REPORT ON POCKET VETO

MESSAGE
FROM
THE PRESIDENT OF THE UNITED STATES
TRANSMITTING
A MEMORANDUM PREPARED IN THE OFFICE OF THE ATTORNEY GENERAL REGARDING BILLS PRESENTED TO THE PRESIDENT LESS THAN 10 DAYS BEFORE THE ADJOURNMENT OF CONGRESS AND NOT SIGNED BY HIM

December 22, 1928.—Referred to the Committee on the Judiciary and ordered to be printed

THE WHITE HOUSE, December 22, 1928.

To the Congress of the United States:

I am transmitting herewith for the information of the Congress a memorandum prepared in the office of the Attorney General regarding bills presented to the President less than ten days before the adjournment of Congress and not signed by him.

CALVIN COOLIDGE.

DEPARTMENT OF JUSTICE,
Washington, October 10, 1928.

MEMORANDUM FOR THE ATTORNEY GENERAL

In re bills presented to the President less than ten days before the adjournment of Congress and not signed by him. In the case of each such bill, what was done with the engrossed copy of the bill, and what communication or memorandum was made in connection with such disposition?

Such unsigned bills are found in four places: in the custody of the Secretary of the Senate; in the custody of the Manuscript Division of the Library of Congress (where Presidential messages to the House of Representatives prior to the Civil War have been deposited); in the
archives of the State Department; and in the White House office building. The unsigned bills before the Civil War may be found in one or the other of the first three places. From the beginning of the administration of President Lincoln to the end of the first session of the first Congress in the administration of President Cleveland they were sent to the State Department. Since then, with but three exceptions, no such unsigned bills have been sent away from the White House. Those three exceptions are one bill sent to the State Department by President Benjamin Harrison during a Christmas recess in 1892 and two bills sent to the State Department by President Cleveland during a Christmas recess in 1896.

A bill relating to naturalization was passed by the House of Representatives on July 2, 1812 (Annals of Congress, 12th Cong., 1st sess., 1574) and by the Senate on July 4. (Annals, 318) Congress adjourned on July 6. (Annals, 322, 1585) The President did not sign this bill, but at the next session he sent a message to Congress explaining his unwillingness to do so. The message was dated Nov. 5 and was sent to Congress on the following day. There is no message or vetoed bill of that session in the custody of the Secretary of the Senate. The suggestion is made that any such documents may have been burned when the British destroyed the capitol in 1814. The Library of Congress has a bound volume containing several messages sent to Congress in that session. I have seen the Annual Message, dated Nov. 4, 1812, and a letter of transmittal from the President dated Nov. 5, but no copy of a message of Nov. 5, and no copy of the bill involved. I quote from the proceedings of Congress for Nov. 6, as given in Annals of Congress, 12th Cong., 2d sess., 17:

To the Senate and House of Representatives of the United States:

The bill, entitled “An act supplementary to the acts heretofore passed on the subject of an uniform rule of naturalization,” which passed the two Houses at the last session of Congress, having appeared to me liable to abuse by aliens having no real purpose of effectuating a naturalization, and therefore not been signed; and having been presented at an hour too near the end of the session to be returned with objections for reconsideration, the bill failed to become a law. I also recommend that provision be now made in favor of aliens entitled to the contemplated benefit, under such regulations as will prevent advantage being taken of it for improper purposes.

J. Madison.

November 5, 1812.

This message is printed in Richardson, Messages of the Presidents, I, 523.

In the archives of the State Department is a volume labeled “Pocketed Laws 1815–1878.” It contains engrossed bills of that period. The first one in the volume was passed in the 14th Congress, first session, to provide for the free importation of stereotype plates and to encourage the printing and gratuitous distribution of the Scriptures by the Bible societies throughout the United States. The session adjourned April 30, 1816. (Annals of Congress, 14th Cong., 1st sess., 371, 1466) In the margin of the bill are the words:

34 bills presented to the President by Mr. Roberts of the Senate on Saturday Apr. 27, 1816. 34 do. do. on Monday Apr. 29; others afterwards. See the Laws. The adjournment of Congress took place on the 30th of April.
This memorandum is unsigned but seems to be in President Madison's handwriting. Attached to the bill is a slip reading:

"An act for the free importation of Stereotype plates, and to encourage the printing and gratuitous distribution of the Scriptures by the Bible societies within the United States." Not approved.

This memorandum also is unsigned. It was not written by the person who wrote the memorandum on the bill itself.

The 21st Congress, first session, adjourned on May 31, 1830. (Congressional Debates, vol. 6, pp. 457, 1148) At the commencement of the second session President Jackson sent an annual message dated December 6, 1830. The message is in the Senate files. According to a memorandum on the back of it, it was read on the following day. The manuscript is 165 pages long. In Richardson, Messages of the Presidents, II, it covers pages 500 to 529. The following passage relates to his refusal to sign two bills. I quote from the manuscript, where the punctuation differs from that given in Richardson:

Almost at the moment of the adjournment of your last Session, two Bills; the one entitled "An Act for making appropriations for building light-houses, light-boats, beacons and monuments, placing buoys, and for improving harbors and directing surveys"; and the other "An Act to authorize a subscription for Stock in the Louisville and Portland Canal Company," were submitted for my approval. It was not possible within the time allowed me, before the close of the Session, to give to these Bills the consideration which was due to their character and importance; and I was compelled to retain them for that purpose. I now avail myself of this early opportunity to return them to the Houses in which they respectively originated, with the reasons which, after mature deliberation, compel me to withhold my approval.

The President then set forth his reasons at length. With the message in the Senate files is the bill passed at the first session of the 21st Congress "to authorize a subscription for stock, on the part of the United States, in the Louisville and Portland Canal Company." There is another copy of the annual message in the Library of Congress and with it is the light house bill, which has no marks on it.

The 22d Congress, first session, adjourned on July 16, 1832. (Cong. Debates, vol. 8, pp. 1298, 3913.) On December 6, 1832, at the commencement of the second session, President Jackson returned to the Senate an engrossed bill of the first session of that Congress and a message. The message, the bill and a printed copy of the bill are now in the Senate files. The message, in full, copied from the manuscript, is as follows:

WASHINGTON December 6th 1832

To the Senate of the United States:

I avail myself of this early opportunity to return to the Senate in which it originated the bill entitled "An act providing for the final settlement of the claims of States for interests in advances to the United States made during the last war," with the reasons which induced me to withhold my approbation, in consequence of which it has failed to become a law.

This bill was presented to me for my signature on the last day of your session and when I was compelled to consider a variety of other bills of greater urgency to the public service. It obviously embraced a principle in the allowance of interest, different from that which had been sanctioned by the practice of the accounting officers or by the previous legislation of Congress in regard to advances by the States, and without any apparent grounds for the change.

Previously to giving my sanction to so great an extension of the practice of allowing interest upon accounts with the Government, and which in its consequences and from analogy might not only call for large payments from the Treasury but disturb the great mass of individual accounts long since finally settled,
I deemed it my duty to make a more thorough investigation of the subject than it was possible for me to do previously to the close of your last session. I adopted this course more readily, from the consideration that, as the bill contained no appropriation, the states which would have been entitled to claim its benefits could not have received them without the fuller Legislation of Congress.

The principle which this bill authorizes varies not only from the practice uniformly adopted by many of the accounting officers in the case of individual accounts and in those of the States finally settled and closed previously to your last session, but also from that pursued under the act of your last session for the adjustment and settlement of the claims of the State of South Carolina. This last act prescribed no particular mode for the allowance of interest, which therefore, in conformity with the directions of Congress in previous cases, and with the uniform practice of the Auditor by whom the account was settled, was computed on the sums expended by the State of South Carolina for the use and benefit of the United States, and which had been repaid to the State, and the payments made by the United States were deducted from the principal sums, exclusive of the interest; thereby stopping future interest on so much of the principal as had been reimbursed by the payment.

I deem it proper, moreover, to observe that, both under the act of the 5th of August 1790, and that of the 12th of February 1793 authorizing the settlement of the accounts between the United States and the individual States, arising out of the war of the revolution, the interest on those accounts was computed in conformity with the practice already adverted to and from which the bill now returned is a departure.

With these reasons and considerations I return the bill to the Senate.

December 6th 1832

Andrew Jackson

On the same day, President Jackson sent to the House of Representatives a message and a bill, both of which are in the Library of Congress. The message, copied in full from the manuscript, is as follows:

To the House of Representatives

In addition to the general views I have heretofore expressed to Congress on the subject of Internal improvement, it is my duty to advert to it again in stating my objections to the bill entitled "an act for the improvement of certain harbours and the navigation of certain rivers", which was not received a sufficient time before the close of the last session to enable me to examine it before the adjournment.

Having maturely considered that bill within the time allowed me by the Constitution, and being convinced that some of its provisions conflict with the rule adopted for my guide on this subject of Legislation, I have been compelled to withhold from it my signature; and it has therefore failed to become a law.

To facilitate as far as I can the intelligent action of Congress upon the subjects embraced in this bill, I transmit herewith a report from the Engineer Department distinguishing, as far as the information within its possession would enable it, between those appropriations which do, and those which do not, conflict with the rules by which my conduct in this respect has hitherto been governed. By that report it will be seen that there is a class of appropriations in the bill for the improvement of streams that are not navigable, that are not channels of commerce, and that do not pertain to the harbours or ports of entry designated by law, or have any ascertained connection with the usual establishments for the security of commerce external or internal. It is obvious that such appropriations involve the sanction of a principle that concedes to the General Government an unlimited power over the subject of internal improvements, and that I could not therefore approve a bill containing them without receding from the positions taken in my veto of the Maysville road bill and afterwards in my annual message of December 7, 1830.

It is to be regretted that the rules by which the classification of the improvements in this bill has been made by the Engineer Department, are not more definite and certain, and that embarrassments may not always be avoided by the observance of them; but as neither my own reflection, nor the lights derived from other sources, have furnished me with a better guide, I shall continue to apply my best exertions to their application and enforcement. In thus employing my best faculties to exercise the powers with which I am invested to avoid evils
and to effect the greatest attainable good for our common country, I feel that I may trust to your cordial cooperation; and the experience of the past leaves me no room to doubt the liberal indulgence and favorable consideration of those for whom we act.

The grounds upon which I have given my consent to appropriations for the construction of light-houses, beacons, buoys, public piers and the removal of sandbars, sawyers, and other temporary or partial impediments in our navigable rivers and harbours,—and with which many of the provisions of this bill correspond, have been so fully stated that I trust a repetition of them is unnecessary. Had there been incorporated in the bill no provisions for works of a different description, depending on principles which extend the power of making appropriations to every object which the discretion of the Government may select, and losing sight of the distinctions between national and local character which I had stated would be my future guide on the subject, I should have cheerfully signed the bill.

DECEMBER 6th 1832

With this message is the bill, which was passed by the 22d Congress at its first session. On it is an unsigned certificate that it originated in the House of Representatives.

The 22d Congress at its second session passed a bill relating to the proceeds of the sales of the public lands of the United States. The bill originated in the Senate. The House of Representatives amended it. The Senate concurred in those amendments on March 1, 1833. (Cong. Debates, vol. 9, 809.) Congress adjourned on the legislative day of March 2. (Cong. Debates, vol. 9, 814, 1939.) The term of Congress expired on March 4. On December 5, 1833, at the commencement of the 23d Congress, first session, President Jackson sent to the Senate a message concerning this bill. Both the message and the unsigned bill are now in the custody of the Secretary of the Senate.

The message is a long one. In Richardson, Messages of the Presidents, III, it covers pages 56 to 69. The first paragraph is the only one dealing with the circumstances under which the bill came to the President. In the manuscript that paragraph is as follows:

To the Senate of the United States:

At the close of the last session of Congress I received from that body a bill entitled "An act to appropriate for a limited time the proceeds of the sales of the public lands of the United States and for granting lands to certain States." The brief period then remaining before the rising of Congress, and the extreme pressure of official duties, unavoidable on such occasions, did not leave me sufficient time for that full consideration of the subject which was due to its great importance. Subsequent consideration and reflection have, however, confirmed the objections to the bill which presented themselves to my mind upon its first perusal, and have satisfied me that it ought not to become a law. I felt myself, therefore, constrained to withhold from it my approval and now return it to the Senate in which it originated with the reasons on which my dissent is founded.

DECEMBER 4th 1833

The 22d Congress, first session, adjourned June 30, 1834. (Cong. Globe, vol. 1, p. 480.) On the last day of the session the following reports were made (pp. 479, 480):

Mr. GRUNDY, from the [Senate] committee appointed to wait on the President of the United States, reported that the committee had discharged that duty and that they had been informed by the President that he had signed all the bills presented to him with the exception of the bill for the improvement of the Wabash river, and that he should hold that bill up for future advisement, and if constitutional objections did not intervene, he should sign the bill within the time allowed by law, and that he had no further communication to make.
Mr. FULTON, from the Committee appointed on the part of the House, reported that the committee had, in pursuance of the resolution, waited on the President, who had informed them that he had signed all the bills presented to him, excepting that for the improvement of the Wabash river; respecting which he made the following statement:

The bill entitled an act to improve the navigation of the Wabash river has been presented to me at so late a period of the session, with so many others that call for immediate action, that I have not been able to give to it the full consideration which its importance merits. I have strong doubts whether I can approve this bill consistently with the opinions I entertain as to the power of this Government on subjects of this description, but my respect for the decision of the two Houses of Congress, and for the large body of my fellow-citizens who are interested in this improvement, induces me to hold the bill for the present, that I may, during the period allowed to me by the Constitution for that purpose, give to it the most careful and deliberate consideration; and that he had no further communications to make during the present session.

