer to an exist-
ing Department some things properly belonging to it, but which are now scattered through other Departments. It proposes to make one symmetrical whole of the law department of this Government in order to understand its application to the existing state of things I will review the history and origin of these law officers.

Under the judicial act of 1789 it was provided that a law officer should be appointed in each district of the United States, to be called the district attorney, in order to charge a person accused in the law could be appointed an Attorney General of the United States; one chief law officer at the seat of the Government, with subordinate law officers to districts of the United States. That continued to be the law force, if I may use the phrase, of this Government from 1789 down to 1860. In that year an act was passed to establish the office of assistant solicitor in each district of the United States. I have no recollection of the passage of that law, as I have heard it, that it was passed to create an office for a particular person, in the expectation of receiving the hostility breaking out between the then President and Vice President of the United States. The office was created, but the hoped-for result was not obtained. I therefore respect that statute was annulled. It created a law officer in one Department of the Government for certain purposes, placing him to a certain extent under the authority of the Attorney General, but not in any manner independent. These continued to be the principal law officers until the establishment of the Court of Claims, in 1855, when it became necessary in order to give duely represented before that court to have a solicitor to manage its cases. Subsequently an assistant solicitor was created. The law business of the Government increased more than double the capacity of the persons authorized to transact its application to the existing state of things I will state the results of this business I will state the results of this legislation in the Thirty-Ninth Congress, was called the solicitor general of the United States. That continued to be the law officer until the establishment of the Attorney General of the United States, one chief law officer at the seat of the Government for the performance of their duties.

One of the objects of this bill is to establish a staff of law officers sufficiently numerous and of sufficient ability to transact the business of the Government in all parts of the United States. We have now in the Attorney General's department the Attorney General himself, one assistant attorney general, and in that department a new officer, to be called the solicitor general of the United States, part of whose duty it shall be to try these cases in whatever courts they may arise. There he has employed a man of sufficient learning, ability, and experience that he can be sent to New Orleans or to New York, or into any court wherever the Government has any interest in them, and who can present the case of the United States as it should be presented. We do not complain that the officers of the Government have heretofore employed these services, but the returns show that no considerable number of important cases have been taken out of their regular business, for the Government service, it was only reasonable to pay them what seems at first sight to have been large fees.

But the evil was in the fact that the necessarily existing officers of the Government, that the Government have not always commanded the services of men of sufficient ability and learning to transact its business. We believe that the addition of sufficient law officers in the hands of the United States in its own courts. Of course he cannot perform all the duties himself. In some cases extra counsel may be required, but the district attorneys with his assistance can generally perform these duties; and we provide that if the Attorney General, under the authority given him by the present law, shall employ assistant counsel in any district he shall designate those counsel as assistant district attorneys or assistants to the Attorney General, and give them the duties of the cases with which they are charged, in order that they may be responsible to him and to the Government for the performance of their duties. The different committees have been convinced more or less by our investigation that no person should be charged with the conduct of litigation in behalf of the United States unless he is competent to do it. We have not always the General and the naval solicitor are included. Now, I would ask the gentleman if in organizing a department of justice to be called the Department of Law they include the Judge Advocate General and the naval solicitor, why not...
include all officers of that class who are necessary.

Mr. JENCKES. If the gentleman will hear my explanation of that part of the bill I think he will be satisfied; if not, I will hear any amendment he may offer, and allow him to submit it to the House.

Mr. LOGAN. I beg your pardon. I thought you were treating the subject generally.

Mr. JENCKES. I also hope that we are coming to the head of the Department.

Upon looking into the question further they found the other difficulty indicated by the question of the gentleman from Illinois, [Mr. Logan] that is, that we have gone on creating law officers in the different Departments of this Government who are entirely independent of the head of the Department and the Attorney General of the United States. Following the precedent set in the creation of the solicitor of the Treasury by the act of 1830, we have authorized the creation of solicitors in the War, and a solicitor of the Navy Department, and an assistant solicitor of the War Department.

In both of these last named cases the Government was fortunate in securing without great expense the services of accomplished lawyers, equal in rank to the solicitor of the Treasury, and the other difficulty indicated by the gentleman from Illinois, [Mr. Logan] is that the solicitors of the Treasury are no longer in the Department.

