THE EVENING TELEGRAPH.

FIRST EDITION

NATIONAL FINANCES.

Statement of Alexander Delmar, Director of the Bureau of Statistics, of Receipts and Expenditures of the Government During the Past Three

[Mr. Alexander Delmar having been legislate ! out of office by Congress, and having until the first of January next only in which to render the science of statistics ridiculous, has made a desperate effort to bolster up the repudiation planks of the Democratic platform by the "exhibit" from which we quote all material portions below. Having given the masterly and irrefutable statements of Messrs. Wells and Atkinson, we permit expir ing Democracy to give this last financial gasp confident that the most superficial reader wil at once detect its sopnistries and contradictions. An insight into Mr. Delmar's utter recklessness and untrustworthiness is afforded by the fact that he anticipates on the first of January next a balance in the national Treasury of only \$28 000,000, in gold and currency combined; and this despite the unquestionable fact that there is now accumulated more than three times this amount in gold alone, while the receipts from customs for fell three months are to be added to it. Mr. Delmar evidently anticipa'es the election of Seymour and a Democratic Congress, and trusts to both to being legislated back into his sinecure. So he perverts facts and figures with a reckless handin order to contribute to his own resurrection, figuring up a deficiency of \$154,000,000 before the first of July next by doubling the Con. pressional estimates of ordinary expenditures; by placing the gold revenue from customs at \$150,000,000 only, in place of \$173,000,000, the annual average during three years past; and by pulling down the entire annual receipts from internal revenue to \$122,000,000. As a financier, Delmar botally eclipses his past record as a statistician, and deserves to rank as a statesman of the first Democratic water,-EDITOR EVENING TELET

On the 19th inst , the following letter dated at New York, was forwarded to Hon. Alexander Dalmar, Director of the Bureau of Statistics, at

Sir:-Your familiarity with the affairs of the Treasury leads us to make the following in-quiries, to which we shall feel obliged for an early

1. What have been the total receipts and expenditures of the Government during the past three fiecal years?

2. What are the estimated expenditures of the current fiscal year? What appropriations were demanded by the Treasury? What appropriations were granted by Congress, and when Congress adjourned what appropriations remained as available sources of authority for the expen-

diture of money from the Treasury?

3. What are the estimated revenues of the current fiscal year, and in what condition will the Treasury be on the 1st of January, 1869, and 30th of June, 1869, respectively! We are, sir, yours respectfully,

HENRY GRIFNELL. ROYAL PHELPS, WILSON G. HUNT,

Reply of Mr. Delmar. UNITED STATES TREASURY DEPARTMENT, BU-REAU OF STATISTICS, WASHINGTON, Sept. 25, 1868 -Gentlemen:-In reply to yours of the 19th instant, and to numerous other letters addressed to me on the subject, I have the honor to furnish the following account of the condition of

the United States Treasury, as set forth in the reports of its various officers:-The receipts and expenditures of the Treasury may be divided into four branches, classed as follows:—First, the Register's receipts and expenditures; second, the Treasurer's receipts and expenditures; third, the Post Office receipts and expenditures; fourth, the Navy Pension Pu.d. The Register's receipts and expenditures appear in the Register's reports, the Treasurer's receipts and expenditures appear in the Trea-surer's reports, the Post Office receipts and expenditures in the reports of the Postmaster-

The Register's receipts are gross receipts. The expenses of collection, drawbacks, discounts, repayments, etc., appear in the expenditures. The following are the Register's receipts and expenditures for the past three fiscal years:-

General, and the accounts of the Navy Pension

Fund in the reports of the Commissioner of

		The state of the s
REGISTERS	RECEIPTS.	
1865-66.	1866-67.	1857-68.
Customs 9 79 046 661	\$1.6 417,810	\$164,464,599
Internal Rev 309,226 813	246,027 537	191.087 586
Direct .ax 1 974.754	4,200 248	1,788,148
Public lands 665.031	1,168 575	1,348.715
Miscellaneous 67,119,369	42,824 852	46 949 083
Total\$558,032 020	\$490,684,010	\$405,638,133
BEGISTER S EXI	PENDITURES.	2
186 :-66,	1868-67.	1807-68.
Civil, For., Int.,	*** *** ***	****
and miscel \$11,086,961	\$51,110,027	\$53,009.867
War 281,419 701	95 224,415	128,841,648
Navy 43 324 118 Interior 18 857 416	25 579 083	25,775.402
	143,781,591	180,423 985
Interest 188.067 741	340,701,001	100,540 000
Total \$590 750 910	\$346 Tag 120	8370 RS9 073

These figures show the receipts and expenditures within the year. All that occar after the close of the year go on the next year's account, so that, though if a series of years be taken together the back receipts and expenditures are included, yet it it be destrable to ascertain the total revenue and cost of the Government for any single year by itself it cannot be done from these figures alone. For this reason they are not aggregated in the Secretary's report. Recourse must be had to the Treasurer's receipts and expenditures, which also include all re-ceipts from sales of captured and abandoned property, confiscation, prizes, sales of war vessels, etc., etc., items which do not appear in the Register's accounts as published, and which items, during the past three years, with the back receipts and expenditures, have averaged nearly \$50,000,000 a year, as follows:-

War Navy In erior Misceilaneous	1865-46, \$28,000.175 19,143-253 1 859-677 7,223-055	1866-67, \$22 476 564 12,777,201 1,9-6 168 6,991,232	1867-69. \$24,268,876 9,203,119 1,783,506 9,314,686
*Mainly sales fro	\$55,7/6,163 m cotton.	\$45,715,162	\$14,574.530
War Navy	19,143 258	ENDITURES. \$22,466,564 13 977,201 1.966,164	\$24,168,876 9,108,110 1,883,506
neous	1,363,859	987,994	1,736,992
lic debt		8 007,337	7.677 048
Total The Treasurer	455 726,1e2		\$44.674,530 enditures

consist, on the one hand, of receipts from sales or Government property purchased during the war, and receipts on account of the previous year; and, on the other hand, of the expenditures

and back payments of interest.

