

## BRIDGE ACROSS THE ARKANSAS.

Mr. SAWYER, from the Committee on Commerce, asked unanimous consent to report a bill authorizing the construction of a bridge across the Arkansas river at Van Buren, Arkansas.

## COUNTING THE ELECTORAL VOTES.

At one o'clock p. m. the Doorkeeper announced the Senate of the United States.

The Senate entered the Hall, preceded by its Sergeant-at-Arms and headed by the Vice President and the Secretary of the Senate, the members and officers of the House rising to receive them. The Senators took the seats set apart for them in the eastern section of the Hall.

The Vice President took his seat as Presiding Officer of the joint convention of the two Houses, the Speaker occupying a chair on the left of the Vice President.

Senator SHERMAN, of Ohio, the teller appointed on the part of the Senate, and Messrs. DAVES, of Massachusetts, and BECK, of Kentucky, the two tellers appointed on the part of the House, took their seats at the Clerk's desk, at which the Secretary of the Senate and Clerk of the House also occupied seats.

The VICE PRESIDENT. The Senate and House of Representatives having met under the provisions of the Constitution for the purpose of opening, determining, and declaring the votes cast for President and Vice President of the United States for the term of four years commencing on the 4th of March next, and it being my duty, in the presence of both Houses thus convened, to open the votes, I now proceed to discharge that duty.

The Vice President then proceeded to open and hand to the tellers the votes of the several States for President and Vice President of the United States, commencing with the State of Maine.

Senator SHERMAN (one of the tellers) read in full the certificate of the vote of the State of Maine, giving seven votes for Ulysses S. Grant, of Illinois, for President of the United States, and seven votes for Henry Wilson, of Massachusetts, for Vice President of the United States.

Senator TRUMBULL. I think the Governor's certificate should be read as the evidence of the election of the electors.

The VICE PRESIDENT. The tellers will report the certificate.

Senator SHERMAN (as one of the tellers) read the certificate of the Governor of Maine.

Senator TRUMBULL. I would inquire if that certificate bears the signature of the Executive of the State of Maine?

Senator SHERMAN. The signature of Sydney Perham, as Governor, is in the center of the paper, under the great seal of the State.

Senator TRUMBULL. It is not material where it is, if the signature of the Executive is there.

The VICE PRESIDENT. The Chair will state that upon several occasions of the counting of the electoral vote, after the first certificate had been read in full, the reading in full of the subsequent certificates has been dispensed with by general consent, unless some Senator or Representative in a particular case called for the reading of the entire certificate. If no person objects, therefore, the tellers will report the material part of the subsequent certificates, subject, however, to the demand of any Senator or Representative that the document shall be read in full.

Senator TRUMBULL. I desire that the certificate of the Executive to the election of the electors should be once read in each case. I wish to take up no unnecessary time, but I think it important, as some question may possibly arise on that subject, that the certificate of the Executive should be read.

The VICE PRESIDENT. That point will

be regarded as made, and the tellers will take notice of it accordingly.

Mr. DAVES (one of the tellers) read the certificate of the Governor of New Hampshire as to the election of electors of President and Vice President of the United States, and announced the electoral votes of the State for those two officers.

Senator HAMLIN. I beg to suggest to the Senator from Illinois [Mr. TRUMBULL] whether it will not answer his purpose entirely if the tellers should announce the fact that the certificates of election of electors are signed by the Governor and countersigned by the secretary of State. That method of proceeding will be an economy of time, and at the same time it will reach the result which the Senator wishes to accomplish.

Senator TRUMBULL. Mr. President, it will be entirely satisfactory to me if the tellers will examine the papers in each case and see whether the proper certificate of the Executive of the State accompanies the list of votes, and will announce that fact with reference to each certificate. Where there is any variation they will, of course, bring it to the notice of the joint convention. It should be understood, of course, that the reading of the certificate in full may be demanded in any case.

The VICE PRESIDENT. If there be no objection the tellers will merely state the fact in regard to the attestation of the Governor, subject to a demand by any Senator or Representative for the reading of the certificate in full.

The tellers proceeded to announce the electoral votes of the several States, it being mentioned in each case that the certificate of the election of the electors was signed by the Governor and countersigned by the secretary of State. When the State of Georgia was reached,

Mr. BECK, of Kentucky, (one of the tellers,) announced the electoral vote for President as follows:

B. Gratz Brown, of Missouri, six votes; Horace Greeley, of New York, three votes; Charles J. Jenkins, of Georgia, two votes.

The vote for Vice President was announced, as follows:

B. Gratz Brown, of Missouri, five votes; Alfred H. Colquitt, of Georgia, five votes; Nathaniel P. Banks, of Massachusetts, one vote.

[Laughter.]

Mr. HOAR. I desire to make the point that the three votes reported by the tellers as having been cast for Horace Greeley, of New York, cannot be counted, because the person for whom they purport to have been cast was dead at the time of the assembling of the electors in that State.

The VICE PRESIDENT. The gentleman from Massachusetts [Mr. HOAR] having made the point which has been stated by him, the Chair will read from the twenty-second joint rule of the two Houses.

"If, upon the reading of any such certificate by the tellers, any question shall arise in regard to counting the votes therein certified, the same having been stated by the Presiding Officer, the Senate shall thereupon withdraw, and said question shall be submitted to that body for its decision; and the Speaker of the House of Representatives shall in like manner submit said question to the House of Representatives for its decision; and no question shall be decided affirmatively, and no vote objected to shall be counted, except by the concurrent votes of the two Houses, which being obtained, the two Houses shall immediately reassemble, and the Presiding Officer shall then announce the decision of the question submitted; and upon any such question there shall be no debate in either House. And any other question pertinent to the object for which the two Houses are assembled may be submitted and determined in like manner."

On previous occasions, since this rule has been in operation, it has been required that an objection to the counting of any vote should be in writing, so that it might be submitted to both Houses for their decision in their separate Chambers. The gentleman from Massachusetts will submit his point in writing; and the Chair will have it stated from the Clerk's desk.

Senator CONKLING. While the gentle-

man from Massachusetts is reducing his point to writing, I suggest to the Chair that either by the point being withheld for the present, (this particular return being laid aside,) or otherwise, we can avoid the necessity of separating at this moment. Gentlemen know that a separation, to deliberate upon another point or two, is quite likely to occur; and I suggest that if this question can be passed over in one form or another for the moment, we can complete the reading of all the returns upon which there is no question; and then upon the two or three questions which may remain for decision, one single separation of the joint convention and one coming together will suffice.

The VICE PRESIDENT. If there is no objection, the gentleman from Massachusetts will be understood as reserving the point which he has made, to be presented at the close of the counting, or whenever the two Houses may be required under the rule to meet in their respective Chambers. Will that suit the gentleman from Massachusetts?

Mr. HOAR. I have no objection.

The VICE PRESIDENT. It will be understood as so reserved.

The tellers resumed the reading of the certificates. When the vote of the State of Mississippi was announced,

Mr. Senator SHERMAN (one of the tellers) said: As the form in this case is somewhat different from the others, I will read the certificate of the Governor:

"On this Wednesday, the 4th day of December, 1872, at the city of Jackson, in the State of Mississippi, the electors thereof assembled for the purpose of voting for President and Vice President of the United States; and they accordingly voted with the following result, to wit:

"For President of the United States, Ulysses S. Grant, of Illinois, eight votes.  
"For Vice President of the United States, Henry Wilson, of Massachusetts, eight votes."

The tellers call attention to the fact that the electors do not certify that they voted by ballot.

Senator TRUMBULL. I observed that. I think this is a question of sufficient importance to receive the consideration of the two Houses. I object to the vote of Mississippi being counted, for the reason that it does not appear that the electors voted by ballot. I will reduce the objection to writing and let it lie until the two Houses separate upon other questions, if it be agreeable to the convention.

The VICE PRESIDENT. The Senator from Illinois [Mr. TRUMBULL] objects to counting the vote of the electors of the State of Mississippi, on the ground there is no certificate, they voted by ballot, but for the present he reserves that point.

Senator TRUMBULL. At the suggestion of a Senator who thinks it would be a bad precedent when an objection is raised to pass it over and go through with the vote in a matter of such grave importance as this, I will present the question now.

Senator SHERMAN, (one of the tellers.) The tellers direct me to read another paper from the State of Mississippi.

Senator TRUMBULL. If there are any other papers I should like to hear them all read.

Senator SHERMAN (one of the tellers) then read a certificate stating that the electors of the State of Mississippi had assembled for the purpose of giving their votes for President and Vice President of the United States, and that A. T. Morgan, one of the electors, not being present, they had duly appointed J. J. Spellman to fill said vacancy under the revised code of the State of Mississippi of 1871, to which was appended the great seal of the State of Mississippi, and the signature of James Lynch, secretary of State of Mississippi.

The VICE PRESIDENT. If the gentleman from Massachusetts has reduced to writing the point which he made it will be now presented to the convention.

Mr. HOAR. I have reduced it to writing, and will send it up to the Clerk's desk.

The VICE PRESIDENT. Under the twenty-second joint rule the Presiding Officer now submits to the Senate and House of Representatives in joint convention the objection of the gentleman from Massachusetts, [Mr. HOAR.] It will be reported.

The Secretary of the Senate read as follows:

Mr. HOAR objects, the votes reported by the tellers as having been cast by the electors of the State of Georgia for Horace Greeley, of New York, cannot legally be counted, because said Horace Greeley, for whom they appear to have been cast, was dead at the time said electors assembled to cast their votes and was not a person within the meaning of the Constitution, this being a historical fact of which the two Houses may take notice.

The VICE PRESIDENT. Two copies will be made of this objection, one for the Senate and one for the House of Representatives, to be submitted to each House after the Senate repairs to its Chamber.

The Senator from Illinois [Mr. TRUMBULL] makes the following point, which the Presiding Officer now submits to the two bodies in joint convention.

The Secretary of the Senate read as follows:

Mr. TRUMBULL objects to counting the votes cast for President and Vice President by the electors in the State of Mississippi, for the reason it does not appear from the certificate of said electors that they voted by ballot.

Senator TRUMBULL. I should like to have read again the certificate of the Governor of Mississippi, both the original and supplemental papers.

The VICE PRESIDENT. That will be done.

Senator TRUMBULL. It is suggested by my colleague it would be well, as these papers cannot be before both Houses when we separate, that for the information of both Houses the papers be read in full at this time.

The VICE PRESIDENT. The Chair will state in this case as in all other cases there are two copies in possession of the Presiding Officer, one sent by mail, and one brought by messenger. In this case they appear to be the same.

The papers were again read.

The VICE PRESIDENT. The Presiding Officer will state that in the duplicate copies sent by messenger the Governor's certificate does not appear to have been included; but the substantial point made by the Senator from Illinois [Mr. TRUMBULL] lies against both papers, that they do not state the electors voted by ballot.

Mr. POTTER. Mr. President, I desire to inquire, because we could not understand here as reported by the tellers, whether the supplemental certificate, as I may call it, from the State of Mississippi in respect of the elector elected to supply and take the place of the elector who is absent, is signed by the Governor or not?

The VICE PRESIDENT. It is signed by the secretary of State only.

Mr. POTTER. Then, Mr. President, I desire to object to one vote of the State of Mississippi, because the certificate declaring that J. J. Spillman was appointed an elector in the stead of A. T. Morgan, absent, by the electoral college of that State, in accordance with the laws of that State, is not signed by the Governor of that State.

The VICE PRESIDENT. It has been suggested that perhaps it may not be exactly correct, under the Constitution, for the President of the Senate to leave in possession of the House any official document in his possession pertaining to the electoral vote. But as the tellers have reported in every instance that besides the document which was delivered to the Vice President by messenger a duplicate came by mail, unless there is objection the Chair will leave in the possession of the House of Representatives, for reference and consultation by its members, the document which was transmitted to him by mail, retaining in his

official possession the document which was transmitted by messenger. The gentleman from New York [Mr. POTTER] desires to modify his objection.

Mr. POTTER. At the suggestion of a member of the House who has seen the certificate of the State of Mississippi to which I have referred, I ask leave to make an addition to the objection I have offered.

The VICE PRESIDENT. The objection of the gentleman from New York [Mr. POTTER] will be read as modified:

The Clerk read as follows:

Mr. POTTER objects to one vote of the State of Mississippi, because the certificate declaring that J. J. Spillman was appointed an elector in the stead of A. T. Morgan, absent, by the electoral college of that State, in accordance with the laws of that State, is not signed by the Governor of that State.

And further that the certificate of the secretary of State read does not certify anything of his own knowledge, but only states he has been so notified as he certifies.

The VICE PRESIDENT. Three questions having arisen in regard to the counting of the votes for President and Vice President, the Senate will now withdraw to their Chamber.

The Senate accordingly retired.

The SPEAKER having called the House to order, said: In the joint convention for counting the electoral votes an objection was made by the gentleman from Massachusetts [Mr. HOAR] against counting the return from the State of Georgia. The Clerk will read the objection.

The Clerk read as follows:

Mr. HOAR objects, the votes reported by the tellers as having been cast by the electors of the State of Georgia for Horace Greeley, of New York, cannot lawfully be counted, because said Horace Greeley, for whom they appear to have been cast, was dead at the time said electors assembled and cast their votes, and so not a person within the meaning of the Constitution; this being a historical fact of which the two Houses may properly take notice.

Mr. HOAR. I offer the following resolution.

The Clerk read as follows:

Resolved, That the votes reported by the tellers as having been cast by the electors of the State of Georgia for Horace Greeley for President of the United States ought not to be counted.