We also created a law officer for the Navy Department, and in the course of time a law officer has been created for the Post Office Department, charged with special duties. I need not dwell upon the manner in which these officers have performed their duties. We have found, too, that these law officers, being subject to the control of the heads of the Departments, in some instances give advice which secures the approval of the heads of the Department, or at least advise which seems to have the approval of the heads of the Department.

We find one interpretation of the laws of the United States in one Department and another interpretation in another Department. In fact, we have brought to our notice here early in the session an instance of different opinions upon the same subject, where the Solicitor General of the Navy has held one opinion from one law officer and another officer of the Government obtained from another law officer a different opinion upon the same subject, neither opinion being sought by any officer of the Government.

We have found that such should be the case, whether with legal questions or with questions of fact, that there should be different constructions of the laws of the United States by different law officers of the United States. Whether the opinion of the Attorney General is right or not, it is an opinion which ought to be followed by all the officers of the Government until it is reversed by the decision of some competent tribunal. The head of a Department, a unity of jurisprudence, if I may use that expression, in the executive law of the United States, that this bill proposes that the Attorney General should be fortified by the opinion of the head of the Department, and to nobody else.

The question the gentleman asked has deeper significance, however, and then the idea should be understood and borne in mind in considering every part of this bill. The head of a Department may act according to his own judgment, or he may act according to the advice of any law officer.

Mr. MAYNARD. The gentleman will understand the idea I had in my mind, when I reminded him of the anecdot of a former President who sent word to his Attorney General that if he could not find law for a particular policy he (the President) would find an Attorney General who could.

Mr. JENCKES. I have heard such anecdotes. It is true that the head of a Department or the President may act on his own judgment in a case; but it would be quite as safe to shelter himself behind the opinion of a solicitor. This bill proposes to transfer these several solicitors from the Departments in which they are now located and to place them under the control of the Attorney General, as the head of the Department of justice; that any opinion or law officer, to save the time and expense of obtaining the opinion of the Attorney General, as the head of the Department of justice, subject, of course, to the same control in every respect that the accounting officers of the Treasury now have over these expenditures.

We have found instances in which not only direct supervision, but direct responsibility to the head of the Department is absolutely necessary. A general supervision and control in every respect that the accounting officers of the Treasury now have over these expenditures.

Ever since I have been making investigations upon the Committees on Retrenchment I have been inquiring whether certain bonds to the United States have ever been forfeited, and if not, for what years have not been put in suit, and I have never obtained any satisfactory answer. Being in court not long since, I found a district attorney of the United States attempting to sustain a certain suit upon distillery and warehouse bonds, where the language of the condition, as framed by some solicitor of the interior revenue department, or assistant solicitor of the Treasury, departed from the language of the statute requiring the bond; and this, too, though the bonds in their original tenor were good, and should, as every lawyer of education knows, be in strict conformity to the statute. In consequence of that blunder or carelessness on the part of his solicitor, the district attorney of the Government failed to enforce payment on these forfeited bonds, and the money cannot be recovered. This is but one instance; similar instances will be found in a great many cases.

Mr. WARD. I desire to ask the gentleman whether this bill creates any new offices?

Mr. JENCKES. No; it does not do away with any existing offices.

Mr. MAYNARD. Does it do away with any of the solicitors?

Mr. JENCKES. No; but it transfers the solicitor to the Attorney General's Department, and avoids the expense of employing outside counsel, which expense has amounted in some instances to $100,000 a year. The only additional expense involved by this bill is about thirteen thousand dollars per annum. The annual expenditure now is $130,000, so that in the case of the Attorney General the expense is sought to be saved. There will of course have to be employed some special assistants for the district attorneys; but, as I have said, this expense will be made up by not paying a certain salary to the solicitor of the Treasury; questions relating to the solicitor of the internal revenue department. When the solicitor of the Treasury is required by law to be employed, they are to be recorded in his office, and when approved, they are to be the executive law for the inferior officers of the Government.

Mr. JENCKES. I have heard such anecdotes. It is true that the head of a Department or the President may act on his own judgment in a case; but it would be quite as safe to shelter himself behind the opinion of a solicitor. This bill proposes to transfer these several solicitors from the Departments in which they are now located and to place them under the control of the Attorney General, as the head of the Department of justice; that any opinion or law officer, to save the time and expense of obtaining the opinion of the Attorney General, as the head of the Department of justice, subject, of course, to the same control in every respect that the accounting officers of the Treasury now have over these expenditures.