At the commence ment of the second session of this Congress, President Jackson sent to Congress a message which is now in the custody of the Secretary of the Senate. It is dated December 1, 1834, and is endorsed "1834, Decr 2d rec'd." With this message in the Senate files is the engrossed bill of the first session of the 23d Congress "to improve the navigation of the Wabash river." Written in ink upon the bill itself where the President would sign if he approved are the words "Not Approved." About four other words were written after those two but were obliterated in ink. The message is given in full in Richardson, Messages of the Presidents, III, 97 to 123. It contains this passage (Richardson, III, 118) which I have copied from the manuscript message:

I have not been able to satisfy myself that the bill entitled "An act to improve the navigation of the Wabash River," which was sent to me at the close of your last session, ought to pass, and I have, therefore, withheld from it my approval, and now return it to the Senate, the body in which it originated.

There can be no question connected with the administration of public affairs, more important or more difficult to be satisfactorily dealt with, than that which relates to the rightful authority and proper action of the federal government upon the subject of Internal Improvements. To inherent embarrassments have been added others resulting from the course of our legislation concerning it.

I have therefore communicated freely with Congress upon this subject, and in advert ing to it again I can not refrain from expressing my increasing conviction of its extreme importance, as well in regard to its bearing upon the maintenance of the Constitution and the prudent management of the public revenue, as on account of its disturbing effect upon the harmony of the Union.

In the State Department is a bill of the 24th Congress, second session, which was passed very shortly before the expiration of the term for which that Congress was elected. It was passed for the purpose of "designating and limiting the funds receivable for the revenues of the United States." Attached to it is a memorandum in the handwriting of President Jackson. It is as follows:

The bill from the Senate entitled "An act designating and limiting the funds receivable for the revenues of the United States," came to my hands yesterday at 2 o'clock P. M. On perusing it, I found its provisions so complex and uncertain, that I deemed it necessary to obtain the opinion of the Atto' Genl. of the U. States, on several important questions, touching the construction and effect, before I could decide on the disposition to be made of it. The Atto' Genl. took up the subject immediately, and his reply was reported to me this day at 5 o'clock P. M. and is hereto annexed. As this officer, after a careful and laborious examination of the bill, and a distinct expression of his opinion on the points proposed to him, still came to the conclusion that the construction of the bill, should it become a law, would yet be a subject of much perplexity and doubt, (a view of the bill coincident with my own,) and as I cannot think it proper, in a matter of such vital interest, and of such constant application, to
approve a bill so liable to diversity of interpretations, and more especially as I have not had time, amid the duties constantly pressing on me, to give the subject that deliberate consideration which its importance demands, I am constrained to retain the bill, without acting definitively thereon. And to the end, that my reasons for this step may be fully understood, I shall cause this paper, with the opinion of the Atto' Genl. and the bill in question, to be deposited in the Dept. of State.

Washington March 3d 1837.
1/4 before 12 P. M.

ANDREW JACKSON

Attached to this bill is also the opinion of the Attorney General, referred to in the President's memorandum. On the back of the bill itself appears the notation:

Reed at the Dept of State March 10, 1837.

Attached to these papers is a memorandum saying:

An Act designating and limiting the funds receivable for the revenues of the United States.
Not approved.
March 3d, 1837.

Next to this, in the bound collection in the State Department, is a joint resolution of the 25th Congress, third session, for the distribution, in part, of the Madison papers. Attached to it is a memorandum which appears to be in the handwriting of President Van Buren, which reads as follows:

The annexed joint resolution was presented to me by Messrs. Foster & Merrick of the Senate, on the 4th of March at half past three o'clock A. M. at the President's House, after a joint committee had informed me, at the capitol, that the two Houses had completed their business and were ready to adjourn, and had communicated my answer that I had no further communication to make to them. The committee of the Senate on presenting the joint resolution for my signature, stated, in explanation of the circumstance that they were not attended by the Committee on enrolled Bills of the Ho. of Rep's. (as is required by the joint rules of the two Houses) that that body had adjourned about two hours before.

The joint resolution is not certified by the Clerk of the House in which it originated, as is likewise required by the joint rules; under these circumstances, and without reference to its provisions, I withheld my approval from the joint resolution.
March 5th 1839

This memorandum is accompanied by a paper reading:

To be placed on file in the State Department

M. V. B.

On the memorandum itself are the words:

Reed at the Dept of State 11th March 1838
—Dickins

(The first part of the name is covered in binding.)

On the memorandum is a slip reading:

A Resolution for the distribution of the Madison Papers.

Not approved.
March 5th, 1839

The 27th Congress, second session, adjourned August 31, 1842. (Cong. Globe, vol. 11, pp. 978, 980.) Early in the third session, on December 14, President Tyler sent to the House of Representatives
the following message, which is now in the Library of Congress. There is no bill with it.

To the House of Representatives—

Two Bills were presented to me at the last session of Congress, which originated in the House of Representatives, neither of which was signed by me, and both having been presented within ten days of the close of the session, neither has become a Law.

The first of these was a Bill entitled "An act to repeal the proviso of the sixth section of the act entitled 'An act to appropriate the proceeds of the Sales of the Public Lands, and to grant preemption rights,' approved September fourth, one thousand eight hundred and forty-one."

The Bill was presented to me on Tuesday the 30th August, at twenty-four minutes after four o'clock in the afternoon. For my opinions relative to the provisions contained in this Bill, it is only necessary that I should refer to previous communications made by me to the House of Representatives.

The other Bill was entitled "An act regulating the taking of the testimony in cases of contested elections, and for other purposes." This bill was presented to me at a quarter past one o'clock on Wednesday the thirty-first day of August. The two Houses by concurrent vote, had already agreed to terminate the Session by adjournment at two o'clock on that day; that is to say within three-quarters of an hour from the time the bill was placed in my hands. It was a bill containing twenty-seven sections, and I need not say of an important nature.

On its presentation to me, its reading was immediately commenced, but was interrupted by so many communications from the Senate, and so many other causes operating at the last hour of the Session, that it was impossible to read the bill understandingly and with proper deliberation, before the hour fixed for the adjournment of the two Houses; and this I presume, is a sufficient reason for neither signing the bill, nor returning it with my objections.

The 17th joint rule of the two Houses of Congress declares that "no bill or resolution that shall have passed the House of Representatives and the Senate, shall be presented to the President of the United States for his approbation on the last day of the session."

This rule was evidently designed to give to the President a reasonable opportunity of perusing important acts of Congress, and giving them some degree of consideration, before signing or returning the same.

It is true that the two Houses have been in the habit of suspending this rule, toward the close of the session, in relation to particular bills; and it appears by the printed journal that by concurrent votes of the two Houses, passed on the last day of the session, the rule was agreed to be suspended so far as the same should relate to all such bills as should have been passed by the two houses at one o'clock on that day. It is exceedingly to be regretted that a necessity should ever exist for such suspension, in the case of bills of great importance, and therefore demanding careful consideration.

If the Bill has failed under the provisions of the Constitution to become a Law, I abstain from expressing any opinions upon its several provisions, keeping myself wholly uncommitted as to my ultimate action on any similar measure, should the House think proper to originate it de novo, except so far as my opinion of the unqualified power of each House to decide for itself upon the election returns and qualifications of its own members, has been expressed by me in a paper lodged in the Department of State at the time of signing an act entitled "An act for the apportionment of Representatives among the several states, according to the sixth census, approved June the twenty second eighteen hundred and forty two," a copy of which is in possession of the House.

John Tyler

Washington

Dec. 14, 1842

In the archives of the State Department, bound in the volume of unsigned bills, is a joint resolution of the 27th Congress, third session, presenting the thanks of Congress to Samuel T. Washington for the service sword of George Washington and the staff of Benjamin Franklin, presented by him to Congress. On this is simply the penciled memorandum

Jt. Reso 35.
The joint resolution was adopted unanimously by both Houses on February 8, 1843 (Congressional Globe, vol. 12, pp. 255, 256) and Congress adjourned on the legislative day of March 3d. (Same volume, pp. 394, 400)

Among the manuscripts at the Library of Congress is the following message and with it a copy of a letter:

To the House of Representatives:

The two Houses of Congress, at their last Session, passed a joint resolution, which originated in the House of Representatives "presenting the thanks of Congress to Samuel T. Washington for the service sword of George Washington, and the staff of Benjamin Franklin presented by him to Congress." This resolution in consequence doubtless of a merely accidental omission, did not reach me until after the adjournment of Congress, and therefore did not receive my approval and signature, which it would otherwise promptly have received. I nevertheless felt myself at liberty, and deemed it entirely proper to communicate a copy of the resolution to Mr. Washington as is manifested by the accompanying copy of the letter which I addressed to him. The joint resolution, together with a copy of the letter, is deposited in the Department of State, and can be withdrawn and communicated to the House, if it see cause to require them.

John Tyler
Washington Dec 16, 1843

(Copy)

Washington April 27th, 1843.

Dear Sir,

I send you a copy of a joint resolution of the two Houses of Congress, as expressive of the estimate which they place upon the presents which you recently made to the United States of the sword used by your illustrious relative, George Washington, in the Military Career of his early youth in the seven years' war, and throughout the War of our National Independence; and of the staff bequeathed by the Patriot, Statesman and Sage, Benjamin Franklin, to the same leader of the Armies of Freedom in the Revolutionary War, George Washington. These precious relics have been accepted in the name of the Nation, and have been deposited among its Archives.

I avail myself of the opportunity afforded me in the performance of this pleasing task, to tender your assurances of my high respect and esteem.

(Signed) John Tyler

Samuel T. Washington, Esqr

Among the manuscripts in the Library of Congress is the following message concerning another resolution of the 27th Congress, third session. There is no resolution with the message. I quote the manuscript.

To the House of Representatives

I received within a few hours of the adjournment of the last Congress, a resolution "directing payment of the Certificates or awards issued by the Commissioners under the Treaty with the Cherokee Indians." Its provisions involved principles of great importance, in reference to which, it required more time to obtain the necessary information than was allowed.

The balance of the fund provided by Congress for satisfying claims under the 17th article of the Cherokee Treaty, referred to in the resolution, is wholly insufficient to meet the claims still pending. To direct the payment, therefore, of the whole amount of those claims which happened to be first adjudicated, would prevent a ratable distribution of the fund among those equally entitled to its benefits. Such a violation of the individual rights of the claimants, would impose upon the government the obligation of making further appropriations to indemnify them—and thus Congress would be obliged to enlarge a provision, liberal and equitable, which it had made for the satisfaction of all the demands of the Cherokees. I was unwilling to sanction a measure which would thus indirectly overturn the adjustment of our differences with the Cherokees, accomplished with so much difficulty, and to which time is reconciling those Indians.

If no such indemnity should be provided, then a palpable and very gross wrong would be inflicted upon the claimants who had not been so fortunate as to have their claims taken up in preference to others. Besides, the fund having
appropriated by law to a specific purpose, in fulfilment of the Treaty, it belongs to the Cherokees, and the authority of this government to direct its application to particular claims is more than questionable.

The direction in the joint resolution, therefore, to pay the awards of the Commissioners to the amount of one hundred thousand dollars, seemed to me quite objectionable, and could not be approved.

The further direction that the certificates required to be issued by the Treaty, and in conformity with the practice of the Board heretofore, shall be proper and sufficient vouchers upon which payments shall be made at the Treasury is a departure from the system established soon after the adoption of the Constitution, and maintained ever since. That system requires that payments under the authority of any Department shall be made upon its requisition, countersigned by the proper Auditor and Comptroller. The greatest irregularity would ensue from the mode of payment prescribed by the resolution.

I have deemed it respectful and proper to lay before the House of Represent-atives these reasons for having withheld my approval of the above-mentioned joint resolution.

Washingto-n December 18th, 1843

As to the engrossed bill itself, the following passage in Van Tyne and Leland, Guide to the Archives of the Government of the United States in Washington, p. 1, may furnish an explanation:

The custom which has prevailed for retiring Presidents to take with them as personal property all the letters, papers, and other records of their respective administrations, has resulted in scattering abroad much historical material of the utmost value.

In the volume of unsigned bills at the State Department is a bill of the 28th Congress, second session, "Making appropriations for the improvement of certain harbors and rivers." There are no marks on the bill; simply an attached slip reading:

Acts and Resolutions of Congress that have not been approved by the President.

But there is no other act or resolution of this session in this volume of unsigned bills. The bill passed the House of Representatives on February 28, 1845 (Cong. Globe, vol. 14, p. 369) and the Senate on March 3. (Same volume, p. 393) Both Houses adjourned on the legislative day of March 3. (Same volume, 393, 397)

The 29th Congress, second session, adjourned on March 3, 1847. (Cong. Globe, vol. 17, pp. 572, 574) Early in the 30th Congress, first session, President Polk sent to the House of Representatives a message which is now in the manuscript room of the Library of Congress. With the message is a bill of the 29th Congress, second session, "to provide for continuing a certain public work in the Territo-ry of Wisconsin, and for other purposes." There is no mark on the bill itself except "47." The message is as follows:

To the House of Representatives:

On the last day of the last session of Congress a Bill, entitled "An act to pro-vide for continuing certain works in the Territory of Wisconsin and for other purposes," which had passed both houses, was presented to me for my approval. I entertained insuperable objections to its becoming a law; but the short period of the session, which remained, afforded me no sufficient opportunity, to prepare my objections and communicate them, with the Bill, to the House of Representa-tives, in which it originated. For this reason the Bill was retained, and I deem it proper now to state my objections to it.
Although from the title of the Bill, it would seem that its main object was to make provision for continuing certain works, already commenced, in the Territory of Wisconsin, it appears on examination of its provisions, that it contains only a single appropriation of six thousand dollars, to be applied within that Territory, while it appropriates more than half a million of dollars for the improvement of numerous harbours and rivers lying within the limits and jurisdiction of several of the states of the Union.