Mr. HOAR. I desire to make an inquiry of the Chair. Is it in order, under the joint rule, to ask that there may be read an extract from the Constitution of the United States?

Mr. BANKS. Certainly it is.

The SPEAKER. The Chair doubts whether it would be. All debate is absolutely prohibited; and whether that would be in the nature of debate would be a grave point.

Mr. BANKS. Under what rule?

The SPEAKER. The Chair will direct the reading of the rule.

Mr. FARNSWORTH. It appears to me that the Chair can direct the reading of any portion of the Constitution as well as he can the reading of a rule.

The SPEAKER. The Chair will not object, if the point is not raised. The Chair directs the paragraph of the twenty-second joint rule which bears upon this question to be read.

The Clerk read as follows:

"If, upon the reading of any such certificate by the tellers, any question shall arise in regard to counting the votes therein certified, the same having been stated by the Presiding Officer, the Senate shall thereupon withdraw, and said question shall be submitted to that body for its decision; and the Speaker of the House of Representatives shall, in like manner, submit said question to the House of Representatives for its decision. And no question shall be decided affirmatively, and no vote objected to shall be counted, except by the concurrent votes of the two Houses; which being obtained, the two Houses shall immediately reassemble, and the Presiding Officer shall then announce the decision of the question submitted; and upon any such question there shall be no debate in either House. And any other question pertinent to the object for which the two Houses are assembled may be submitted and determined in like manner."

Mr. COGHLAN. Should not this be a concurrent resolution?

Several MEMBERS. No!

Mr. NIBLACK, of Indiana. I hope the

gentleman from Massachusetts [Mr. HOAR] will yield to a suggestion for an amendment. I would suggest the insertion after "ought not" of the words "in the opinion of this House." I think we cannot act finally, and, if we simply express our opinion, perhaps it would be more decorous to the Senate.

Mr. HOAR. I have no objection to that modification.

Mr. FARNSWORTH. I desire to offer an amendment to the resolution.

Mr. HOAR. I was about myself to suggest a further modification by adding after the name of "Horace Greeley" the words "he having deceased before the vote was cast."

The SPEAKER. The Chair thinks that modification is necessary, because the resolution should state on its face the reason why the vote should not be counted. The resolution will be returned to the gentleman so that he may modify it exactly in accordance with his suggestion.

Mr. LOWE. I desire to make a parliamentary inquiry, and it is whether the question to be submitted to the House is not simply on the point of order made in the joint convention?

The SPEAKER. It is no point of order in the sense of a point on which the Chair can rule.

Mr. LOWE. Do we not act directly on the matter presented to the joint convention?

The SPEAKER. The Chair thinks that this is the proper mode of disposing of the case.

The Clerk then read the resolution as modified by Mr. HOAR, as follows:

Resolved, That in the judgment of the House of Representatives the votes reported by the tellers as having been cast by the electors of the State of Georgia for Horace Greeley, of New York, for President of the United States, ought not to be counted, said Horace Greeley having died before the said votes were cast.

Mr. MACINTYRE. I desire to move to amend the resolution by striking out the word "not" before the words "to be counted."

The SPEAKER. The gentleman attains the same object by voting against the resolution.

Mr. BANKS. I rise to a point of order; and it is that we have no power to decide on the eligibility of any man voted for for President.

Mr. BINGHAM. Is debate in order?

The SPEAKER. It is not. That is a reason for not voting for the resolution. But the joint rule forbidding debate on these questions is one of the highest political necessities, for if debate was allowed on such questions it might be in the power of one branch of Congress to postpone indefinitely the counting of the electoral votes.

Mr. BANKS. I insist on the point of order that the House has no power to decide questions of the eligibility of candidates voted for for the Presidency.

The SPEAKER. The gentleman does not submit that as a question for the Chair to decide?

Mr. BANKS. I submit it to the House.

The SPEAKER. It is a question for the House to determine in voting upon the resolution. It is not a question which is within the purview of the Chair to determine.

Mr. WILLARD. I ask for the yeas and nays on the resolution.

The yeas and nays were ordered. The question was taken; and it was decided in the affirmative—yeas 101, nays 99, not voting 40; as follows:

YEAS—Messrs. Ames, Averill, Barber, Barry, Beatty, Biggs, Bingham, Bird, James G. Blair, Braxton, Bright, Buckley, Bullinton, Bunnell, Burcharde, Burdett, Rodenick R. Butler, Clarke, Coburn, Coghlan, Comings, Critcher, Davis, Dawes, Dickey, DuBose, Dannel, Eames, Elliott, Esty, Wilder, D. Foster, Garfield, Hale, Harner, Harper, George, E. Harris, John B. Hawley, Joseph R. Hawley, Hay, Hays, Gerry W. Hazelton, John W. Hazelton, Herndon, Hoar, Hooper, Houghton, Kelley, Kerr, Ketchum, Killinger, Laupoter, Lansing, Leach, McCrary, McGrew, McHenry, McKee, Merriam,

Merrick, Monroe, Moore, Leonard Myers, Negley, Orr, Packard, Packer, Palmer, Isaac C. Parker, Peck, Perce, Peters, Porter, Rainey, Randall, Ritchie, Ellis H. Roberts, Robinson, Rusk, Sargent, Sessions, Sherwood, Shoemaker, H. Boardman Smith, Sprague, Starkweather, Sypher, Taffe, Washington Townsend, Turner, Twichell, Tyner, Upson, Voorhees, Waddell, Wakeman, Waldron, Wallace, Wheeler, Williams of Indiana, Jeremiah M. Wilson, and John T. Wilson—101.

**NAYS**—Messrs. Acker, Adams, Ambler, Archer, Arthur, Banks, Barnum, James B. Beck, Bell, Boles, Caldwell, Carroll, Cobb, Conger, Conner, Cotton, Crebs, Crocker, Crossland, Donnan, Dox, Duke, Eldredge, Ely, Finkeburg, Charles Foster, Henry D. Foster, Garrett, Getz, Giddings, Golladay, Griffith, Haldeman, Hancock, Handley, Hanks, John T. Harris, Hereford, Hibbard, Holman, Kellogg, Kendall, Kinsella, Lamison, Lowe, Lynch, MacIntyre, Manson, Marshall, Maynard, McClelland, McCormick, McJunkin, McKinney, Mitchell, Morgan, Morris, Sims L. Nicklin, William B. Niblack, Hosea W. Parker, Pendleton, Perry, Potland, Potter, Price, Prindle, Read, Edward Y. Rice, William R. Roberts, Sion H. Rogers, Roosevelt, Sawyer, Scofield, Sheldon, Schellbarger, Shober, Slater, Slocum, John A. Smith, Spear, Stevens, Stevenson, Storm, Stoughton, Stowell, St. John, Sutherland, Terry, Thous, Van Trump, Vaughan, Warren, Wells, Whiteley, Willard, Williams of New York, Winchester, Wood, and Young—99.

**NOT VOTING**—Messrs. Erasmus W. Beck, Bigby, Austin Blair, Boardman, Brooks, Benjamin F. Butler, Campbell, Cox, Creely, Darrall, Dodds, Duell, Farnsworth, Farwell, Parker, Frye, Goodrich, Hatsey, Hambleton, Havens, Hill, King, Lewis, McNooly, Benjamin F. Meyers, Morey, Platt, John M. Rice, John Rogers, Seacey, Shanks, Sloss, Worthington C. Smith, Snapp, Snyder, Swann, Dwight Townsend, Tutthill, Walden, and Whitthorne—40.

So the resolution was agreed to.

Mr. HOAR 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.

Mr. KERR. I offer the following resolution:

*Resolved*, That in the opinion of this House the votes cast for Horace Greeley, of New York, for President of the United States by the electors should be counted by the tellers as blank votes.

The SPEAKER. The Chair thinks the House, by its resolution just adopted, has disposed of the question raised in the joint convention.

Mr. KERR. Would it not be in order for the House to vote on the resolution I have presented?

The SPEAKER. The Chair does not see how it would be. There was no notice given in joint convention of the point contained in the resolution of the gentleman. The point of order raised in convention has been read to the House, and the House has taken resolution thereon.

Mr. KERR. I desire to make a parliamentary inquiry. Does the Chair rule my resolution out of order by reason of anything contained in the joint rule of the two Houses, or is it by reason of something in the rules of the House?

The SPEAKER. For this reason: the point of order that comes from the joint convention was read to the House, and the House, by a vote of 101 to 99, has disposed of that point. There is, therefore, nothing before the House upon which the gentleman can base his resolution.

Mr. KERR. I beg to submit one other consideration. I agree that the House has disposed of the question of the duty of the tellers to the extent of forbidding them to count those votes for Horace Greeley. But has the House gone so far as my resolution now proposes to go, to declare that it shall be the affirmative duty of the tellers to inform the joint convention how many blank votes have been cast, and to reckon the votes cast for Horace Greeley as such blank votes?

The SPEAKER. If the House is to pass upon that as a separate question, it must come to the House from the joint convention of the two branches.

Mr. ELDREDGE. The House has already declared by resolution that the votes cast for Horace Greeley were void votes. The gentleman from Indiana [Mr. KERR] now asks the

House to pass a resolution declaring that the votes cast for Horace Greeley were not only void votes, but that they were cast for Mr. Blank; which is an absurdity.

The SPEAKER. There is no question before the House.

Mr. KERR. Allow me to say—

The SPEAKER. The Chair does not intend unnecessarily to deprive the gentleman from Indiana [Mr. KERR] of the right of discussing a point of order. But the rule of the two Houses is very absolute, and in the general judgment very necessary, that no debate shall be allowed under the circumstances. This is in the nature of debate. And if the debate can exist lawfully under the rules for ten minutes, it may extend for ten hours, and for ten weeks. Therefore, it is the duty of the Chair, a duty more incumbent upon him because it is prescribed by the joint rule than if prescribed by a rule of the House, to adhere absolutely to the spirit and letter of the rule.

#### MESSAGE FROM THE PRESIDENT.

A message from the President of the United States, by Mr. BACOCK, his Private Secretary, announced that the President had approved and signed the following bills:

An act (H. R. No. 333) for the relief of Mrs. M. S. Morse, widow of Isaac S. Morse, deceased; and

An act (H. R. No. 2880) for a public building at Atlanta, Georgia.

The message further announced that the following bills having been received by the President on the 30th of January last, and not having been returned by him to the House of Representatives within the ten days prescribed by the Constitution, had become laws without his approval:

An act (H. R. No. 1275) for the relief of William Vails, late a private in company A third regiment Indiana volunteer cavalry; and

An act (H. R. No. 861) directing the payment to Robert McKee, of Kentucky, of pay, allowances, and bounty withheld from him.

#### COUNTING THE ELECTORAL VOTES.

The SPEAKER. The Clerk will now read the point certified to the House from the joint convention, and which was raised by Mr. TRUMBULL, a Senator from the State of Illinois.

The Clerk read as follows:

Mr. TRUMBULL objects to counting the votes cast for President and Vice President by the electors in the State of Mississippi, for the reason that it does not appear from the certificate of said electors that they voted by ballot.

Mr. DAWES. I submit the following resolution:

*Resolved*, That in the judgment of this House the eight votes reported by the tellers as cast by electors in and for the State of Mississippi ought to be counted as reported by them.

Mr. AMBLER. Does not the question now presented involve also the point raised in joint convention by the gentleman from New York, [Mr. POTTER.]

The SPEAKER. No matter whether it does or not; the Chair cannot take note of that.

Mr. AMBLER. I move to amend the resolution by striking out "eight" and inserting "seven."

The SPEAKER. The Chair did not suppose a division would be called or an amendment offered on this resolution. The gentleman from Massachusetts [Mr. Dawes] is entitled to be recognized to try the sense of the House upon ordering the previous question. The gentleman will state whether he yields for an amendment.

Mr. AMBLER. I think the question presented by my amendment should be submitted to the House.

Mr. POTTER. The Constitution provides that these votes of the electors shall be cast by ballot.

Mr. GARFIELD, of Ohio. It does not say that they shall so certify.

Mr. DAWES. I call the previous question on my resolution.

The previous question was seconded and the main question ordered.

The question being taken on agreeing to the resolution, there were—ayes 101, noes 33.

Mr. W. R. ROBERTS. I call for the yeas and nays.

Mr. RANDALL. Let us have the yeas and nays. This is a very important question.

The yeas and nays were not ordered.

So the resolution of Mr. DAWES was adopted.

The SPEAKER. The Clerk will read the objection made in the joint convention by Mr. POTTER, a Representative from the State of New York.

The Clerk read as follows:

Mr. POTTER objects to the counting of one vote of the State of Mississippi, because the certificate declaring that J. J. Spellman was appointed an elector in the stead of A. T. Morgan, absent, by the electoral college of that State, in accordance with the laws of that State, is not signed by the Governor of the State; and further, that the certificate of the secretary of State read does not certify anything of his own knowledge, but only states he has been so notified, as he certifies.

Mr. BANKS. I offer a resolution upon that point.

The SPEAKER. The Chair will be compelled to recognize the gentleman [Mr. POTTER] who raised the point in the joint convention.

Mr. ELDREDGE. I raise a point of order. My point is that the House has just passed a resolution that the eight votes of Mississippi are to be counted; and that this proposition is incompatible with the resolution just adopted.

The SPEAKER. That is not a point of order. It is a matter for the House, not the Chair to decide.

