same over as it accrues and is received by them, unto my daughter, Mrs. Eliza Osgood, wife of George A. Osgood, for and during her natural life, upon her separate receipt and for her separate use; it being my will that she shall not have power to anticipate such income, or to transfer or dispose of her right to receive the same or any part thereof.

Upon the decease of my said daughter Eliza, I give and bequeath the last-mentioned $300,000 of bonds unto my residuary legatee.

The said trustees are hereby directed to set apart, out of the bonds in this clause bequeathed to them, the further sum of $500,000 of such bonds, and to hold the same in trust to receive the interest thereon and pay the same over as it accrues and is received by them, unto my daughter, Mrs. Catharine Lafitte, wife of Gustave Lafitte, for and during her natural life, upon her separate receipt and for her separate use. It being my will that she shall not have power to anticipate such income nor to transfer or dispose of her right to receive the same or any part thereof.

Upon the decease of my said daughter Catharine, if she shall leave children her surviving, I direct that the last mentioned $500,000 of bonds be divided by the said trustees into as many shares as there shall be of such surviving children, and that the said trustees set apart one of said shares for the benefit of each of said children, and hold each share in trust to receive the interest thereon and to apply the same to the use of such child during his or her natural life, paying over such income to such child after his or her having attained the age of 21 years; and I direct that on the death of each of said children, the principal of the share held in trust for him or her shall go in absolute ownership as he or she may by will dispose of, and in default of such will, to his or her next of kin.

But in case the said Catharine shall leave her surviving children, and also lawful issue of any deceased child or children, such issue shall be included in the division as representing their deceased parents, and the share which would have been set apart in trust for the benefit of the parent, if living, shall be paid to such issue.

And should the said Catharine leave no children her surviving, the last mentioned $500,000 of bonds shall be paid over to the issue of her deceased children, should there be any, they to share per stirpes; and should there be no such issue, said bonds shall go to her next of kin as if she had died intestate owning said bonds.

The said trustees are hereby directed to set apart the remaining $200,000 of the bonds in this clause bequeathed to them, and to hold the same in trust to receive the interest thereof and apply the same to the maintenance and support of my son, Cornelius J. Vanderbilt, during his natural life, at such times and in such manner as they shall deem best for his interest. And I authorize and trustees, in their discretion, instead of themselves making the application of said interest money to its support, to pay over from time to time to my said son for his support such portions as they may deem advisable, or the whole of the interest of said bonds. But no part of such interest is to be paid to my assignee of my said son, or to any creditor who may seek by legal proceedings to obtain the same; and in case my said son should make any transfer or assignment of his beneficial interest in said bonds or the interest thereof or incumber the same, or attempt so to do, the said interest of said bonds shall thereupon cease to be applicable to his use, and shall thenceforth during the residue of his natural life belong to my residuary legatee.

Upon the decease of my said son, Cornelius J., I give and bequeath the last mentioned $200,000 of bonds to my residuary legatee.

OTHER PERSONS MENTIONED IN THE WILL.

Fourth: I give and bequeath unto my sister Phebe Vanderbilt, $1,200 per annum during her natural life. To my neice, Phebe Ann Blake, $300 per annum during her natural life; and Rebecca Little and her daughter Cornelia, during their joint lives, and to the survivor of them, during her natural life, the sum of $200 per annum. And I direct that the annuities in this fourth clause provided for, do commence from the time of my decease, and the first payment thereof be made in six months thereafter, and that said annuities be paid half-yearly thereafter.

Fifth: I give and bequeath unto my brother, Jacob H. Vanderbilt, $50,000 of the first mortgage bonds of the Staten Island Railway Company, dated the first day of April, 1875, and payable the first of April, 1893, with interest at seven per cent per annum, payable semi-annually; to my niece Annie Root, daughter of my sister Ellen, $20,000 of like bonds of the Staten Island Railway Company; to my nephew, Cornelius V. Deforest, two registered bonds of $5,000 each of the Lake Shore and Michigan Southern Railway Company, of the issue described in the second clause of this will; to my niece, Phebe Ann Dustan, $5,000 of the consolidated seven per cent mortgage bonds of the New-York and Harlem Railroad Company, of the issue described in the second clause of this will; to Mrs. Sophia White, daughter of Andrew Auslie, $5,000 of like bonds; to Charlotte Haskell, daughter of my sister Charlotte, $5,000 of such bonds; to each of the three daughters of my niece, Mrs. Phebe Ann Dustan, $5,000 of such bonds; to Charles Simonson, son of my nephew, Charles M. Simonson, deceased, $10,000 of like bonds; to my family physician, Dr. Jared Linsly, $10,000 of like bonds; to Capt. James Braisted, formerly in my employ, $4,000 of such bonds; and to Lambert Wardell, an old and faithful clerk, $20,000 of such bonds, provided he is in my service at the time of my decease. I further give and bequeath unto my grandson, William K. Thorn, jr., son of my daughter Emily, $25,000 of registered bonds of the Lake Shore and Michigan Southern Railway Company, of $5,000 each, of the issue hereinbefore mentioned; to Samuel Patten Hand, son of Obadiah Hand, a brother of my mother, one of such registered bonds of said company of $5,000; to the Rev. Dr. Charles F. Deems, pastor of the Church of the Strangers in the City of New-York, $20,000 of such registered bonds of said company of $5,000 each; to Mrs. Maria Locher, wife of Gen. Gordon Granger, $10,000 of such registered bonds of said company of $5,000 each; and to the wife of my nephew, Samuel Barton, $25,000 of first mortgage bonds of the Staten Island Railway Company of the issue in this clause of my will before described.