At the preceding session of Congress it became my duty to return, with my objections, to the House in which it originated, a Bill making similar appropriations and involving like principles, and the views then expressed remain unchanged.

WASHINGTON, December 15th, 1847:

In the manuscript, which I have followed, the message covers forty-six pages. In Richardson, Messages of the Presidents, IV, it covers pages 610 to 626.

The 35th Congress, first session, adjourned June 14, 1858. (Cong. Globe, vol. 36, pt. 3, pp. 3044, 3050) In January, 1859, President Buchanan sent to the House of Representatives the following message which I am not able to find in manuscript anywhere. It appears in the Journal of the House of Representatives, 35th Congress, second session, p. 151, as follows:

To the House of Representatives:

On the last day of the last session of Congress, as appears in the Journal of the House of Representatives, "a joint resolution in regard to the carrying of the United States mails from Saint Joseph, Missouri, to Placerville, California," was presented to me for my approval. This resolution authorized and directed the Postmaster-General "to order an increase of speed upon said route, requiring the mails to be carried through in thirty days, instead of thirty-eight days, according to the existing contract: Provided, The same can be done upon a pro rata increase of compensation to the contractors."

I did not approve this joint resolution: First, because it was presented to me at so late a period that I had not the time necessary, on the day of the adjournment of the last session, for an investigation of the subject. Besides, no injury could result to the public, as the Postmaster-General already possessed the discretionary power, under existing laws, to increase the speed upon this as well as all other mail routes.

Second, Because the Postmaster General, at the moment in the Capitol, informed me that the contractors themselves had offered to increase the speed on this route to thirty instead of thirty-eight days, at a less cost than that authorized by the joint resolution. Upon subsequent examination, it has been ascertained at the Post-Office Department that their bid, which is still pending, proposes to perform this service for a sum less by $40,000 than that authorized by the resolution.

WASHINGTON, January 7, 1859.

The 35th Congress, second session, adjourned on March 3, 1859. (Cong. Globe of that session, part 2, pp. 1663, 1684) In February, 1860, during the following Congress, President Buchanan sent to the Senate a message which is now in its files. There is no bill with it. The message is printed in the Journal of the Senate for the 36th Congress, first session, page 114. (It was read February 2.) It is printed in Richardson, Messages of the Presidents, V, 599-607. Quoting the manuscript, it reads thus:

To the Senate of the United States:

On the last day of the last Congress a Bill which had passed both Houses entitled "An act making an appropriation for deepening the channel over the Saint Clair flats in the State of Michigan" was presented to me for approval.

It is scarcely necessary to observe that during the closing hours of a Session it is impossible for the President on the instant to examine into the merits or demerits of an important Bill, involving as this does grave questions both of
expediency and of Constitutional power, with that care and deliberation demanded by his public duty as well as by the best interests of the country. For this reason the Constitution has in all cases allowed him ten days for deliberation; because, if a Bill be presented to him within the last ten days of the Session, he is not required to return it, either with an approval or a veto; but may retain it, "in which case it shall not be a law." Whilst an occasion can rarely occur when so long a period as ten days would be required to enable the President to decide whether he should approve or veto a Bill; yet, to deny him even two days on important questions before the adjournment of each session for this purpose, as recommended by a former annual message, would not only be unjust to him, but a violation of the spirit of the Constitution. To require him to approve a Bill when it is impossible he could examine into its merits, would be to deprive him of the exercise of his Constitutional discretion and convert him into a mere register of the decrees of Congress. I therefore deem it a sufficient reason for having retained the Bill in question that it was not presented to me until the last day of the Session. 

[He then discusses the bill on its merits.]

WASHINGTON City, February 1, 1860.

A few days later he sent to the Senate another message, which is now in its files. There is no bill with it. The message was read on February 7th and appears in the Journal of the Senate for the 36th Congress, first session, page 129. Quoting from the manuscript, it is as follows:

To the Senate of the United States:

On the last day of the last Session of Congress a Resolution which had passed both Houses, "in relation to removal of obstructions to Navigation in the mouth of the Mississippi River," was presented to me for approval. I have retained this Resolution because it was presented to me at a period when it was impossible to give the subject that examination to which it appeared to be entitled. I need not repeat the views on this point presented in the introductory portion of my message to the Senate of the 2nd Instant.

In addition, I would merely observe that although at different periods sums amounting in the aggregate to six hundred and ninety thousand dollars, have been appropriated by Congress for the purpose of removing the bar and obstructions at the mouth of the Mississippi, yet it is now acknowledged that this money has been expended with but little if any practical benefit to its navigation.

WASHINGTON, 6 February, 1860.

The next bill which was retained unsigned is now in the volume of "Pocketed Bills" at the State Department. It is a bill of the 37th Congress, third session, and is entitled "An act to amend the act entitled 'An act to establish and equalize the grades of line officers of the United States Navy, approved July sixteenth, eighteen hundred and sixty-two.'" The enrolled bill, having been signed by the Speaker of the House, was signed by the President pro tempore of the Senate on March 3, 1863. (Cong. Globe, vol. 62, p. 1524.) That was at the end not only of the session but of the Congress. On this bill in pencil is written:

S. 424. T. O. H. B. F. G.

On it in ink are the words:

Reed at the D. of S. 17 April, 1865, from the President's.

A separate unsigned slip says:

Act passed at 3d sess. 37th Cong. not approved.
rel. to line officers of the Navy.
reed. April 17, '65 after death of President.
In January, 1865, President Lincoln sent to the House of Representatives a message concerning a joint resolution of the previous session which he had not signed. It will be observed that the resolution was unlike the other resolutions and bills which have been considered for it had not been properly authenticated. I have not been able to find the message or the resolution in the Library of Congress. The message is printed in the House Journal, 38th Congress, second session, page 80. It is as follows:

To the House of Representatives of the United States:

I herewith return to your honorable body, in which it originated, a "joint resolution to correct certain clerical errors in the internal revenue act," without my approval.

My reason for so doing is, that I am informed that this joint resolution was prepared during the last moments of the last session of Congress for the purpose of correcting certain errors of reference in the internal revenue act, which were discovered on an examination of official copy procured from the State Department a few hours only before the adjournment. It passed the House and went to the Senate where a vote was taken upon it, but by some accident it was not presented to the President of the Senate for his signature.

Since the adjournment of the last session of Congress, other errors of a kind similar to those which this resolution was designed to correct have been discovered in the law, and it is now thought most expedient to include all the necessary corrections in one act or resolution.

The attention of the proper committee of the House has, I am informed, been already directed to the preparation of a bill for this purpose.

EXECUTIVE MANSION, January 5, 1865.

Except for a message of President Johnson to the Senate in the 40th Congress, second session, I have no record of any further message to Congress or to either House of Congress concerning such unsigned bills. Such bills for a number of years are in a volume in the State Department marked "Pocketed Bills 1815-1878" and in a supplementary portfolio which holds loosely a number of such unsigned bills from 1878 into President Cleveland's first administration and also three later bills.

In the bound volume is a bill of the 38th Congress, second session, entitled "An act to repeal the eighth section of an act entitled, 'An act in addition to the several acts concerning commercial intercourse between loyal and insurrectionary States, and to provide for the collection of captured and abandoned property, and the prevention of frauds in States declared in insurrection,' approved July second, eighteen hundred and sixty-four, and for other purposes." The bill passed the Senate on March 1, 1865 (Cong. Globe, vol. 68, p. 1258) and the House on March 3. (Same volume, p. 1411) This was at the end not only of the session but of the Congress. On the bill is the notation "Reed 6 Mar." On a separate slip of paper are the words:

Act and Resolution not approved by the President Reed in March 1865.

Next to this is a joint resolution of the 38th Congress, second session, entitled "Joint Resolution in relation to certain railroads." On it is the notation, "Reed 6 Mar." The Vice President signed the enrolled resolution on March 4, after it had been signed by the Speaker of the House. (Cong. Globe, vol. 68, p. 1389)

Then follows a joint resolution of the 39th Congress, first session, entitled, "Joint Resolution Relating to the building lately occupied for a national fair in aid of the orphans of the soldiers and sailors of
the United States.” At the bottom of the bill in pencil are the words:

Received July 28, 1866.

Above this in ink are these words, signed by the President:

Received July 28, 1866—the day of adjournment of the First Session of the Thirty-ninth Congress.

ANDREW JOHNSON

At the same session Congress also passed a bill for the admission of Nebraska into the Union. On the back are the following words, signed by the President:

Received July 28, 1866—the day of adjournment of the First Session of the Thirty-ninth Congress.

ANDREW JOHNSON

On the back of a joint resolution passed by the 40th Congress, first session, for the placing of certain troops of Missouri on an equal footing with others as to bounties is the following memorandum:

The First Session of the Fortieth Congress adjourned on the thirtieth day of March, 1867. This bill, which was passed during that session, was not presented for my approval by the Honorable Edmund G. Ross of the Senate of the United States and a member of the Committee on Enrolled Bills, until Monday, the first day of April, 1867, two days after the adjournment. It is not believed that the approval of any bill after the adjournment of Congress, whether presented before or after such adjournment, is authorized by the Constitution of the United States—that instrument expressly declaring that no bill shall become a law, the return of which may have been prevented by the adjournment of Congress. To concede that, under the Constitution, the President, after the adjournment of Congress, may, without limitation in respect to time, exercise the power of approval, and thus determine, at his discretion, whether or not bills shall become laws, might subject the Executive and Legislative Departments of the Government to influence most pernicious to correct legislation and sound public morals, and—with a single exception—occurring during the prevalence of civil war—would be contrary to the established practice of the Government from its inauguration to the present time. This bill will therefore be filed in the office of the Secretary of State without my approval.

WASHINGTON D. C.
April 10th 1867.

Upon a bill passed by the 40th Congress, first session, for the securing of equal rights in the District of Columbia, are the pencilled words:

Received July 20th (Saturday) half after three o’clock.

Above this note are these words, in ink:

Received July 20, 1867, the day upon which the two Houses of Congress adjourned until the 21st day of November, 1867.

ANDREW JOHNSON

On the bill are these notations:

S. 137 E. G. R. M. W. July 26, 1867

It is stamped Feb. 14, 1868. In pencil are these words:

Returned by President. See letter from Col. Wm E. Moore of 10th Jan. 1868.

There is also attached a slip of paper with this statement:

Act and Resolution passed at the first session of the 39th Congress, and Act passed at the first session of the 40th Congress which have not been approved by the President.

Received December 6, 1867 from the Executive Mansion.
Then follow several bills preceded by a slip of paper reading:

By direction of the Secretary of State, communicated through Mr. Chow, Chief Clerk, these bills are not to be promulgated, but are to be filed as bills which have failed to become laws.—See Message of the President herewith.

F. J. FER. 15, 1868.

One of them is a bill of the 40th Congress, second session, for the further security of equal rights in the District of Columbia. At the top of the sheet is this notation:

Received February 14th, 1868 by the Chief Clerk of the Department of State from the President's orderly.

At the bottom of the bill is the notation:

Received Wednesday Dec. 11th 10–40 A. M.

Above this notation is the following, signed by the President:

Received 10:40 A. M. Wednesday, December 11, 1867, nine days after the adjournment of Congress.

ANDREW JOHNSON

Attached to this bill is a printed copy of a message from President Johnson to the Senate. (40th Congress, 2d session. Ex. Doc. No. 23.)

Message of the President of the United States, communicating, in compliance with a resolution of the Senate of the 8th instant, information in relation to bill (S. 141) entitled "An act for the further security of equal rights in the District of Columbia," presented to him on the 11th day of December, 1867.

JANUARY 24, 1868.—Read referred to the Committee on the Judiciary, and ordered to be printed.

To the Senate of the United States:

I have received the following preamble and resolution, adopted by the Senate on the 8th instant:

Whereas Senate bill numbered one hundred and forty-one, and entitled "An act for the further security of equal rights in the District of Columbia," having, at this present session, passed both houses of Congress, was afterwards, on the eleventh day of December, eighteen hundred and sixty-seven, duly presented to the President of the United States for his approval and signature; and whereas, more than ten days, exclusive of Sundays, have since elapsed in this session without said bill having been returned either approved or disapproved: Therefore—

Resolved, That the President of the United States be requested to inform the Senate whether said bill has been delivered to and received by the Secretary of State, as provided by the second section of the act of the twenty-seventh day of July, seventeen hundred and eighty-nine.

As the act which the resolution mentions has no relevancy to the subject-matter of the inquiry, it is presumed that it was the intention of the Senate to refer to the law of the 15th September, 1789, the second section of which prescribes—

That whenever a bill, order, resolution, or vote of the Senate and House of Representatives, having been approved and signed by the President of the United States, or not having been returned by him with his objections, shall become a law, or take effect, it shall forthwith thereafter be received by said Secretary from the President; and whenever a bill, order, resolution, or vote, shall be returned by the President with his objections, and shall, on being reconsidered, be agreed to be passed, and be approved by two-thirds of both houses of Congress, and thereby become a law or take effect, it shall in such case be received by the said Secretary from the President of the Senate, or the Speaker
of the House of Representatives, in whichever house it shall last have been so approved.
Inasmuch as the bill "for the further security of equal rights in the District of Columbia" has not become a law in either of the modes designated in the section above quoted, it has not been delivered to the Secretary of State for record and promulgation. The Constitution expressly declares that "if any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Congress by their adjournment, prevent its return, in which case it shall not be a law." As stated in the preamble to the resolution, the bill to which it refers was presented for my approval on the 11th day of December, 1867. On the 20th of the same month, and before the expiration of ten days after the presentation of the bill to the President, the two houses, in accordance with a concurrent resolution adopted on the 13th of December, adjourned until the 6th of January, 1868. Congress, by their adjournment, thus prevented the return of the bill within the time prescribed by the Constitution, and it was therefore left in the precise condition in which that instrument positively declares a bill "shall not be a law."