Mr. POTTER submitted the following resolution:

*Resolved*, That as one of the eight votes certified by the electoral college of the State of Mississippi as cast for Ulysses S. Grant as President, appears not to have been cast by A. T. Morgan, who appears by the certificate of the Executive of that State to have been an elector of that State, but by James J. Spellman; and there being no certificate from the executive authority of that State certifying the appointment of said James J. Spellman as an elector of such State, that one of the electoral votes be rejected, and seven electoral votes only be counted for that State.

Mr. BANKS. I offer the following resolution as a substitute for the resolution just read:

*Resolved*, That the electors of the State of Mississippi having been appointed in the manner directed by the Legislature of that State, were legally elected, and the vote of the State as cast by them should be counted, and that the certificate of the Governor of that State of the electoral vote cast and the certificate of the secretary of State of that State in regard to the choice of electors is in compliance with the Constitution and laws of the United States.

Mr. POTTER. In this connection I ask to have read an extract from the statute of 1792.

Mr. BANKS. I object to the reading of the statute.

Mr. RANDALL. Is it not in order to ask for the reading of the certificate of the electoral college of Mississippi, together with the Governor's certificate relating thereto?

The SPEAKER. The Chair thinks that the point embraced in the resolution of the gentleman from Massachusetts [Mr. BANKS] was disposed of under the point raised by the Senator from Illinois, [Mr. TRUMBULL.] and the resolution of his colleague, [Mr. DAWES,] just adopted by the House. The House has passed a resolution declaring that the electoral vote of Mississippi should be counted.

Mr. BINGHAM. The eight votes.

The SPEAKER. The eight votes—

Mr. BANKS. If the Chair will allow me, I wish to say the House has already decided that those votes should be counted so far as concerns the objection that the certificate does not specify the votes of the electors to have been cast by ballot. Now the gentleman from New York [Mr. POTTER] raises another point, that one of these votes should not be counted

because it was not in compliance with the laws of the State. My resolution proposes that they shall all be counted because the electors were chosen in compliance with the laws of the State.

Mr. RANDALL. I want to get at a history of the facts.

Mr. DICKEY. I object to this House embarking on any question of history. [Laughter.]

Mr. ELDREDGE. I would like to make a parliamentary inquiry. If the House should now decide that this one electoral vote ought not to be counted, what would be the effect of such action, standing by the side of the resolution the House has already adopted that the whole eight votes shall be counted?

The SPEAKER. The Chair is not placed here to tell the effect of what the House may do.

Mr. ELDREDGE. I submit, then, as a point of order to be decided by the Chair, that the House has already determined to count the eight votes of Mississippi.

The SPEAKER. The Chair cannot entertain that as a point of order. As the reading of the papers, which has been called for, is not in the nature of debate, the Chair directs the Clerk to read the certificate of the electors of the State of Mississippi.

The Clerk read as follows:

STATE OF MISSISSIPPI,  
EXECUTIVE DEPARTMENT,  
JACKSON, MISSISSIPPI, December 4, 1872.

At the election held in the State of Mississippi, on the first Tuesday in November, A. D. 1872, the following persons were elected by a majority of the legal voters of the said State as electors for President and Vice President of the United States: H. C. Carter, W. H. Gibbs, W. F. Simonton, James Hill, A. K. Davis, A. F. Morgan, W. H. Harney, S. J. Ireland.

In testimony whereof I have hereunto set my hand and caused the great seal of the State of Mississippi to be affixed at the city of Jackson, this 4th day of December, A. D. 1872.

R. C. POWERS, Governor.

By the Governor:

JAMES LYNCH, Secretary.

STATE OF MISSISSIPPI,  
EXECUTIVE DEPARTMENT,  
JACKSON, MISSISSIPPI, December 4, 1872.

This is to certify that on this 4th day of December, A. D. 1872, I was notified by the college of electors of the State of Mississippi that at a meeting then being held by them for the purpose of giving their votes for President and Vice President of the United States, A. F. Morgan, one of the electors, not being present, they duly appointed J. J. Spellman to fill the said vacancy, the said appointment being made in accordance with section three hundred and eighty-two, Revised Code, 1871, of the State of Mississippi.

In testimony whereof, I have hereunto set my hand and fixed the great seal of the State this 4th day of December, 1872.

JAMES LYNCH, Secretary.

On this Wednesday, the 4th day of December, A. D. 1872, at the city of Jackson, in the State of Mississippi, the electors therefor assembled for the purpose of voting for President and Vice President of the United States, and they accordingly voted, with the following result to wit:

For President of the United States, Ulysses S. Grant, of Illinois, eight votes.

For Vice President of the United States, Henry Wilson, eight votes.

HANNIBAL C. CARTER,  
W. H. GIBBS,  
W. F. SIMONTON,  
JAMES HILL,  
A. K. DAVIS,  
JAMES J. SPELLMAN,  
WM. H. HARNEY,  
SAM'L J. IRELAND.

Mr. CONGER. I ask that the point of order raised in joint convention by the gentleman from New York [Mr. POTTER] be again read.

The Clerk then read the objection made by Mr. POTTER, of New York, in the joint convention, the resolution offered by him in the House, and also the substitute moved by Mr. BANKS, of Massachusetts.

Mr. ELDREDGE. The House has already determined to count the eight votes of Mississippi, and I make the point this resolution is incompatible with the action of the House.

Mr. DICKEY. I object to debate.

Mr. BANKS. I will modify my substitute for the resolution of the gentleman from New

York by inserting the words "as provided by the Constitution of the United States."

Mr. DICKEY. I object to debate on either side of the House.

Mr. BANKS. I demand the previous question.

Mr. DUKE. If it be in order, I ask to have read the law of Mississippi referred to in the certificate read by the Clerk.

Mr. DICKEY. The law of Mississippi is in the nature of debate, and I object to debate.

The SPEAKER. The confusion in the House is so great that the Chair will be obliged to call gentlemen by name.

The previous question was seconded, and the main question ordered.

The question first recurred on the substitute of Mr. BANKS for the resolution of Mr. POTTER.

The House divided; and there were—ayes 109, noes 33.

So the substitute was agreed to.

The resolution as amended was then adopted.

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

The latter motion was agreed to.

Mr. GARFIELD, of Ohio. Mr. Speaker, I submit the following resolution.

The Clerk read as follows:

Resolved, That the Clerk of the House be directed to inform the Senate that the House of Representatives has acted on the questions submitted this day by the joint convention of the two Houses in reference to counting the votes for President and Vice President of the United States.

Mr. BANKS. I move to amend by inserting copies of the resolutions adopted by the House.

Mr. GARFIELD, of Ohio. Should not that be done in joint meeting?

Mr. BINGHAM. Let them have an opportunity to concur under the twenty-second rule.

The SPEAKER. The Chair has directed the Clerk to communicate to the Senate copies of the resolutions adopted by the House.

Mr. GARFIELD, of Ohio. I have no objection to amending my resolution in that respect.

Mr. HOAR. Should not the resolution read in pursuance of the joint rule?

Mr. GARFIELD, of Ohio. I have no objection to that.

The SPEAKER. The Clerk will communicate to the Senate copies of the resolutions adopted by the House.

The resolution as modified was adopted.

Mr. GARFIELD, of Ohio, moved to reconsider the vote by which the resolution as modified was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

And then, on motion of Mr. RANDALL, (at three o'clock and ten minutes p. m.) the House took a recess for fifteen minutes.

The recess having expired, the House reassembled at three o'clock and twenty-five minutes p. m.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had passed the following resolutions:

Resolved, That the electoral votes of Georgia cast for Horace Greeley be counted.

Resolved, That the vote cast by James J. Spellman, one of the electors for the State of Mississippi, be counted.

Resolved, That the electoral vote of the State of Mississippi be counted.

The message further announced that the Senate is ready again to meet the House, that the counting of the electoral votes may be proceeded with.

#### COUNTING OF ELECTORAL VOTE.

Mr. DAWES. I offer the following resolution:

Resolved, That a message be sent to the Senate, to

inform that body that the House is ready to receive the Senate, to proceed again with the counting of the electoral votes.

The resolution was agreed to.

Mr. DAWES 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.

At three o'clock and thirty-five minutes p. m. the Senate in a body reentered the Hall.

The VICE PRESIDENT (having resumed the chair.) The Chair will read a part of the twenty-second rule:

"And no question shall be decided affirmatively, and no vote objected to shall be counted, except by the concurrent votes of the two Houses; which being obtained, the two Houses shall immediately reassemble, and the Presiding Officer shall then announce the decision of the question submitted."

Upon the first point raised by the Representative from Massachusetts [Mr. HOAR] the Senate decided as follows:

Resolved, That the electoral votes of Georgia, cast for Horace Greeley, be counted.

The House of Representatives decided as follows:

Resolved, That the votes reported by the tellers as having been cast by the electors of the State of Georgia for Horace Greeley, of New York, as President of the United States ought not to be counted, the said Horace Greeley having died before said votes were cast.

Upon this question there is a non-concurrence of the two Houses.

On the question submitted by the Senator from Illinois [Mr. TRUMBULL] in regard to the votes of the State of Mississippi, the Senate adopted the following resolution:

Resolved, That the electoral vote of the State of Mississippi be counted.

And the House of Representatives adopted the following resolution:

Resolved, That in the judgment of this House the eight votes reported by the tellers as cast by the electors in and for the State of Mississippi ought to be counted as reported by them.

On this question the votes of the two Houses are concurrent.

On the third point raised by the Representative from New York, [Mr. POTTER,] which was in regard to the election of one elector from Mississippi, the Senate adopted the following resolution, which is covered also by its action on the full vote of the State:

Resolved, That the vote cast by James J. Spellman, one of the electors for the State of Mississippi, be counted.

The House of Representatives adopted the following resolution:

Resolved, That the electors of the State of Mississippi having been appointed in the manner directed by the Legislature of that State, and in accordance with the provisions of the Constitution of the United States, were legally elected, and that the vote of the State as cast by them should be counted, and that the certificate of the Governor of that State of the electoral vote cast, and the certificate of the secretary of State of that State in regard to the choice of electors, is in compliance with the Constitution and laws of the United States.

Therefore, by the twenty-second joint rule, there being a non-concurrence between the two Houses upon the three votes cast in the State of Georgia for Horace Greeley for President of the United States, they cannot be counted. And in accordance with the same joint rule, the votes of the State of Mississippi will be counted.

The tellers resumed the counting of the votes, and announced the same, until the State of Missouri was reached, when

Senator MORTON said: I desire to call attention to the fact that in the State of Georgia the certificate shows that two votes were cast for Mr. Jenkins, a citizen of the State of Georgia, for President, and five votes for Mr. Colquitt, a citizen of the State of Georgia, for Vice President, which is in contravention of the twelfth article of amendment to the Constitution, which reads as follows:

"The electors shall meet in their respective States and vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves."

The VICE PRESIDENT. The twenty-second joint rule provides that—

"If, upon the reading of any such certificate by the tellers, any question shall arise in regard to counting the votes therein certified, the same having been stated by the Presiding Officer, the Senate shall thereupon withdraw, and said question shall be submitted to that body for its decision; and the Speaker of the House of Representatives shall in like manner submit said question to the House of Representatives for its decision."

This objection not having been made when the tellers read the electoral vote of the State of Georgia, in the opinion of the Chair it comes too late.

Senator MORTON. I desire to make the point whether the objection is not in time if it is made before the result is finally announced after the counting of all the votes.

Senator CARPENTER. Is it in order to take an appeal from the decision of the Chair?

The VICE PRESIDENT. The Senator himself will see that there could not be an appeal taken in a joint meeting of the two Houses; but if any point can be made on which the two Houses can be required to divide, the Chair will entertain it. The language of the joint rule is so emphatic that the Senator from Wisconsin will see that when a thing is directed to be done at a particular time, it must be done at that time.

Senator TRUMBULL. Was the last return read from Missouri?

The VICE PRESIDENT. It was.

Senator TRUMBULL. If the case of Missouri has not passed from the consideration of this meeting, I ask if the same question does not arise in the case of Missouri, and if there were not votes cast there for citizens of the State for the two offices?

Senator CARPENTER. I withdraw my point.

The VICE PRESIDENT. The Chair thinks that as the credentials of no other State had been read, the objection will come in time, and the papers in the case of Missouri will be again read.

Senator CONKLING. I beg to ask that at the same time the tellers report whether the same electors voted for citizens residing in the same State for the two offices; whether there is anything on the face of the papers to show that certain electors may not have voted for candidates for President and Vice President residing in different States, and that certain other electors voted for other candidates who resided in the State?

The VICE PRESIDENT. The Chair will have all the papers read again.

Senator SHEPHERD (one of the tellers) again read the certificates from the State of Missouri.

Senator TRUMBULL. I thought the Senator from Indiana [Mr. MORTON] made the point that the vote could not be counted.

Senator MORTON. I simply desired to call the attention of the two Houses to the facts.

Senator CARPENTER. I object to the counting of the vote of Missouri so far as votes were given for President and Vice President of the United States from the same State, and will reduce my objection to writing.

Senator CONKLING. Meanwhile, may we not have read the concluding statement of that certificate?

The VICE PRESIDENT. The Secretary of the Senate will read it.

The Secretary of the Senate read as follows: "And it is hereby further certified that none of said electors who voted for B. Gratz Brown for President voted for him for Vice President."

Several MEMBERS. That ends the matter.

Senator CARPENTER. Upon examination, I withdraw the point.

