

The Constitutional Power of the Senate in Appointments.

To the Editor of the Evening Telegraph.—The Senate amendment to the Post Office Appropriation bill, which has just passed that body, calls public attention to a subject of great moment. That amendment provides that "No person exercising or performing the duties of any office which by law is required to be filled by the advice and consent of the Senate, shall, before his confirmation by the Senate, receive any salary or compensation."

As is well known, the Constitution provides that, except in certain specified cases, all appointments to offices shall be made by and with the advice and consent of the Senate. To provide for vacancies which might "happen" during a recess of the Senate, the President is authorized 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.

This anomalous proceeding might be extended so that every officer in the Government should be holding under Presidential appointment alone, and the power of the Senate be thus entirely subverted. The framers of the Constitution never contemplated anything of this sort; and the language of the Constitution will not bear such a construction. A vacancy "happens" only when it is made in a certain way, such as by death, casual resignation, or the like.

It is high time the power to make these extra-constitutional appointments should be tested, and the Senate has taken a step in the right direction in adopting the amendment in question. W. S.

CITY INTELLIGENCE

[For Additional Local Items see Eighth Page.]

DEATH OF G. C. BOWER, JR.—The meeting of the Press Club on Saturday afternoon was well attended. Who would have thought of a man of the character of G. C. Bower, Jr., as an extremely interesting character. Every speaker testified to the virtues of the deceased. As a matter of respect the Club resolved to attend the funeral in a body.

Ernest C. Wallace, President of the Club, was in the chair. Ernest C. Wallace moved that a committee be appointed to draft an appropriate memorial in his honor. The following gentlemen were appointed the committee:—Ernest C. Wallace, John Davis, Young, William H. Cunningham, John B. Young, John Hasson, John McDevitt, John M. Grier.

The following was then submitted to the body:—The committee appointed to take action on the death of Mr. G. C. Bower, Jr., had the honor to be met by the original members of the Philadelphia Press Club, desire to place upon the record of the Club a testimonial of the regard in which Mr. Bower was held by his associates.

He began his journalistic career some ten years since, and up to the day of his death he showed a degree of zeal and energy in the pursuit of the profession of his choice which was worthy of emulation. He was connected with most of the daily papers of this city as reporter or correspondent; he labored also faithfully as correspondent for journals in other cities during the Rebellion. Discarding pecuniary advantages which might have accrued if he had abandoned the profession he had deliberately adopted, he pursued his career during the storm of war and during more peaceful era. As a correspondent "at the front," during the deadliest campaigns of the Army of the Potomac, he was ever foremost, and his reports were always eagerly looked for.

As a reporter, he was always ready, and he understood it, he received a wound which temporarily disabled him, though it did not diminish his ardor in the pursuit to which he had at that time devoted his life. During the past few months Mr. Bower had his attention directed to the acquisition of the art of telegraphy, with a view to making that branch of the dissemination of information the business of his more mature years. He pursued this study with indefatigable energy, and up to the day before his death he was employed in gaining a thorough knowledge of the art. The committee feel free to proffer the warmest eulogies of their deceased associate. He was a thorough gentleman, a warm friend, and a pleasant companion in the hours of his leisure.

He was a man of kind, generous heart, and when they stand around his open grave, every member of this Club who has ever been in contact with him, will be seized with a kindly recollection of George Collier Bower. The committee therefore offer the following:—Resolved, That the following testimonial be adopted upon the minutes of the association. Resolved, That respect to the memory of a deceased member of the Press Club, who attended the funeral in a body; and that a copy of resolutions be transmitted to the family of the deceased.

Resolved, That a member of the Club be appointed to prepare a biographical memoir of the deceased, to be read at some future meeting of the Club. Appropriate addresses were made by Messrs. Wallace, Hasson, Watson, Runkle, Souders, McDevitt, Smith, and Fisher, after which the resolutions were adopted. Ernest C. Wallace, Esq., was appointed to prepare the memorial.