If the adjournment in December did not cause the failure of this bill because not such an adjournment as is contemplated by the Constitution in the clause which I have cited, it must follow that such was the nature of the adjournments during the past year, on the 30th of March until the first Wednesday of July, and from the 20th of July until the 21st of November. Other bills will therefore be affected by the decision which may be rendered in this case—among them one having the same title as that named in the resolution, and containing similar provisions, which, passed by both houses in the month of July last, failed to become a law by reason of the adjournment of Congress before ten days for its consideration had been allowed the executive.

ANDREW JOHNSON.

WASHINGTON, D. C., January 23, 1867.

The date last given is clearly a misprint. The message was read in the Senate January 24, 1868. It was then discussed by several Senators. (Cong. Globe, 40th Cong., 2d sess., pt. 1, p. 720) I looked for the original copy of the message in the Senate files, but could not find it.

Then follows another bill passed by the 40th Congress, second session. It was to provide for the appointment of recorder of deeds in the District of Columbia. At the end of the bill appears the following memorandum:

Received July 27, 1868, on which day, at 12 o'clock M., the two Houses of Congress adjourned until the third Monday in September, 1868.

ANDREW JOHNSON

On the bill is a stamp reading "Received Feb. 4, 1869." With the bill is an unsigned paper saying:

"Act providing for the payment of the national debt & for the reduction of the rate of interest thereon," &

"Act to provide for the appointment of recorder of deeds in the District of Columbia and for other purposes," presented to the President July 27, 1868, not approved and received at Department of State, February 4, 1869.

With the bill is also a letter stamped "Received Feb. 4, 1869," reading:

EXECUTIVE MANSION,
Washington, D. C., Febry 4 1869.

Sir:
I am directed by the President to transmit to the Department of State bills of the following titles, which were presented to him for approval July 27, 1868, the day on which the two Houses of Congress adjourned until the third Monday in September, 1868, and which were not approved by the President, viz:

A Bill providing for the payment of the national debt, and for the reduction of the rate of interest thereon, and
A Bill to provide for the appointment of Recorder of Deeds in the District of Columbia and for other purposes.

I have the honor to be,

Very respectfully,

Your obedient servant,

WM. G. MOORE,
Secretary.

To the Honorable
WILLIAM K. SEWARD,
Secretary of State.

Then follows a bill of the 40th Congress, second session, "providing for the payment of the national debt, and for the reduction of the rate of interest thereon." At the end of it the following memorandum is written on the parchment itself:

Received 11.50 A. M. July 27th, 1868, on which day, at 12 o'clock M. the two Houses of Congress adjourned until the third Monday in September, 1868.

ANDREW JOHNSON

The bill is stamped "Received Feb. 4, 1869."

At the same session Congress passed a bill to incorporate the congregation of the First Presbyterian Church of Washington. The bill is stamped "Received Feb. 14, 1868." Across the top is written:

Received February 14th 1868 by the Chief Clerk of the Department of State from the President's orderly.

At the end of the bill is written in pencil:

Received Saturday 21st of Dec. half after one o'clock the day after adjournment.

This is apparently in the President's handwriting. On the preceding page, after the signature of the presiding officers of the two Houses of Congress is the following notation written by another hand, but signed by the President:

Received at half-past one o'clock P. M. on the twenty-first day of December, 1867—the day after the adjournment of Congress.

ANDREW JOHNSON

The next parchment is a joint resolution of the 41st Congress, first session, for the relief of Blanton Duncan. It passed Congress on April 9, 1869. (Cong. Globe, vol. 87, p. 700) The session came to an end on the following day. (Same volume, pp. 715, 722) The resolution bears a stamp reading "Received April 12, 1869." On the margin is written in pencil "Received on the morning of April 10, 1869—not signed." Attached to the resolution is a paper reading:

Joint Resolution for the relief of Blanton Duncan, passed at first session of 41st Congress, but not signed by the President. Reed. April 12, 1869.

Then follows a bill of the 41st Congress, third session, entitled "An act relating to telegraph communication between the United States and foreign countries." The bill was signed by the presiding officers of the two Houses on March 3, 1871. (Cong. Globe, vol. 97, pp. 1920, 1985) That Congress expired on March 4th.

Then follows a paper endorsed:

Bills pocketed
March 3d, 1871
3d Session
41st Congress

H. Doc. 493, 70-2—2
The paper is written in pencil and reads:

Pocketed
March 3d, 1871

S. 799—An Act for the relief of Anna M. Howard—
H. R. 2334—An Act granting a pension to Adam Correll—
S. 762. An Act for the relief of Joseph Ormsby—
S. 943—An Act for the relief of George Wright
S. 1213—An Act for the relief of Mary M. Clarke, widow of Leonard Clark, deceased—
S. 995—An Act for the relief of purchasers of lands sold for direct taxes in the insurrectionary States—
S. 100—An Act in relation to the Selma, Rome & Dalton Railroad Company, Alabama.
H. R. 2591—An Act relating to telegraphic communication between the United States & foreign countries—
S. R. 295. A Resolution relating to rights of actual settlers upon certain lands—
H. R. 1831—An Act to confirm the title to the Rancho del Rio Grande, in New Mexico, to the heirs & legal representatives of the original grantees thereof—

With the paper is this letter:

EXECUTIVE MANSION
Washington April 12, 1877.

MY DEAR MR. BROWN:

In making some changes in this office the accompanying bills—marked "Pocketed March 3d 1871"—came to light.
I forward them for such disposition as you think best.
Very truly

O. L. PRUDEN
Asst. Secty

Mr. S. A. BROWN
Chief Clerk
Dept of State

Then follow all the bills in the above list except "H. R. 2591, An act relating to telegraph communication between the United States and foreign countries," the position of which is stated above.
The 42d Congress, second session, which adjourned on June 10, 1872, the legislative day of June 8 (Cong. Globe, vol. 104, pp. 4461, 4504) passed a bill "to reimburse John E. Woodward for certain moneys paid by him." It is stamped "Department of State Received Jun. 11, 1872." Attached to it is a slip of paper reading:

Bills H. R. 1424) Presented to the President June 10, 1872, which he de
H. R. 2022) elined to approve.
Woodward Reed at Dept. of State June 11, 1872.
De Long

At the same Congress and same session was a bill for the relief of James De Long. It is stamped:
Department of State Received Jun. 11, 1872. Attached to it is a slip reading:

H. R. 1424
H. R. 2622
Presented to the President June 10th, 1872, and which he declined to approve.
The 42d Congress, third session, which ended on March 4, 1873, the legislative day of March 3 (Cong. Globe, vol. 109, pp. 2138, 2211) passed a bill for the relief of W. W. Elliott. In pencil are "S. 1480. Pocket." In ink appears "W. W." It is stamped
Department of State
Received Mar. 12, 1873.
Under this stamp is written in ink "at 2.50 P. M." On the left margin in red penciling is the word "War." At the bottom is written in pencil:

Pocketed 3857
1480
See War

There are fifteen other unsigned bills of the same session in this volume at the State Department and each of them bears the same stamp of the State Department as on the bill for the relief of W. W. Elliott and the same addition in ink: "at 2.50 P. M."

The next bill of the same session is for the relief of Samuel S. Potter. On it is penciled:

H. R. 2803 Pocket

Another bill of that session is for the relief of Edward Berry, John McFall and William H. Judd. In ink are the letters "W. W." In pencil on the bill are the notations "S. 1109" and

This bill should not be signed
G. S. B.

Another bill of that session is for the relief of J. George Harris. On the top margin is written in pencil:

H. R. 3857. C. W. B. Pocket.

The word "War" was also on the margin.

There is a bill for the relief of David Braden, marked "S. 166."

There is a bill for the relief of Mrs. Louisa Eldis. It is marked:

H. R. 3878. C. W. B. War

On the back in blue pencil is written faintly the word
Pocketed.

The same session also passed "An act amendatory of an act authorizing the construction of a bridge across the Arkansas River." In ink on the margin are

S. 245. J. K. K.

The next bill in the book is one for the relief of Elias C. Boudinot. It is marked in pencil "H. R. 1868" and in ink "C. W. B." On the back, in pencil, are the words:

Not to be signed H. R. 1868
JUDGE RICHARDSON

The same session passed "An act to confirm certain land-titles in the State of Missouri." The margin contains the marks

H. R. #3731 C. W. B.

On the back of the bill in red pencil is the notation:

H. R. 3731
Pocket.

Then follows "An act for the relief of George S. Custin." In pencil on the margin is the notation "H. R. 3309."

There is also this stamp:

War
1896 3 1878
Dept
At the bottom of the bill in pencil are the initials "W. I. F." And the bill contains a stamp which is indistinct in part but appears to be

Executive Mansion, Feb. 21, 1873.

The same session passed a bill granting a pension to Asenath Stephenson. It is marked:
H. R. 3484.  C. W. B.

Next follows "An Act to amend an act entitled 'An act to remove the charge of desertion from certain soldiers.'" In pencil is "S. 1168." Then this stamp:

War
1911 3 1873
Dep't

Then in ink are the initials "J. K. K." There is also the stamp:

Congress also passed a bill to authorize the Cattaraugus and Allegany Indians in New York to lease lands. On the margin are the markings:
H. R. 2264.  C. W. B.

On the back in pencil are the following:
H. R. 2264
Not to be signed

Int.

At the same session was a bill for the relief of Cowan and Dickinson, of Knoxville, Tennessee. It is marked:

War
S. 96.  W. W. 1911 1 1873
Dep't

There is a stamp too faint to be read, with the number 413 written in a blank. At the bottom is written:
1950 G. M. G. O. 1873

At the same session was passed an act to establish an assay office at Helena, in the Territory of Montana. It is marked:
S. 809 W. W.

On the side is the word "Treas." On the back is penciled:
Not to be signed

G. S. B.

The last of such unsigned bills of the 42d Congress, third session, which are bound in this volume is one for the relief of the estate of Abel Gilbert and William Gerrish. A penciled slip says:

3rd Sess. 42nd Congress
No date on the Law.

The blanks on the enrolled bill for the number and session of the Congress and the date on which the session began are not filled in. Written and stamped on the bill are the following notations:

War
H. R. 2902 C. W. B. 2210 2 1873
Dep't
The 43d Congress, first session, adjourned on June 23, 1874. (Cong. Rec., vol. 2, pt. 6, pp. 5430, 5447) On June 25 the President's secretary sent to the Secretary of State the following letter:

EXECUTIVE MANSION,
Washington, D. C., June 25th, 1874.

MR. SECRETARY: The President directs me to forward the two accompanying bills which were "pocketed" June 23d, 1874.

H. R. 921—"An Act to prevent the useless slaughter of Buffaloes within the Territories of the United States."
and
H. R. 1313—"An Act for the relief of Alexander Burtch."

I am Sir
Your Obdt. Svt.

O. E. BACOCK, Secretary.

To the SECRETARY OF STATE.

The bill relating to the buffaloes is stamped
Rec'd. Executive Mansion Washington D. C. Jun 23 1874
Department of State received Jun 25 1874

The bill relating to Alexander Burtch is stamped:
Rec'd. Executive Mansion Washington D. C. Jun 17 1874
Department of State received Jun 25 1874

The 43d Congress, second session, which adjourned on March 4, 1875, the legislative day of March 3 (Cong. Rec., vol. 3, pt. 3, pp. 2210, 2276) passed a bill to provide for the selection of grand and petit jurors in the District of Columbia. The bill is marked:

Rec'd. Executive Mansion Washington D. C. Mar 1 1875
Department of State received Mar 10 1875

On the back in pencil is written:
Pocket 3/2
J. G. B.

James G. Blaine was Speaker of the House of Representatives. Then follows a joint resolution of the same session "in relation to civil service examinations." It is stamped:

Rec'd. Executive Mansion Washington D. C. Mar 1 1875
Department of State received Mar 10 1875

In pencil is written:
Rec'd Mar 1st 75
Pocket

On the back, near margin, is written "Pocket."
Another bill of that session, one approving "an act of the legislative assembly of Colorado Territory," is marked:
Department of State received Mar 10 1875

On the margin, in pencil, is the word "Pocket," followed by a signature which I cannot make out.
A bill for the relief of John W. March is marked:
Department of State received Mar 10 1875

A bill for the relief of Rosa Vertner Jeffreys is marked:
Department of State received Mar 10 1875

On the left margin in pencil is
O. K.
On the back in the inner margin is penciled "Pocket."
A bill for the relief of John Montgomery and Thomas E. Williams
is marked:

Department of State received Mar 10 1875

On the back in the inner margin is penciled "Pocket."
The same session also passed a bill "to equalize the bounties of
soldiers who served in the late war for the Union." It is marked on
its face:

Department of State received Mar 10 1875
Pocket

Then appears this letter:

EXECUTIVE MANSION,
Washington, March 11th 75.

DEAR SIR: The accompanying bills are those which failed to receive
the approval of the President in the closing hours of the 2d Session of the 43d Congress.
I am, Sir,
Your obdt. svt.,

C. C. SNIFFEN,
Asst. Secy.

Mr. S. A. BROWN,
C. C. Dept. of State.

On this letter is the stamp:

Department of State received Mar 10 1875

Then follows a bill for the relief of Frances A. Robinson. It is
stamped:

Department of State received Mar 10 1875

Across the bottom in pencil is the word "Pocket."
The same session passed a bill to provide "for writs of error in
certain criminal causes, for hearings therein and in cases of habeas
corpus." It is marked:

Department of State received Mar 10 1875
Rec'd. Executive Mansion Washington D. C. Mar 2 1875

The 44th Congress, first session, which adjourned on August 15,
1876 (Cong. Rec., vol. 4, pt. 6, pp. 5676, 5699) passed a bill to remove
the political disabilities of Reuben Davis, of Mississippi. It is marked:

Rec'd. Aug 14
Department of State received Aug 17 1876

With the bill is a letter from the President's Secretary:

EXECUTIVE MANSION,
Washington Aug. 17th, 1876.

