

## INCREASE OF CAVALRY FORCE.

Mr. BANNING. I now move the previous question on agreeing to the report of the conference committee and call for a vote upon the bill.

Mr. COX. I made the motion to lay the conference report on the table.

Mr. BANNING. That motion is not in order.

Mr. COX. I was about to say, if the gentleman had not been so quick in interrupting me, that I proposed to withdraw that motion. It is a little doubtful whether the point of order on the motion might not be sustained. I hope the vote will be taken on the conference report, and that the motion to agree to it will be voted down.

The previous question was seconded and the main question ordered.

The SPEAKER *pro tempore*. The question is on agreeing to the report of the committee of conference.

Mr. COX and Mr. WIKE called for the yeas and nays.

On the question of ordering the yeas and nays there were—yeas 24, nays 80.

So (the affirmative being more than one-fifth of the whole vote) the yeas and nays were ordered.

The question was taken; and there were—yeas 108, nays 39, not voting 139; as follows:

YEAS—Messrs. Abbott, Ainsworth, Bagby, John H. Baker, Banks, Banning, Bland, Bradley, Burlingame, Cannon, Cason, Caulfield, Chittenden, John B. Clark, jr., of Missouri, Cochrane, Conger, Crapo, Crouse, Cutler, Davy, Durand, Durham, Eames, Eden, Finley, Fort, Freeman, Garfield, Goodin, Andrew H. Hamilton, Hancock, Hardenbergh, Hartzell, Haymond, Henderson, Abram S. Hewitt, Holman, Hopkins, Hyman, Joyce, Kasson, Kehrer, Franklin Landers, Lane, Lapham, Lawrence, Levy, Lord, Luttrell, Lynch, Mackey, Magoon, Manish, McCrary, McDill, Meade, Metcalfe, Mills, Monroe, Morrison, Mutchler, New, Norton, O'Neill, Peaker, Page, Pierce, Plaisted, Poppleton, Randall, Reagan, John Reilly, James B. Reilly, Rice, John Robbins, Miles Ross, Sampson, Savage, Sheakley, Siniakson, A. Herr Smith, Springer, Strat, Stenger, Stevenson, Stone, Stowell, Tarbox, Toese, Thompson, Thornburgh, Throckmorton, Washington Townsend, Rufus, Turney, John L. Vance, Wait, Wattersen, Erasmus Wells, G. Wiley, Wells, White, Willard, Alpheus S. Williams, James Williams, Wilshire, James Wilson, Woodburn, and Yeates—108.

NAYS—Messrs. Ashe, Atkins, Blackburn, Boone, Bradford, Bright, John B. Clarke of Kentucky, Clymer, Cook, Cowan, Cox, Dillrell, Douglas, Felton, Forney, Franklin, Gause, Good, Gunter, Hartridge, Horford, Hooker, House, Hutton, Thomas L. Jones, Knott, Lamar, Piper, Riddle, William M. Robbins, Roberts, Seales, Singleton, Slemmons, Terry, Gilbert C. Walker, Whitthorne, Wike, and Jeremiah N. Williams—39.

NOT VOTING—Messrs. Adams, Anderson, George A. Bagley, John H. Bagley, jr., William H. Baker, Ballou, Bass, Beabe, Bell, Blair, Bliss, Blount, John Young Brown, William B. Brown, Buckner, Horatio C. Burchard, Samuel D. Burchard, Cabell, John H. Caldwell, William P. Caldwell, Campbell, Candler, Caswell, Cato, Chapin, Collins, Culberson, Danford, Darrall, Davis, De Bolt, Denison, Dobbins, Dumbell, Egbert, Ellis, Ely, Evans, Faulkner, Foster, Fry, Fuller, Gibson, Glover, Hale, Robert Hamilton, Haralson, Benjamin W. Harris, Henry R. Harris, John T. Harris, Harrison, Hatcher, Hathorn, Hays, Hendoe, Henkle, Goldsmith W. Hewitt, Hill, Hoar, Hoge, Hoskins, Hubbell, Hunter, Hurd, Hurbutt, Jenks, Frank Jones, Kelley, Kimball, King, George M. Landers, Leavenworth, Le Moyne, Lewis, Lynde, MacDougal, McFarland, McMahon, Miller, Milliken, Money, Morgan, Nash, Neal, O'Brien, Odell, Oliver, Payne, Phelps, John F. Phillips, William A. Phillips, Platt, Potter, Powell, Pratt, Purman, Rainey, Rea, Robinson, Sobieski Ross, Rust, Saylor, Scheiicher, Schumaker, Seelye, Snalls, William E. Smith, Southern, Sparks, Spencer, Swann, Thomas, Martin I. Townsend, Tucker, Van Vorhes, Robert B. Vance, Waddell, Waldron, Charles C. B. Walker, Alexander S. Wallace, John W. Wallace, Walling, Walsh, Warren, Wheeler, Whitehouse, Whiting, Wigginton, Andrew Williams, Charles G. Williams, James D. Williams, William B. Williams, Willis, Benjamin Wilson, Alan Wood, jr., Fernando Wood, Woodworth, and Young—139.

So the report of the conference committee was agreed to.

During the roll-call the following announcements were made:

Mr. COCHRANE. I desire to state that my colleagues, Mr. ROSS and Mr. JENKS, are absent by leave of the House.

Mr. NORTON. Mr. VAN VORHES is detained from the House on account of sickness.

Mr. O'NEILL. I desire to say that Mr. DANFORD left for his home yesterday on account of indisposition. If here he would vote "ay."