Mr. POTTER. In relation to the vote of Texas, I desire to inquire whether I correctly understood the tellers, that there is no certificate from the executive authorities of the State of Texas as to the persons appointed electors?

The VICE PRESIDENT. The secretary

of the State certifies to their election under the seal of the State.

Mr. POTTER. But there is no certificate from the Governor of the State?

The VICE PRESIDENT. There is no certificate from the Governor of the State.

Senator TRUMBULL. I desire, then, to object to the reception of the vote of Texas. This case differs from that of Mississippi. There the Executive certified to the election of the electors; but in this case I understand there is no certificate from the executive authorities of the State of Texas to the election of the original electors; no certificate from the Governor at all.

The VICE PRESIDENT. The tellers desire the Chair to state that four of the electors met, and appointed four others, in place of four persons who were absent, and certified the facts themselves.

Mr. POTTER. But as to the original electors there is no certificate from the Governor of the State?

The VICE PRESIDENT. There appears to be only the certificate of the Secretary of the State, under the seal of the State.

Mr. POTTER. This case differs, then, from the Mississippi case. In that case the original electors held certificates from the Governor, while the substitute for one of them did not.

Senator TRUMBULL. I object to the reception of the vote of Texas because there is no certificate of the executive authorities of that State to show that the persons who voted for President and Vice President were appointed as electors of that State, as required by act of Congress.

The VICE PRESIDENT. The Secretary of the Senate will again read the last certificate.

The Secretary of the Senate read as follows:

DEPARTMENT OF STATE,  
AUSTIN, TEXAS, December 4, 1872.

The following persons having received the highest number of votes cast for electors of President and Vice President of the United States, are hereby declared duly elected as such: B. B. Hubbard, A. I. Rainey, B. A. Epperman, J. J. Good, Thomas Harrison, John Ireland, S. A. Darden, J. M. Maxey.

Witness my hand and official seal at office in the city of Austin, this 4th day of December, A. D. 1872.

J. E. OLDRIGHT,  
Acting Secretary of State.

Mr. GARFIELD, of Ohio. I would inquire if the certificate of the secretary of the State of Texas is made in terms "by authority of the Governor," although the signature of the Governor is not there?

The VICE PRESIDENT. The certificate of the acting secretary of State will again be read.

Mr. DAWES (one of the tellers) read the certificate, as follows:

DEPARTMENT OF STATE,  
AUSTIN, December 4, 1872.

The following named persons having received the highest number of votes cast for electors of President and Vice President of the United States, are hereby declared duly elected as such. [Here the names are given.]

Witness my hand and official seal, at office, in the city of Austin, this 4th day of December, A. D. 1872.

J. E. OLDRIGHT,  
Acting Secretary of State.

The VICE PRESIDENT. The certificate has upon it the seal of the State of Texas. The Secretary will now read the objection of the Senator from Illinois.

The Secretary of the Senate read as follows:

Mr. TRUMBULL objects to the vote of Texas because there is no certificate by the executive authority of that State that the persons who voted for President and Vice President were appointed as electors of that State as required by the act of Congress.

The VICE PRESIDENT. The Chair would suggest that any other objection to the counting of the vote of Texas be now submitted to the joint convention.

Mr. DICKEY. I object to the counting of the electoral vote of the State of Texas because four of the electors, less than a majority of those elected, undertook to fill the places of other four electors who had been elected and were absent.

The VICE PRESIDENT. These two objections to counting the vote of Texas having been made, the Senate will now withdraw to their Chamber.

The Senate accordingly retired from the Hall of the House.

The SPEAKER resumed the chair, and called the House to order.

The Clerk read the following, from the joint convention of the two Houses:

Mr. TRUMBULL objected to the vote of Texas because there is no certificate by the executive authority of that State that the persons who voted for President and Vice President were appointed as electors of that State as required by the act of Congress.

Mr. DAWES submitted the following resolution:

*Resolved*, That in the judgment of this House the vote of Texas should be counted as reported by the tellers.

Mr. BECK, of Kentucky. Would it be in order to have again read to the House the certificate of the acting secretary of State of Texas?

The SPEAKER. It would.

The certificate was again read.

Mr. DAWES. I would like to have the statute of Texas on this subject read to the House.

The SPEAKER. The Chair will not permit anything to be read in the nature of debate.

Mr. DAWES. Not a statute?

The SPEAKER. Not even that.

Mr. SPEER. Is it in order to have read the act of Congress referred to in the objection made by the Senator from Illinois?

Mr. BINGHAM. I object.

The SPEAKER. The Chair thinks it cannot be done.

Mr. WOOD. Is it in order to move a substitute for the resolution of the gentleman from Massachusetts, [Mr. DAWES]?

The SPEAKER. It would be if the gentleman yields the floor without calling the previous question on his resolution.

Mr. DAWES. I think the statute of the State of Texas should be read, as it all depends on that.

The SPEAKER. The gentleman from Massachusetts [Mr. DAWES] will perceive that reading the statute of the State of Texas would be in the nature of debate on this point. The rule is as absolute as language can make it, that all points on which the joint convention may differ must be determined without debate.

Mr. DICKEY. I ask unanimous consent of the House that the statute of the State of Texas be read, with reference to the next point coming from the joint convention.

Mr. STEVENSON. It is a joint rule that prescribes there shall be no debate.

The SPEAKER. A rule which the House cannot vary.

Mr. DAWES. Is it in order to take a recess for ten minutes?

The SPEAKER. It would not be. Nothing is in order at this point except the pending resolution.

Mr. FARNSWORTH. Is it not as much in order that the Chair should direct the reading of a statute of the United States as that he should direct the reading of a joint rule of the two Houses?

The SPEAKER. It is not, because the joint rule is a rule of action for the two Houses.

Mr. FARNSWORTH. So is a statute of the United States.

The SPEAKER. But the joint rule precludes debate upon such a question as this; and the reading of a statute is certainly in the nature of debate. There might be a statute the reading of which would occupy three hours.

Mr. PETERS. We might have all the statutes read.

The question being taken on the resolution

of Mr. DAWES, it was agreed to; there being—  
 ayes 107, noes 22.

Mr. DAWES 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.

The SPEAKER. The Clerk will now report the next objection which comes from the joint convention.

The Clerk read as follows:

Mr. DICKEY objected to the counting of the electoral vote of the State of Texas because four electors, less than a majority of those elected, undertook to fill the places of other four electors, who had been elected and were absent.

Mr. DICKEY. I offer the following resolution:

*Resolved*, That in the judgment of this House the electoral vote of the State of Texas for President and Vice President ought not to be counted, for the reason that four electors, less than a majority of those elected, undertook to fill the places of other four electors who had been elected and were absent.

Mr. DAWES. I move to amend the resolution by substituting the following after the word "resolved:—"

That the vote of Texas ought to be counted.

Mr. RANDALL. Let us vote down the resolution.

Mr. DAWES. Very well; I withdraw my substitute.

Mr. BANKS. I move to amend the resolution by striking out all after the word "resolved" and inserting the following:

That a quorum is an arbitrary number, which each State has a right to establish for itself; and as it does not appear that the choice of electors was in conflict with the law of that State as to a quorum for the transaction of business, the vote of the electors for President and Vice President should be counted.

Mr. DICKEY. If this House will allow the statute of Texas to be read—

Mr. ELDRIDGE. I raise a point of order that the pending amendment of the gentleman from Massachusetts [Mr. BANKS] is simply an argument upon the question.

Mr. PETERS. A very good argument.

The SPEAKER. The Chair overrules the point of order.

Mr. BANKS. I call for the previous question.

The previous question was seconded and the main question ordered; and under the operation thereof of the amendment of Mr. BANKS was agreed to, and the resolution as amended adopted.

Mr. BANKS 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.

Mr. DAWES. I move that copies of the resolutions adopted by the House be communicated forthwith to the Senate.

Mr. GARFIELD, of Ohio. And that the Senate be notified that the House is ready to receive them.

The SPEAKER. The Clerk intimates that there is no necessity for the order suggested by the gentleman from Ohio. The Clerk makes that notification as a matter of course.

Mr. GARFIELD, of Ohio. I simply proposed that the Senate should be notified we are ready to receive them.

The SPEAKER. If the House has acted on all the business coming from the joint convention, the presumption is that the House is ready to receive the Senate.

Mr. BANKS. I move that the House take a recess for five minutes.

The motion was agreed to.

The recess having expired, the Speaker again called the House to order.

Mr. KERR, (after a pause.) Mr. Speaker, would it be in order now to make a report from the Committee of Ways and Means for immediate action?

The SPEAKER. The Chair thinks nothing is in order except what relates to the counting

Mr. WOOD. Would it be in order to move to take a recess?

The SPEAKER. It would; but the Chair is advised that the Senate may be expected to return every moment.

Mr. WOOD. I give notice that if the Senate does not return within ten minutes, I shall move a recess till to-morrow.

The SPEAKER. That, of course, will be in order.

At five o'clock and five minutes p. m. the Senate in a body reentered the Hall.

The VICE PRESIDENT (having resumed the chair.) Two objections having been made to the counting of the votes of the electors of the State of Texas, the Senate upon the first objection, made by the Senator from Illinois, [Mr. TRUMBULL,] resolved as follows:

*Resolved*, That the electoral vote of the State of Texas be counted, notwithstanding the objection raised by Mr. TRUMBULL.

And the House of Representatives resolved as follows:

*Resolved*, That in the judgment of this House the vote of Texas should be counted as reported by the tellers.

On the second objection, by Mr. DICKEY, the Senate resolved as follows:

*Resolved*, That the objection raised by Mr. DICKEY to counting the electoral vote of the State of Texas be and the same is overruled.

And the House of Representatives resolved as follows:

*Resolved*, That a quorum is an arbitrary number, which each State has the right to establish for itself, and as it does not appear that the choice of electors was in conflict with the law of Texas as to a quorum for the transaction of business, the vote of the electors for President and Vice President be counted.

So (the two Houses having concurred) the electoral vote of Texas, under the twenty-second joint rule, will be counted.

The Presiding Officer now presents to the tellers the electoral vote of the State of Iowa.

Mr. SPEER. Is it in order for this joint convention to take a recess until to-morrow at half past twelve o'clock?

The VICE PRESIDENT. It is not; it must be done, if at all, by each House separately.

The VICE PRESIDENT presented the electoral votes of the States of Iowa, Wisconsin, California, Minnesota, Oregon, Kansas, West Virginia, Nevada, and Nebraska to the tellers; and they were counted without objection.

The VICE PRESIDENT. The Chair in presenting the electoral vote of the State of Florida will state that the copy directed to be sent by law to the President of the Senate by mail was received on the 11th of December, 1872, and the copy by messenger was received at the Department of State, and in the absence of the Vice President by the President *pro tempore* of the Senate on the 2d of January, 1873.

Mr. BECK, of Kentucky, (one of the tellers,) read the electoral vote and the accompanying certificates, and the vote of the State of Florida was counted without objection.

The VICE PRESIDENT. The Chair in presenting the electoral vote of the State of Arkansas states it was received by him by mail on the 11th of December, 1872, and by messenger at the Department of State, and in the absence of the Vice President by the President *pro tempore* of the Senate on the 28th of December, 1872. On the 4th or 5th day of February, during the present month, a person claiming to be the messenger commissioned to bring the electoral vote of the State of Arkansas presented himself at the Vice President's room with a paper, not in the form of law, but addressed to him as President of the Senate, and stated to him what he alleged to be its contents, representing himself to be commissioned as messenger to bring the vote. The Vice President said he would open the paper, as it was addressed to him, but he would not receive it even informally. After reading its contents he found that it did not in any respect comply with the

papers presented on the 11th of December and the 28th of December are now submitted to the tellers.

Mr. RICE. I ask the tellers to read in full the returns from Arkansas.

Mr. SHERMAN (one of the tellers) accordingly read the papers in the case of Arkansas, as follows:

STATE OF ARKANSAS,  
 LITTLE ROCK, December 4, 1872.

We, the undersigned electors, elected, as shown by the accompanying certificate, at the general election held in the State of Arkansas, November 5, 1872, for a President and Vice President of the United States for the term commencing March 4, 1873, met in the city of Little Rock, State aforesaid, on Wednesday, the 4th day of December, 1872, and proceeded to vote by ballot, with the following result:

D. S. Griffin, W. W. Granger, Thomas H. Barnes, W. H. Howes, Arthur Hemingway, and L. G. Wheeler each cast one vote for Ulysses S. Grant for President of the United States for the term aforesaid, and D. S. Griffin, W. W. Granger, Thomas H. Barnes, W. H. Howes, Arthur Hemingway, and L. G. Wheeler each cast one vote for Henry Wilson for Vice President of the United States for the term aforesaid, making six votes cast by said electors for each of the respective candidates above named.

D. S. GRIFFIN,  
 W. W. GRANGER,  
 THOMAS H. BARNES,  
 W. H. HOWES,  
 ARTHUR HEMINGWAY,  
 L. G. WHEELER.

STATE OF ARKANSAS,  
 STATE DEPARTMENT,  
 LITTLE ROCK, December 4, 1872.

I, J. M. Johnson, secretary of State of Arkansas, certify that the following is the true and correct list of electors in and for the State of Arkansas to vote for a President and Vice President of the United States for the term commencing March 4, 1873, who were elected at the general election held in pursuance of law in this State, November 5, 1872, namely, D. S. Griffin, W. W. Granger, and Thomas H. Barnes, from the State at large; W. H. Barnes, from first congressional district; Arthur Hemingway, from second congressional district; L. G. Wheeler, from third congressional district.

