

I maintain that the democratic party of the House of Representatives was no more responsible for the extra session than the Senate. It was because of the action of the two Houses in failing to agree that this extra session has been called. We have met in this session and attempted to pass bills, and have passed bills to supply the Government with necessary funds—a legislative bill, a judicial bill, and an Army bill. The President of the United States has seen proper to veto the bills which we have passed. We have passed other bills which we had hoped would meet his approval, but the republican minority in this Chamber have interposed by their votes and by their speeches, and are now interposing by their silence and refusals to vote, to defeat the honest attempt of the democratic party to pass the necessary appropriation bills. Who are responsible for this delay?

Mr. McMILLAN. Will the Senator from Delaware allow me to ask him a question?

Mr. SAULSBURY. Oh, yes. My friend from Minnesota is always entitled to be heard.

Mr. McMILLAN. When was the Army bill called up in the Senate?

Mr. SAULSBURY. Is the Senator's memory so short that he has forgotten it?

Mr. McMILLAN. I should like to know when it was, if the Senator can tell me; and I should like to ask him whether his side of the Chamber have not spent this whole day in discussing this bill, and not permitted the minority to express their views on the subject?

Mr. SAULSBURY. Not by a long shot. We should have been perfectly willing to take the vote on this bill without any debate.

But, Mr. President, it is not worth while to attempt to conceal the fact; the people of the country will understand that the democratic party of the Senate to-day have been perfectly willing to vote the necessary supplies for the Army of the country; but there sits the republican minority on the other side of this Chamber persistently refusing to vote and thereby defeating a quorum sitting in their seats, and for the purpose of defeating a vote refusing to respond when they are called, contrary to the ancient usages and law of this body.

Mr. President, I do not intend to enter into any discussion upon the merits of the bill or the appeal taken from the decision of the Chair, but I want to call the attention of the country more emphatically to the action of the minority than it will be called by the simple record of the facts. I want, in other words, to emphasize what the record will disclose, that the republican minority in this Chamber are responsible for the delay in passing the necessary appropriation bill for the Army. If they had seen proper to indulge in debate on the political features of that bill, no one on this side of the Chamber would perhaps have questioned their right to do so; but we do question their right—by attempting to filibuster, by refusing to vote, by a persistent determination—to delay the appropriation bills; we do question their right as Senators, not their right as politicians, but their right as Senators, bound to aid in the legislation of the country, to obstruct legislation, and we arraign them before the intelligent judgment of the people for sitting persistently in their seats and refusing to vote upon questions necessary and essential to carry on the business of the Senate. I shall leave gentlemen to their own reflections. I am sure that the Senator from Maine, unless he is lost to all proper reflections with reference to such action, will, when he comes to reflect, coolly and calmly, regret the part he has taken to-night. He is a prominent parliamentarian, a gentleman occupying a high position not only in the Senate, but in the country, and when he comes to reflect upon the course which he and his political associates have pursued this evening, he will have cause to regret it, whether he feel at liberty to confess it publicly or not.

Mr. CONKLING. Mr. President, differing as I do with the Senator from Delaware in almost everything he has said, I differ especially with his unwillingness to have the RECORD of to-day's proceedings go out in unusual numbers. I would be glad to have it go to every household in all this land; and I want now to put into it a statement which I would gladly have go with it.

Night before last, at the conclusion of the so-called judicial bill, more than the ordinary hour of adjournment of the Senate having been reached, the Senator from Virginia [Mr. WITHERS] rose and moved to take up the so-called Army appropriation bill. Inquiring his purpose, we found it was that yesterday morning it might be unfinished business. No Senator on this side objected, all promoted his purpose; and yesterday morning at the conclusion of the morning hour the Army bill was the unfinished business. The Senator from Virginia then requested that the reading of the bill be waived, that no preliminary reading take place, but that it be read by paragraphs and the amendments as reached considered. No Senator on this side objected. Then the Senator proposed that he and his committee should have precedence in considering their amendments and all of them. No Senator on this side objected; but during the whole day it was the right of the Senator from Wisconsin [Mr. CARPENTER] and of every other Senator to debate the Army bill, and yet the committee had the right of way, and every Senator belonging to the minority promoted and facilitated expedition with the bill. When the clock indicated one quarter of five, the amendments of the committee were concluded. I indicated that I had some amendments which I wished to offer to the bill; another Senator on this side indicated at least one; and we signified a wish briefly to assign some reasons of objection to the measure as it is. That having been done, a motion was made to adjourn at a quarter before five, and it was promptly voted