Sir: The President directs that the accompanying bill—S. 990—be forwarded
to your Department, the same having failed to receive his approval during the
last hours of the session.
Very respily. yrs.,

C. C. SNIFFEN,
Secretary.

To the SECRETARY OF STATE
Present

There is also a letter from James Redpath to Hon. U. S. Grant,
Jr., recommending that the President veto the bill. And there is a
slip of paper reading:

Bill (S. 990) to remove the political disabilities of Reuben Davis, of Mississippi,
passed near the close of the 1st session of the 44th Congress but failing to receive
the approval of the President did not become a law.
On the back of the bill in the left margin in pencil is the word "Pocket." And at the bottom of the back of the bill is the notation:
Pocket
2 bills.

Then in this bound volume appears this letter:

EXECUTIVE MANSION.
Washington, D. C., Mech 7th 1877

Sir: The President directs that the accompanying bills be forwarded to your department with the following information:
These bills were received by the President during the closing hours of the 2d Session, 44th Congress, and not having received his signature have failed to become laws.
The numbers and titles of the bills are annexed hereto.
I am, Sir,
Very resptly. yrs.,

C. C. SNIFFEN,
Secretary

To the Secretary of State
Present.

At the upper right corner of this letter is the penciled notation:
Let this go as it is.

It is stamped:
Department of State received Mar 8 1877

Then follows a sheet of paper bearing this list:
S. 973. An act for the relief of Elizabeth Carson.
S. 1284. An act for the relief of William L. Hickam, of Missouri.
S. 974. An act for the relief of Francis Guilbeau, of San Antonio, Texas.
S. 407. An act to authorize the restoration of George A. Armes to the rank of Captain.
S. 780. An act for the relief of the Richmond Female Institute of Richmond, Virginia.
H. R. 2833. An act for the relief of Susan P. Vance.

The bills of the 44th Congress, second session, named above, then appear.
The one for the relief of Elizabeth Carson bears these marks: "S. 973," A signature which seems to be "S. F. S. Conver." And on the left margin is:
3/3
War
Pocket

The bill for the relief of Susan P. Vance is marked:
H. R. 2833 1213 A. G. O. 1877
War
1810 1 1877 A. H. Hamilton
Dept
1834 Q. M. Gen's office 1877
Received Mar 2
Reed. Executive Mansion Washington D. C. Mar 2 1877
3/3
Pocket
War

The bill to authorize the restoration of George A. Armes to the rank of captain is marked "S. 407" and apparently "S. F. S. Conver." On the left margin is the word "Pocket."
The bill for the relief of William L. Hickam, of Missouri, is marked "S. 1284" and apparently "S. F. S. Cunver." On the left margin is:

3/3
Int
Pocket

The bill for the relief of Francis Guilbeau, of San Antonio, Texas, is marked "S. 974. James K. Kelly." On the left margin is:

3/3
Treas
Pocket

Then appears a printed copy of H. R. 4776, a bill to provide for the appointment of a short hand reporter for United States courts in California. With this is the following letter:

EXECUTIVE MANSION,
Washington, D. C., Apr. 2 1877

MY DEAR MR. BROWN: I found that the act—H. R. 4476—was "amended in the Senate; House disagreed to amendment & asked a Conference. Both Houses agreed to conference report."

The above is all I have, except that the bill was not placed before the President for signature.

Very truly yrs.

O. L. PRUDEN

This is followed by a paper giving this list of acts:

List of the Acts of the Second Session of the Forty-fourth Congress which passed both Houses, but not having received in due time the President's signature failed to become laws.

Armes, George A. 
Carson, Elizabeth. 
Guilbeau, Francis. 
Hickham, Wm. L. 
Richmond Female Institute. 
Vance, Susan P. 

Senate #407 
" 973 
" 974 
" 1284 
" 780 
" 2833

Then follows a bill for the relief of the Richmond Female Institute of Richmond, Virginia. It is marked:

S. 780 James K. Kelly 
3/3
War
Pocket

The last bill which appears in this bound volume is one passed by the 45th Congress in its third session, which adjourned on March 4, 1879, the legislative day of March 3. (Cong. Rec., vol. 8, pt. 3, pp. 2346, 2410.) It is for the relief of certain settlers on the public lands. It is marked:

S. 989 and apparently "S. F. S. Cunver."
Rec'd Executive Mansion Washington, D. C., Mar 3 1879

With it is bound this letter:

EXECUTIVE MANSION,
Washington Mech. 10, 1879

MY DEAR MR. BROWN: The accompanying Bill—S. 989—was received by the President March 3d 1879.
It was not approved.
Very resply,

Mr. S. A. Brown
Chief Clerk 
Dept. of State.
This letter is stamped:

Department of State received Mar 10 1879

There is also a supplementary portfolio in the archives of the Department of State. It holds in unbound form a number of unsigned bills. One of these is a bill of the 42d Congress, first session, which adjourned April 20, 1871. (Cong. Globe, vol. 99, pp. 832, 842) The bill is for the relief of the inhabitants of the town of Arcata in Humboldt County, California. It is marked:

S. 294. J. F. L.

There are no other marks on it.

Then comes this letter:

EXECUTIVE MANSION,
Washington,
July 9, 1884

SIR: The accompanying bills—S. 81—472—42–28 and H. R. 2487 and H. Res. No. 17, not having been in the hands of the President ten days prior to the adjournment of the First Session of the 48th Congress, and not having been approved by him, they have failed to become laws.

Very respectfully

O. L. PRUDEN,
Asst Secy.

To the Secretary of State.

The letter is stamped:

Department of State
Jul 9 1884 received

With this letter are the following bills of the 48th Congress, first session, which adjourned July 7, 1884 (Cong. Rec., vol. 15, pt. 6, pp. 6170, 6182):

A bill for the relief of Joseph F. Wilson. It is marked:

S. 42. H. H. R.
Executive Mansion Jun 30 1884 received
Department of State Jul 9 1884 received

A bill to confirm the status of John N. Quackenbush as a commander in the United States Navy. It is marked:

S. 28. W. J. S.

A bill for the relief of Benjamin F. Pope. It is marked:

S. 81. W. J. S.
Executive Mansion Jun 27 1884 received
Department of State Jul 9 1884 received

A bill for the relief of George P. Webster is marked:

S. 472 W. J. S.
War
Executive Mansion Jun 27 1884 received
Department of State Jul 9 1884 received

A bill for the relief of Brevet Major General William W. Averell, United States Army, is marked:

H. R. 2487 Neell
Executive Mansion Jul 5 1884 received
Department of State Jul 9 1884 received
A joint resolution authorizing the appointment and retirement of Samuel Kramer as a chaplain in the Navy of the United States is marked:

B. W. Perkins H. Res. No. 17.  
Executive Mansion Jul 5 1884 received  
Department of State Jul 9 1884 received

Then follows this letter:

EXECUTIVE MANSION,  
Washington, March 6, 1885.

Sir: I have the honor to inform you that the accompanying bills (H. R. 78 and  
H. Res. 170) were presented to the President March 3d instant, and not having  
received his approval they have failed to become laws.

Very respectfully

O. L. Pruden,  
Asst. Secy.

The Honorable Fredk T. Freylinghuysen,  
Secretary of State.

The joint resolution is in relation to a claim made by Doctor John  
B. Read against the United States. It is marked:

Department of State Mar 6 1885 received  
B. W. P. H. Res. No. 170

It purports to have been made at the 48th Congress, first session;  
but this is apparently a mistake.

The bill referred to in the above letter is one of the 48th Congress,  
which adjourned on March 4, 1885, the legislative day of March 3.  
(Cong. Rec., vol. 16, pt. 3, pp. 2504, 2573) It is one to provide for  
the retirement of Colonel Henry J. Hunt as major general of the  
United States Army. It is marked:

B. W. P. H. R. 78  
Department of State Mar 6 1885 received

These bills are followed by a letter transmitting a number of  
unsigned bills and resolutions of the 49th Congress, first session,  
8023, 8040.)

EXECUTIVE MANSION,  
Washington, Aug. 17, 1886.

Dear Sir: The President directs me to transmit to you the accompanying bills  
and joint resolutions which failed to become laws at the close of the late session of  
Congress—being unsigned, and not having been presented to him ten days prior  
to adjournment—

I may add that the printed copy of memo. (without signature) is by the President,  
and is attached to each bill and resolution by his direction.

Very respectfully,

O. L. Pruden,  
Asst. Secy.

The Honorable Thos F. Bayard  
Secretary of State

With the letter is this memorandum:

Numbers of bills &c.

<table>
<thead>
<tr>
<th>H. R.</th>
<th>5872</th>
<th>8. 972</th>
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<td>H. Res</td>
<td>126</td>
<td></td>
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<tr>
<td>&quot; &quot;</td>
<td>89</td>
<td></td>
</tr>
</tbody>
</table>
The letter is stamped:

Department of State Aug 18 1886 received

The bill for the relief of Francis W. Holdeman is marked on its face:

War
3507 1 1886
Dept. 3771 a. g. o. 1886
Neel H. R. 558
War Executive Mansion Jul 28 1886 received

On its back are these marks:

7865 Adj't General's
    a Office (E. B. Rec'd) 1886
    Jul. 30
    (E. B.)

Attached to the bill is the following printed memorandum, stamped:

Department of State Aug 18 1886 received

An act for the relief of Francis W. Holdeman

[Received July 28, 1886]

This bill appropriates two hundred dollars to the party named therein "as compensation for services performed and money expended for the benefit of the United States Army."

It appears from a report of the House Committee on War Claims that in the fall of 1863 Holdeman, a lad twelve years of age, purchased a uniform and armed himself, and attached himself to various Ohio regiments, and, as it is said, performed various duties connected with Army service until the end of the year 1864, and for this it is proposed to give him two hundred dollars.

Of course he never enlisted and never was regularly attached to any regiment. What kinds of arms this boy twelve years of age armed himself with is not stated and it is quite evident that his military service could not have amounted to much more than the indulgence of a boyish freak and his being made a pet of the soldiers with whom he was associated.

There is a pleasant sentiment connected with this display of patriotism and childish military ardor, and it is not a matter of surprise that he should, as stated by the committee, have "received honorable mention by name in the history of his regiment;" but when it is proposed twenty-two years after his one year's experience with troops, to pay him a sum nearly if not quite equal to the pay of a soldier who fought and suffered all the dangers and privations of a soldier's life, I am constrained to dissent.

The bill for the relief of William H. Wheeler is marked on its face:

War Claims Qr. Mr. General's Office 1886
9121 Received Aug 4

War
3594 1 1886 Fisher H. R. No. 822
  a Dept.
Executive Mansion Aug 3 1886 received

Attached to it, stamped "Department of State Aug 18 1886 received," is this printed memorandum:

An act for the relief of William H. Wheeler.

[Received August 3, 1886.]

This bill directs the payment of the sum of six hundred and thirty-three dollars and fifty cents to William H. Wheeler for quartermaster's stores furnished the Army in the year 1882.

From the data furnished me by the Quartermaster-General, I am quite certain that this claim has been once paid. The circumstances presented to prove this are so strong that they should be explained before the relief provided by this bill is afforded the claimant.

The bill to grant a pension to Margaret D. Marchand is marked:

Perkins H. R. No. 2060
Executive Mansion Aug 5 1886 received
Attached to it, stamped "Department of State Aug 18 1886 received," is this printed memorandum:

An act granting a pension to Margaret D. Marchand.

[Received August 5, 1886.]

MEMORANDUM.

A bill previously presented to me for approval, granting a pension of fifty dollars per month to the beneficiary named, was disapproved upon the ground that the death of her husband did not appear to be in any way related to any incident of his military service.

This bill differs from the prior one simply in granting a pension subject to the provisions and limitations of the pension laws instead of fixing the rate of pension at a specified sum.

I am still unable to see how the objection to the first bill has been obviated.

The bill for the relief of R. D. Beckley and Lem Howard is marked "H. R. No. 5872. Executive Mansion Jul 28. 1886 received." Attached to it, stamped "Department of State Aug 18 1886 received," is this printed memorandum:

An act for the relief of R. D. Beckley and Lem Howard

[Received July 28, 1886.]

These two men were employed by the Doorkeeper of the Forty-eighth Congress as laborers at the rate of seven hundred and twenty dollars per annum.

They claim that in both sessions of that Congress they not only performed the duties appertaining to their positions as laborers, but also performed the full duties of messengers. Having received their pay as laborers, this bill proposes to appropriate for them the difference between their compensation as laborers and twelve hundred dollars, the pay allowed messengers.

Congress in appropriation bills covering the period in which these men claimed to have performed these dual duties provided for a certain specified number of messengers and a fixed number of laborers. They both accepted the latter position. If they actually performed the duties of both places, their ability to do so is evidence that the labor of either place was very light. In any case they owed their time and services to the Government, and while they were performing the duties of messengers they were not engaged in the harder tasks which might have been required of them as laborers. They ought not to complain if they have received the amount for which they agreed to work and which was allowed for as the wages of a place which they were glad enough to secure. If they really did the work of both places, I don't see why they should not be paid both compensations. This proposition of course would not be entertained for a moment.

I am of the opinion that claims for extra compensation such as these should be firmly disowned; and I am sure no injustice will be done by my declining to approve this bill.

The joint resolution for the distribution of the Official Register contains in the corner a penciled memorandum in writing very much like that of President Cleveland "Received at 4:05 P. M. August 5, 1886." There is also the notation "H. Res. No. 89" and the stamp "Executive Mansion Aug 5 1886 received." Attached to it, stamped "Department of State Aug 18 1886 received," is this printed memorandum:

Joint resolution providing for the distribution of the Official Register of the United States.