In testimony whereof, I have hereunto set my hand and seal of office at Little Rock, this 4th day of December, A. D. 1872.

J. M. JOHNSON,  
 Secretary of State.

Senator CONKLING. When was that paper received?

Senator SHERMAN, (one of the tellers.) December 11, 1872.

The VICE PRESIDENT. That was by mail, and on the 28th of December by messenger.

Senator RICE. I object to counting the vote of Arkansas, and will reduce my objections to writing. I have to change them a little on account of bearing the returns which have been read.

Senator HAMLIN. While the Senator from Arkansas is reducing his objections to writing, I propose we proceed to the electoral vote of the State of Louisiana, on which we all know there will be a separation, so that there may be but one separation in reference to the electoral votes of the State of Arkansas and of the State of Louisiana.

The VICE PRESIDENT. Is there objection, as there remains only one electoral vote, that of the State of Louisiana, to be read?

Senator THURMAN. I did not distinctly hear from the Chair whether there were two returns from Arkansas, or whether the one was a duplicate of the other.

The VICE PRESIDENT. There is only one return made in conformity to law from Arkansas; one being received by messenger and the duplicate by mail. On the 4th of February others were received, which were entirely informal.

Senator THURMAN. Are they duplicates of each other?

The VICE PRESIDENT. These are duplicates.

Senator THURMAN. How is it with the others?

The VICE PRESIDENT. The informal returns were signed by three out of the six electors, and they stated that they could not obtain the certificate of the Governor, and that they therefore inclosed certain correspond-

ever, inclosed. They were not sealed or indorsed on the back. The Chair opened them on the distinct understanding that they were informal, because they were directed to him as any other letter might be.

From Louisiana there have been received two returns sent by mail and two by messenger, each of the last having been received by the Secretary of State, in the absence of the Vice President and the President of the Senate *pro tempore* from the seat of Government. The first return, made by L. C. Roudanez, was received on the 31st of December, within the time required by the Constitution. The second return was received on the 2d January, being one day within the time required by the Constitution. What appeared to be the duplicates were received by mail on the 10th and 14th December. The Chair will first submit those returns which reached the office of the Secretary of State, in accordance with law, on 31st December. One of the tellers on the part of the House will report the one first received at the Department of State. The duplicate received by mail is in the hands of the teller on the part of the Senate.

Mr. DAWES (one of the tellers) read the following papers:

OFFICE OF SECRETARY OF STATE,  
PARISH OF ORLEANS, STATE OF LOUISIANA,  
December 3, A. D. 1872.

I, George E. Bovee, secretary of State for the State of Louisiana, do hereby certify that the returning officers of the election held in said State on the 4th day of November, A. D. 1872, have returned to me as secretary of State according to law the following persons as duly elected electors of President and Vice President of the United States for the State of Louisiana at such election, to wit: for the State at large: M. F. Bonzano, Jules Lanabere, Charles E. Halstead. For the districts: first district, L. C. Roudanez; second district, A. K. Johnson; third district, Milton Morris; fourth district, Joseph K. Taylor; fifth district, John Ray. In testimony whereof I have hereunto signed my name and caused the seal of the State to be attached, this 3d day of December, A. D. 1872, and of the independence of the United States the ninety-seventh.

GEORGE E. BOVEE,  
Secretary of State.

UNITED STATES OF AMERICA,  
STATE OF LOUISIANA,  
NEW ORLEANS, December 4, 1872.

We, the electors of President and Vice President of the United States for the State of Louisiana, do hereby certify, that on proceeding to vote by ballot for President of the United States, on the date above, that Ulysses S. Grant, of the State of Illinois, received eight votes for President of the United States, and there were no votes cast for any other person.

And on proceeding to vote by ballot for Vice President of the United States, that Henry Wilson of the State of Massachusetts, received eight votes for Vice President of the United States, and there were no votes cast for any other person.

In testimony whereof we, said electors, have hereunto signed our names, the date above mentioned.

E. P. DURAND,  
JAMES B. LOTT,  
JOHN RAY,  
M. F. BONZANO,  
J. J. LANABERE,  
CHARLES E. HALSTEAD,  
L. C. ROUDANEZ,  
A. K. JOHNSON.

[Copy.]

The following persons, elected electors of President and Vice President of the United States according to the certificate of the secretary of State of the State of Louisiana, namely: for the State at large, M. F. Bonzano, Jules Lanabere, and Charles E. Halstead. For the districts: first district, L. C. Roudanez; second district, A. K. Johnson; fifth district, John Ray, met at Mechanic's Institute, in the Lieutenant Governor's parlor, the building leased and occupied by the State for the use of the senate and house of representatives and State officers, at three o'clock p. m., on the 1st Wednesday of December, being the 4th day of said month, Milton Morris of the third district, and Joseph K. Taylor of the fourth district being absent, when, on motion of John Ray, Dr. M. F. Bonzano, was selected to preside; and on motion of A. K. Johnson, Charles E. Halstead was appointed secretary.

The meeting having taken a recess until four o'clock p. m., met again at that hour; when, upon roll-call, it appeared that Milton Morris and Joseph K. Taylor were not present, having failed to attend. On motion of John Ray, the electors present proceeded to supply such vacancies by ballot. A. K. Johnson and L. C. Roudanez were appointed tellers; when, after balloting, it was found that E. R. Durand received four votes and W. B. Phillips two, and E. R. Durand was declared elected to fill the vacancy of Milton Morris; and Joseph B. Lott receiving four and R. Blunt three votes, Mr. Lott was

declared elected to fill the vacancy of Joseph K. Taylor. Both the parties so elected residing in the congressional districts represented by the respective absentees.

The persons so elected, being present, took their seats as electors. The said electors then proceeded to vote by ballot for President and Vice President of the United States; when A. K. Johnson and L. C. Roudanez were appointed tellers, and upon counting the ballots for President of the United States it was found that Ulysses S. Grant, of the State of Illinois, had received eight votes for President of the United States; and upon counting the votes for Vice President of the United States it was found that Henry Wilson, of the State of Massachusetts, had received eight votes for Vice President of the United States, the vote being unanimous for each, no other person having received any votes for either office; and said electors have issued three certificates in the form following, to wit:

UNITED STATES OF AMERICA,  
STATE OF LOUISIANA,  
NEW ORLEANS, December 4, 1872.

We, the electors of President and Vice President of the United States for the State of Louisiana, do hereby certify that on proceeding to vote by ballot for President and Vice President of the United States, on the date above, that Ulysses S. Grant, of the State of Illinois, received eight votes for President of the United States, and there were no votes cast for any other person.

And on proceeding to vote by ballot for Vice President of the United States, that Henry Wilson, of the State of Massachusetts, received eight votes for Vice President of the United States, and there were no votes cast for any other person.

In testimony whereof we, said electors, have hereto signed our names, the date above mentioned.

Which certificates were placed separately in envelopes and sealed up carefully, and on each envelope was indorsed, that the within contains a list of the votes of the State of Louisiana for President and Vice President of the United States, one of which was given to the person appointed to convey the vote to the President of the Senate, and was directed to the President of the Senate, and another indorsed in the same way was put in the post office, and the other deposited with the judge of the district court of the United States for the district of Louisiana.

On motion of John Ray, the electors proceeded to appoint a person to take charge of and deliver to the President of the Senate at the seat of Government, before the first Wednesday in January next ensuing, one of said certificates, when L. C. Roudanez was appointed to the above service, and said electors made and signed a certificate of such appointment in the following form:

UNITED STATES OF AMERICA,  
STATE OF LOUISIANA, PARISH OF ORLEANS,  
WEDNESDAY, December 4, 1872.

We, the undersigned, electors of President and Vice President of the United States for the State of Louisiana, do hereby appoint L. C. Roudanez to take charge of and deliver to the President of the Senate of the United States at the seat of Government, before the first Wednesday in January next, one of the certificates of the votes cast by the undersigned for President and Vice President of the United States on the date above.

In testimony whereof, we have hereto signed our names the date above.

On motion, the meeting adjourned until to-morrow at two o'clock p. m.

NEW ORLEANS, LOUISIANA,  
December 5, 1872.

The electors met pursuant to adjournment, the following electors present: M. F. Bonzano, Jules Lanabere, C. E. Halstead, L. C. Roudanez, A. K. Johnson, P. E. Durand, James B. Lott, John Ray. The minutes of the previous meeting were read and approved.

On motion, the meeting adjourned until to-morrow at two o'clock p. m.

NEW ORLEANS, LOUISIANA,  
December 6, 1872.

The electors met pursuant to adjournment, the following members present: M. F. Bonzano, Jules Lanabere, C. E. Halstead, L. C. Roudanez, A. K. Johnson, P. E. Durand, J. B. Lott, John Ray. The minutes of the previous meeting were read and approved.

On motion, the meeting adjourned until Monday, December 9, 1872, at two o'clock p. m.

NEW ORLEANS, LOUISIANA,  
December 9, 1872.

The electors met pursuant to adjournment, the following members present: W. F. Bonzano, Jules Lanabere, C. E. Halstead, L. C. Roudanez, P. E. Durand, J. B. Lott, John Ray; absent, A. K. Johnson.

The minutes of the previous meeting were read and adopted.

On motion, the board adjourned *sine die*.  
M. F. BONZANO, President.  
CHARLES E. HALSTEAD, Secretary.

The VICE PRESIDENT. On the 10th of December last the Chair received an envelope by mail, certifying on the outside that it contained the vote for President and Vice President of the State of Louisiana, signed by

eight other persons. On the 2d day of January, being the first Thursday after the first Wednesday in January, a messenger arrived with a sealed envelope signed by the same persons which was received by the Department of State in the absence from the city of the Vice President and the President *pro tempore* of the Senate, which was represented to contain the same vote of the State of Louisiana. The Chair now delivers the papers so received to the tellers.

Mr. DAWES (one of the tellers on the part of the House) read the following papers:

United States of America, the State of Louisiana, city of New Orleans:

Be it known that on this the 4th day of the month of December, A. D. 1872, and of the American independence the ninety-seventh year, at the seat of government, to wit, at the city of New Orleans, at the capitol of said State, at twelve m., met Messrs. T. C. Manning, C. A. Weed, and Andrew S. Herron, and Hugh J. Campbell, Louis Bush, Allen Thomas, and L. V. Reeves, who appear to be electors for the State of Louisiana by the annexed certificate of the Executive of said State attached hereto as part of these presents, when the said electoral college, having ascertained that A. H. Leonard, esq., elector for the fourth district, was absent, according to the requirements of the statutes of the State of Louisiana, (revised Statutes, art. 2530,) a respite was taken until four p. m.

In conformity to the aforesaid respite, at four p. m. of the 4th day of December of the year aforesaid, the above-named electors met at the same place, when the said A. H. Leonard, still appearing to be absent, the college proceeded by ballot as required by the statutes of the State of Louisiana to supply the vacancy. After the ballots had been duly cast, they were duly canvassed by the chairman of the college, Hon. T. C. Manning, when it appeared that Hon. J. C. Moncure, of the parish of Caddo, a resident of the fourth congressional district, was duly elected to fill the vacancy occasioned by the absence of A. H. Leonard.

Thus organized, the college then formally selected Hon. T. C. Manning as chairman of the college. Whereupon the chairman submitted to the college the annexed certificate of the Executive of the State of Louisiana, and the proceedings of the college selecting Hon. J. C. Moncure, in lieu of A. H. Leonard, esq., as their credentials.

Under the authority and by virtue of the Constitution and laws of the United States and of the State of Louisiana, the college then proceeded to vote for President of the United States, when it was ascertained that the eight electors present voted each separately in blank, designating no person as the choice of the college for President of the United States. Acting under the same authority and by virtue of the government and law aforesaid, the college then proceeded to vote for Vice President of the United States, when it was ascertained that T. C. Manning, Andrew S. Herron, and C. H. Weed, electors at large, and Hugh J. Campbell, Louis Bush, Allen Thomas, J. C. Moncure, and L. V. Reeves, district electors, each separately voted for B. Grant Brown, of the State of Missouri, for Vice President of the United States.

In faith whereof we hereunto fix our respective signatures at the city of New Orleans, seat of government of the State of Louisiana, on the day, month, and year aforesaid.

T. C. MANNING,  
ANDREW S. HERRON,  
C. H. WEED,  
HUGH J. CAMPBELL,  
LOUIS BUSH,  
ALLEN THOMAS,  
J. C. MONCURE,  
L. V. REEVES.

Mr. DAWES, (one of the tellers.) Then follows a certificate of the official count of the votes polled at the election held on the 4th of November.

Then there is the following paper:

United States of America, State of Louisiana, city of New Orleans:

I, H. C. Warmoth, Governor of the State of Louisiana, do hereby certify that the foregoing signature of B. P. Blanchard, State registrar of voters for the State of Louisiana, is genuine; and I do further certify that Messrs. T. C. Manning, A. S. Herron, and C. H. Weed, for the State at large, and Hugh J. Campbell, for first district; Louis Bush, second district; Allen Thomas, third district; A. H. Leonard, fourth district, and L. V. Reeves, fifth district, were duly and legally elected presidential electors for the State of Louisiana, at an election held in said State on the 4th day of November, A. D. 1872, pursuant to the statutes of the Congress of the United States and State of Louisiana on the subject.

In faith whereof I have hereunto affixed my official signature and caused the great seal of the State to be hereto attached, at the city of New Orleans, capitol of the State, this 4th day of December, A. D. 1872, and of the independence of the United States the ninety-seventh.