down, the Senator from Virginia who had the bill in charge heading the hunt on that occasion and voting down the motion to adjourn. A member of the Committee on Appropriations, a democratic member of this body, one of the Senators from Kentucky, [Mr. BECK] thereupon took the floor and proceeded in a general political speech to recite and read that in Kentucky, festering with disloyalty, and martial law there proclaimed, most wholesomely in my opinion, troops were present near the polls, and on one occasion, of which he read, an officer rose and said that disloyal men must cease to vote at that poll, and thereupon, in the language of the document, nearly all the voters left. I was not surprised at that, although I was somewhat surprised that the Senator should bring forward for political purposes a statement containing such a confession. However, the Senator from Kentucky continued for some twenty minutes, and then he yielded to a motion to adjourn which promptly took place, nobody on this side objecting, and the adjournment being carried by the votes of democratic Senators.

Thus on this day at the end of the morning hour, the democratic Senator from Kentucky, who had occupied twenty minutes in a political speech yesterday, was entitled to the floor. Then the democratic Senator from Mississippi [Mr. LAMAR] made to the Senate and made to me an appeal which for one I regret that I did not refuse. I have been annoyed since this monstrous and offensive proceeding which we have resisted, that I did not refuse an appeal which I was weak enough to listen to. He appealed to us to give way to allow him to proceed with his bill about levees upon the Mississippi. I rose and said that if time were to be subtracted from the beginning of the day, as we wished to debate the Army bill, I should repose on the courtesy of democratic Senators for the expectation and in the belief that no final vote would be pressed to-day. Looking to that side I received a nod, not from one, not from two, not from three, but from five democratic Senators. Thereupon the Senator from Virginia [Mr. WITHERS] cautioned me not to rely upon his courtesy, and I promptly informed him that his courtesy was not the reliance upon which I rested; and the Senator from Virginia no doubt had technically and individually the right to do what has followed.

When a little more than thirty minutes after the morning hour had been consumed by the bill about the levees of the Mississippi, the Chair announced that the unfinished business was to be taken up and that the Senator from Kentucky was entitled to the floor. Thereupon the Senator from Kentucky proceeded to devour one hour and forty minutes of the Senate's time in a democratic political speech which he said was designed for the hustings in his State, but which he would regale the Senate by delivering. That over, a Senator on this side, the Senator from Maine, [Mr. BLAINE], as I am told by an associate—I did not observe the clock—occupied exactly twenty-two minutes, at the end of which time the ornate and eloquent Senator from Indiana [Mr. VOORHEES] proceeded with a very brilliant speech for something over two hours and sat down at ten minutes after six o'clock, the entire day save twenty-two minutes having been consumed by those two democratic speeches delivered, one by a democratic member of the Committee on Appropriations from which the bill came, and the other by the democratic Senator from Indiana.

Meanwhile the Senator from Wisconsin [Mr. CARPENTER] wished to address the Senate. I may remind the Senate how little time that Senator has consumed during this extra session. I may remind the Senate that that Senator has found himself suffering from ill-health, and I may remind the Senate that it was well known before he sought the floor that he wished to speak, not at undue length, upon the Army bill. I went to the Senator from Arkansas who now hears me, who then sat in the chair, [Mr. GARLAND], and I said to him "if the Senator from Indiana is to occupy all day even to the hour of adjournment or afterward, I take it for granted no vote will be pressed to-day." If I do not quote that Senator correctly I hope he will set me right; he said "I suppose not; I wish myself to make a brief speech upon this bill, and if need be I will go down myself and see to it; I do not think there will be any such disposition." I spoke to three other Senators, two of whom are within the sound of my voice on the democratic side, and from each of them received assurance that there would be no question about an adjournment, the day having been occupied by these two democratic speeches. I so informed the Senator from Wisconsin who had borrowed the seat of his friend from Illinois [Mr. DAVIS] on which his books and papers were, and carried them away and dismissed his preparation, and assumed as he had a right to do, that after a day of fasting and more than an hour after the customary hour of adjournment when the democrats had swallowed the whole day, he should not be subjected to a proceeding so insulting as to say to him that he must go on and deliver his argument then or he should not deliver it at all.

The Senator from Wisconsin had the floor, yielded to the Senator from Maine to read something from a book, and resuming it I at his request made a motion to adjourn, prefacing it with a statement that we had had no opportunity to debate this bill whatever and that therefore I assumed that there would be no objection. The Senator from Virginia rose with such a disclaimer as he had a right to make in order that he might keep within the bounds of his instruction from the committee; but when I heard every democratic Senator vote to commit such an outrage as that upon the minority of this body and upon the Senator from Wisconsin, I do not deny that I felt my full share of indignation; and during this evening, Mr.