Sixth: In case I should part with any of the bonds hereinbefore bequeathed either to legatees or trustees, or in case, for any reason, I should not have on hand, at the time of my decease, a sufficient amount of each description of bonds to fulfill all of the bequests in this will contained, I direct my executors to supply the deficiency by purchasing, with the general funds of my estate, the necessary amount of the kind of bonds which may be lacking, and to apply the bonds so purchased to the fulfillment of such bequests.

And if any of the bonds which I have bequeathed in trust should be paid off before the termination of the trust upon which they may be held, I direct that the trustees reinvest the proceeds thereof in other bonds of the United States of America, and hold the same upon the same trusts upon which they held the bonds paid off; and that the same limitations of remainders do apply to such substituted bonds.

The interest upon all the bonds in this will bequeathed either to legatees or in trust, shall be apportioned up to the date of my decease, and so much thereof as shall have accrued up to that date, though not then due or payable, shall, when collected, belong to my residuary legatee.

Seventh: All legacy and succession taxes which may be payable in respect of the bequests and devises in this will contained, I direct to be paid out of my residuary estate; but should any taxes be imposed upon the income of the bonds bequeathed in trust, or upon such bonds or the proceeds thereof while held in trust, they are to be borne by the respective trust estates to which such bonds may belong, and to be deducted from the income payable to the several beneficiaries.

ALL THE REMAINDER TO W. H. VANDERBILT.

Eighth: All the rest, residue, and remainder of the property and estate, real and personal, of every description, and wheresoever situated, of which I may be seized or possessed, and to which I may be entitled at the time of my decease, I give, devise, and bequeath unto my son, William H. Vanderbilt, his heirs, executors, administrators, and assigns, to his and their own use forever.

THE EXECUTORS.

Ninth: I constitute and appoint my son, William H. Vanderbilt, and my grandson, Cornelius, son of the said William H., and also, when he shall become of age, my grandson William, another son of the said William H., and also my before-named nephew, Samuel Barton, executors of this my will, and trustees of the several trust estates hereinbefore created.

And should any of the said trustees refuse or be unable to act as such, or resign their trusteeship, the said trusts, together with the estates and powers hereinbefore granted to the trustees, shall vest in those of said trustees who shall act. And should any of the said trustees die, the said trust estates, trusts and powers, shall vest in the survivors and the survivor of them. But it is my will that no commissions or compensation shall be charged to my estate, or to any of the said trust estates, or to any of the persons for whose benefit the said trusts are created, by said executors or trustees, for their services as such executors or trustees; it being my intention that they shall serve as such executors and trustees without any compensation whatever, and they are severally appointed on that condition. And should either of them refuse to qualify and act, or to continue to serve as such executor and trustee without compensation, his appointment herein contained shall be void and of no effect.

And should my nephew, Samuel Barton, refuse to act as such executor and trustee without compensation, the bequest to his wife hereinbefore contained shall become void, and the bonds bequeathed to her shall revert to my residuary estate.

Tenth: It is my will that in case any direction or provision of this my will should be held illegal or void, or fail to take effect for any reason, no other part of this my will shall be thereby invalidated, impaired, or affected, but this my will shall be construed and take effect in the same manner as if the invalid direction or permission had not been contained therein. And should any of the legacies herein lapse, the same shall go to my residuary legatee before named.

Lastly: I hereby revoke all wills and codicils by me at any time heretofore made.

In witness whereof I have set my hand and seal to this my last will, written on 24 pages of paper, at the City of New-York, the 9th day of January, in the year 1875.

The words "five," on the first line of fifth page, and "three," in the first line of eighth page, written over erasures. C. VANDERBILT. [Seal.]

Signed, sealed, published, and declared by Cornelius Vanderbilt, the testator, as and for his last will and testament, in the presence of us, who, at his request and in his presence, and in the presence of each other, have hereunto subscribed our names as witnesses.

FRANCIS P. FREEMAN,
No. 140 West Forty-third-st., N. Y.
SIDNEY A. COREY,
No. 122 East Thirty-seventh-st., N. Y.
JOSEPH HARKER,
Everett House, N. Y.
CHARLES A. RAPALLO,
No. 17 West Thirty-first-st., N. Y

CODICIL.