H. C. WARMOTH.

By the Governor:  
Y. A. WOODWARD,  
(L. S.) Assistant Secretary of State.

Senator WEST. I object to the reception by the Senate and House of Representatives of the electoral vote of Louisiana as certified to by the Governor of that State, upon the ground that said certificate was not made in pursuance of law.

Mr. SHELDON. I also object to the counting of the votes cast by T. C. Manning, C. H. Weed, A. S. Horron, Hugh J. Campbell, L. Bush, A. Thomas, J. C. Moncure, and L. V. Reeves, of Louisiana, for B. Gratz Brown, of Missouri, for Vice President, for the reason that the certificate of the Governor showing them to have been chosen electors is not signed by the person who was at that time assistant secretary of State for the State of Louisiana, and for the further reason that at the time said certificate was executed there had not been made any count, canvass, or return of the votes cast by the people of Louisiana for electors by any lawful authority, and the said certificate was made by the Governor without any authentic knowledge of the result of the election by the people of said State, which facts are fully established by the testimony taken by the Senate Committee on Privileges and Elections, and are stated in their report to the Senate.

Senator CARPENTER. I object to the counting of the votes given for U. S. Grant for President, and Henry Wilson, Vice President, by the electors of Louisiana, because there is no proper return of votes cast by the electors of the State of Louisiana, and because there is no State government in said State which is republican in form, and because no canvass or counting of the votes cast for electors in the State of Louisiana at the election held in November last had been made prior to the meeting of the electors.

Mr. POTTER. I object to counting the electoral votes from the State of Louisiana as cast for Ulysses S. Grant for President and Henry Wilson for Vice President, for the reason that there is no certificate from the executive authority of that State as required by the act of Congress of 1792, certifying that the persons who cast such votes were appointed electors of said State, but that on the contrary it appears by the certificate of the Governor of said State that the persons appointed electors were not the persons who cast such votes for U. S. Grant and Henry Wilson, but were persons who cast their votes not for said Grant and Wilson, but for no person as President, and for B. Gratz Brown as Vice President.

Mr. STEWENSON. I object to counting the votes from the State of Louisiana, because it does not sufficiently appear that the electors were elected according to law.

Senator BOREMAN. I object to counting any votes from the State of Louisiana for reasons set forth in the report of the Committee on Privileges and Elections submitted to the Senate on the 10th instant, and printed as Report No. 417 of Forty-Second Congress, third session.

Senator TRUMBULL. I object to the counting of the votes cast by the persons in the first certificate read, for the reason that their election is not certified to by the proper officers; that Bovee, who signed the certificate of their election, was not secretary of State at the time of making said certificate, nor in possession of the office of secretary of State nor of the seal of said State; and for the further reason that the certificate of said Bovee is untrue in fact, as appears by the admissions of said Bovee before the committee of the Senate.

The VICE PRESIDENT. There have been sever objections made in regard to receiving the votes of Louisiana, some of them against receiving any vote from that State. The Chair would suggest that in taking up these objections the two Houses might act first upon those which lie to the counting of the vote of Louisiana at all.

Objection was made.

The VICE PRESIDENT. Objection being made, each House will proceed to consider

the objections made in such order as they may happen to be presented to that House. If no further objections be made to the vote of Louisiana, the seven that have been made will be filed, and copies furnished to the two branches of Congress.

No further objections were made.

Senator RICE. I object to the counting of the votes of the State of Arkansas, because the official returns in said State, made according to the laws of said State, show that the persons certified to by the secretary of State as elected, were not elected as electors for President and Vice President at the election held November 5, 1872; and secondly, because the returns read by the tellers are not certified according to law.

The Senate retired from the Hall.

The House was again called to order.

Mr. WOOD. I now move that the House take a recess until to-morrow at twelve o'clock m.

Mr. GARFIELD, of Ohio, and others. Oh, no!

The SPEAKER. The question is not debatable.

Mr. BINGHAM. I raise the point of order that the two Houses being practically in joint convention, an adjournment cannot take place without the concurrence of both.

The SPEAKER. It is competent for the House to take a recess. The Clerk will read that portion of the rule relating to this subject.

The Clerk read as follows:

"Such joint meeting shall not be dissolved until the electoral votes are all counted and the result declared; and no recess shall be taken unless a question shall have arisen in regard to counting any of such votes, in which case it shall be competent for either House, acting separately in the manner hereinbefore provided, to direct a recess not beyond the next day, at the hour of one p. m."

Mr. SPEER. I move to amend the motion of the gentleman from New York [Mr. WOOD] by striking out "twelve o'clock m." and inserting "ten o'clock a. m."

Mr. PLATT. I move to amend so as to fix half past seven this evening as the hour for the reassembling of the House.

The amendment of Mr. PLATT was not agreed to.

The amendment of Mr. SPEER was not agreed to, there being—ayes thirty-three, noes not counted.

Mr. LYNCH. I move to amend the motion of the gentleman from New York [Mr. WOOD] by inserting "eleven o'clock a. m." instead of "twelve o'clock m."

The amendment of Mr. LYNCH was not agreed to.

The question recurring on the motion of Mr. WOOD, to take a recess until twelve o'clock m. to-morrow, the question was taken, and there were—ayes 65, noes 55.

Mr. GARFIELD, of Ohio, called for tellers.

Mr. HOAR. I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 81, nays 101, not voting 58; as follows:

YEAS—Messrs. Acker, Adams, Archer, Arthur, Banks, Barnum, James B. Beck, Bigby, Biggs, Bird, Austin Blair, Boles, Braxton, Bright, Burchard, Cobb, Comingo, Crossland, Davis, Dodds, Dox, DuBose, Eldredge, Henry D. Foster, Getz, Giddings, Golladay, Griffith, Haldeman, Hancock, Handley, Hanks, Gerry W. Hazelton, Hereford, Herndon, Hibbard, Holman, Houghton, Kerr, Lamson, Leach, MacIntyre, Manson, Marshall, Maynard, McClelland, McCormick, McHenry, McKinney, Merrick, Morgan, Morris, Silas L. Niblack, William E. Niblack, Hosea W. Parker, Perry, Potter, Randall, Read, William R. Roberts, Robinson, John Rogers, Shanks, Sherwood, Slater, Slocum, John A. Smith, Spear, Stevens, Storm, Sutherland, Terry, Van Trump, Voorhees, Waddell, Warren, Wells, Williams of New York, Winchester, Wood, and Young—81.

NAYS—Messrs. Ambler, Averill, Barber, Barry, Beatty, Bell, Bingham, James G. Blair, Buckley, Buffinton, Bunnell, Burdett, Roderick B. Butler, Carroll, Ogburn, Cochran, Conger, Cotton, Darrell, Dawes, Donnan, Duke, Dunnell, Eames, Elliott, Esty, Farnsworth, Farwell, Finkelnburg, Charles Foster, Wilder D. Foster, Frye, Garfield, Hale, Halsey, Harmer, Harpur, George E. Harris, John B. Hawley, Joseph R. Hawley, Hay, Hays,

Hill, Hoar, Hooper, Kellogg, Ketcham, Killinger, Lamport, Lowe, Lynch, McGrow, McJunkin, McKee, Merriam, Monroe, Morey, Leonard Myers, Negley, Orr, Palmer, Isaac C. Parker, Peck, Pendleton, Perce, Peters, Platt, Poland, Porter, Rainey, Ellis H. Roberts, Sion H. Rogers, Rusk, Sargent, Sawyer, Scofield, Sessions, Shellbarger, Shoemaker, H. Boardman Smith, Snyder, Sprague, Starkweather, Stevenson, Stoutington, Stowell, St. John, Sypher, Taffe, Thomas, Washington Townsend, Turner, Twichell, Upton, Wake-man, Waldron, Wallace, Williams of Indiana, and Jeremiah M. Wilson—101.

NOT VOTING—Messrs. Ames, Erasmus W. Beck, Boardman, Brooks, Benjamin F. Butler, Caldwell, Campbell, Clarke, Conner, Cox, Crebs, Creely, Critcher, Crocker, Dickey, Duell, Ely, Forker, Garrett, Goodrich, Hambleton, John T. Harris, Havens, John W. Hazelton, Kelley, Kendall, King, Kinsella, Lansing, Lewis, McCarry, McNeely, Benjamin F. Meyers, Mitchell, Packard, Packer, Price, Prindle, Edward Y. Rice, John M. Rice, Ritchie, Roosevelt, Seeley, Sheldon, Shober, Sloss, Worthington C. Smith, Snapp, Swann, Dwight Townsend, Tutthill, Tyner, Vaughan, Walden, Wheeler, Whiteley, Whitthorne, Willard, and John T. Wilson—58.

So the motion to take a recess was not agreed to.

The SPEAKER. The Clerk will now read the objection made in joint convention by the Senator from Arkansas [Mr. RICE] to the counting of the vote from that State.

The Clerk read as follows:

Mr. RICE objects to counting the vote of the State of Arkansas because the official returns of the election in said State, made according to the laws of said State, show that the persons certified to by the secretary of State as elected were not elected as electors for President and Vice President at the election held November 5, 1872; second, because the returns read by the tellers are not certified according to law.

Mr. SNYDER. I offer the following resolution:

*Resolved*, That the presidential electors from the State of Arkansas, whose election on the 5th day of November, 1872, is attested by the certificate of the secretary of State, be, and they are hereby, recognized as the duly chosen electors for said State; and that the vote cast, certified and returned by them for Ulysses S. Grant for President and Henry Wilson for Vice President, be counted as the vote of said State for President and Vice President of the United States.

Mr. DAWES. I suggest to the gentleman from Arkansas be offer a resolution simply resolving that the electoral vote of Arkansas be counted as reported by the tellers.

Mr. GARFIELD, of Ohio. I hope that will be done. The Senate resolutions are short and crisp.

Mr. KELLOGG. I offer the following substitute:

*Resolved*, That the electoral vote of Arkansas be counted.

Mr. DAWES. It ought to be that in the judgment of the House the electoral vote be counted.

Mr. KELLOGG. I will modify my resolution in that way, that in the judgment of this House the electoral vote of the State of Arkansas, as reported by the tellers, be counted.

Mr. DAWES. I demand the previous question.

Mr. FARNSWORTH. We are now acting under the joint rule of the two Houses, and I make the point of order there is no such thing as the previous question.

The SPEAKER. The point of order is not well taken.

Mr. FARNSWORTH. The previous question is moved for the purpose of cutting off debate, and it is specially provided in the twenty-second joint rule that no debate shall be allowed on these questions.

The SPEAKER. The previous question is not only to cut off debate but to cut off amendments. There is nothing in the joint rule to prevent the usage and practice of this House.

Mr. KELLOGG. I insist on the demand for the previous question.

The previous question was seconded and the main question ordered; and under the operation thereof Mr. KELLOGG's substitute was adopted.

The question then recurring on the resolution as amended.

The House divided; and there were—ayes 78, noes 45.

Mr. FARNSWORTH demanded tellers. Tellers were not ordered.

Mr. FARNSWORTH demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 103, nays 26, not voting 111; as follows:

YEAS—Messrs. Ambler, Ames, Averill, Banks, Barber, Barry, Bigby, Bingham, Austin Blair, Braxton, Buckley, Buffinton, Bunnell, Burchard, Burdett, Roderick R. Butler, Coburn, Coghlan, Conger, Cotton, Darrall, Dawes, Dodds, Donnan, Duke, Dunnett, Eames, Elliott, Esty, Farwell, Finkelburg, Charles Foster, Wilder D. Foster, Frye, Garfield, Gulladay, Hale, Halsey, Harmer, Harper, George B. Harris, John B. Hawley, Joseph R. Hawley, Hay, Hays, John W. Hazelton, Hibbard, Hill, Houghton, Kellogg, Kerr, Lamport, Lowe, Lynch, Maynard, McJunkin, McKee, Merriam, Leonard Myers, Negley, Orr, Packard, Painter, Isaac C. Parker, Peck, Pendleton, Perry, Peters, Platt, Poland, Porter, Rainey, Ellis H. Roberts, Rusk, Sargent, Sawyer, Scofield, Sessions, Shanks, Sheldon, Spoonmaker, H. Boardman Smith, Snyder, Sprague, Starkweather, Stevenson, Stoughton, Stowell, St. John, Spher, Washington Townsend, Turner, Twichell, Tyner, Unson, Voorhees, Waddell, Wakeman, Waldron, Wallace, Warren, Willard, and Williams of Indiana—103.

NAYS—Messrs. Acker, Archer, Arthur, Bell, Biggs, Boles, DuBois, Farnsworth, Giddings, Herndon, Holman, MacIntyre, McClelland, Merrick, Moore, Morris, Potter, Price, Read, Shoer, Storm, Sutherland, Terry, Wells, Winchester, and Wood—26.