President, I wish to assume all my own responsibility and so much more as any republican Senator feels irksome to him for what has taken place. I have endeavored to show this proud and domineering majority, determined apparently to ride rough-shod over the rights of the minority, that they cannot and they should not do it. But I am ready to be deemed responsible in advance for the assurance that while I remain a member of this body, and at all events until we have a previous question, no minority shall be gagged down or throttled or insulted by such a proceeding as this. I say, Mr. President (and I measure my expression) that it was an act not only insulting but an act of bad faith. I mean that.

Now, sir, one other word, and I have done. What is this Army bill? It is a juggle, in my opinion a contemptible juggle and subterfuge. It is an attempt, by indirection, by stealth, by trick, by an act which is to operate as a fraud, to do that of which we had high-sounding proclamation at the end of the last session. It is to compel the Executive and to compel the minority to pay the democratic party of this country a price as the condition on which they will make appropriations and allow the Government to live. That is what it is.

On what did we in the minority stand at the beginning of this session? On two ideas and only two that I could ever comprehend. First, that no political party should be allowed to take the Government by the throat and say to it "surrender, conditions and terms, to us, or the Government shall not exist;" and second, we stood upon the idea that the laws which our fathers made, which their children had preserved, which were to be found in the statute-books, were just and wholesome laws and that they should not be cloven down by any majority and especially by such a majority coming into power by any such means as mark the history of majorities in the two Houses of Congress in the year 1879.

We went to war upon those two issues. We took the responsibility before the country of confronting the democratic party on both of them. And now what? After twelve weeks of agitation, of anxiety, of disturbance in the country, after twelve weeks during which bill after bill originated in the democratic caucus has struck the rock of the Constitution and gone down where nothing but the hand of the resurrection will reach it, when the time has come that this majority dare not—dare not adjourn this session leaving the Government or the Army to languish or to starve, now when the whole battle has been fought, it is proposed, by trick, by artifice, by a juggle of words, to accomplish that which we have said and which the nation has said these members and Senators, majority though they be, shall not accomplish.

They have put in one section of this bill that none of the money appropriated shall be used to maintain any part of the Army employed to keep the peace at the polls. I do not stop to talk about what is a "police." It is what astronomers would call point without magnitude. There is nothing in it but a cheat. The operative words are "to keep the peace at the polls." They have said no part of the money shall be used for that, and they have said in another bill what a statute that speaks to-day has said already, namely that without the money appropriated, no contract shall be made, no obligation shall be incurred by which it can be done. Taking the two things together, the Senator from Indiana [Mr. VOORHEES] said well to-day; he said well yesterday when he chose the word "negation" to describe what his associates had done. The Senator from Indiana said yesterday having been unable to accomplish the repeal of these laws, this bill was to accomplish their negation. That word is well chosen. "Negation" means to say no, to deny, to paralyze and it is for that that this sixth section was contrived. It was for that that men elsewhere were told and persuaded to believe that it was harmless for two reasons: first, because it said that troops should not be employed as a police, when for one hundred years in England, and always here, every lawyer has known and admitted that, except as a police, troops could not be used to enforce the laws at all—never until you get martial law as in Kentucky; and a great definer of words has said that martial law is the will of the commander. *Inter arma silent leges.* With martial law, troops as troops may act, an army as an army; but, the civil law speaking, troops are to act in the enforcement of laws as an auxiliary to the police; and were the hour earlier, I would read repeated decisions from the highest authorities both in England and in this country to show that the quality of the act, be the men soldiers or citizens, is identical, and the rights, the immunities, the liabilities are exactly the same in a given case whether the posse be of the yeomanry and the citizen or the militia or the regular soldiers of the realm. But for that reason it was said that this was harmless, and for another, and what was that? Why there are no national elections this year and no congressional elections known save in California and one in the Westchester district in New York. True, true.

Mr. President, it has been said that the devil is subtle but weaves a course web and this web when you come to look at it is coarse enough to be plainly discernible.