I, Cornelius Vanderbilt, do make a codicil to my last will and testament, which bears date the 9th day of January, 1875, and is hereunto annexed, as follows, viz.:

First: I give and bequeath unto my grandson, Cornelius Vanderbilt, jr., son of William H. Vanderbilt, all the shares of capital stock of the New-York and Harlem Railroad Company which now stand in the name of my said grandson on the books of said company, and of which I hold the certificates in my possession, being 22,396 shares; also, all the shares of the capital stock of the New-York Central and Hudson River Railroad Company now standing in the name of my said grandson on the books of the last-named company, and of which I hold the certificates in my possession, being 31,650 shares.

Second: I give and bequeath unto my grandson, William K. Vanderbilt, another son of William H. Vanderbilt, all the shares of the capital stock of the New-York Central and Hudson River Railroad Company which now stand in the name of my last-named grandson upon the books of said company, and of which I hold the certificates in my possession, being 20,000 shares.

Third: I give and bequeath unto my grandson, Frederick W. Vanderbilt, another son of the said William H. Vanderbilt, 20,000 shares of capital stock of the New-York Central and Hudson River Railroad Company, to be delivered to him when he shall attain the age of 21 years; but should he die before attaining that age, the last-mentioned 20,000 shares are to be equally divided between his brothers, William K. and George Vanderbilt.

Fourth: I give and bequeath unto my grandson, the said George Vanderbilt, another son of said William H., 20,000 shares of the capital stock of the New-York Central and Hudson River Railroad Company, to be delivered to him when he shall attain the age of 21 years; but should he die before attaining that age, the last-mentioned 20,000 shares are to be equally divided between his brothers, William K. and Frederick W. Vanderbilt.

Fifth: I give and bequeath unto my beloved wife, Frank A. Vanderbilt, 2,000 shares of the capital stock of the New-York Central and Hudson River Railroad Company, in addition to the bequests to her in my said will contained.

Sixth: With the foregoing modifications, I confirm and republish my said will.

In witness whereof I have hereunto set my hand and seal, at the City of New-York, the thirtieth day of June, one thousand eight hundred and seventy-five.

C. VANDERBILT. [SEAL.]

Signed, sealed, published, and declared by Cornelius Vanderbilt, the testator, as and for a codicil to his last will and testament, in the presence of us, who, at his request and in his presence, and in the presence of each other, have hereunto subscribed our names as witnesses.

EDWIN D. WORCESTER,
No. 88 Lancaster-st., Albany, N. Y.
S. DEUCKSON,
No. 17 West Washington-place, New-York.
CHAS. A. RAPALLO,
No. 17 West Thirty-first-st., New-York.

PETITION TO THE SURROGATE.

The will was read at 12 o'clock yesterday at the residence of the Commodore's daughter, Mrs. W. K. Thorn, No. 13 West Sixteenth-st. The sons and daughters were all present except Mrs. Horace F. Clark, who is traveling in Europe, and Mrs. Lafitte, who lives in Bordeaux, France. Judge Rapallo, who made the draft of the document, read it. As soon as the reading of the instrument was finished, William H. Vanderbilt, accompanied by the counsel for the executors, went to the Surrogate's office, where the formal petition for the admission of the will to probate was drawn up and signed by Mr. Vanderbilt. The original of the will was in William H. Vanderbilt's possession and was not left with the Surrogate. Citations were issued by the Surrogate to the next of kin, returnable Feb. 27, at 11 o'clock, when, if no objection is made, the will will be admitted to probate.

Following is the petition for the admission of the will to probate:

County of New-York, Surrogate's Court.—To the Surrogate of the County of New-York: The petition of William H. Vanderbilt of the City of New-York respectfully showeth that your petitioner is an executor named in the last will and testament of Cornelius Vanderbilt, late of the County of New-York, deceased; that the said deceased was, at or immediately previous to death, an inhabitant of the County of New-York, and departed this life in said county on the 4th day of January, 1877, and that said last will and testament relates to both real and personal estate. Your petitioner further shows that the widow, only heirs, and next of kin of said deceased are Frank A. Vanderbilt, his widow, and William H. Vanderbilt, your petitioner; Phebe Jane Cross, Ethelinda Allen, Eliza Osgood, Emily A. Thorn, Sophia J. Torrance, Mary Louisa Clark, Mary Alicia La Bau, Catharine Lafitte, Cornelius Jeremiah Vanderbilt, children of deceased, severally residing in the City of New-York, except Maria Louisa Clark, who is temporarily in Europe, and whom last heard from was at Lisbon, Portugal, and Catharine Lafitte, who resides at Bordeaux, in France; that the deceased left no other child nor descendant of any deceased child him surviving, and that all of the above-named persons are of full age.

That the estate and effects for or in respect of which the probate of said will is applied for do not exceed in value the sum of —— dollars.

Your petitioner therefore prays that the said last will and testament may be proved, and letters testimony granted thereon according to law. W. H. VANDERBILT.