Mr. HUNTON. My colleague, Mr. HARRIS, is absent on important business.

Mr. STEVENSON. My colleagues, Mr. ANDERSON and Mr. CAMPBELL, are absent. If present they would vote "ay."

Mr. MAGOON. Mr. CASWELL is absent. If present he would vote "ay."

Mr. DAVY. I desire to announce that my colleague, Mr. MCDUGALL, is absent by leave of the House. If present he would vote "ay."

Mr. THORNBURGH. My colleague, Mr. MCFARLAND, is absent on account of sickness. If here he would vote "ay."

The result of the vote was then announced as above recorded.

Mr. BANNING moved to reconsider the vote by which the report of the conference committee was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of their clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

A bill (H. R. No. 882) for the relief of Mrs. James K. Polk, of Nashville, Tennessee; and

A bill (H. R. No. 719) for the relief of the heirs of William Stevens.

## THE SPEAKER OF THE HOUSE.

Mr. BANKS. Mr. Speaker, at the close of this unusually long and laborious session it will occur to every member of the House that

there are many causes of congratulation for the good fortune that has attended us and the degree of health that has accompanied us in our labors. But we cannot at this moment of parting forget that from the very moment of the organization of the House one of its most beloved and honored members has been stricken with disease, and though elevated to that high trust, the position which you at this moment in his absence occupy, a trust which the most distinguished men of the country have esteemed it an honor to discharge, has been, at first in our presence, and since parting from us, still failing in health until we are led sorrowfully to fear that his brilliant and honorable career is near—too near its close. The honorable gentleman from New York, [Mr. Cox,] the chairman of the Committee on Banking and Currency, has placed in my hand a telegram dated at Rock Alum, at 5.46 o'clock this afternoon, which bears the signature of the absent Speaker of the House, which I will read:

Hon. S. S. Cox.

My condition is very critical; no change since morning.

M. C. KERR.

Sir, I am sure it will be the unanimous desire and a source of poignant regret if it should be omitted of all the members of this House from every section of the country and of every phase of opinion, that we should express to the absent Speaker our confidence in his high integrity, our admiration for his brilliant public services, our regret for his failing strength, and our hope for the restoration of his health. It is in this view that, upon consultation with gentlemen upon different sides of the House, I ask leave to offer a resolution as an expression of that feeling which I have imperfectly expressed, and which I know so well animates the heart of every member, present or absent.

The Clerk read as follows:

Resolved, That the House of Representatives at the moment of closing its present session tenders to Hon. MICHAEL C. KERR, its beloved and honored presiding officer, the unanimous expression of the heartfelt sympathy of its members in his affliction, and their hope that the recovery of his health may soon restore to his associates in the public service the wisdom of his counsel and the beneficent influence of his example.

The question was taken on the resolution, and it was unanimously adopted.

Mr. BANKS. I move, with your leave and that of the House, that the Speaker *pro tempore* be requested to transmit this resolution to Mr. KERR.

Mr. TUCKER. By telegram.

The SPEAKER *pro tempore*. The Chair will see that that is done.

## OTOE AND MISSOURIA INDIANS.

Mr. CROUNSE. I desire to call up the message of the President vetoing the bill (S. No. 779) to provide for the sale of a portion of the reservation of the confederated Otoe and Missouria Indians and the Sacs and Foxes, of the Missouri tribe of Indians, in the States of Kansas and Nebraska, that the House may have an opportunity of reconsidering its action respecting that bill.

The Clerk read the President's veto message, as follows:

To the Senate of the United States:

For the reasons stated in the accompanying communications submitted to me by the Acting Secretary of the Interior, I have the honor to return herewith without my approval Senate bill No. 779, an act to provide for the sale of a portion of the reservation of the confederated Otoe and Missouria and the Sacs and Foxes of the Missouri tribes of Indians, in the States of Kansas and Nebraska.

U. S. GRANT.

EXECUTIVE MANSION, August 15, 1876.

Mr. CROUNSE. I beg to state respecting this bill that it originated in the Senate, came to this House, and was passed here unanimously. It went to the President for his approval and under a misapprehension and under information received from the Commissioner of Indian Affairs he refused to attach his signature to the bill and returned it to the Senate, but immediately thereafter, upon being advised of the mistake which had occurred and the misapprehension under which he labored at the time he refused to sign the bill, he followed it up with another letter which was read in the Senate a short time since and the United States Senate unanimously passed the bill. It is fair to say that the President himself admits that he acted under misapprehension and under misinformation, and that had he been advised at the time he vetoed the bill as he is now advised he would have attached his signature to it. In this state of affairs the Senate has passed the bill as it did before unanimously. The committees of the two Houses are in accord with regard to it and no objection can be made against it in any quarter.

The bill was read.

The SPEAKER *pro tempore*. The question is, Will the House, on reconsideration, agree to pass the bill? And this vote can only be taken by yeas and nays.

Mr. HOLMAN. It seems to me it should be referred to the Committee on Indian Affairs.

Mr. CROUNSE. That committee are unanimously in favor of the bill.

Mr. HOLMAN. If there can be a formal consideration of the bill by the Committee on Indian Affairs—

Mr. GOODIN. This bill passed the House unanimously.

Mr. HOLMAN. Under the report of the Commissioner of Indian Affairs, it certainly is questionable whether this bill should now pass.

Mr. RANDALL. I call for the yeas and nays upon the bill.

The SPEAKER *pro tempore*. The Chair must rule that this is a privileged question, and the yeas and nays will be called; because under the Constitution the bill cannot be passed otherwise.