What is the purpose of these democrats? To induce as many republicans as possible in the House to vote for this bill with the sixth section; if possible to get republican votes for it here; but whether so or not, if possible to secure the executive signature. Then what? Next December the same majority is to be here, the same majority in the House, the same occupant of the executive chair; and when the same words for the fiscal year ending June 30, 1881, have been incorporated in the Army appropriation bill the President who signs it

this year must sign it next; and thus for the year when all the elections in all the States for members of Congress and the presidential election, too, are to take place, the polls are to be naked to the State troops, the rifle clubs, the white-leaguers, the night-riders, and the demons who infest the Southern States, and they are to be exposed to all the thugs, the ruffians, and the mobs to be found in all the cities of the land.

That is this programme. That is what this majority means. That is what we mean to resist; that is what we mean to debate; and because we sought the privilege of uncovering this wrong, uncovering this act which in effect is to be a fraud if it succeeds, because we would debate it and expose it, we have been driven to that which Senators have been pleased to call filibustering. Mr. President, call it what you will; for one, I claim my part of the responsibility; for one I will take it as often upon a measure only half as iniquitous and monstrous as this is, I will take it as often as even half such a measure comes here and an attempt is made either by stealth to manage it through or by the brute force of numbers to gag it through the Senate.

So, Mr. President, I think with only these few moments for reflection, that I do not agree with the Senator from Delaware. I am quite content the RECORD should go out. I would be glad to have to-morrow's RECORD go containing what the Senator from Wisconsin, if he speaks like the lawyer he is, will say, what a pitiful attempt by introducing the word "police" to cheat and defraud the American people. I will vote for extra numbers of to-day's RECORD and to-morrow's RECORD.

So much, Mr. President, without having had the slightest purpose to do so or to say anything, I have been moved to say by the coaxing invitation of the Senator from Delaware.

Mr. LAMAR. Mr. President, I desire to make one statement personal to myself in reference to this matter. I do not intend to go into the discussion of the question concerning this measure that the Senator from New York has been discussing. I learn for the first time that an impression exists on the mind of any Senator on this floor that the Senator from Virginia reported, based upon any proceedings or upon any occurrence connected with the measure that I had the honor of reporting this morning and asked unanimous consent to consider and have passed. I am not aware of anything that occurred which would produce such an impression. If I had, although I would not have been instrumental consciously in producing such an impression, I should have felt myself bound by it and would have made the motion myself for an adjournment, in order to give the Senator from Wisconsin an opportunity to discuss this bill.

I repeat, sir, that if I had imagined that any Senator had any such expectation from anything that occurred in the incidents of that proceeding, it would have been my pleasure to have made that motion. In fact, sir, I was not here. I was not aware of the fact that the Senator from Wisconsin had risen for the purpose of addressing the Senate. I came in at a later stage of these proceedings.

With reference to the charge of bad faith that the Senator from New York has intimated toward those of us who have been engaged in opposing these motions to adjourn, I have only to say that if I am not superior to such attacks from such a source, I have lived in vain. It is not my habit to indulge in personalities; but I desire to say here to the Senator that in intimating anything inconsistent, as he has done, with perfect good faith, I pronounce his statement a falsehood, which I repel with all the unmitigated contempt that I feel for the author of it.

Mr. CONKLING. Mr. President, I was diverted during the commencement of a remark the culmination of which I heard from the member from Mississippi. If I understood him aright, he intended to impute, and did in plain and unparliamentary language impute, to me an intentional misstatement. The Senator does not disclaim that.

Mr. LAMAR. I will state what I intended, so that there may be no mistake—

The PRESIDING OFFICER. Does the Senator from New York yield?

Mr. LAMAR. All that I—

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Mississippi?

Mr. LAMAR. He appealed to me to know, and I will give—

The PRESIDING OFFICER. The Senator from New York has the floor. Does he yield to the Senator from Mississippi?

Mr. LAMAR. But the Senator declines to yield to me to know—

The PRESIDING OFFICER. The Senator from New York has the floor. Does he yield to the Senator from Mississippi?

Mr. CONKLING. And I am willing to respond to the Chair. I shall respond to the Chair in due time. Whether I am willing to respond to the member from Mississippi depends entirely upon what that member intends to say, and what he did say. For the time being, I do not choose to hold any communication with him. The Chair understands me now; I will proceed.

I understood the Senator from Mississippi to state in plain and unparliamentary language that the statement of mine to which he referred was a falsehood, if I caught his word aright. Mr. President, this not being the place to measure with any man the capacity to violate decency, to violate the rules of the Senate, or to commit any

of the improprieties of life, I have only to say that if the Senator,—the member, from Mississippi, did impute or intended to impute to me a falsehood, nothing except the fact that this is the Senate would prevent my denouncing him as a blackguard and a coward. [Applause in the galleries.]