City and County of New-York, ss.: I, William H. Vanderbilt, the petitioner named in the foregoing petition, being duly sworn, do depose and say, that I have read the foregoing petition, to which I have subscribed my name, and know the contents thereof, and that the matters of fact therein stated are true, and that the matters therein stated of my information and belief, I believe to be true. W. H. VANDERBILT.

Sworn this 8th day of January, A. D., 1877, before me. D. C. CALVIN, Surrogate.

STATEMENTS OF OLD FRIENDS.

Dr. Sydney A. Corey, an old friend and associate of the Commodore, was asked by a TRIBUNE reporter last evening what was his opinion of the Commodore's will. He said that he was present at the reading of the will and knew its contents, and was of the opinion that it was a document made with the great sagacity and foresight which characterized all the actions of the Commodore. Those who were acquainted with him knew that he was always a man of frugal habits. His daily life was as plain as that of any person of moderate means, and his table was spread with ordinary fare. He thought that all other persons ought to be of the same mind, and in the distribution of his money he left a competency to all those who were closely related to him. In criticising the will the community will be apt to think that there is too great a discrepancy between the amounts given to his daughters and his son Cornelius, as compared with what is left to his son William, and although there is a vast difference, the reason is easily explained. Commodore Vanderbilt amassed a colossal fortune, of an almost fabulous amount, and constructed a gigantic work in his railroads. His great aim was then to perpetuate both of these—the fortune and the railroads. If he had divided the fortune and the railroad stock equally among his children it would make a number of branches, and in some time not far distant the road would cease to be under the supreme control of a Vanderbilt name. It was necessary for him to leave the bulk of his fortune to the son who was now at the head of the railroads, because it required the use of a large amount of money properly to control them. He had only two sons, one without children and the other with a large family, and of course he chose the latter.

In regard to the feeling of the children, which, Dr. Corey remarked, was a very delicate subject to speak of, there was no doubt that William would prefer to see the bulk of the fortune divided among all the children, if, at the same time, the father's idea could be carried out. He was a big-hearted man, and was known as such among all who were his acquaintances. He was, of course, the favorite child, and knew well the wishes of his father. The children of William were also great favorites of the Commodore, as the will showed. Some time ago the Commodore said to him (Dr. Corey) that he was just thinking who would be the president of the road in twenty years time. Dr. Corey mentioned several names, but the Commodore said there was a bright-eyed young man in whom he saw the making of a great man, and he would eventually be the President. He referred to one of William's sons, but Dr. Corey refused to tell which son it was. A remark was made concerning the absence of charitable or public bequests, and Dr. Corey said that it had been the intention of the Commodore for several years past to do something for his native State, but his sickness came before his plans were matured, and he was thus unable to carry them out. In answer to an inquiry if it were not surprising that the Commodore's old friends were not mentioned in the will, Dr. Corey said that it was intimated to him by William H. Vanderbilt that a sum had been lodged with him for them. He had heard from another source that the sum thus left was $1,000,000. He thought that the amount which William H. Vanderbilt would inherit would not fall short of $80,000,000. This estimate he made from a conversation which he had held with a man who had been familiar with the Commodore's fortune for years.

A very old friend of Commodore Vanderbilt's—and probably no one knew him better—who was also seen last evening by a TRIBUNE reporter, expressed himself as well pleased when he learned the contents of the will. The amount given to the wife he thought munificent. She was poor when the Commodore married her, about seven years ago, and she was now well provided for. The amount given to Cornelius J. Vanderbilt he thought was sufficient. He was pleased to see that the old clerk was remembered, as well as Dr. Deems, both whom deserved all they received. The sum that would be realized by William H. Vanderbilt would not fall short of $75,000,000. This was left to him to keep the bulk of the fortune in the Vanderbilt name. The amount given to Cornelius Vanderbilt, jr., son of William, was very liberal. He expressed great surprise at its munificence and said that it would not be much less than $5,000,000. He remembered the Commodore's speaking of this grandson once to him, and saying that Cornelius would always be a much greater man than he appeared, and that there was something deeper in him than his surface showed. This was the greatest compliment that he had ever heard the Commodore pay to any person. The other children of William H. Vanderbilt were also treated very liberally. When asked if he thought that the Commodore's daughters would be satisfied with the amount which they received, he replied, with a laugh, "Well, I guess not. Just imagine how you would feel if you were left a half a million dollars and your brother seventy-five millions."

He thought it was not time to commiserate the old friends of the Commodore until it was seen how the money was distributed that was held by William H. Vanderbilt for their benefit. He had heard that this sum was $1,000,000. He also understood that the son had instructions to build some grand work for the benefit of the employes of the Vanderbilt railroads.

FUNERAL OF THE COMMODORE'S SISTER.

SERVICES AT BRIGHTON HIGHTS.