Mr. JENCKES. I have not made any charge against any of these officers. It is a misfortune that such should be the case, whether with legal questions or with questions of fact, that there should be different constructions of the laws of the United States by different law officers of the United States. Whether the opinion of the Attorney General is right or not, it is an opinion which ought to be followed by all the officers of the Government until it is reversed by the decision of some competent tribunal. The head of a Department, a unity of jurisprudence, if I may use that expression, in the executive law of the United States, that this bill proposes that the Attorney General should be fortified by the opinion of the head of the Department, and to nobody else.

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Mr. MAYNARD. The gentleman will understand the idea I had in my mind, when I reminded him of the anecdot of a former President who sent word to his Attorney General that if he could not find law for a particular policy he (the President) would find an Attorney General who could.

Mr. JENCKES. I have heard such anecdotes. It is true that the head of a Department or the President may act on his own judgment in a case; but it would be quite as safe to shelter himself behind the opinion of a solicitor. This bill proposes to transfer these several solicitors from the Departments in which they are now located and to place them under the control of the Attorney General, as the head of the Department of justice; that any opinion or law officer, to save the time and expense of obtaining the opinion of the Attorney General, as the head of the Department of justice, subject, of course, to the same control in every respect that the accounting officers of the Treasury now have over these expenditures.

Mr. JENCKES. I have not made any charge against any of these officers. It is a misfortune
Mr. GARFIELD, of Ohio. With the gentleman's permission I wish to ask a question. Before doing so I wish to say that I have listened with great interest to the remarks of the gentleman from Rhode Island, and I think the whole House ought to be indebted to the gentleman for this move in the right direction.

It is valuable advice to have a military officer take up the scattered and fragmentary work now being done in the name of the law and to put it under one organization and one head. While I entirely approve of the bill so far as I have examined it, and feel myself greatly indebted to the gentleman from Rhode Island for the labor he has performed, I wish to know what becomes of the Judge Advocate General with eight assistant judges advocates? Are they to be transferred?

Mr. JENCKES, of Ohio, is not transferred. "Judge Advocate General" is the title of an officer of the Navy Department.

Mr. GARFIELD, of Ohio. It reads here Judge Advocate General.

Mr. JENCKES. That is the naval Judge Advocate General. We do not touch in this bill the Bureau of Military Justice of the Army nor the Judge Advocate General of the Army. They are out of the scope of this bill.

Mr. GARFIELD, of Ohio. I wish to ask the gentleman from Rhode Island the reason for not adding the Judge Advocate General to this department. Of course there is great dissimilarity between military and civil law, but it seems this department of military justice should be in some-appropriate way subordinated to the civil law. The gentleman has examined this subject sufficiently to say whether it can be accomplished. If they are, I will not press the matter.

Mr. JENCKES. We have examined it.

Mr. WOODWARD, I wish to say in answer to the gentleman from Ohio that I understand there is no such civil officer as Judge Advocate General. It is a monitory office and does not belong to the civil service at all. Instead of being transferred to the Attorney General's department, it should be abolished. I would not disfigure the whole system by retaining or transferring this to it.

Mr. JENCKES. It is an entirely different branch of law, and ought to be under a military chief and not a civil officer.

Mr. THOMPSON, of Ohio. Why, then, include the naval Judge Advocate General? Are not the duties similar to those of the Judge Advocate General of the Army? Mr. JENCKES. The duties of the naval Judge Advocate General are, as well known on inquiry, purely civil. He has to do with courts-martial. His duties resemble those of the former Judge Advocate General of the United States Army.

Mr. WOODWARD. Does the gentleman from Rhode Island propose to legislate in reference to the Judge Advocate General as a military officer? Mr. JENCKES. Not at all. That is out of the scope of this bill altogether, and belongs to the Military Committee.

