

military force, and for other purposes;" which was read twice.

Mr. FRENCH asked that the bill might be put upon its passage.

Mr. FARAN wished that the bill should be amended so as to obviate an evil which had occurred from the construction of the existing law. The Commissioner of Pensions, Mr. F. was informed, had refused certificates for bounty land to volunteers, who, having performed their tour of duty and returned from Mexico, had, at their own request, been discharged in some cases three or four days, and in some even a day before the time at which they would regularly have been discharged according to the terms of their mustering into service. Mr. F. considered this a great injustice to these men, and a palpable violation of the spirit and intention of the law. These men had honorably fulfilled their duties, and the country had no further need for their service; and as a mere matter of personal convenience, they had asked for a discharge some two or three days before the time, in some cases because it was easier for them to reach their homes than if they had gone to New Orleans to be regularly discharged with the other volunteers. Ought they, on such a ground as this, to be deprived of the reward which their country had provided for their exposure, privations, and all the hardships they had endured?

Mr. HARALSON thought it would be well that the bill should be referred to one of the standing committees of the House. Mr. H. had not fully understood the bill as read at the Clerk's table: and with a view to having it examined with the care it ought to receive, he would move that it be referred to the Committee on Military Affairs.

Mr. FRENCH said, that this bill had been reported by the Committee on the Judiciary: its provisions had undergone all the consideration which was due to its importance. Mr. F. briefly explained them.

Mr. HARALSON, understanding that the bill had been considered by the Committee on the Judiciary, withdrew his motion to commit.

Mr. WHITE renewed the motion to refer it to the Committee on Military Affairs.

But the motion did not prevail.

Mr. COBB inquired of the Chair, how many committees of the House had reported this bill? Had it not been made the special order for a particular day?

The CHAIR was understood to reply, that a bill had been reported on the same subject.

Mr. COBB (resuming) observed, that a bill like this had been reported by the Military Committee; another by the Committee on Public Lands; and now it came from the Committee on the Judiciary.

Mr. EVANS made some further explanations as to the bill, and the difference of his understanding from that of Mr. FRENCH as to the construction of the law granting bounty land to volunteers.

Mr. JOHNSON, of Arkansas, observed, that the fact that so many committees had reported this bill, and all were in favor of its passage, presented a very strong presumption that its provisions were proper, and that it ought to become a law. None of the bills reported was precisely identical with this, yet the provision for the benefit of privates who had been promoted to commissions for good conduct while in actual service was to be found in them all. The sentiment of the House in favor of such persons receiving their bounty land as they would have done had they remained in the ranks, seemed to be nearly unanimous.

To judge of the propriety of putting such a declaratory construction on the original law, we must look at the spirit of that law, and the object for which it had been passed. Its object had been to encourage enlistment; to encourage men to devote themselves to the service of their country. For this purpose a bounty in land had been provided for the common soldier who had faithfully discharged his duty; and now to say that he should no longer be entitled to his land because he had been elevated to a commission for his good behavior was directly against the spirit of the law, and utterly subversive of the plainest dictates of justice and of sound policy. Was this a likely way to cherish enthusiasm for the military service of the country? Was it a very cheering reward for good conduct in the ranks to let the soldier understand, that if his behavior was so meritorious as to obtain for him the honor of a commission, he

must lose his land; that because he had been made an officer he must be worse off than if he had remained a private? How could such a proceeding be reconciled with common sense? He hoped that gentlemen would not, by referring the bill from committee to committee, and by heaping amendment upon amendment, destroy the bill. Yet that was sure to be the result of such a course as some gentlemen seemed inclined to pursue. If gentlemen were not willing to let it be put at once upon its passage, let it be passed by sections, piecemeal. If it was again to be referred, other business would thrust it aside, and the session might pass away without anything being done. He trusted no further obstacles and delays would be interposed, but that the bill might be passed at once.

Mr. EVANS, of Maryland, remarked that this was a matter which he had before investigated, having had the honor to report a similar bill from the Committee on Public Lands, as would be remembered by the House. It was evidently proper that this act should be passed, and not be clogged with amendments incorporating other provisions. He was extremely sorry, as he had been on a former occasion, that his friend from Pennsylvania [Mr. POLLOCK] desired to provide in this bill for the case of the volunteers in the war of 1812—a class of men, by the way, which did not exist at all, for there were no volunteers in the war of 1812. But if there had been, they should be provided for by a separate bill. If the bill now reported from the Committee on the Judiciary provided fully for the cases of promotion from the ranks, he hoped the House would pass it at once. He had no particular desire to press the bill he had reported. He presumed the Committee on Military Affairs had no particular desire to press this bill. He called for the reading of the bill; and it having been read, he was understood to express the opinion that it would meet the cases for which it was intended, and that it should pass.