[Received August 5, 1886.]

MEMORANDUM.

This resolution reached me five minutes after the adjournment of the two Houses of Congress, and is the only enactment of the session which came to me too late for official action.
I do not understand this resolution, nor the purposes sought to be accomplished by its passage, and while in that frame of mind should have been constrained to withhold my approval from the same, even if it had reached me in time for consideration.

The joint resolution on the surplus in the Treasury bears these marks:

Neill  H. Res. No. 126
Executive Mansion Aug 5 1886 received

Attached to it, stamped "Department of State Aug 18, 1886" is this printed memorandum:

Joint resolution directing payment of the surplus in the Treasury on the public debt.

[Received August 5, 1886.]

MEMORANDUM

This resolution involves so much and is of such serious import that I do not deem it best to discuss it at this time. It is not approved because I believe it to be unnecessary and because I am by no means convinced that its mere passage and approval at this time may not endanger and embarrass the successful and useful operations of the Treasury Department and impair the confidence which the people should have in the management of the finances of the Government.

The bill for a public building in Annapolis is marked:

S. 201  T. W. P. Fisher
Treasy  Executive Mansion Aug 3 1886 received

Attached to it, stamped "Department of State Aug 18 1886 received" is this printed memorandum:

An act to provide for the erection of a public building in the city of Annapolis, Maryland.

[Received August 3, 1886.]

MEMORANDUM

The post-office at Annapolis is now accommodated in quarters for which the Government pays rent at the rate of five hundred dollars per annum, and the office occupied by the collector of customs is rented for seventy-five dollars per annum.

The Government has no other use for a public building at Annapolis than is above indicated, and the chief argument urged why a building should be constructed there is based upon the fact that this city is the capital of the State of Maryland, and should have a Government building because most if not all the other capitals of States have such edifices.

There seems to be so little necessity for the building proposed for the transaction of Government business, and if there is anything in the argument last referred to it seems so well answered by the maintenance of the Naval Academy at Annapolis, this bill is allowed to remain inoperative.

The bill for the relief of Charles F. Bowers is marked:

S. 224  Fisher
Treasy  Executive Mansion Aug 2 1886 received

Attached to it, stamped "Department of State Aug 18 1886 received," is this printed memorandum:

An act for the relief of Charles F. Bowers.

[Received August 2, 1886.]

It appears that Charles F. Bowers, while acting as regimental quartermaster in 1862, received of John Weeks, assistant quartermaster of volunteers, the sum of
two hundred and thirty dollars, for which he gave a receipt. On the settlement of his accounts he was unable to account for said sum for the reason, as he alleges, that certain of his papers were lost and destroyed. Thus, in the statement of his account he is represented as a debtor of the Government in that amount.

This bill directs that a credit be allowed to him of the said sum of two hundred and thirty dollars.

But since his account was adjusted as above stated, showing him in debt to the Government in the amount last stated, he has paid the sum of seventy-five dollars and has been allowed a credit of one hundred and twenty-five dollars for the value of a horse; so that whatever may be said of the merits of his claim, that he should not be charged with the sum of two hundred and thirty dollars, if he should now be credited with that sum the Government would owe him upon its books the sum of thirty dollars.

The bill is therefore not approved.

The bill for the relief of J. A. Henry and others is marked:

S. 289  T. B. P.  Neef
Treasy  Executive Mansion Aug 3 1886 received

Attached to it, stamped "Department of State Aug 18 1886 received," is this printed memorandum:

An act for the relief of J. A. Henry and others.

[Received August 3, 1886.]

MEMORANDUM.

This bill appropriates various sums to the parties named therein, being claims for rent of quarters occupied during the war by the Quartermaster Department of the Army.

Among the appropriations there proposed to be made is one of the sum of fifty-one dollars to L. F. Green. This account has been once paid, a special act directing such payment having been approved February 12, 1885. The fact of this payment and important information bearing upon the validity of some of the other claims mentioned in the bill could have been easily obtained by application to the Third Auditor.

The bill for the relief of Thomas P. Morgan, Jr., is marked:

S. 972. Fisher
War
3556 1 1886 1012 IV 1886
Dept.

War  Executive Mansion Jul 31 1886 received

Attached to it, stamped "Department of State Aug 18 1886 received," is this printed memorandum:

An act for the relief of Thomas P. Morgan, Jr.

[Received July 31, 1886.]

MEMORANDUM.

Thomas P. Morgan, Jr., in the year 1881 entered into a contract with the Government to do certain excavating in the harbor of Norfolk.

He performed considerable of the work, but though the time limited by the contract for the completion was extended by the Government, he failed to complete the work, which necessitated other arrangements, to the damage of the Government in quite a large sum. His contract was forfeited by the Government because the progress he made was so slow and unsatisfactory. It seems that a certain percentage of the money earned by him in the progress of the work was, under the terms of the contract, retained by the Government to insure its completion, and when work was terminated the sum thus retained amounted to $4,598.04, which sum was justly forfeited to the Government.

The object of this bill is to waive this forfeiture and pay this sum to the derelict contractor.

Inasmuch as I am unable to see any equities in this case that should overcome the fact that the amount of loss to the Government through the contractor is
greater than the sum thus sought to be released to him, I am not willing to agree to his release from the consequences of his failure to perform his contract.

I do not find unsigned bills in the archives of the State Department bearing any date between August, 1886, and December, 1892. Three bills of a later period were sent to that Department. With those three exceptions, all such unsigned bills after August, 1886, were retained by the President and are now at the Executive Offices.

The 49th Congress, second session, adjourned March 4, 1887. President Cleveland retained unsigned seven Senate and forty House bills. These bills have on them no markings except such as were made by the enrolling and comparing clerks of Congress, notations showing to what Department each bill was referred, the stamp showing when the bill was received at the Executive Mansion and in some instances an X in blue pencil. I shall give the number of the bill and the date on which it was received at the Executive Mansion.

| H. R. 2208—Feb. 22, 1887 | H. R. 8437—Mar. 2 |
| H. R. 7819—Feb. 22 | H. R. 8829—Mar. 2 |
| H. R. 9119—Feb. 22 | H. R. 9170—Mar. 2 |
| S. 1326—Feb. 23 | H. R. 9219—Mar. 2 |
| S. 1930—Feb. 23 | H. R. 9301—Mar. 2 |
| H. R. 306—Feb. 26 | H. R. 10419—Mar. 2 |
| H. R. 6188—Feb. 26 | H. R. 10421—Mar. 2 |
| H. R. 7504—Feb. 26 | S. 130—Mar. 3 |
| H. R. 9377—Feb. 26 | S. 175—Mar. 3 |
| H. R. 5541—Mar. 1 | S. 929—Mar. 3 |
| H. R. 7479—Mar. 1 | S. 1035—Mar. 3 |
| H. Res. 125—Mar. 2 | S. 2725—Mar. 3 |
| H. R. 731—Mar. 2 | H. R. 85—Mar. 3 |
| H. R. 942—Mar. 2 | H. Res. 82—Mar. 3 |
| H. R. 2889—Mar. 2 | H. Res. 222—Mar. 3 |
| H. R. 3930—Mar. 2 | H. Res. 243—Mar. 3 |
| H. R. 3931—Mar. 2 | H. R. 879—Mar. 3 |
| H. R. 4585—Mar. 2 | H. R. 1753—Mar. 3 |
| H. R. 4678—Mar. 2 | H. R. 3642—Mar. 3 |
| H. R. 1745—Mar. 2 | H. R. 9860—Mar. 3 |
| H. R. 7221—Mar. 2 | H. R. 9921—Mar. 3 |
| H. R. 7543—Mar. 2 | H. R. 10040—Mar. 3 |
| H. R. 3007—Mar. 2 | H. R. 10514—Mar. 3 |
| H. R. 8384—Mar. 2 |

The 50th Congress, first session, adjourned October 20, 1888. (Cong. Rec., vol. 19, pt. 10, pp. 9614, 9616) President Cleveland retained unsigned 13 Senate and 10 House bills. They are now at the Executive Offices. The following bills are stamped as received at the Executive Mansion on the dates given below:

| S. 869—Oct. 9 | H. R. 1239—Oct. 17 |
| S. 880—Oct. 10 | H. R. 3300—Oct. 10 |
| S. 1614—Oct. 10 | H. R. 7964—Oct. 19 |
| S. 1928—Oct. 10 | H. R. 8074—Oct. 17 |
| S. 2567—Oct. 10 | H. R. 8674—Oct. 17 |
| S. 3030—Oct. 10 | H. R. 8855—Oct. 17 |
| S. 3234—Oct. 9 | H. R. 10188—Oct. 17 |
| S. 2341—Oct. 10 | H. R. 11107—Oct. 17 |
| S. 3390—Oct. 9 | |
| S. 3559—Oct. 17 | |
| S. 3573—Oct. 9 |

The 50th Congress, second session, adjourned March 4, 1889. President Cleveland retained at the White House 12 Senate and 19 House bills. Committee reports are usually attached to the bills.
The President made no marks on bills or on committee reports except as noted. I give the number of the bill and the date stamped on the bill as the date on which it was received at the Executive Mansion.

S. 28—Feb. 23, 1889  |  S. 2310—Feb. 26
S. 1488—Feb. 27  |  S. 2344—Feb. 26
S. 1719—Mar. 2  |  S. 2683—Mar. 2
S. 2008—Feb. 26  |  S. 2690—Feb. 26

S. 3132—date not marked. Attached to it is a printed report of a committee of the House of Representatives, and on it, written in pencil in the handwriting of President Cleveland but unsigned, are the words:

This bill is inconsistent with the recent law passed in regard to juries in District and it refers to Sections of the Rev. Stat. improperly and that have been repealed or modified by a law passed at this Session.

S. 3137—Mar. 2
S. 3198—Feb. 26. Attached to it is a printed copy of a report of a committee to the Senate, on which in President Cleveland’s handwriting but unsigned are the words:

No cause of death shown.

S. 3309—Feb. 26
H. R. 483—Feb. 28. Attached to bill is a printed committee report on which is this penciled notation:

It seems this man is already on the rolls

G. C.

H. R. 717—Mar. 1, 1889
H. R. 2157—Mar. 2
H. R. 2896—Mar. 2
H. R. 3829—Feb. 28. On the attached committee report is written:

This legislation seems to be unnecessary.

G. C.

H. R. 4624—Mar. 2  |  H. R. 6612—Feb. 27
H. R. 4856—Mar. 2  |  H. R. 6763—Mar. 2
H. R. 5398—Mar. 2  |  H. R. 6896—Feb. 28
H. R. 5758—Mar. 2  |  H. R. 7186—Feb. 26
H. R. 7924—Feb. 27. On attached committee report is the President’s penciled unsigned comment:

Was not the payment under the law of 1886 after adjustment by the Secretary of Interior a settlement in full? (See act p. 8.)

H. R. 8580—stamped date illegible.
H. R. 9159—Mar. 2
H. R. 10721—Mar. 1, 1889. On attached committee report, in writing which appears to be that of the President:

This is a duplicate of bill passed 1st Session 50th Congress.

H. R. 11627—Mar. 2
H. R. 12542—Mar. 2. President Cleveland wrote on sheets of paper now attached to the bill these comments:

These children ought to have a pension on the ground that their father really died from the effect of his wounds, and I would gladly sign a bill granting them a pension on that ground. I have signed many with not half the merits and
where the death was I am afraid much more remotely connected with army disability.

But I do not feel that I can sign a bill directing a pension be awarded only and expressly upon the theory that death was not chargeable to military service. This would not only make what is called a pension an admitted granting of gifts but would set a precedent of the most dangerous kind and fraught with deplorable results.

G. C.

McK 2/89

The 51st Congress, first session, adjourned October 1, 1890. (Cong. Rec., vol. 21, pt. 11, pp. 10773, 10799) President Harrison retained unsigned 10 Senate bills and 1 House bill. They are now at the Executive Offices.

S. 117 was stamped as received at Executive Mansion Sept. 24, 1890. The President made no marks on the bill nor on any attached memoranda.

S. 125 was stamped as received Sept. 30. On a printed committee report which is attached to the bill is the penciled notation in handwriting which appears to be that of the President:

Let it die—for reasons given in Portland Co. case.

S. 145. No date stamped on bill. On bill itself in pencil are the words “Let it die.” This appears to be in the President’s handwriting.

S. 968. Stamped Sep. 30, 1890. Attached to it is a committee report and on it in pencil in writing which is apparently that of President Harrison are the words “Let this die for reasons given in Portland Co. veto.”

S. 1187. Received September 29. On the committee report which is attached are written the words “Let it die—Veto in Portland case”

S. 1552. Received September 26. On a typewritten report which is attached is written in ink in President’s handwriting “Let this bill die”

S. 2531. Received September 29. A typewritten report is attached. On it in pencil in writing which appears to be that of the President are the words “Claimant dead—Let the bill die”

S. 270. Received September 30. A committee report is attached.

On it in pencil is written “Let Die—see Portland veto—”

S. 3414. Received September 26. There is a typewritten report attached. On it in pencil is written “Let this case die—”

S. 3721. There is no date stamped on the bill; and no writing on bill or on any attached paper.

H. R. 4367. Received September 29. This was approved and signed in ink by the President. Then approval and signature were erased.

The 51st Congress, second session, adjourned March 4, 1891. Three Senate and eight House bills are unsigned and are now at the Executive Offices.