NOT VOTING—Messrs. Adams, Barnum, Beatty, Erasmus W. Beck, James B. Beck, Bird, James G. Blair, Boardman, Bright, Brooks, Benjamin F. Butler, Caldwell, Campbell, Carroll, Clarke, Cobb, Comingo, Conner, Cox, Crebs, Creely, Critcher, Crocker, Crossland, Davis, Dickey, Dox, Duell, Eldredge, Ely, Forker, Henry D. Foster, Garrett, Getz, Goodrich, Griffith, Haldeman, Hambleton, Hancock, Handley, Hanks, John T. Harris, Havens, Gerry W. Hazelton, Herford, Hoar, Hooper, Keiley, Kendall, Ketchum, Killingber, King, Kinsella, Lemison, Lensing, Leuch, Lewis, Manso, Marshall, McCormick, McCrary, McGrew, McHenry, McKimney, McNeely, Benjamin F. Meyers, Mitchell, Monroe, Morey, Morgan, Silas L. Niblack, William E. Niblack, Packer, Hosea W. Parker, Perce, Prindle, Randall, Edward Y. Rice, John M. Rice, Ritchie, William B. Roberts, Robinson, John Rogers, Sion H. Rogers, Roosevelt, Seeley, Shellabarger, Sherwood, Slater, Slocum, Sloss, John A. Smith, Worthington C. Smith, Snapp, Speer, Stevens, Swann, Taffe, Thomas, Dwight Townsend, Tutbill, Van Trump, Vaughan, Walden, Wheeler, Whiteley, Whitthorne, Williams of New York, Jeremiah M. Wilson, John T. Wilson, and Young—111.

So the resolution as amended by Mr. KELLOGG's substitute was adopted.

Mr. SNYDER 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.

Mr. ACKER. If I have the floor, I move that the House take a recess until ten o'clock to-morrow morning.

Mr. GARFIELD, of Ohio. I offer the following resolution.

The Clerk read as follows:

*Resolved*, That in the judgment of this House none of the returns reported by the tellers as the electoral vote of the State of Louisiana should be counted.

Mr. SPEER. I offer the following as a substitute:

*Resolved*, That the vote of Louisiana for B. Gratz Brown, of Missouri, for Vice President, should, in the judgment of this House, be counted.

Mr. GARFIELD, of Ohio. I must demand the previous question.

Mr. SPEER. I modify my substitute so as to add "but no vote for President should be counted."

Mr. STEVENSON. I move the following as a substitute:

*Resolved*, That the vote of the State of Louisiana be not counted, because it does not sufficiently appear that any electors were chosen according to law.

Mr. SHELDON. I offer the following preamble and resolution:

Whereas it appears that the choosing M. F. Bonzano, Jules Lanabere, Charles F. Halstead, L. C. Roudanez, A. K. Johnson, Milton Morris, Joseph Taylor, and John Ray, as electors of the State of Louisiana for President and Vice President, is duly certified to by the actual secretary of State of the State of Louisiana, and by the returning board decided to be the legal one by the supreme court of said State, and following the precedent established in counting the votes cast by the electoral college of the State of Texas.

*Be it resolved*, That the votes of the electoral college of the State of Louisiana be counted for

President and Vice President, as cast by M. F. Bonzano, Jules Lanabere, Charles F. Halstead, L. C. Roudanez, A. K. Johnson, E. R. Durand, Joseph B. Lott, and John Ray.

The SPEAKER. More resolutions have been offered than can be entertained under the rule.

Mr. POTTER. I rise to a question of order. I ask whether the proper course is not that the objections taken in joint convention should be reported separately to the House, and resolutions submitted in reference to them.

The SPEAKER. The Chair thinks that would be the correct course. At the same time, such a resolution as that of the gentleman from Ohio [Mr. GARFIELD] having been put in first, necessarily removed any action upon the separate objections. If desired by the gentleman from New York, [Mr. POTTER,] the objections will be read.

Mr. SPEER. I desire to modify my amendment.

The SPEAKER. The Clerk will read the several objections which come to the House from the joint convention.

Mr. POTTER. I do not demand the reading of them.

The SPEAKER. The Chair will now cause to be read the various propositions which have been submitted to the House, and will then call the attention of the House to the parliamentary position of the question. The gentleman from Ohio, the chairman of the Committee on Appropriations, [Mr. GARFIELD,] offers the resolution which will now be read by the Clerk.

The Clerk read as follows:

*Resolved*, That in the judgment of this House none of the returns reported by the tellers as electoral votes of the State of Louisiana should be counted.

The SPEAKER. The gentleman from Pennsylvania [Mr. SPEER] moves a substitute, which the Clerk will read.

The Clerk read as follows:

*Resolved*, That the vote of the electors of the State of Louisiana, certified to by H. C. Warmoth, Governor, should be, in the judgment of this House, counted.

The SPEAKER. The gentleman from Ohio in front of the Chair [Mr. STEVENSON] has offered the following amendment:

*Resolved*, That the vote of the State of Louisiana, be not counted, because it does not sufficiently appear that any electors were chosen according to law.

The SPEAKER. That is in effect the same as the first resolution. The Clerk will read the amendment offered by the gentleman from Louisiana.

The Clerk read as follows:

Whereas it appears that the choosing of M. F. Bonzano, Jules Lanabere, Charles F. Halstead, L. C. Roudanez, A. K. Johnson, Milton Morris, Joseph Taylor, and John Ray, as electors of the State of Louisiana for President and Vice President is duly certified to by the actual secretary of State of the State of Louisiana, and by the returning board decided to be the legal one by the supreme court of said State, and following the precedent established in counting the votes cast by the electoral college of the State of Texas:

*Be it resolved*, That the votes of the electoral college of the State of Louisiana be counted for President and Vice President as cast by M. F. Bonzano, Jules Lanabere, Charles F. Halstead, L. C. Roudanez, A. K. Johnson, E. R. Durand, Joseph B. Lott, and John Ray.

Mr. POTTER. I desire to offer a substitute.

The SPEAKER. That cannot be done unless by unanimous consent. Only three resolutions can be entertained: the original resolution, an amendment, and an amendment to the amendment. The gentleman from Ohio, the chairman of the Committee on Appropriations, [Mr. GARFIELD,] offered the original resolution. The gentleman from Pennsylvania moves an amendment to that. The gentleman from Ohio [Mr. STEVENSON] moves one which is in effect the same as the original resolution. The Chair, therefore, recognizes the amendment of the gentleman from Louisiana as presenting another phase of the question. The original resolution is to the effect that there is no return; the resolution of the gentleman from

Pennsylvania [Mr. SPEER] is that that of Governor Warmoth is the true one; that of the gentleman from Louisiana is that the return signed by the secretary of State is the true one. Three distinct phases of the question are thus presented.

Mr. POTTER. Before the vote is taken, I desire to have read the objection which was made in joint convention by Senator TRUMBULL.

The Clerk read as follows:

Mr. TRUMBULL objects to counting the votes cast by the persons in the first certificate read, for the reason that their election is not certified to by the proper officer; that Bovee, who signed the certificate of their election, was not the secretary of State at the time of making the said certificate, nor in possession of the office of secretary of State, nor of the seal of said State; and for the further reason that the certificate of the said Bovee is untrue in fact, as appears by the admission of said Bovee before the committee of the Senate.

Mr. POTTER. Mr. Speaker, I wish the tellers to report to the House whether the great seal of the State purports to be on the certificate signed by Mr. Bovee as secretary of State.

The SPEAKER. The Chair knows nothing about the work of the tellers. But the gentleman has the right to have the document read. The Clerk will again report the certificate signed by Mr. Bovee.

The certificate was again read.

Mr. POTTER. Is there a seal attached to the document?

Mr. BINGHAM. I object to all this.

Mr. POTTER. I call attention to the fact that the thing attached—

The SPEAKER. That is in the nature of argument, which the Chair will not permit. The gentleman had a right to call for the reading of the paper, and it has been read.

Mr. POTTER. I demand of the Speaker whether the seal of the State of Louisiana is attached to that certificate?

The SPEAKER. The Chair does not know. Mr. BINGHAM. It is certified that it is on it, and that is enough.

Mr. AMBLER. I desire to ask a parliamentary question.

The SPEAKER. The Chair will hear it.

Mr. AMBLER. Is it not the right of the House, in passing upon the question now presented to it, as to which, if either, of these certificates of the electoral votes of Louisiana shall be received, to know whether in point of fact the seal of the State of Louisiana is attached to one or both of those certificates?

The SPEAKER. As a matter of fact the Chair never in his life saw the seal of the State of Louisiana and would not know it if he were to see it now.

Mr. AMBLER. Would it not be a least be proper that the House should be advised whether the seals attached to the two papers are the same?

The SPEAKER. If the gentleman desires it, the Chair will direct the reading of any other matter that relates to the certificates of the electors of the State of Louisiana. But the Chair cannot indulge and will not permit any debate as to what is the true seal of the State of Louisiana.

Mr. AMBLER. Under the statement of the Speaker, I will ask that the statement of Mr. Bovee before the Committee on Privileges and Elections of the Senate be read.

Mr. BINGHAM. I object to that.

The SPEAKER. That would be in the nature of debate, and is not in order.

Mr. STORM. I ask that the inscription on the seal be read.

The SPEAKER. That is proper to be done.

The Clerk read the inscription, which was "Union, justice, and confidence; State of Louisiana."

Mr. FARNSWORTH. Is there not another paper somewhere, signed by Bovee, in which he states that he did not put the seal of the State to that certificate? And if so, is it not in order to have it read?

The SPEAKER. It is not.

Mr. STEVENSON. Is it not in order to have a comparison of the two seals made, and to have the officers of the House state whether they are of the same character?

The SPEAKER. It is in order to examine them so far as to read what is upon them; and that has already been done.

Mr. STEVENSON. Have they been examined, so as to determine whether they are of the same size?

Mr. PETERS. And of the same color?

Mr. STEVENSON. In order that it may be shown whether they are impressions from the same seal.

Mr. BINGHAM. You do not determine such a question as that in that way.

The SPEAKER. The question is upon the substitute moved by the gentleman from Louisiana [Mr. SHELDON] for the amendment moved by the gentleman from Pennsylvania, [Mr. SPEER.]

The resolution moved by Mr. SHELDON was read, as follows:

*Resolved*, That the vote of the electoral college of the State of Louisiana be counted for President and Vice President as cast by M. F. Bonzano and others.

The question was taken; and it was not agreed to.

The next question was upon the amendment of Mr. SPEER to the resolution moved by Mr. GARFIELD, of Ohio.

The amendment moved by Mr. SPEER was read, as follows:

*Resolved*, That the vote of the electors of the State of Louisiana, certified to by H. C. Warmonth, Governor, should be, in the judgment of this House, counted.

Mr. SPEER. Upon that question I call for the yeas and nays.

The yeas and nays were ordered.

During the call of the roll;

A message from the Senate, by Mr. SYMSON, one of its clerks, informed the House that the Senate had resolved that the electoral vote of Arkansas should not be counted.

The message further announced that the Senate had resolved that, all the objections presented having been considered, no electoral vote purporting to be that of the State of Louisiana should be counted.

Mr. SPEER. As it is evident, from the action of the Senate just communicated to the House, that the electoral vote of Louisiana cannot be counted, I ask unanimous consent to withdraw my demand for the yeas and nays.

The SPEAKER. The call of the roll having begun, it must be completed.

The call of the roll was completed; and there were—yeas 59, nays 85, not voting 96; as follows:

YEAS—Messrs. Acker, Adams, Ambler, Archer, Arthur, Jauncs B. Beck, Boles, Braxton, Burchard, Carroll, Crossland, Dodds, Dox, DuBose, Duke, Farnsworth, Finkenburgh, Getz, Giddings, Golladay, Haldeman, Hancock, Handler, Hanks, Hay, Hereford, Herndon, Hibbard, Holman, Kerr, Ketchum, McIntyre, Manson, McClelland, McHenry, McKinney, Merrick, Morgan, Silas L. Niblack, Perry, Potter, Price, Randall, Read, Ellis H. Roberts, William R. Roberts, Sion H. Rogers, Shober, Stocum, Speer, Storm, Terry, Voorbees, Waddell, Warren, Wells, Willard, Williams of New York, and Winchester—39.

NAYS—Messrs. Averill, Barry, Buffinton, Bunting, Bingham, James G. Blair, Buckley, Buffinton, Bunnell, Burdett, Roderick R. Butler, Coburn, Cogblan, Conger, Cotton, Darrall, Dawes, Donnan, Dunnell, Baues, Elliott, Farwell, Charles Foster, Wilder D. Foster, Fryc, Garfield, Hale, Halsey, Harmer, Harper, George E. Harris, John B. Hawley, Joseph R. Hawley, Hays, John W. Hazelton, Kellough, Launier, Lowe, Maynard, McJunkin, McKee, Merriam, Moore, Morey, Morphis, Leonard Myers, Orr, Packard, Palmer, Isaac C. Parker, Peck, Pondition, Perce, Peters, Platt, Poland, Porter, Prindle, Rainey, Rusk, Sargent, Sawyer, Scofield, Scissions, Sheldon, Shoemaker, H. Boardman Smith, John A. Smith, Sprague, Starkweather, Stevenson, Stoughton, Stowell, St. John, Sypher, Thomas, Washington Townsend, Turner, Twichell, Tyner, Upson, Wakeman, Waldron, Wallace, and Williams of Indiana—85.

NOT VOTING—Messrs. Amos, Banks, Barber, Barnum, Erasmus W. Beck, Bell, Biggs, Bird, Austin Blair, Boarman, Bright, Brooks, Benjamin F. Butler, Caldwell, Campbell, Clarke, Cobb, Comingo, Conner, Cox, Crebs, Creely, Critcher, Crocker, Davis, Dickey, Duell, Eldredge, Ely, Estly, Forker, Henry D. Foster, Garrett, Goodrich, Griffith, Hambleton, John T. Harris, Havens, Gerry W. Hazelton, Hill,

Hoar, Hooper, Houghton, Kelley, Kendall, Killinger, King, Kinsella, Lannison, Lansing, Leach, Lewis, Lynch, Marshall, McCormick, McGray, McGrew, McNeely, Benjamin F. Meyers, Mitchell, Monroe, Negley, William E. Niblack, Packard, Hosca W. Parker, Edward Y. Rice, John M. Rice, Ritchie, Robinson, John Rogers, Roosevelt, Seeley, Worthington C. Smith, Sherwood, Slater, Sloss, Sutherland, Swann, Taffe, Dwight Townsend, Tathill, Van Trump, Vaughan, Walden, Wheeler, Whiteley, Whitbourne, Jeremiah M. Wilson, John T. Wilson, Wood, and Young—96.