ANNIVERSARY OF THE NORTHERN HOME FOR FRIENDLESS CHILDREN.—The Fifteenth Anniversary of this pious and useful institution will be held in Dr. A. Cookman's spacious and beautiful church, North and Spring Garden streets, instead of Dr. Adams' church, as announced in the TELEGRAPH last week, on to-morrow (Tuesday) evening, May 8, commencing at a quarter before 8 o'clock, precisely. Revs. Henson, Cookman, and Decker will make short addresses. There will also be a number of dialogues and recitations by the children of the Home, one hundred of whom will be present. They will also sing a number of beautiful and appropriate songs and hymns. As the occasion will be one of great interest, it is to be hoped there will be large attendance. A collection for the purpose of raising a fund for the proper furnishing of the school-room will be taken up. The desks and benches in the school-room are very sadly out of repair, and need renewing, an object which it is hoped will be secured by the collection to-morrow evening. The Union Passenger Railroad cars run directly past Dr. Cookman's church. No charge for admission.

A TURNING OF THE TABLES.

The particulars of the accusation of Daniel Foley for the murder of James Neede have been already published in this paper. The charges, to the extreme, The accusers were Cornelius Boyer, his wife, and Johnson Kelly. The complaint was made on Saturday week, when Alderman Kelly committed all the parties for a hearing. This was held on last Saturday. The story is now proved a deliberate conspiracy, and it is in the commitment of the witnesses for perjury and conspiracy. It will be remembered that on the first hearing the witnesses swore point blank that some time ago Foley called at the tavern of Boyer, Front and Walnut streets, and offered some gold plate and two sets of teeth of gold. It was noticed, however, that while Boyer swore that the gold plate and false teeth were offered for sale to him, and that Kelly advised him not to buy them, as he would probably get himself into trouble by doing so, Mrs. Boyer swore that her husband was not present, but that the plate and teeth were offered to her. When the case was ready for a further hearing, Cornelius Boyer was first called upon to testify.

Alderman Kelly said—You were sworn on Saturday last in this case, in the presence of Foley's counsel what you then said. Boyer—I was in liquor then; I don't know anything about it. Mr. Butler—Did Daniel Foley offer to sell to you a gold plate and two sets of false teeth? Boyer—I don't know anything about it. Mr. Butler—Anything about it, you know? Boyer—I don't know of his coming to the house with a gold plate and teeth; I was in liquor when I made the charge.

On the cross-examination Boyer repeated the same thing, declaring that he had never seen a gold plate in Foley's possession. Johnson Kelly was now called upon by the Alderman, and was told to state all he knew about the plate and false teeth. Kelly—I brought Foley the man who brought the gold plate and teeth to the house of Boyer; I did not say he was the man. Kelly—You advised Cornelius Boyer not to buy the plate and teeth, yet Mrs. Boyer swore that Cornelius was not present; which of them swore to the truth, Mr. Butler? Boyer—Myself.

Kelly—Boyer was not there at the time. The counsel for Foley, after asking Kelly a few questions, said that he thought Kelly entitled to a discharge, and the Alderman dismissed the complaint.

Mr. O'Byrne, who represented Foley, now preferred a charge of perjury against the Alderman, and Foley was sworn. He said—I was present at the hearing on Saturday last, and there was not one word of truth in what Boyer and Kelly swore to. I never took a false oath, nor did I swear to my house; nor do I believe that Kelly ever saw me until the day of my arrest.

The drawing will take place after the concert on the stage of the Boston House, where 10,000 persons can witness it. A committee will be appointed by the audience to superintend the same. All purchasers and agents will be supplied with correct lists of drawings as soon as published. Parties holding tickets will retain them until after the drawing, and if their number appears in the list of drawn numbers, they will forward their ticket immediately, with full directions as to the shipping of goods or money, tickets are for sale at principal Hotels, Book, and Music Stores in the city, and at our office, No. 133 DEARBORN Street. Price, \$1 each. Sent by mail on receipt of price and stamp for return postage.

