

Mr. Conness submitted the following resolution; which was considered, by unanimous consent, and agreed to:

*Resolved*, That the acting Secretary of War be requested to communicate to the Senate copies of any reports in the War Department from the commanding officer of the division of the Pacific concerning the reduction of the military reservation of Point San José, together with copies of any maps connected with such report.

Mr. Sumner submitted the following resolution; which was considered, by unanimous consent, and agreed to:

*Resolved*, That the President of the United States be requested to communicate to the Senate, if in his opinion not incompatible with the public interest, copies of any correspondence between the government of the United States and the government of Great Britain relating to existing claims of these governments on each other.

Mr. Drake submitted the following resolution for consideration:

*Resolved by the Senate*, (the House of Representatives concurring,) That the President of the United States, in declaring in his annual message to the two houses of Congress at the present session that the acts heretofore passed by those houses in relation to the reconstruction of the insurrectionary States "are not only objectionable for their assumption of ungranted power, but many of their provisions are in conflict with the direct prohibitions of the Constitution," and that those acts are "as plainly unconstitutional as any that can be imagined," has transcended the just limits of his constitutional prerogative to "give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient;" that the use of such language by him in his official character is, in our judgment, calculated to derogate from the rightful authority of the law-making power of the nation and to incite insubordination, if not violent resistance, to laws which it is his duty as President to "take care shall be faithfully executed;" that, as between the Congress and the President, the former is the exclusive and final judge, in the first instance, of the conformity of its acts to the Constitution; and that when any act has been passed by two-thirds of both houses over the President's objections, any subsequent official denouncement of it by him as unconstitutional, in the absence of any adjudication to that effect by the supreme judiciary of the nation, is a departure from official propriety, and a breach of official obligation, justifying and calling for distinct reprehension on the part of the Senate and the House of Representatives.

On motion by Mr. Drake,

*Ordered*, That it lie on the table and be printed.

Mr. Anthony, from the Committee on Printing, to whom was referred the resolution directing the printing of the message of the President of the United States, with the reports of the heads of the departments, and for the printing of three thousand additional copies for the use of the Senate, reported it without amendment.

The Senate proceeded to consider the said resolution; and

On motion by Mr. Sumner to amend the resolution by striking out the words "the message of the President of the United States with,"

After debate,

*Ordered*, That the further consideration of the resolution be postponed till to-morrow.

Mr. Trumbull, from the Committee on the Judiciary, reported a bill (S. 163) declaring what shall constitute a quorum of the Supreme Court; which was read the first and second times, by unanimous consent, and considered as in Committee of the Whole, and no amendment being made, it was reported to the Senate.

*Ordered*, That it be engrossed and read a third time.