Mr. LOGAN. I wish to say a word or two in reply of the remarks made by the chairman of the Committee on Retrenchment. He thought this was purely a military office, and that it therefore belonged to the War Department. Herefore the system in the Army with regard to courts-martial was the same as that which prevails in the Navy now. Detail was made, it was done by an officer in the Military Department, who in the Army was sufficiently competent to be a judge advocate on a court-martial. Lieutenants were generally detailed for the purpose. During the war this system sprung up. Since the war we have had judge advocates from the rank of brigadier general downward, any number of them, thus doing away with the system of these individuals. In the Navy, however, are judges of civil courts in Virginia, while at the same time judge advocates of the Army, drawing pay, I presume, from military officers, which have come within my knowledge. I think there are too many of them. I believe, too, that many questions relating to civil matters are referred to the Judge Advocate General to be decided by him. For instance, a question as to the assessment of the taxes on salaries was referred by the Adjutant General to the Judge Advocate General of the Army, a question which ought, of course, to have gone to the Attorney General. In the Army they have got into the habit of referring every legal question, civil as well as military, to the Judge Advocate General. I think that the decision of all these questions should be in one department, so as to subordinate the military to the civil, as is the case in the government. I would prefer to have it in that way. And when the gentleman says that he leaves that to the Committee on Military Affairs, I will make it an object to the Committee to propose to organize a bureau of justice. This belongs to his committee. If I were to come here to propose a bill of this kind from our committee, it would be attacked as we have been heretofore, and charged with a desire to act prejudicial to the Army. I hope the gentleman from Rhode Island will succeed with his measure, and that he will include in it the Judge Advocate General, leaving him as many judge advocates as the committee may consider to be necessary, after examination, doing away with the rest, because there are some of them down here who hold judgeships in civil courts, getting pay in that capacity, and who as judge advocates are of no advantage to the Army.

Mr. BECK. With the permission of the gentleman from Rhode Island, I desire to make a suggestion in connection with the remarks just presented by the gentleman from Illinois, Mr. LOGAN. An important case came before the Committee on Reconstruction the other day. Governor Sexton of Tennessee, sent a message to the President of the United States asking for troops and authority to use them. That communication was referred to the Judge Advocate General, and his opinion was laid before the Senate and House. As the Governor of the State is required by the law to govern, I think it is clear that the opinion which should have been given in such a case was that of the Attorney General.

Mr. JENCKES. The committee have preferred to confine the bill entirely to the officers who belong to civil Departments, and not to transfer to the department of justice any military office. But if the gentleman from Illinois has any amendment to offer to the bill on this subject I am willing that he should take the sense of the House upon it.

Mr. LOGAN. I desire to desire to act in opposition to the Committee on Retrenchment. I merely made a suggestion to the committee which I think is a proper suggestion. The Judge Advocate General is a military officer. He has military rank, but not military command. He holds merely a military title, but is a law officer and not a military officer. I think what belongs to the War Department the duty of the War Department will be transferred to the department of justice. But I will trespass no further on the gentleman's time.
the attention of the House the necessity of passing a bill substantially in the form of the one now under consideration. I trust that after it shall have passed, it will be wholly independent, and it will receive the sanction of the House and will speedily become a law.

The general purpose of the bill now before the House, it was thought would be readily explained, if I were permitted to submit it to a special committee, I had the privilege of making in this House on the 10th of February, 1868, and they are generally so well understood that I need not repeat any reference to them now.

They provide a law officer for the War Department, the Navy Department, the Post Office Department, the State Department, several for the Treasury Department, for the Court of Claims, and an Attorney General, who is a mere officer of the Department. There is no law department. These various officers have no common head or superior. Each gives his opinions, and they are the guide for officers, bureaus, or Departments. Not only these, but the Comptroller of the Treasury, and the Auditors and other officers, decide the gravest questions of law and frequently give opinions. This host of officers, each with his own rule of action for the Departments and for the Executive Departments to discharge their duties, and whose opinions shall become the law, and if these officers do not obey the law officers of the Government to give all the opinions necessary to enable the President, heads of Departments, heads of bureaus, and all officers, to perform the duties of their respective offices.

Mr. MAYNARD. I suggest to the gentleman that the Secretary of the Treasury is the head of these several chiefs of bureaus, and yet each has his own rule of action for the Departments and the Executive Departments to discharge their duties, and whose opinions shall become the law, and if these officers do not obey the law officers of the Government to give all the opinions necessary to enable the President, heads of Departments, heads of bureaus, and all officers, to perform the duties of their respective offices.

Mr. LAWRENCE. One great object of this bill is to prevent the possibility that any such opinion shall be asked upon all questions admitting of doubt, and whose opinions shall become the law officers of the Government to give all the opinions necessary to enable the President, heads of Departments, heads of bureaus, and all officers, to perform the duties of their respective offices.