S. 395—received Feb. 28, 1891.
S. 712—received Feb. 28.
S. 4749—received Feb. 23.
H. R. 174—received Mar. 3.

H. R. 2001—received Mar. 3. Attached to it is a typewritten report on which is written in pencil “Let it die”

H. Doc. 493, 70-2—3
H. R. 3308—received Mar. 2. On the bill itself is penciled "Die"
H. R. 4187—received Mar. 2.
H. R. 9313—undated. On bill itself is penciled "Die"
H. R. 6170—received Mar. 2. On bill itself is penciled "Let it die"

In the archives of the State Department is a bill passed by the 52d Congress, second session, and unsigned by President Harrison. The bill is for the relief of purchasers of timber and stone lands under the act of June 3, 1878. It is S. 2275 and is stamped "Executive Mansion Dec. 15 1892 received." On the face of the bill is the following memorandum, signed by the President:

This bill was presented to me on the 15th day of December 1892. Congress, pursuant to a concurrent resolution adopted on the 21st day of December 1892, adjourned from the 22d day of December 1892 to January 4, 1893. I have not approved the bill.

BENJ HARRISON

DECEMBER 30th 1892

The 52d Congress, second session, adjourned on March 4, 1893, the legislative day of March 3. (Cong. Rec., vol. 24, pt. 3, pp. 2551, 2618) H. R. 9956, a bill to incorporate the Washington, Burnt Mills and Sandy Spring Railway Co., was signed by the presiding officers of the two Houses of Congress on the last day of the session. (Cong. Rec., vol. 24, pt. 3, pp. 2550, 2618) President Harrison did not sign the bill. It is now at the Executive Offices.

The 53d Congress, second session, adjourned August 28, 1894. (Cong. Rec. vol. 26, pt. 8, pp. 8665, 8667) There are now at the Executive Offices the following unsigned bills of that session.

S. R. 99 is stamped as received at the Executive Mansion Aug. 24, 1894.
S. 2263 is stamped as received August 24. Attached to the bill is a typewritten recommendation on which President Cleveland made the following penciled unsigned memorandum:

I do not think this amendment is put in the best place and the renewed corporations should be in express terms made subject to all the provisions applicable to the original corporations. There should be a limit to the number of renewals to avoid perpetuity & it would be better to have the proposed renewal approved by the Chief Judge of the District or other Judicial officers rather than the Com'ts.

AUG. 25/94.

H. Res. 198—received Aug. 28.
H. R. 3005—received Aug. 20.
H. R. 7685—received Aug. 28. Attached to the bill is a typewritten memorandum on which President Cleveland wrote in pencil:

This bill was not presented to the President until after the adjournment of Congress.

H. R. 6122—Aug. 28. Attached to the bill is a typewritten memorandum on which the President wrote in pencil:

This bill was not presented to the President until after adjournment—at 3.55 P. M.

G. C.

The 53d Congress, third session, adjourned March 4, 1895. There are now at the Executive Offices, unsigned by President Cleveland, the following 18 Senate and 38 House bills:
S. 305—stamped received at the Executive Mansion Feb. 23, 1895. On an attached typewritten memorandum is penciled in the President's handwriting:

Soldier's application for pension under general disability laws was rejected on ground injury not result of service. Widow's claim now pending and awaiting proof. Entitled under law of 1890 but no proof of his death.

Senate bills 333, 707, 1009, 1066 have no dates of receipt stamped on them and no marks by President on bills or attached papers.

S. 1189 is stamped as received Mar. 2, 1895. S. 1252 is undated. So is S. 1483. On an attached committee report is penciled in President's handwriting, "Hold."

S. 1535 is stamped Mar. 1. On an attached letter from the Secretary of the Navy the President has penciled this unsigned memorandum:

I do not see why the records of the Navy should state that this doctor was honorably discharged for the evident purpose of giving him a pension to which he is not entitled. There seems to have been no excuse for his desertion and he says himself he would not have complained of the harshness of his punishment if he had not lost his fingers in 1886.

S. 1639 and S. 1692 are stamped as received Mar. 2. On a committee report attached to the latter the President penciled:

Not in the service and no satisfactory proof that his present condition has any relation to his employment in aid of military operations 30 years ago.

No dates of receipt are stamped on the following bills: S. 2362; S. 2721; H. R. 995; H. R. 1310; H. R. 4162; H. R. 4704; H. R. 6565; H. R. 6816; H. R. 6831; H. R. 7603; H. R. 7645; H. R. 8659; H. R. 8873.

S. 2243 is stamped as received Feb. 28; S. 2351, Mar. 1; S. 2275, S. 2364, S. 2799 and H. R. 684, Mar. 2. Attached to H. R. 684 is a committee report on which the President penciled:

This bill is not in the form recommended by the Senate Comm. I don't think there is much merit in it in any view.

H. R. 840 was received Mar. 2. On an attached report the President penciled:

He w'd be 2d Lieut. from Aug 29, 1863, to June 14, 1864.

H. R. 3150 and H. R. 4479 were stamped as received Feb. 27; H. R. 952, H. R. 1581, H. R. 1819, H. R. 2130, H. R. 3128, H. R. 3147, H. R. 3194, H. R. 4734 were stamped as received Mar. 2.

H. R. 4935—received Feb. 27. On attached typewritten memorandum the President penciled:

Pension was granted to widow Sept. 10, 1892.
It is now alleged that she married Aug 1 or Aug. 6 (See report) 1892.
There is no proof that her pension has been stopped. How could it have been granted to her after her marriage?

H. R. 5062—received Mar. 1. On attached report the President penciled:

1. No approval of route by Secretary of Interior.
2. Courts of Texas, Arkansas & Kansas given jurisdiction of controversies. (Courts in Indian Territory are soon to be organized.)
3. No consent of Indians to be obtained except as to allottees.

H. R. 5224, is stamped as received Feb. 23, 1895.
H. R. 7259 was received Feb. 27.
H. R. 5260, H. R. 8391—received Feb. 28.
H. R. 5206, H. R. 6585, H. R. 6659, H. R. 6928, H. R. 6928,
H. R. 8097—received Mar. 2.
The 54th Congress, first session, adjourned June 11, 1896. (Cong.
Rec., vol. 28, pt. 7, pp. 6447, 6461) There are now at the Executive
Offices five Senate bills and ten House bills of that session which were
not signed by President Cleveland.
S. 27 has no date of receipt stamped on it.
S. 807, S. 819 and S. 997 were stamped as received on June 2.
On S. 997 there is fastened a committee report on which President
Cleveland wrote in pencil:
In view of the positive testimony of the physician who saw the deceased just
before his death this is a proper case under the law of 1890.
S. 1342 was received June 4. A committee report is attached.
On that report the President penciled:
This legislation should await the result of pending application in the pension
bureau.
H. Res. 201. On an attached slip the President penciled:
Certain Indian lands have been sold under treaty and the proceeds were to
go to the Indians. Purchasers have delayed payment a long time and this
provides for another part payment without regard to the wishes or wants of the
Indians. So far as homesteaders are concerned this provided for in the Indian
Appropriations bill.
H. R. 6607, H. R. 6739, H. R. 7919, H. R. 7171—were stamped as
received June 6.
H. R. 2708, H. R. 5280—were stamped as received June 8.
H. R. 4580 is undated. On a letter which is attached to it is penciled:
This bill makes more difficult the punishment of those who remove liquors
under false brands for the purpose of defrauding the revenues while under the
decision of Judge P.—at St. Louis the public cannot be protected any more
effectively. So far as it affects the protection of purchasers & consumers it is
unconstitutional.
H. R. 6221 is stamped Jun 4. On an attached report is penciled:
The beneficiary has no minor children to provide for and I see no reason why
under the general laws she is not being justly treated.
H. R. 9275 is stamped Jun 6. On a printed copy of the bill which
is attached to it President Cleveland wrote:
This bill as passed seems to validate the bonds which should not be validated
and ignore those which it was intended to save.
Two bills passed at the 54th Congress, second session, were sent to
the State Department unsigned by President Cleveland. On each
of them is the following memorandum signed by the President:
This bill was presented to me on the 18th day of December 1896. Congress,
pursuant to a concurrent resolution, adopted by both Houses of Congress,
adjourned from the 22d day of December 1896 to January 5th 1897. I have not
approved the bill.

DECEMBER 30, 1896.
H. R. 2604 is "to increase the pension of Caroline A. Hough";
and H. R. 4354 is for the purpose of "granting a pension to Mrs.
Mary Gould Carr." Each is stamped

Executive Mansion, received Dec 16 1896
At the end of the 54th Congress, second session, which adjourned March 4, 1897, three Senate and forty-two House bills were retained unsigned. They are now at the Executive Offices.

S. 824—stamped as received at the Executive Mansion Mar 3, 1897.

S. 3328—received Feb. 26, 1897. On an attached committee report is penciled the word “Pass.” This is apparently in the handwriting of President Cleveland.

S. 2986—received Mar. 2. On an attached committee report are the penciled words:

This bill seems to be exactly what is not needed—Pass.


H. R. 948—received Feb. 26. On an attached committee report is penciled the word “Pass.”

H. R. 4424—received Feb. 25; H. R. 8706, H. R. 9961,—received Feb. 26; H. R. 5473, H. R. 9762—received Feb. 27. To each of these bills a letter is attached and on each letter there is penciled the word “Pass.”

H. R. 3402, H. R. 3605, H. R. 5128, H. R. 5183, H. R. 6159, H. R. 6268, H. R. 6417, H. R. 6560, H. R. 6765, H. R. 6845, H. R. 6915, H. R. 7317, H. R. 7451, H. R. 8633, H. R. 10290 were each stamped as received Mar. 1. To each is attached a committee report and on each committee report is penciled the word “Pass.”

H. Res. 261—received Mar. 2. On attached note is penciled “Pass.”

H. R. 459, H. R. 2974, H. R. 6634, H. R. 9607 and H. R. 10178 were stamped March 3.

H. R. 2962—received Mar. 1. On attached committee report is penciled:

Death not connected with service
Pass

H. R. 4310—received Mar. 2. On attached report was penciled “Pass.” On this bill had been written in ink:

Approved March 3, 1897

Grover Cleveland

Then the approval and signature had been erased.

H. R. 7205—received Mar. 2. On attached committee report is penciled:

Pass—Beneficiary is already in receipt of pension of $12 per month the same rate provided in this bill.

At the close of the 55th Congress, second session, which adjourned July 8, 1898 (Cong. Rec., vol. 31, pt. 7, pp. 6794, 6807), President McKinley retained unsigned S. 4847, “to provide an American register for the steamer Titania,” which was stamped as received at the Executive Mansion July 7.

At the close of the 55th Congress, third session, which adjourned March 4, 1899, the President retained unsigned H. R. 8897, which was stamped as received Feb. 24, 1899, and H. R. 8578 and H. R. 9344, both of which are unstamped. To H. R. 8578 there is attached a letter on which there is the unsigned penciled word “pocket.” To
H. R. 9344 there is attached a letter calling attention to the fact that the beneficiary has died. On this letter is penciled "Pocket" in the same handwriting as used on H. R. 8578.

At the close of the 56th Congress, first session, which adjourned June 7, 1900 (Cong. Rec., vol. 33, pt. 8, pp. 6875, 6892), President McKinley retained unsigned S. 2581, which is unstamped, and H. R. 8815, which is stamped as received June 5, 1900.

The 56th Congress, second session, adjourned March 4, 1901, the Senate legislative day of March 2 and the House legislative day of March 1. (Cong. Rec., vol. 34, pt. 4, pp. 3562, 3605) President McKinley retained unsigned four Senate and twenty-five House bills—all of which are now at the Executive Offices.

H. R. 427, H. R. 628, H. R. 636, H. R. 1959, H. R. 2294, H. R. 2472, H. R. 2619, H. R. 4204, H. R. 4853, H. R. 6591, H. R. 7603, H. R. 8270 and H. R. 11828 have no marks to show when they were received by the President.

H. R. 2617 is undated. On margin is penciled

Atty Genl says No.

H. R. 2464 and H. R. 7243 are stamped Feb. 20; H. R. 7602 is stamped Feb. 21; H. R. 2430 and H. R. 3825 are stamped Feb. 22; H. R. 5553 and H. R. 12860 were received Feb. 26; S. 1673 and S. 3554 were received Feb. 27; and S. 4956 was received March 3.

S. 76 was received Feb. 27, 1901. An attached memorandum says:

Mch 2
The President says he "wants this to fail—" (Pocket)

S. 76
University of Kansas.

H. R. 1136 was received Feb. 28. On margin is penciled:

Hold

H. R. 1860 was received Mar. 2. On margin is penciled:

Atty Genl Disapproves (at capitol)

H. R. 5559 was received Feb. 20. On margin is penciled:

Hold

H. R. 6146 was received Feb. 28. On margin is penciled:

Atty Gen P

The 57th Congress, second session, adjourned March 4, 1903, the Senate legislative day of March 3 and the House legislative day of February 26. (Cong. Rec., vol. 36, pt. 3, pp. 3070, 3078) President Roosevelt retained unsigned one Senate and five House bills. They are now at the Executive Offices.

S. 4641 is stamped:

White House Mar 3 1903 received

On the bill itself is written in ink, apparently in the President's handwriting:

Veto

H. R. 2199 was stamped as received Feb. 28, 1903.

H. R. 5907—received Feb. 28. On the bill itself is written in ink, apparently in the President's handwriting:

Don't sign
H. R. 15573—received Feb. 28. On bill is written in ink:
Veto

H. R. 16361—received Feb. 28. On bill is written in ink:
Not sign

H. R. 16445—received Feb. 28. No marks by the President, but attached to the bill is a report of the Commissioner of Pensions that the beneficiary had died.

The 58th Congress, third session, adjourned March 4, 1905, the Senate legislative day of March 4 and the House legislative day of March 2. (Cong. Rec., vol. 39, pt. 4, pp. 4028, 4041) President Roosevelt retained unsigned S. 5108, which is stamped:

White House received Mar 3, 1905

and H. R. 11204, which has no date of receipt stamped on it. Both bills are now at the Executive Offices.