So the substitute of Mr. SPEER was not agreed to.

Mr. STEVENSON. As the resolution of my colleague [Mr. GARFIELD, of Ohio] conforms to the action reported from the Senate, I ask unanimous consent to withdraw my amendment.

Mr. RANDALL. I object.

The SPEAKER. In point of fact, that amendment is not pending.

Mr. DAWES. I do not see how it is covered by the previous question.

Mr. STEVENSON. I thought it was received. I thought the Speaker so ruled.

The SPEAKER. The question recurs upon the original resolution offered by the gentleman from Ohio, [Mr. GARFIELD.] It will be read.

The Clerk read as follows:

*Resolved*, That, in the judgment of this House, none of the returns reported by the tellers as electoral votes of the State of Louisiana should be counted.

The resolution was adopted.

Mr. GARFIELD, of Ohio, 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.

At seven o'clock and forty-five minutes p. m. the Senate in a body reentered the Hall.

The VICE PRESIDENT having resumed the chair, said: The objection made by the Senator from Arkansas to the counting of the electoral vote of that State as declared by the tellers, having been considered by the two Houses, the Senate has resolved as follows:

*Resolved*, That the electoral vote of Arkansas should not be counted.

And the House has resolved as follows:

*Resolved*, That the electoral vote of the State of Arkansas, as reported by the tellers, be counted.

There being a non-concurrence of the two Houses on this question, the vote of Arkansas, in accordance with the provisions of the twenty-second joint rule, will not be counted. That rule provides that—

“No question shall be decided affirmatively, and no vote objected to shall be counted, except by the concurrent votes of the two Houses.”

The several objections made on various grounds to the counting of the electoral votes from Louisiana having been considered by the two Houses, the Senate has resolved as follows:

*Resolved*, That all objections presented having been considered, no electoral vote purporting to be that of the State of Louisiana be counted.

And the House has resolved as follows:

*Resolved*, That, in the judgment of this House, none of the returns reported by the tellers as electoral votes of the State of Louisiana should be counted.

On this question there is a concurrence of the Houses; and the electoral votes of Louisiana will not be counted. The tellers will now announce the result of the vote:

Senator SHERMAN (one of the tellers) announced the result as follows:

List of votes for President and Vice President of the United States for the constitutional term to commence on the 4th of March, 1873.

States.	Number of electoral votes.	For President.						For Vice President.								
		Ulysses S. Grant, of Illinois.	Horace Greeley, of New York.	B. Gratz Brown, of Missouri.	Thomas A. Hendricks, of Indiana.	Charles J. Jenkins, of Georgia.	David Davis, of Illinois.	Henry Wilson, of Massachusetts.	B. Gratz Brown, of Missouri.	Nathaniel P. Banks, of Massachusetts.	George W. Julian, of Indiana.	Alfred H. Colquitt, of Georgia.	John M. Palmer, of Illinois.	Thomas E. Bramlette, of Kentucky.	William S. Groesbeck, of Ohio.	Willis B. Maichen, of Kentucky.
Maine.....	7	7														
New Hampshire.....	5	5														
Vermont.....	5	5														
Massachusetts.....	13	13														
Rhode Island.....	4	4														
Connecticut.....	6	6														
New York.....	35	35														
New Jersey.....	9	9														
Pennsylvania.....	29	29														
Delaware.....	3	3														
Maryland.....	8				8											
Virginia.....	11	11														
North Carolina.....	10	10														
South Carolina.....	8	7														
Georgia.....	11			6		2										
Alabama.....	10	10							5	1		5				
Louisiana.....	8															
Ohio.....	22	22														
Kentucky.....	12			4	8									3		1
Tennessee.....	12				12											
Indiana.....	15	15														
Illinois.....	21	21														
Missouri.....	15			8	6		1									
Arkansas.....	6															
Mississippi.....	8	8														
Michigan.....	11	11														
Florida.....	4	4														
Texas.....	8				8											
Iowa.....	11	11														
Wisconsin.....	10	10														
California.....	6	6														
Minnesota.....	5	5														
Oregon.....	3	3														
Kansas.....	5	5														
West Virginia.....	5	5														
Nevada.....	3	3														
Nebraska.....	3	3														
Total.....	366	286		18	42		2	1	286	47	1	5	5	3	3	1

\* The three votes of Georgia for Horace Greeley, of New York, for President were excluded.  
 † The electoral votes of Louisiana and Arkansas were not counted.

The VICE PRESIDENT. The whole number of electors to vote for President and Vice President of the United States, as reported by the tellers, is 366, of which the majority is 184. Of these votes 849 have been counted for President, and 352 for Vice-President of the United States. The result of the vote for President of the United States, as reported by the tellers, is, for Ulysses S. Grant, of Illinois, 286 votes; for B. Gratz Brown, of Missouri, 18 votes; for Thomas A. Hendricks, of Indiana, 42 votes; for Charles J. Jenkins, of Georgia, 2 votes; and for David Davis, of Illinois, 1 vote. The result of the vote, as reported by the tellers, for Vice President of the United States is, for Henry Wilson, of Massachusetts, 286 votes; for B. Gratz Brown, of Missouri, 47 votes; for Nathaniel P. Banks, of Massachusetts, 1 vote; for George W. Julian, of Indiana, 5 votes; for Alfred H. Colquit, of Georgia, 5 votes; for John M. Palmer, of Illinois, 3 votes; for Thomas E. Bramlette, of Kentucky, 3 votes; for William S. Groesbeck, of Ohio, 1 vote; and for Willis B. Machen, of Kentucky, 1 vote.

Wherefore, I do declare that Ulysses S. Grant, of the State of Illinois, having received a majority of the whole number of electoral votes, is duly elected President of the United States for four years, commencing on the 4th day of March, 1873; and that Henry Wilson, of the State of Massachusetts, having received a majority of the whole number of electoral votes for Vice President of the United States, is duly elected Vice President of the United States for four years, commencing on the 4th day of March, 1873.

The object for which the House and Senate have assembled in joint convention having been accomplished, the Senate will retire to its Chamber.

The Senate accordingly retired from the Hall of the House of Representatives.

The Speaker then resumed the chair and called the House to order.

#### ARMY STAFF ORGANIZATION.

Mr. COBURN, by unanimous consent, from the Committee on Military Affairs, reported back a bill (H. R. No. 3937) to amend an act entitled "An act making appropriations for the support of the Army for the year ending June 30, 1870," approved March 3, 1869, and for other purposes; which was read a first and second time, ordered to be printed, with the report of the committee on staff organization of the Army, and recommitted.

Mr. SPEER. It is the understanding that it is not to be brought back on a motion to reconsider.

The SPEAKER. Of course not.

And then, on motion of Mr. SPEER, (at eight o'clock p. m.) the House adjourned.

#### PETITIONS, ETC.

The following petitions, &c., were presented under the rules, and referred to the appropriate committees:

By Mr. BURCHARD: The petition of Mrs. B. Foley, for a pension.

By Mr. CARROLL: The memorial of the bar of the city of Schenectady, New York, for an increase of the salary of United States judges.

By Mr. GARFIELD, of Ohio. The petition of soldiers of the late war, praying the passage of the bounty bill, known as the Holman amendment.

By Mr. KELLEY: The petition of Wallace, Curtis & Co., and others, praying that empty petroleum barrels of American manufacture may be exempt from duty.

Also, the petition of Meisner, Ackerman & Co., and others, praying the free entry of American petroleum barrels.

By Mr. LAMPORT: The petition of C. K. Sanders, New York, and Charles C. Gustin, New York, in relation to postage on newspapers.

By Mr. McCLELLAND: The petition of J. W. Clabaugh, Lewis Chapman, S. C. Graham, Hugh Thompson, Albert Jackson, Fulton L. Patterson, A. Smiley, and 88 others, citizens of Beaver county, Pennsylvania, stating that about one hundred and sixty-five Chinese laborers have been imported for a cutlery company, located in the borough of Beaver Falls, in said county, thereby causing the discharge from the works of the white American mechanics and workmen; that two hundred more Chinese, direct from China, are said to be engaged and on the way for the same cutlery and other works of the same company, to the exclusion from the works of our own people; that contracts have been made, through one of their own race, for long periods of servitude on their part, at wages so low as to forbid competition by American workmen; that their habits are so debasing as to insure the demoralization and degradation of all Christian communities brought in contact with them; that their introduction into the United States, in the manner in which it is done, shows a manifest attempt to revive the institution of slavery; and that it is an act of bad faith toward the workpeople of Pennsylvania and of the United States, inasmuch as that the protection of thirty-five to fifty per cent. against the importation of foreign cutlery was enacted for the purpose of protecting the American laborer against cheap foreign labor; and asking that, as a means, therefore, to be saved from such evils, and in behalf of their own workpeople, Congress will pass a law prohibiting any further importation of Chinese laborers under contracts made in China; or that it will authorize the free importation from foreign countries of such articles or manufactures as are or may be produced in the United States by and through Chinese cheap labor so contracted for.

By Mr. PERRY, of New York: A letter from Governor Dix, inclosing a copy of a preamble and concurrent resolution of the Senate and Assembly of the State of New York, opposing the proposition to reduce the pay and pension of certain veteran officers.

Also, the memorial of citizens of New York, asking purchase of important original documents relating to early French discoveries on the lakes and Mississippi river.

By Mr. VAUGHAN: The petition of William M. Farrington and others, praying a removal of bank taxes.

#### IN SENATE.

THURSDAY, February 13, 1873.

Prayer by Rev. E. D. OWEN, of Washington, District of Columbia.

The Journal of yesterday's proceedings was read and approved.

#### HOUSE BILLS REFERRED.

The following bills, yesterday received from the House of Representatives, were severally read twice by their titles, and referred to the Committee on Claims:

A bill (H. R. No. 1655) for payment for services performed by William J. McIntyre;

A bill (H. R. No. 3839) for the relief of George S. Mortimer; and

A bill (H. R. No. 3941) for the relief of Joseph B. Rothchild, of Findlay, Ohio.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. No. 3940) for the relief of Philip Pendleton;

A bill (H. R. No. 2079) for the relief of F. W. Fee, late lieutenant of the first Kentucky infantry volunteers; and

A bill (H. R. No. 3938) to amend section two of an act making appropriations for the support of the Army for the year ending June 30, 1872, and for other purposes, and the acts amendatory thereof.

The bill (H. R. No. 3923) to authorize the

President of the United States to negotiate with the Creek Indians for a cession of a portion of their reservation was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. No. 3675) to further amend the postal laws was read twice by its title, and referred to the Committee on Post Offices and Post Roads.

The bill (H. R. No. 3569) for the relief of Miles Greenwood was read twice by its title.

Mr. NYE. I wish to have that bill go on the Calendar. There are several kindred bills, which have already been acted on by the Committee on Naval Affairs.

The VICE PRESIDENT. The bill will be placed on the Calendar.

#### NATIONAL SAVINGS BANK.

The VICE PRESIDENT laid before the Senate the annual report of the National Savings Bank of the District of Columbia for the year ending December 31, 1872, as required by law; which was referred to the Committee on the District of Columbia, and ordered to be printed.

#### PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of citizens of the United States, in favor of the proposition to increase the salary of the President of the United States; which was referred to the Committee on Appropriations.

He also presented a petition of citizens of Colfax county, New Mexico, praying that the patent for certain lands may be withheld from the Maxwell Land Grant and Railway Company; which was referred to the Committee on Private Land Claims.

Mr. CONKLING presented the petition of James A. Hyde, of Marlborough, in the county of Ulster, State of New York, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. CONKLING. I present also the memorial of W. S. Drysdale & Son, of Ontario county, New York, calling attention to a provision in the proposed postage act subjecting papers printed partly in one county and partly in another to a different rate of postage to that imposed on papers printed wholly within one county. I move its reference to the Committee on Post Offices and Post Roads.

The motion was agreed to.

Mr. CONKLING presented the petition of Charles C. Kromer, publisher of the Schoharie Union, of Schoharie county, New York, praying that the words "and wholly printed and" be omitted from the pending amendment to the postal laws; which was referred to the Committee on Post Offices and Post Roads.

Mr. CONKLING. I present also the concurrent resolutions of the two houses of the Legislature of the State of New York, remonstrating against the reduction of the pay or pension of certain veteran officers retired from service, which I ask to have read.

The resolutions were read, referred to the Committee on Military Affairs, and ordered to be printed.

Mr. ANTHONY. I present the memorial of Mrs. Margaret Hetzel, widow of a United States Army officer, representing that the Baltimore and Ohio Railroad Company, by the illegal use of a street, deprives her of the enjoyment of her own property. I hope that, short as the residue of this session is, the Committee on the District of Columbia will have time to inquire into it. I believe it is a case where a great corporation is defying the law of the land and trampling upon the rights of an individual. I move the reference of the memorial to the Committee on the District of Columbia.

The motion was agreed to.

Mr. WRIGHT. I present a memorial signed by the Governor and Lieutenant Governor of