Mr. HARALSON said he apprehended that he would not be accused of opposition to the objects to be attained by some one or other of these bills. Two of them had already been reported and made the special order for Tuesday next. Now, he submitted whether it would not be best to make this bill the special order for the same day? Let them all come up, and let the whole matter be examined at once. He moved to make the bill the special order for Tuesday next, and demanded the previous question.

The SPEAKER reminded the gentleman that the previous question, if sustained, would cut off the motion to make it the special order, and bring the House to a direct vote upon the bill.

Mr. HARALSON then withdrew the demand for the previous question, adhering to the motion to make it the special order.

The SPEAKER stated that the other two bills were in Committee of the Whole on the state of the Union.

Mr. HARALSON. I move to refer this bill, then, to the same committee, and to make it the special order for Tuesday.

The SPEAKER said it could only be made the special order by general consent, except on Monday.

Mr. McCLERNAND inquired if this bill, if referred, would not come up with the other bills on the same subject.

No reply was heard by the reporter.

Mr. HARALSON, however, moved the reference, waiving the proposition to make a special order.

Mr. LINCOLN said, if there was a general desire on the part of the House to pass the bill now, he should be glad to have it done—concurring, as he did generally, with the gentleman from Arkansas, [Mr. JOHNSON,] that the postponement might jeopard the safety of the proposition. If, however, a reference was to be made, he wished to make a very few remarks in relation to the several subjects desired by gentlemen to be embraced in amendments to the ninth section of the act of the last session of Congress. The first amendment desired by members of this House had for its only object to give bounty lands to such persons as had served for a time as privates, but had never been discharged as such, because promoted to office. That subject, and no other, was embraced in this bill. There were some others who desired, while they were legislating on this subject, that they should also give bounty lands to the volunteers of

the war of 1812. His friend from Maryland said there were no such men. He (Mr. L.) did not say there were many, but he was very confident there were some. His friend from Kentucky near him [Mr. GAINES] told him he himself was one.

There was still another proposition touching this matter: that was, that persons entitled to bounty land should by law be entitled to locate these lands in parcels, and not be required to locate them in one body, as was provided by the existing law.

Now, he had carefully drawn up a bill embracing these three separate propositions, which he intended to propose as a substitute for all these bills in the House, or in Committee of the Whole on the state of the Union, at some suitable time. If there was a disposition on the part of the House to act at once on this separate proposition, he repeated that, with the gentleman from Arkansas, he should prefer it, lest they should lose all. But if there was to be a reference, he desired to introduce his bill embracing the three propositions, thus enabling the committee and the House to act at the same time, whether favorably or unfavorably, upon all. He inquired whether an amendment was now in order?

The SPEAKER replied in the negative.

Mr. GIDDINGS, in a few words, indistinctly heard, was understood to make an appeal in behalf of those sons of Kentucky, Ohio, and other States who fought in the war of 1812. They had never received one acre of bounty land, and yet gentlemen were urging upon the House the immediate donation of bounty lands to those who had served in the present war. He thought those who defended our soil in 1812 were as meritorious as those who had invaded the Mexican soil in 1846. He hoped the motion to refer would prevail.

The question being taken, the bill was referred to the Committee of the Whole on the state of the Union.

#### ADVANCES TO VOLUNTEERS.

On motion of Mr. HARALSON, the House resolved itself into Committee of the Whole on the state of the Union, (Mr. KING, of Georgia, in the chair,) and proceeded to consider the special order, viz: the joint resolution "to refund money for expenses incurred, subsistence of transportation furnished, and money advanced by individual citizens of the United States, for the use of the volunteers, before or after being mustered into the service of the United States."

Mr. HARALSON, in a brief explanation of the bill, reviewed the provisions of existing joint resolutions on this subject, pointing out their defects, and advocating the passage of this joint resolution as a remedy for those defects, and as a measure urgently demanded by a sense of justice to those individuals who had advanced moneys indispensably necessary for the use of the volunteers, for subsistence, transportation, &c. He trusted that the joint resolution would pass without a single objection.

Mr. BROWN, of Mississippi, moved to amend it by inserting after the word "United States," where they first occur, the words, "and to the several States," so as to make the benefits of the resolution apply to the several States as well as to individuals.

Mr. B. said that some \$2,500 had been paid out of the funds of his State for expenses for volunteers. The object of this amendment was to ensure its return. The joint resolution as it stood, providing for refunding moneys to individuals, might perhaps be construed not to apply to the States. The claim of his State had been referred to the War Department, and rejected or suspended, on the ground that there was no law now in force authorizing its payment. He referred to the proviso of the joint resolution, and expressed the opinion that it would be an ample guarantee that no money should be paid out of the treasury unless for expenses which had necessarily been incurred. With the amendment proposed he favored the passage of the joint resolution.

Mr. S. LAWRENCE moved to amend the amendment by adding, after the word "States," the words "cities or counties therein." It would then read, "and to the several States, cities or counties therein."

Mr. BROWN accepted the modification. After a few words of explanation between Mr. S. LAWRENCE and Mr. BROWN of Mississippi—