The PRESIDING OFFICER. There shall be no cheering in the galleries. If there should be any more, the Chair will order the galleries to be cleared. The Senator from New York will proceed.

Mr. CONKLING. Let me be more specific, Mr. President. Should the member from Mississippi, except in the presence of the Senate, charge me, by intimation or otherwise, with falsehood, I would denounce him as a blackguard, as a coward, and a liar; and understanding what he said as I have, the rules and the proprieties of the Senate are the only restraint upon me.

I do not think I need to say anything else, Mr. President.

Mr. LAMAR. Mr. President, I have only to say that the Senator from New York understood me correctly. I did mean to say just precisely the words, and all that they imported. I beg pardon of the Senate for the unparliamentary language. It was very harsh; it was very severe; it was such as no good man would deserve and no brave man would wear. [Applause on the floor and in the galleries.]

The PRESIDING OFFICER. The Senate must be in order; and there can be no cheering upon the Senate floor.

Mr. CONKLING. What is the question before the Senate, Mr. President?

The PRESIDING OFFICER. The question before the Senate is the appeal of the Senator from New York from the decision of the Chair ruling the motion of the Senator from West Virginia to be in order. The Senator from West Virginia moved that the Sergeant-at-Arms be directed to request the attendance of absent Senators. The Senator from New York raised a question of order as to whether that motion was in order. The Chair decided that it was in order. The Senator from New York appealed from the decision of the Chair to the Senate, and that is the question now pending before the Senate.

Mr. HEREFORD. I move to lay the appeal of the Senator from New York from the decision of the Chair upon the table.

Mr. CARPENTER. I call for the yeas and nays upon that motion.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. ALLISON, (when his name was called.) The Senator from Maryland [Mr. WHITE] is compelled to be absent this evening on account of illness in his family, and he requested me to pair with him, which I have done; and therefore I refrain from voting.

Mr. GORDON, (when his name was called.) On this question I am paired with the Senator from Rhode Island, [Mr. ANTHONY.] If he were here, I should vote "yea."

Mr. McMILLAN, (when Mr. McPHERSON'S name was called.) I am paired on this question with the Senator from New Jersey, [Mr. McPHERSON.]

Mr. RANSOM, (when his name was called.) I am paired with the Senator from Vermont, [Mr. MORRILL.]

Mr. SAULSBURY, (when his name was called.) I am paired with the Senator from Michigan, [Mr. FERRY.] I have notified him that I desire to withdraw the pair, and have asked to be relieved. He sent me word that it was impossible for him to get here, and I observe the pair.

The roll-call having been concluded, the result was announced—yeas 25, nays 0; as follows:

YEAS—25.			
Bayard,	Harris,	Lamar,	Vest,
Call,	Hereford,	McDonald,	Walker,
Davis of W. Va.,	Hill of Georgia,	Maxey,	Windom,
Eaton,	Houston,	Pendleton,	Withers.
Garland,	Jones,	Randolph,	
Groome,	Jones of Florida,	Slater,	
Hampton,	Kernan,	Vance,	

NAYS—0.			
ABSENT—51.			
Allison,	Chandler,	Hoar,	Plumb,
Anthony,	Cockrell,	Ingalls,	Ransom,
Bailey,	Coke,	Johnston,	Rollins,
Beck,	Conkling,	Jones of Nevada,	Saulsbury,
Bell,	Davis of Illinois,	Kellogg,	Saunders,
Blaine,	Dawes,	Kirkwood,	Sharou,
Booth,	Edmunds,	Logan,	Tellor,
Bruce,	Farley,	McMillan,	Thurman,
Burnside,	Ferry,	McPherson,	Voorhees,
Butler,	Gordon,	Morgan,	Wallace,
Cameron of Pa.,	Grover,	Morrill,	Whyte,
Cameron of Wis.,	Hamlin,	Paddock,	Williams.
Carpenter,	Hill of Colorado,	Platt,	

The PRESIDING OFFICER. Upon the question to lay the appeal taken by the Senator from New York on the table, the yeas are 25 and the nays none.

Mr. CONKLING. What is the next question before the Senate?

Mr. HEREFORD. The execution of the order, I presume.

Mr. McMILLAN. Is there a quorum present?

Mr. HEREFORD. There is no necessity for a quorum to execute the order.

The PRESIDING OFFICER. Does the Senator from West Virginia make any motion?

Mr. HEREFORD. I did make the motion that the Sergeant-at-Arms be directed to request the attendance of the absent Senators.