Mrs. Charlotte Deforest Egbert, the sister of Commodore Vanderbilt, was buried yesterday afternoon at 2 p. m. from the Reformed Dutch Church at Brighton Hights. Among those present were her brother, Capt. Jacob H. Vanderbilt; her sister, Miss Phebe Vanderbilt; her daughter, Mrs. Charlotte Haskell; Jeremiah Simonson and family; her two sons, Cornelius and Charles Deforest; her granddaughters, Mrs. A. F. Hoveland, Mrs. Daniel Hitchcock, and Mrs. Henry Van Cleef; Mrs. Wm. H. Vanderbilt, and James McNamee and family. In accordance with the wishes of the deceased woman, the services were extremely simple, with no ostentatious display. The Rev. W. T. Enyard, pastor of the Brighton Hights Reformed Church, officiated, with the assistance of the Rev. Dr. Francis Kip of the Church of the Huguenots, and the Rev. Mr. Vogel of the Moravian Church at New-Dorp. The hymn, "Asleep in Jesus," was sung by the congregation, and was followed by prayer. Charles L. Gunn, leader of the choir in the Rev. Dr. Hepworth's church, sang a solo, "Thy Will be Done." After the reading of the 90th Psalm, "Jesus, my all, to Heaven has gone," a favorite hymn of Mrs. Egbert's, was sung. Another, "Jesus, lover of my soul," was sung to her in her dying hours, and appeared to comfort her more than anything said by clergyman or friends. This was also sung by the congregation. The Rev. Mr. Enyard said that Mrs. Egbert had desired no elaborate sermon, and without violating the spirit of her request, he would recall some scriptural passages that illustrated the mobility of her life. The Rev. Dr. Kip prayed that God's blessing might rest upon her four children and their children. Mr. Gunn then sang a chant, "Lord, Thou hast been our dwelling-place in all generations," and this was followed by the benediction.

The remains were carried to the Moravian Cemetery, where they were placed in the receiving vault presented to the cemetery by Commodore Vanderbilt. In the spring they will be removed to the Deforest lot and buried by the side of Capt. John Deforest, Mrs. Egbert's first husband. The coffin was made of rosewood, covered with cloth, and with silver handles. The silver plate with the inscription only: "Mrs. Charlotte Deforest Egbert. Died Jan. 5, age 85 years, 8 months, and 7 days." A cross of white roses and pinks from the family, and an anchor of white roses and camelias from Cornelius Deforest, were placed on the coffin. These, with a beautiful crown of white flowers, formed the only display throughout the service. The pallbearers were D. R. Hitchcock, John D. Wood, Henry Meadel, W. Collins, John H. Wood, and H. Sogdan.

PRESIDENCY OF LAKE SHORE.

Augustus Schell, second Vice-President of the Lake Shore and Michigan Southern Railroad Company, said to a TRIBUNE reporter last evening that nothing had yet been done about the vacant presidency of the road. "Indeed the Commodore was only buried yesterday," he said, "and we have hardly had time to make new arrangements, but a meeting of the directors will be held soon. Mr. William H. Vanderbilt, the Vice-President of the company, has been acting President ever since his father was taken ill. You say that opinion is expressed that he will be elected to the position, which is rather premature. For myself, I know nothing about it; neither does any one else just now."

The reporter then asked Mr. Schell what the Lake Shore Railroad Company intended to do concerning the Ashtabula disaster. "Of course the company is doing all it can," he replied, "and a strict investigation is being made. We have a competent engineer constantly employed in attending to the condition of the road, and the bridges are continually tested. The Ashtabula bridge was perfectly sound."

FIRE RECORD.

IN WILLIAMSBURGH, L. I.

Some phosphorus ignited in the drug store of J. W. Saunders, No. 387 Grand-st., Williamsburgh, yesterday morning, and set fire to the store. The flames were extinguished by two police officers, and the loss was only $75.

OTHER FIRES.

MARLBORO, Mass., Jan. 8.—The loss by the burning of Smith & Hinks's saw-mill and box-factory, and the adjacent block of six buildings belonging to Samuel Boyd, on Saturday night, is $30,000; partially insured.

HARRISBURG, Penn., Jan. 8.—Reports from Lykens represent that the flames are still raging on the fire in the coal mine, and have strong hopes of subduing it.

STRIKE OF TRENTON POTTERY WORKERS.

TRENTON, N. J., Jan. 8.—This morning all the employes of the Trenton potteries left their work in consequence of a general reduction of 20 per cent of their wages. At a large meeting held at Freese's Hall this morning they resolved that they would not submit to the list of prices, to go into effect Jan. 1, 1877, and a committee was appointed to wait upon the masters and lay the proceedings of the meeting before them, and if possible to induce them to return and adhere to the list of prices of 1873, under which they have been working up to the present month. They also resolved that if this negotiation failed this committee should correspond with their fellow-workmen at Stoke-on-Trent, England, and solicit aid to enable them to stand out and resist the prices of 1877. The kilnmen, dippers, and saggermakers held a subsequent meeting and resolved to stand by the potterymen in their struggle against the reduction. It is estimated that there are nearly 2,000 persons in this strike.

THE UNITED STATES DISTRICT-ATTORNEYSHIP.

