

ABSENT—Messrs. Abbott, Anthony, Cattell, Chandler, Corbett, Cragin, Flanagan, Hamlin, Norton, Osborn, Pomeroy, Revels, Robertson, Saulsbury, Tipton, Williams, and Yates—17.

So the motion was not agreed to.

#### DISTRICT SUPREME COURT.

The VICE PRESIDENT. The unobjected cases on the Calendar are now before the Senate, under the resolution.

Mr. FOWLER. The Senator from Illinois is present, and I desire to make a motion now that an order be entered returning to the Senate the bill (S. No. 491) relating to the supreme court of the District of Columbia, for the purpose of having a reconsideration.

Mr. TRUMBULL. I suppose I cannot object to entering the motion to bring the bill back. I hope the reconsideration will not be carried, however.

The order for the return of the bill was agreed to.

#### ORDER OF BUSINESS.

The VICE PRESIDENT. The unobjected cases on the Calendar are now before the Senate, commencing at Senate bill No. 609, on the sixth page, where the Senate left off on Friday night last.

Mr. MORRILL, of Maine. I move that the present and all prior orders be postponed, for the purpose of proceeding to the consideration of the bill making appropriations for the Post Office Department.

Mr. SUMNER. I hope not.

Mr. TRUMBULL. I hope so.

Mr. SUMNER. I hope we shall go on with the unobjected bills on the Calendar.

The VICE PRESIDENT. The unobjected cases on the Calendar are before the Senate, and the Senator from Maine moves to postpone them and all prior orders and take up the Post Office appropriation bill.

The motion was agreed to; there being, on a division—ayes 29, noes 13.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLINTON LLOYD, its Chief Clerk, announced that the House had passed the following Senate bills without amendment:

A bill (S. No. 399) to authorize the paving and sewerage of M street, Washington, District of Columbia;

A bill (S. No. 491) relating to the supreme court of the District of Columbia;

A bill (S. No. 537) for the relief of James A. Bunce;

A bill (S. No. 809) granting a pension to Mary A. Filler;

A bill (S. No. 801) to require the register of wills for the District of Columbia to give bond; and

A bill (S. No. 948) amendatory of act approved February 5, 1867, and joint resolution approved March 29, 1867, relative to judges and commissioners of election in the cities of Washington and Georgetown, District of Columbia.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

A bill (H. R. No. 2219) reviving the pension to Mrs. Catharine Bender;

A bill (H. R. No. 2220) granting a pension to Mary Cunningham;

A bill (H. R. No. 2221) granting a pension to Jesse and Mary A. Davis; and

A bill (H. R. No. 2222) granting a pension to Maggie B. Miller.

#### ENROLLED BILLS SIGNED.

The message likewise announced that the Speaker had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the Vice President:

A bill (H. R. No. 1323) to establish a department of justice;

A bill (H. R. No. 1956) to authorize the Secretary of the Treasury to issue a register to the schooner Cavallo Marino;

A joint resolution (H. R. No. 227) grant-

ing an American register to the British-built schooner Venilia;

A joint resolution (H. R. No. 324) granting condemned guns to the Soldiers' Monument Association of Adrian, Michigan; and

A joint resolution (H. R. No. 327) relative to trade with the British North American provinces.

#### PENSION AGENTS.

The Senate proceeded to consider its amendments, disagreed to by the House of Representatives, to the bill (H. R. No. 1937) to define the duties of pension agents, to prescribe the manner of paying pensions, and for other purposes.

On motion of Mr. EDMUNDS, it was Resolved, That the Senate insist upon its amendments to the said bill disagreed to by the House of Representatives, and agree to the conference asked by the House on the disagreeing votes of the two Houses thereon.

Ordered, That the conferees on the part of the Senate be appointed by the Vice President.

The VICE PRESIDENT appointed Mr. EDMUNDS, Mr. PRATT, and Mr. McCREERY.

#### POST OFFICE APPROPRIATION BILL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. No. 1828) making appropriations for the service of the Post Office Department during the fiscal year ending June 30, 1871.

The Committee on Appropriations reported an amendment to the bill to strike out in section one, lines twenty, twenty-one, and twenty-two, the words "but no part of said sum thereof shall be expended for the pay of letter-carriers in cities of less than forty thousand inhabitants;" so that the clause would read, "For pay of letter-carriers, \$1,250,000."

The amendment was agreed to.

Mr. RAMSEY. I propose the following amendment to this bill:

And be it further enacted, That all laws and parts of laws giving the right to any officer or Department of the Government, or other person, to either send or receive through the United States mails, free of charge, any letter, document, or other mailable matter, are hereby repealed, and that this section shall take effect on and after the 1st day of July, 1870.

Mr. STEWART. Is that germane to the bill?

Mr. RAMSEY. Certainly it is.

The VICE PRESIDENT. That is a question for the Senate to decide, not for the Chair.

Mr. STEWART. I raise the point of order that it is legislation on an appropriation bill.

The VICE PRESIDENT. The Chair does not understand the point of order.

Mr. STEWART. It is not germane to the subject. It is legislation on an appropriation bill.