Good and reliable Agents wanted in every city, town, and village in the United States, to whom great inducements are offered. References required. SPECIAL TERMS, OR CLUB RATES. Any party procuring a club of five or more names for tickets, and forwarding us the money for the same, will be allowed the following commission, viz:—

Table with 2 columns: Ticket quantity and Commission amount. Includes items like 10 tickets, 20 tickets, 50 tickets, 100 tickets.

WIGGINS, BRADFORD & CO., No. 133 DEARBORN Street, Chicago, Ill. The proprietor will donate to the Lincoln and Douglas Monument Fund the amount of \$100,000, to be drawn from the pension drawing the \$100,000 prize, for the same purpose.

NEW CHESTNUT STREET THEATRE.—The first performance will be given on Saturday evening, May 12, at 8 o'clock, under the management of W. J. WHEATLEY, Lessee and Manager. Doors open at 7 1/2. Curtain falls at 8.

AMUSEMENTS. UNITED STATES PRIZE CONCERT TO BE GIVEN AT CROSBY'S OPERA HOUSE, CHICAGO, ILLINOIS, May 28, 1866. 125,000 VALUABLE PRIZES. VALUED AT \$492,575'25. WILL BE PRESENTED TO TICKET-HOLDERS, INCLUDING \$100,000 IN GREENBACKS. Number of Tickets Issued, 500,000. PRICE, 5'00 EACH.

AMUSEMENTS. MRS. JOHN DREW'S NEW ARCH STREET THEATRE. TUESDAY EVENING, MAY 8, 1866. GRAND COMPLIMENTARY BENEFIT TO Miss Noemie de Marguerittes. GREAT BILL OF ATTRACTIONS. A NEW AND ELEGANT COMEDY. THE AMBASSADOR'S WIFE. THE POPULAR FATHFUL PLAY. FANCION, THE CRICKET. MISS NOEMIE DE MARGUERITTES on this occasion will sing FOUR CHARMING SONGS. LA DANZA W-LTZ. THE MAYPOLE POLKA composed and dedicated to her by JAMES H. SPENCER.

AMUSEMENTS. THE ENTIRE STAR COMPANY OF THE ARCH STREET THEATRE will appear in the evening of THURSDAY and FRIDAY, and at the vast and magnificent resources of Mrs. Drew's establishment will be brought into requisition to render this THE EVENT OF THE SEASON. MRS. JOHN DREW'S NEW ARCH STREET THEATRE. Begins at 7 o'clock on Monday, May 7, and on Tuesday, May 8, at 7 o'clock.

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AMUSEMENTS. NEW AMERICAN THEATRE.—WALNUT STREET above Eighth. Engagement of the unparalleled actor, HERBERT HUDSON, and he trained steed "Sensation," who will appear in the grand spectacle of "THE WILD HORSE OF TABARTY."

AMUSEMENTS. THE ORIGINAL MAGNIFICENT MOVING PICTURE OF THE CONFLAGRATION OF MOSCOW, which exhibited every evening this week at the ANTHELION BUILDING, commencing at 8 o'clock. The moonlit Homes and Battlements of the "City of the Future" are now being exhibited at 8 o'clock.

AMUSEMENTS. THE HERBERT. THE HERBERT. THE HERBERT. THE HERBERT. THE HERBERT.

AMUSEMENTS. AMERICAN ACADEMY OF MUSIC, CORNER 4th and Arch Streets, Philadelphia. POSITIVELY LAST WEEK, and farewell appearance in this city of the WONDERFUL TRUFALES, GARIBI, FLEANSOIS, AND ANTOINE, the Child Wonder, the wonderful MARTINETT FAMILY, MRS. PEPPIE, ROSE VON HAMME, Madame MARETTI YARBANS, and DESIREE, Mous. DRIS, GARCIA, and SCHEMPT and the full ORCHESTRA OF FORTY.

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GOVERNMENT SALES.

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Table listing various items for sale: Ambulance Harness, Platform Scales, Ring and Double Blocks, 67 lbs. Railroad Spikes, 260 Shutters and Gates, 200 lbs. Nails, 700 Open Rines, 60 lbs. Links, etc.

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