Franklin A. Paddock, who was mentioned in THE TRIBUNE'S Washington dispatches yesterday as the choice of a number of leading lawyers and business men for the position of United States District-Attorney of this district, in place of George Bliss, said in conversation with a TRIBUNE reporter yesterday that application had been made by his friends, he believed, for his appointment. He said that he was not a politician or a wire-puller, and had entered into no contest for the place. When it was first suggested to him that he should become a candidate he had positively refused, on the ground that he could not sacrifice the interests of his clients by undertaking official obligations, but on being informed that his private business could be arranged so that neither his own nor his clients' interests would suffer, he had consented to let his name be used. Mr. Paddock said that it would not be proper for him to say what assurances he had received that he could have the appointment, and that he was not informed as to the chances of other candidates. He thought the President would send in a name for confirmation in a day or two.

ARMY ORDERS.

WASHINGTON, Jan. 8.—Post Chaplain David Whittle is relieved from duty in the Department of the Platte, and will report by letter to the Commanding General of the Department of Texas.

By direction of the Secretary of War, Major N. B. Sweetzer, 2d Cavalry, is at his own request relieved from duty as a member of the board of officers appointed to meet in this city to decide upon a pattern and prepare specifications for the clothing for army use, and Col. Thomas L. Crittenden is detailed in his stead.

By direction of the Secretary of War, Capt. A. K. Long, Commissary of Subsistence, will, in addition to his present duties, relieve Major George Bell, commissary of Subsistence, of the charge of the disbursement of the fund for the payment of the Montana Indian war claims, and of the fund for the payment of the Dakota war claims.

"Are these gratuitous?" asked an old gentleman of a druggist's assistant, taking a patent-medicine almanac from a pile on the counter. "No, them's almanacs," curtly answered the matter-of-fact assistant.

XLIVTH CONGRESS—2D SESSION

REGULAR REPORT OF PROCEEDINGS.

ELECTORAL QUESTIONS PROMINENT IN THE DAY'S DISCUSSIONS—IMPORTANT RESOLUTIONS—ABOLITION OF THE POLICE COMMISSIONERS.

SENATE.....WASHINGTON, Jan. 8, 1877.

The CHAIR laid before the Senate a communication from the Secretary of War, in compliance with Section 1,065 of the Revised Statutes, showing the expenditures at the Springfield Armory during the fiscal year ending June 30, 1876. Ordered to be printed and lie on the table.

On motion of Mr. EDMUNDS the special committee of seven Senators recently appointed to devise means for an amicable settlement of the Presidential contest was authorized to sit during sessions of the Senate.

Mr. SHERMAN (Rep., Ohio,) presented the petition of a number of citizens of Cincinnati upon the importance of a peaceful and legal count of the recent Presidential election.

The petition was then read by the Chief Clerk. The petitioners express the hope that some mode of reaching a decision of the pending question will be had which will satisfy the country and express their confidence that Senators and Representatives in Congress will bring to the decision of the matter a spirit of fairness and impartiality. It was referred to the Special Committee of seven Senators appointed to consider the count of the electoral vote.

Mr. WALLACE (Dem., Penna) presented a petition of citizens of Columbia, and also from citizens of Philadelphia, Penn., asking an amicable settlement of the Presidential difficulty. Referred to the Special Committee of seven Senators.

Mr. MORTON (Rep., Ind.) from the Committee on Privileges and Elections, submitted a report showing the questions propounded to Enos Runyon of the firm of Martin & Runyon, bankers and brokers of Wall-st., New-York, in regard to who ordered the check to be drawn by his bank in favor of Ladd & Bush of Salem, Oregon, and which he refused to answer. He also presented a resolution directing the President of the Senate to issue his warrant to the Sergeant-at-Arms for the arrest of said Runyon, and his production at the bar of the Senate, to show cause why he shall not be punished for contempt. Ordered to be printed.

Mr. MORTON gave notice that he would call it for action to-morrow.

The Senate then resumed the consideration of unfinished business, which was the resolution reported several days ago by the Committee on Privileges and Elections, declaring that William Turner, the manager of the Western Union Telegraph Company's office at Jacksonville, Oregon, is in duty bound to answer questions propounded to him as to messages which passed through his office in regard to the appointment of Cronin as Presidential elector, and the check for $8,000 on Ladd & Bush of Salem, Oregon, and that he cannot excuse himself from answering the same by reason of his connection with the Western Union Telegraph Company.

Mr. HAMLIN (Rep., Me.) said he was willing that the Senate should go to the same extent in ordering the production of telegraph dispatches that a court of justice would go, but he was opposed to all drag-net proceedings.

Mr. DAWES (Rep., Mass.) concurred in the views expressed by the Senator from Maine.

Mr. BOGY (Dem., Mo.) also expressed his disapproval of any drag-net investigation, but favored the Senate taking such action for the production of specified dispatches as a court of law would take.