The VICE PRESIDENT. The Chair has examined the thirtieth rule, and he cannot see any way in which he can rule the amendment out.

Mr. STEWART. Then I offer to it the amendment submitted by the Senator from Missouri [Mr. DRAKE] to the franking bill.

Mr. CONKLING. Let us put this on first.

Mr. STEWART. No; I think we had better amend it.

Mr. MORRILL, of Maine. I wish to make an appeal to the Senator from Minnesota. I will ask the Senator from Minnesota, who has charge of this measure, whether, after having had the experience he has had on this bill, he thinks it is a proper thing on an appropriation bill for the Post Office Department which must pass by the 1st of July to jeopardize it by this addition.

Mr. RAMSEY. Jeopardize what, may I ask? Mr. MORRILL, of Maine. The appropriation bill.

Mr. RAMSEY. The Senator cannot have any apprehension that the appropriation bill will be jeopardized by this.

Mr. MORRILL, of Maine. I should think the Senator's experience would show him that such a proposition as this leads to endless debate.

Mr. RAMSEY. I imagine the debate has been exhausted. The measure has been pressed here for five or six weeks at intervals.

Mr. MORRILL, of Maine. The Senator is a very imaginative gentleman, I know; but he knows very well if he is at all sincere that putting this provision on this bill postpones it and involves a discussion which is endless.

Mr. RAMSEY, Oh, no; I have no such apprehension at all. The Senator is unnecessarily alarmed.

Mr. TRUMBULL. I rise to a question of order. I think that the Senator from Minnesota is upon the wrong side of the Senate Chamber. [Mr. RAMSEY was near the seat of Mr. MORRILL, of Maine.] I think it is a little dangerous to have two Senators occupying belligerent attitudes so near each other. [Laughter.]

Mr. RAMSEY. It is very difficult to hear on the other side.

The VICE PRESIDENT. The Chair sustains the point of order. The rule requires each Senator to speak from his place.

Mr. RAMSEY. I yield to that, certainly. I hope the Senator from Maine will advance further this way so that I may hear what he says.

The VICE PRESIDENT. The Secretary will report the amendment of the Senator from Nevada to the amendment.

The CHIEF CLERK. The amendment to the amendment is to add at the end of the proposed amendment the following:

But this shall not be construed as repealing the provisions in favor of publishers of newspapers and periodicals contained in the second section of the act of August 30, 1852, entitled "An act to amend an act to reduce and modify the rates of postage in the United States, and for other purposes," passed March 3, 1851.

The VICE PRESIDENT. The question is on the amendment to the amendment.

Mr. STEWART called for the yeas and nays, and they were ordered; and being taken, resulted—yeas 43, nays 11; as follows:

YEAS—Messrs. Abbott, Ames, Bayard, Boreman, Brownlow, Cameron, Carpenter, Casterly, Coukling, Davis, Edmunds, Gilbert, Hamilton of Maryland, Harlan, Harris, Howe, Howell, Johnston, Lewis, McCreery, McDonald, Morrill of Maine, Morrill of Vermont, Morton, Nye, Osborn, Patterson, Pool, Pratt, Rice, Robertson, Ross, Sawyer, Scott, Spenser, Stewart, Stockton, Sumner, Thayer, Thurman, Tipton, Vickers, and Wiley—43.

NAYS—Messrs. Buckingham, Cole, Ferry, Hamilton of Texas, Hamlin, Howard, Pomeroy, Ramsey, Sprague, Trumbull, and Wilson—11.

ABSENT—Messrs. Anthony, Cattell, Chandler, Corbett, Cragin, Drake, Fenton, Flanagan, Fowler, Kellogg, Norton, Revels, Saulsbury, Schurz, Sherman, Warner, Williams, and Yates—13.

So the amendment to the amendment was agreed to.

Mr. MORRILL, of Vermont. I send an amendment to the Chair, which is the same amendment I offered yesterday, with some verbal corrections.

The VICE PRESIDENT. The amendment to the amendment will be reported.

The Chief Clerk read as follows:

And nothing herein contained shall be held to apply to the franking privilege of persons upon whom by name it has been specially conferred by law, nor of the chiefs of the several Executive Departments of the Government, nor of such principal officers, being heads of bureaus or chief clerks of such executive Department, as have been heretofore allowed to frank mail matter, nor of the Commissioner and chief clerk of the Agricultural Department; but they shall continue to have lawful authority to send and receive such communications, documents, packages of cuttings, seeds, roots, and parcels, free of postage, as may be now so sent and received under existing laws; and all public documents issued by the present or by any previous Congress may be sent or received by all persons entitled to send or receive the same free of postage, until the 4th day of March next, upon being properly franked by or addressed to those now entitled to the franking privilege; and all petitions and remonstrances of citizens of the United States may be transmitted to Senators and Representatives in Congress through the mails free of postage.

Mr. THURMAN. I hope that amendment will not be adopted. The amount of it is simply this: that the right to frank documents is to be taken from members of Congress, and the right to frank letters on official business, which is all the right they have, is to be taken