Mr. COX. The opinion of the Attorney General was asked and given, and it confirmed the opinion of Comptroller Tayler, and many payments were made upon the basis of that opinion.

Mr. LAWRENCE. I have read the manuscript opinion of the Attorney General, (Mr. Bourn,) and his opinion was not given upon the facts and questions presented either in the opinion of Comptroller Tayler or in the opinion of the Supreme Court of the United States. His attention was not called to the act of the Legislature of Texas upon which the decision of the Supreme Court turned. If the opinion of the Attorney General had been asked upon all those questions it is not probable that he would have given the same opinion as that upon which the Supreme Court acted.

Mr. COX. The opinion of the Attorney General was asked and given, and it confirmed the opinion of Comptroller Tayler, and many payments were made upon the basis of that opinion.

Mr. LAWRENCE. The object of this bill is to carry out precisely the purpose which the gentleman intended, and which I and others also endorse.

And now, I proceed to show further the necessity of passing this bill. The Auditor of the Post Office Department, in charge of the post office collection regulations—imposed on the General Post Office, and controlling them throughout the country, is merely a fourth-class clerk. He gives opinions upon official papers, and published the Post Office laws without the aid of the Attorney General, who may frequently give different and conflicting opinions. Examples might be multiplied without number, but these will show the necessity of this bill.
cases, and cases relating to captured and abandoned property in the rebel States. He is not an officer of the Government. No law fixes or limits his office, nor his powers. He is there enjoying all the advantages of a law officer of the Government, with none of the official sanctions or responsibilities of an officer. He is employed under general appropriation laws. I do not allude to this to complain of him or of any officer of the Government, but to point out defects in our system of securing law services for the Government. No one more faithful, honest or competent could be found to perform the duties he is so faithfully rendering; but all legal services should be performed by regularly authorized officers of the Government, and thus secure efficiency in legal services, economy in the expenditures therefor, and prevent the danger of favoritism and the lavish expenditure of money. I hope this long-delayed measure may pass and speedily become a law. For more than two years it has been before committees of Congress.

On the 12th December, 1867, this House adopted a resolution, which it was my privilege to offer, instructing the Judiciary Committee to consider the propriety of reporting a bill to consolidate all the law officers of the Government at Washington into one law department. On the 15th February, 1868, I introduced a bill (H. R. No. 765) to establish a law department, which was referred to the Judiciary Committee, though an error in the print on the bill makes it read "to the Committee on Retrenchment." On the 15th of May, 1868, I reported this bill back to the Judiciary Committee, with an amendment, in which I proposed to substitute a bill for the former, substantially in the form of the original bill, and it was recommitted to the Judiciary Committee. This committee subsequently agreed to the bill, and I was directed to have it read at the House and its passage recommended; but in the course of business it could not be reached in the House for want of time.

On the 2d of February, 1868, the gentleman from Rhode Island [Mr. JENCKES] introduced a bill (H. R. No. 631) "to establish a department of justice," which was referred to the Committee on Retrenchment, but no action was had in the House.

Soon after the commencement of the Forty-First Congress, on the 5th of April, 1869, I again introduced a bill (H. R. No. 1229) to establish a law department, but no action was had in the House.

The SPEAKER. That when the House shall be again in Committee, before the Clerk of the House has read the report of the committee on the charge that the Sergeant-at-Arms have been guilty of breach of the peace, I shall allow the House to adjourn for one day.

Mr. MORMILL, of Maine. I renew my motion that the New York delegation be excused from attendance during the session this evening.

The SPEAKER. Does the gentleman make that motion at the request of the New York delegation?

Mr. VAN WYCK. None of the New York delegation is asking this. Mr. MORMILL, of Maine. I have made the motion by request of a New York member.

The SPEAKER. The Chair understands that the gentleman from New York [Mr. Van Wyck] has objected.

Mr. ELDRIDGE. I ask that the whole Pennsylvania delegation be excused from attendance without the whole bill is brought up for consideration. [Laughter.]

Mr. SCHENCK. I decline to yield for that motion.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Gorbam, its Secretary, announced that the Senate had disagreed to the amendment of the House to the bill (S. No. 96) in relation to the Hot