Mr. EDMUNDS (Rep., Vt.) said that nobody had a right to set up his private confidence or his private honor when it stood in the way of justice. He argued that the Senate had the right to compel the witness to testify, and the sort of talk about privileges was absurd.

The question being on the passage of the resolution, it was agreed to—Yeas, 35; Nays, 3.

Mr. INGALLS (Rep., Kan.) introduced a bill to secure the rights of settlers upon certain railroad lands and the repeal of the first five sections of the act of July 25, 1866, granting lands to the State of Kansas to aid in the construction of the Kansas and Neosho Valley Railroad and its extension. Referred to the Committee on Public Lands.

COUNTING THE ELECTORAL VOTE.

Mr. BOOTH (Rep., Cal.) submitted the following resolution:

Resolved, That in counting the votes for President and Vice-President of the United States, whose terms are to begin on the 4th of March, 1877, the following rules be observed:

First: The President of the Senate pro tempore shall report the certificate of each State before handing it to the tellers. It shall then be the right of any Senator and of any member of the House of Representatives to object to the counting of the votes of a State, which objection shall be reduced to writing. Upon the objection being made, the President of the Senate pro tempore shall rule whether or not the votes of said State shall be counted, and for whom. Any Senator or member of the House of Representatives may appeal from said ruling, which appeal shall be reduced to writing.

Upon appeal being taken, the two houses shall unanimously separate, and each shall convene in its own chamber without delay. Upon the convening of each house, its presiding officer shall submit the following propositions, in the order herein named, which shall be decided without debate:

First: Shall the ruling of the President of the Senate pro tempore upon the counting of the vote of the State of ——— be affirmed?

Second: How many votes of the State of ——— shall be counted?

Third: For whom shall the votes of the State of ——— be counted?

Upon each proposition each Senator and each member of the House of Representatives shall announce his vote *viva voce*, and it shall be entered upon the Journal. The Journal of each house of the proceedings of that meeting shall then be read and approved, and no other business shall be in order. The two houses shall then assemble in the chambers of ——— for the purpose of continuing the count.

Second: When the President of the Senate pro tem. shall have received two or more packages purporting to contain the certificates of the votes of the same State, he shall open and report all of said certificates, and then rule for whom the votes of said State shall be counted. Any Senator or member of the House of Representatives may appeal from said ruling, which appeal shall be reduced to writing. Upon the appeal being taken the two houses shall separate, convene in their respective chambers, and the same proceedings shall be had as prescribed in Rule 1.

Third: A complete record of the proceedings when the two houses are assembled together, and of the proceeding of each house, together with all the certificates and purported certificates of the votes, to the counting of which objection has been made, shall be submitted to the judges of the Supreme Court of the United States, or in their decision.

The Senate and House of Representatives may each appoint a committee of three to present the cases to the justices, subject to such rules as the justices may prescribe. If the justices deem it essential to a final determination they may in their discretion receive as evidence the official acts and proceedings of any State officer or Board of State officers, and the Senate and House of Representatives by either house of Congress. The Chief Justice shall announce the result to the President of the Senate. The decision of the majority of the justices upon each case of contested votes when all the cases have been decided, whereupon the two houses shall assemble in the chambers of ——— and such decision.

On motion of Mr. BOOTH it was ordered that the resolution be printed and lie on the table. He gave notice that on Friday next he would ask the indulgence of the Senate to submit some remarks in regard thereto.

Mr. MORRILL (Rep. Vt.) by request introduced a bill to abolish the Board of Commissioners of the Metropolitan Police of the District of Columbia, and for other purposes. Referred to the Committee on the District of Columbia.

Mr. WALLACE (Dem., Penn.) submitted the following resolution:

Resolved, That the special committee on the counting of the electoral vote be instructed to inquire and report to the Senate upon the following propositions:

First: The electors of President of the United States are a part of the machinery of the Federal Government.

Second: The power to appoint them is in the States to be exercised under the restrictions and guarantees of the Federal Constitution.

Third: The power to ascertain who has been elected President and Vice-President of the United States by counting the electoral votes is a quasi judicial one, and carries with it the right to inquire and decide what are the votes.

Fourth: This power is in the two houses acting concurrently as independent bodies.

Fifth: Each house may examine both facts and law to enable it to determine these questions: 1. Are the returns of the Electoral colleges before them the true returns? 2. Were the votes therein shown to be cast given by those appointed by the State to the office of Electors of the President of the United States? And 3. Was the appointment of electors made and were the votes cast in accordance with the provisions and guarantees of the Federal Constitution?

Sixth: The certificate and seal of the executive authority of each State, made under the act of Congress, is *prima facie* proof of the appointment of an elector of the State. This mode of proof may be overthrown by the decision of the highest judicial tribunal of the proper State or of the United States, or it may be contradicted by evidence of plain mistake or palpable fraud.

Seventh: When two returns come from a State, the two houses acting concurrently, must determine which is the true return.

Eighth: No electoral vote can be counted without the concurrence of both houses.