The 59th Congress, first session, adjourned June 30, 1906. (Cong. Rec., vol. 40, pt. 10, pp. 9802, 9817) President Roosevelt retained unsigned six Senate and three House bills. They are now at the Executive Offices.

S. 1812, S. 2188, S. 4774, H. R. 12080 and H. R. 15673 are undated.
S. 4197 is stamped:
The White House received Jun. 29, 1906

On the bill is penciled:
Pocket Veto.

S. 4965 is undated. Attached to the bill is a slip on which is written:
Pocket Veto.

S. 6355 was received June 29. Attached to it is a slip of paper on which is written:
Let it die.

H. R. 7226 was received June 28. Attached to it is a slip of paper on which is written:
Pocket Veto.

The 59th Congress, second session, adjourned March 4, 1907, the Senate and House legislative day of March 2. (Cong. Rec., vol. 41, pt. 5, pp. 4658, 4672) President Roosevelt retained unsigned two Senate and four House bills, which are now at the Executive Offices.

S. 4964 was received Mar. 2. On the bill itself, in ink, in the President’s handwriting, is word “Veto.”
S. 8540 was received Mar. 2. On the bill, in ink, in the President’s handwriting, are the words “Pocket veto.”
H. R. 3498 was received February 28, 1907.
H. R. 17415 is not stamped with date of receipt. On the bill itself, in ink, in the President’s handwriting, are the words “Pocket veto.”
H. R. 18854 was received February 22.
H. R. 19500 is undated.

The 60th Congress, second session, adjourned March 4, 1909, the Senate legislative day of March 3 and the House legislative day of February 23. (Cong. Rec., vol. 43, pt. 4, pp. 3825, 3837) President Roosevelt retained unsigned ten Senate and seven House bills. They
are now at the Executive Offices. Very few of them bear marks showing when they were received.
S. 2544—undated. On bill is written:
All wrong
R
S. 3164—undated. On bill is written:
Bad
R
S. 3526, S. 6852, S. 8588 and S. 8839 are undated and on each is written:
Bad
S. 4426 and S. 8429 are undated and on each bill is a large question mark.
S. 7859—undated. On bill is written:
Bad?
R
S. 9402 and H. R. 1072 are undated. There are no marks on them. H. R. 4521 was stamped as received Mar. 2. On it some comment was written in ink and afterwards erased.
H. R. 6183—undated. On it is written:
All wrong
T. R.
H. R. 16696—undated. On it is written:
Know nothing about it.
H. R. 12499 was received Feb. 27, 1909. Attached to it is a slip of paper on which is written:
Pocket veto
W. L. Jr.
H. R. 13712 was received Feb. 22. Attached to it is a slip of paper on which is written:
Pocket veto
W. L. Jr.
H. R. 13928 was received March 2. Attached to it is a slip of paper on which is written in same handwriting as on slips of paper attached to H. R. 12499 and H. R. 13712:
Pocket veto.

The 61st Congress, second session, adjourned June 25, 1910. (Cong. Rec., vol. 45, pt. 8, pp. 9080, 9119) President Taft retained unsigned three House bills which are now at the Executive Offices. H. R. 3346, H. R. 18376 and H. R. 20644 are all stamped as received at the White House on June 24, 1910. To each of the last two bills a letter is attached and on each letter is written in pencil the word "Pocket."
The 61st Congress, third session, adjourned March 4, 1911, the Senate legislative day of March 4 and the House legislative day of March 2. (Cong. Rec., vol. 46, pt. 5, pp. 4323, 4339) President Taft retained unsigned two House bills, which are now at the Executive Offices.
H. R. 30273 was received March 3.
H. R. 32531 was received March 4. On the bill itself is penciled "Pocket."

The 62d Congress, second session, adjourned August 26, 1912. (Cong. Rec., vol. 48, pt. 11, pp. 11881, 11903) President Taft retained unsigned S. 2534, on which no date was stamped; and H. R. 21708, which was stamped as received on August 20, and to which is attached a memorandum reading:

Put on cabinet table tomorrow

W H T

The 62d Congress, third session, adjourned March 4, 1913, the Senate legislative day of March 3 and the House legislative day of March 1. (Cong. Rec., vol. 49, pt. 5, pp. 4842, 4856) President Taft retained unsigned two House bills.

H. R. 18213—received March 1, 1913. On a memorandum which is attached to the bill is the word "Pocket."

H. R. 23673—undated. Attached to the bill is the following type-written memorandum:

Memorandum to accompany H. R. 23673. An Act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea.

This bill is so important and conflicts in its operation with the treaty obligations of the United States and in its possible friction with the commerce of foreign countries that in the short time that I have had since it has been presented to me, I do not feel justified in assuming the responsibility of allowing it to become a law.

WM H TAFT

March 4, 1913.

At the end of the 64th Congress, first session, which adjourned September 8, 1916 (Cong. Rec., vol. 53, pt. 13, pp. 14154, 14173) President Wilson retained S. 708 without signing it. It is now at the Executive Offices. It bears a stamp-mark showing that it was received September 5, 1916.

At the end of the 64th Congress, second session, which adjourned March 4, 1917, the Senate legislative day, of March 2 and the House legislative day of March 3, (Cong. Rec., vol. 54, pt. 5, pp. 5020, 5033) President Wilson retained unsigned H. R. 20414. On the margin where the date of White House receipt is usually stamped are the figures 2/28/17. A slip of paper attached to the bill bears this penciled notation:

DEAR FORSTER,
I let this bill die. Please do what is usual with it.

W. W.

At the end of the 65th Congress, first session, which adjourned October 6, 1917 (Cong. Rec., vol. 55, pt. 8, pp. 7897, 7918) President Wilson retained unsigned H. J. Res. 116. No date of receipt is marked on it, and there are no marks on the resolution or on any attached memorandum.

At the end of the 66th Congress, second session, which adjourned June 5, 1920 (Cong. Rec., vol. 59, pt. 8, pp. 8644, 8679) President Wilson retained unsigned H. J. R. 373. It is stamped as received June 5. It is now at the Executive Offices. Memoranda at those offices say that the President also retained S. J. Res. 152 and H. R.
They are not in the files at those offices and I am unable to find them. The memoranda are as follows:

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<th>Referred</th>
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S. J. Res. 152. Joint Resolution authorizing the appointment of a commission to confer with the Dominion or the Provincial Governments of Quebec, Ontario, and New Brunswick as to certain restrictive orders in council of the said Provinces relative to the exportation of wood pulp therefrom to the United States.

66th Congress, 2nd Session.

H. R. 13329, An Act to authorize the Secretary of War to transfer certain surplus material, machinery, and equipment to the Department of Agriculture, and for other purposes.

66th Congress, 2nd Session.

At the end of the 66th Congress, third session, which adjourned March 4, 1921, the Senate legislative day of March 2 and the House legislative day of March 3 (Cong. Rec., vol. 60, pt. 4, pp. 4532, 4546) President Wilson retained unsigned one Senate and four House bills. All of these bills are now at the Executive Offices. The only marks on the bills or on attached memoranda are as follows:

- S. 3695 and H. R. 13558 are un stamped.
- H. R. 1856 is stamped as received Feb. 26, 1921.
- H. R. 14461—received Feb. 28, 1921.
- H. R. 15943—received March 3, 1921.

At the end of the 67th Congress, second session, which adjourned September 22, 1922 (Cong. Rec., vol. 62, pt. 12, pp. 13142, 13183) President Harding retained unsigned H. R. 10672. It is stamped as received at the White House September 15, 1922. It is now at the Executive Offices.

At the end of the 68th Congress, second session, which adjourned March 4, 1925, the Senate legislative day of February 26 and the House legislative day of March 3, (Cong. Rec., vol. 66, pt. 5, pp. 5521, 5528) President Coolidge retained unsigned one Senate and three House bills. S. 4301 and H. R. 6442 are stamped as received March 2. H. R. 9160 is stamped February 21. H. R. 9343 is stamped February 24. These bills are now at the Executive Offices. There are no marks on any of them except the stamps. To H. R. 9343 is attached a slip which says "Veto Recommended."

At the end of the 69th Congress, first session, which adjourned July 3, 1926 (Cong. Rec., vol. 67, pt. 11, pp. 13009, 13100) President Coolidge retained unsigned two Senate and three House bills.

- S. 3185 is marked as received Jun 34 1926.
- S. 3990—received July 3. An attached slip says:
  - S. 3990
  - No
  - Recommend veto
  - J. G. S.

- H. R. 534—received July 3. An attached slip says:
  - Secretary of War recommends
  - Veto

- H. R. 6087—received June 30.
H. R. 5218. On margin is written in pencil:

Received at the Capitol
July 3, 1926

All of the bills cited above are now at the Executive Offices.

At the end of the 69th Congress, second session, which adjourned March 4, 1927, the Senate legislative day of March 2 and the House legislative day of March 3, (Cong. Rec., vol. 68, pt. 5, pp. 5922, 5967) President Coolidge retained unsigned H. R. 2849, stamped as received March 3, and H. R. 13450, on which no date is stamped. There are no other marks on the bills. On a letter attached to H. R. 13450 is written:

Recommends disapproval.

The bills are now at the Executive Offices.

At the end of the 70th Congress, first session, which adjourned May 29, 1928, (Cong. Rec., vol. 69, pt. 10, pp. 10678, 10889) President Coolidge retained unsigned S. J. Res. 46, stamped as received May 26, H. J. Res. 238, on which no date is stamped, and H. R. 13383, stamped as received on May 26. The resolutions and bill are now at the Executive Offices. There are no marks on any of them except the stamps. Memoranda attached to each resolution and bill are marked in pencil:

Pocketed
5/29/28

Respectfully submitted,

ROBERT P. REEDER.
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From 1860 to 1866 there were no pocket veto messages sent to Congress by the Presidents. The custom of sending pocket veto messages to the Congress may have ended with Buchanan.

During a period of ninety four years, however, fourteen pocket veto messages were sent to Congress by the Presidents.

Madison sent 1.
Jackson 6.
Tyler 2.
Polk 1.
Pierce 1.
Buchanan 3.

From 1792 to 1866 there were 244 Veto Messages, and of these fourteen messages were pocket veto messages.

Of forty seven pocket veto messages from 1792 to 1860, fourteen messages were pocket veto messages.

Of one hundred and ninety seven veto messages from 1860 to 1866, none were pocket veto messages.
POCKET VETO CASE.

REFERENCES MADE TO CONGRESS IN THE CONSTITUTION OF THE UNITED STATES.

Art. I, Sec. 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Art. I, Sec. 2, par. 3. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States.

Art. I, Sec. 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the places of chusing Senators.

Art. I, Sec. 4, par. 2. The Congress shall assemble at least once in Every Year, and such Meeting shall be on the first Monday in December, unless they shall by law appoint a different Day.

Art. I, Sec. 5, par. 4. Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, not to any other Place than that in which the two Houses shall be sitting.

Art. I, Sec. 6. They (the Senators and Representatives) shall in all Cases, except Treason, Felony, and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same;

Art. I, Sec. 7, par. 2. Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But if a Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Art. I, Sec. 8. The Congress shall have Power To lay and collect taxes, Duties, Imposts and Excises, etc.

Art. I, Sec. 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight.

Art. I, Sec. 10, par. 2. No State shall, without the Consent of the Congress, lay any Impost or Duties on Imports or Exports, except what may be absolutely necessary for executing it’s inspection Laws; and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Control of the Congress.

Art. I, Sec. 10, par. 3. No State shall, without the Consent of Congress lay any Duty of Tonnage, etc.

Art. II, Sec. 1, par. 2. Each State shall appoint, in such Manner as
the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress:

Art. II, Sec. 1, par. 3. Congress may determine the Time of choosing the Electors, etc.

Art. II, Sec. 1, par. 5. In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation or Inability, both of the President and Vice President.

Art. II, Sec. 2, par. 2. but the Congress may by Law vest the appointment of such inferior Officers, as they think proper, in the President alone.

Art. II, Sec. 2, par. 3. The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Art. II, Sec. 3. He shall from time to time give to the Congress Information of the State of the Union,

Art. II, Sec. 3. he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper.

Art. III, Sec. 1. The judicial Power of the United States shall be vested in one Supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish.

Art. III, Sec. 2, par. 2. In all other Cases before mentioned the Supreme Court shall have appellate Jurisdiction, both as to law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

Art. III, Sec. 2, par. 3. The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Art. IV, Sec. 1. Full Faith and Credit shall be given in each State to the Public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Art. IV, Sec. 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; not any State be formed by the Junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned as well as of the Congress.

Art. IV, Sec. 3, par. 2. The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory
or other Property belonging to the United States;

Art. V. The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or by Conventions in three fourths thereof (of the States), as the one or the other Mode of Ratification may be proposed by the Congress;

AMENDMENTS.

I. Congress shall make no law respecting an establishment of religion, etc.

XIII, Sec. 2. Congress shall have power to enforce this article by appropriate legislation.

XIV, Sec. 2. — But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial Officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crimes, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

XIV, Sec. 3. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

XIV, Sec. 5. The Congress shall have power to enforce by appropriate legislation, the provisions of this article.

XV, Sec. 2. The Congress shall have power to enforce this article by appropriate legislation.

XVI. The Congress shall have power to lay and collect taxes on incomes.

XVIII, Sec. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

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Art. I, Sec. 2, Par. 5. The House of Representatives shall choose their Speaker and other Officers.

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Art. I, Sec. 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller number may adjourn
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Pocket Veto cases

Field vs. Clark, 143, 649
U. S. vs. Ballin, 144 U. S. 1
Twin City Bank vs. Nebeker, 167, 196
La Abra Silver Mining Co. vs. U. S., 175, 423
Wilkes County vs. Coler, 180 U. S. 506