The PRESIDING OFFICER. The Chair decides, as the Chair has

decided twice before, that if there is no motion made to transact any other business or to proceed to the order, the Chair will direct a call of the Senate. The Chair will now direct a call of the Senate, there having been no motion made, and the last call of the roll having disclosed that there was no quorum. Unless some motion is made the Chair is compelled to execute the order.

Mr. HEREFORD. I did make a motion, and that is what we have been at for the last two hours. I renewed it; although I did not think there was any necessity for renewing it.

The PRESIDING OFFICER. The Chair has decided repeatedly that the only order the Chair can make of his own motion is to order a call of the roll. If the Senator desires another course to be taken, he must make a motion.

Mr. HEREFORD. I ask that the motion I made shall now be put to the Senate; that is, that the Sergeant-at-Arms be directed to request the attendance of the absent Senators. That is the motion I made some two hours ago, and I now renew it if necessary; but there is no necessity for a renewal, because if it should be renewed the same thing would occur that has just taken place—an appeal from the decision of the Chair and a motion to lay the appeal on the table. The Senator from New York appealed from the decision of the Chair. I made a motion to lay that appeal upon the table. It has been laid upon the table. The question now recurs upon my motion; that is, that the Sergeant-at-Arms shall be directed to request the attendance of the absent Senators, as disclosed by the roll-call. The motion has never been withdrawn.

Mr. CARPENTER. Nor has the appeal been withdrawn from the former ruling of the Chair.

Mr. HEREFORD. But, if the Senator from Wisconsin will allow me, the appeal was laid upon the table.

Mr. CARPENTER. No, it was not; there is the trouble.

Mr. HEREFORD. I beg your pardon.

Mr. CARPENTER. I beg yours. I understand that upon the question of laying the appeal upon the table no quorum voted. Consequently the appeal was never laid on the table, and is now pending before the Senate. I understand the facts of the proceeding to be that after the ruling made by the Chair the Senator from New York appealed; and then a Senator on the left moved to lay the appeal on the table.

Mr. HEREFORD. I made that motion.

Mr. CARPENTER. Yes. The yeas and nays were called, and no quorum voted, and of course nothing was accomplished. The appeal was, therefore, not laid upon the table, but is still before the Senate, and is the pending question now.

Mr. HEREFORD. I think the Senator from Wisconsin certainly will see that he is in error. If his view of this matter should be carried out, as I said in the first argument that I made on the question, this rule is a nullity.

Mr. CARPENTER. That may be.

Mr. HEREFORD. I do not think the rules of the Senate are a nullity. If so, you might as well blot them out. When this motion was made what was the condition of the Senate? We had no quorum. Then the Senator from New York had the power, which he exercised, to appeal from the decision of the Chair, there being no quorum here. Then I moved to lay that appeal upon the table. If it takes a quorum to do that we never can have a call of the Senate, because if I were to renew that motion now a similar appeal would be taken, another discussion would take place, another vote would be taken, and the absence of a quorum would be again disclosed in the body. So that it would be again an endless chain.

There is no way to enforce the third rule in this body if you require a majority. The very object of my motion is to secure a majority of a quorum in this body. If the Senator from New York by an appeal from the decision of the Chair can do away with that, it is mere folly to make the motion. The very object of this whole proceeding is to get a quorum into this body.

If the President of the Senate thinks it will be necessary to renew the motion, I now renew it; but I do not think it necessary. If the President holds with me that there is no necessity for renewing the motion, which I hope he will, we shall go back to my original motion and the order will be made. But if the President should disagree with me, I renew the motion that the Sergeant-at-Arms be directed to request the attendance of the absent Senators.

The PRESIDING OFFICER. The Chair desires to adhere to the ruling in the former cases. In this case when the announcement was made that the yeas were 25 and the nays were none, the Senator from New York, before any other proceedings had been taken, called attention to the want of a quorum. Under that call and the former ruling of the Chair, the Chair will decide that it is his duty to have a call of the Senate, and the Chair therefore directs a call of the Senate.

Mr. CONKLING. Is this to be a call of the roll to see who is here?

The PRESIDING OFFICER. A call of the Senate to ascertain whether there is a quorum present or not.

Mr. HOUSTON. I understand it to be a call of the roll and not a call of the Senate.

Mr. CONKLING. A call to see who is here.

The PRESIDING OFFICER. It is not a call of the Senate ordered by the Senate, but it is a call of the roll ordered by the Chair to ascertain whether there is a quorum present or not. The roll-call will proceed.