The resolutions of Mr. Wallace were laid over until to-morrow, and the Senate, at 3:50, went into Executive session. After a short time the doors were reopened and the Senate adjourned.

HOUSE OF REPRESENTATIVES.

Under the call of States, bills and resolutions were introduced and offered, including the following:

By Mr. CHITTENDEN (Rep., N. Y.)—For paying the legal-tender debt, in harmony with justice and the pledged faith of the Government. (This is the same bill which he tried to introduce just before the holidays.)

By Mr. HILLIKEN (Dem., Ky.), by request—To extend for two years the Southern Claims Commission.

By Mr. Bright (Dem., Tenn.)—For the free coinage of silver dollars and making the same a legal tender. This bill was referred to the Committee on Mines and Mining, notwithstanding the efforts of Mr. O'Brien (Dem., Md.) and Mr. Kasson (Rep., Iowa) to have it referred to the Committee on Coinage.

By Mr. HUNTER (Rep., Ind.)—To authorize and equip an expedition to the Arctic seas.

By Mr. CLARKE (Dem., Mo.)—Authorizing the construction of a railroad bridge across the Missouri River at Glasgow, Mo.

By Mr. KERR (Dem., Mo.)—For the further redemption of legal-tender United States notes.

By Mr. BUCKNER (Dem., Mo.)—To utilize the product of gold and silver mines, and to authorize a paper circulation convertible into gold and silver; also, to provide for counting the Presidential electoral votes.

Mr. WILLIS (Rep., N. Y.) offered a resolution instructing the Committee on the Privileges, Powers and Duties of the House in counting the Presidential vote to ascertain whether any votes were given at the recent election contrary to the prohibition contained in the first section of the Second Article of the Constitution, forbidding United States officials to be appointed electors, and what ought to be done with them; and whether any and what provision ought to be made for securing a faithful observance in the future of such sections; also, to inquire into any facts affecting the fairness or the legality of any electoral votes certified to have been cast at such election, with power to send for persons and papers. Adopted without a division.

Mr. LEMONNE (Dem., Ill.) offered a resolution for the appointment of a select committee of five to inquire, first, whether any members of the late or present Board of Police Commissioners of the District of Columbia have been guilty of improper conduct in their official positions pending any investigation before the board, whether any member of the board has used or attempted to use the Superintendent of Police or any member of the police force for corrupt or improper purposes connected with any Congressional investigation with a view of injuring or disgracing any member of such committee, whether any member of the board has interfered with or attempted to interfere with the administration of law in the courts of the District, and whether the police organization has been used for any improper or corrupt purpose, with power to send for persons and papers. Adopted without a division.

Mr. KASSON (Rep., Iowa) offered a resolution instructing the Select Committee on the Privileges of the House in regard to the counting of the electoral votes to inquire whether any electoral votes were cast by persons laboring under political disabilities, and if so, what action should be taken thereon. Adopted.

Mr. BUCKNER (Dem., Mo.) moved to suspend the rules and pass the bill abolishing the Board of Police Commissioners of the District of Columbia, and transferring its duties to the Commissioners of the District. Agreed to unanimously.

Mr. DURHAM (Dem., Ky.) offered a resolution calling for information in regard to the examination of the foundations of the Washington Monument. Adopted.

Mr. HUNTER (Rep., Ind.) asked leave to offer a resolution reciting that the Judiciary Committee was instructed on the 18th of December last to report within 20 days an amendment to the Constitution forbidding the payment of claims for supplies, damages, &c., furnished or sustained during the late war, unless the owners of the property had been always loyal to the Government; and that the 20 days have expired without such report being made; and requiring the Judiciary Committee to report such constitutional amendment within two days.

Mr. BEAGAN and others objected.

Mr. HUNTER moved to suspend the rules and adopt the resolution. Lost—Yeas, 126; Nays, 71; not two-thirds voting in the affirmative.

Mr. MILLS (Dem., Texas) moved to suspend the rules and adopt the following:

Resolved, That the maintenance inviolate of the rights of States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to the balance of power on which the perfection and endurance of our political fabric depends, and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes.

The second reading of the resolution was called for, when Mr. KASSON suggested that it did not contain the words, "subject to the Federal Constitution."

Several members on the Democratic side, who did not seem to approve of the policy of offering such a resolution, suggested to Mr. Holman to move an adjournment, which he thereupon did, while on the Republican side the suggestion went around to oppose an adjournment and to force a vote on the resolution.

The motion to adjourn was defeated, 70 Yeas to 95 Nays, and the vote was taken on the motion to suspend the rules and adopt the resolution, and it was lost, 107 Yeas, 82 Nays, not two-thirds in the affirmative.

Mr. HARRIS (Rep., Mass.), from the Committee on Naval Affairs, reported a bill to appropriate "waiting orders pay" to naval officers whose pay was affected by General Order No. 216, and to repeal section 1,442 of the Revised Statutes. Referred to the Committee of the Whole.

The SPEAKER announced as a select committee to investigate the corrupt