There are some receipts in the War Dopartment, I believe, which are never conveyed into the Treasury at all, and concerning which I have consequently no information. This matter has been made the subject of official communication now on file in the War Department. The "total receipts and expenditures of the Government during the past three fiscal years," omitting the above mentioned unknown items, have been as follows:—

	TORAL BAIL	W11.19+	
	186,-6, Register's\$558 032 620 Treasurer's 5',716 163	1866-7. \$490,634,610 45,715 162	\$405 638,18 44.574 53
J	Total\$513,758,783	\$586 849,172	\$150,212,66
1	TOTAL MEPEN	DITURES.	
1	Register's	\$846 729,129 45,715,162	\$370,359,67 44.574,58
Ì	Total\$576,447,103	\$392 444,291	\$414 913,60
	Authority for the statem receipts and expenditure Report of the Register of t Report, 1867, pp. 356 to 355 -8. Report of the Regist	s, 1865–6 an he Treasur), inclusive.	d 1866-7 y, Finance For 186

1868. For Treasurer's receipts and expenditure, 1865-6 and 1866-7, Report of Treasurer, Finance Report, 1866, p. 160, and Finance Report, 1867, p. 120. For 1867-8, the books of the Treasury. p. 120. For 1867-8, the books of the Treasury.

The Post Office receipts and expenditures constitute a separate branch of the public accounts, which is managed as follows:—The receipts for postage, etc., are applied to the expenditures for carrying the mails, etc. Should a surplus or deficiency occur the amount is paid into or out of the Treasury, and credited or debited to "Miscellaneous."

"Miscellaneous."

The Post Office receipts and expenditures of the past fiscal years are, therefore, included in the amounts above stated. For 1868-9 they are estimated by the Postmaster-General as follows:

\$6,100.000 The condition of the Navy Pension Fund is as follows:—It amounts to \$13,000,000, mainly derived from prize sales, and the amount is invested in United States securities at three per cent. The interest—\$390,000 per annum—forms the revenue of the fund, and such navy pensions, etc., as are authorized by law to be defrayed out of the fund form its expenditures. A triffing balance usually remains.

ESTIMATED EXPENDITURES AND APPROPRIATIONS REQUIRED FOR 1868-9. estimated expenditures (summary estimate) for the current fiscal year, and the amount and class of appropriations (detailed estimates) required to cover them, will be found respectively in Executive Documents Nos. 2 and 3, Fortieth Congress, second session. In actual order of time the detailed estimates preceded the summary estimate. Taken in connection, as originally printed, they contained several arithmetical discrepancies, which arose from attempts to cut down the totals without limiting the details. These discrepancies are corrected

in the following table, which presents the whole subject at a glance. APPROPRIATIONS REQUIRED BY THE TREASURY FOR

Interest	130,000,000
Total	
In effect the Treasur	y said to Congress:-
"Without reckoning th	e Treasurer's expendi-
tures, the Post Office de	enciency and such pri-
vate claims as you ma	y authorize us to pay
during the year, we shall	have to expend the
sum of \$398,317,183. The	re aiready exist perma-
nent appropriations whic	WIII COVER \$180,469,000
of this amount. Beside	s this, we shall have
available spending auth	balances of appropria-
tions after July 1, 1868	the actual amount of
outstanding balances of	
larger); but if you grant	
priations we ask for, amo	
we shall only draw on	these balances to the
extent of \$35,664,447." I	at Congress, instead of
granting the \$182,183,73	6 new appropriations
asked for, granted but \$1	14,958,896. as follows:-
NEW SPECIAL APPROPRIAT	ONS MADE BY FORTIETH

Other items in the civil list 9 390,818		NEW SPECIAL APPROPRIATIONS MADE BY CONGRESS. SECOND SESSION. War Department. Navy Department. Pensions and Indians. Post Office Department* Consular and diplomatic Legislative. executive, and judicial. Other Items in the civil list.	\$33,711,605 17,356,856 33,986,462 1,545,000 1,2 2,431 17,9 6,227
	1		

*Act of March 30, 1863, appropriated \$21,069,000, of which \$19,524,000 is to come out of revenues of Post Office Department, leaving \$1,565,000 to come out of "R-gister's" receipts of the Treasury. ADDITIONAL NEW SPECIAL APPROPRIATIONS MADE

BY FORTIETH CONGLESS, SECOND SESSION.

various dates	583 (669
 Leaving over \$67,000.000 of appropriation obtained from the balances of existin appropriations or by grants of deficiency printions at its next session. 	ons g (ol- appr	to d)
	Total	Total

appropriations, Congress granted \$7,200,000 for Alaska and \$583,669 to satisfy certain private claims as above (table II), and also \$19,275,766 deficiency appropriations for the service of 1867-8, as follows: -

DEFICIENCY APPROPRIATIONS FOR	
1867-8 MADE BY PORTIETH CONC.	RESS, SECOND
Civil	\$5 864,164
War	12,097'701
Extraordinary.	409 742
Total	\$19,275,706
EXPENDITURES OF THE CURRENT	ISCAL YEAR.
So that the expenditures of this none are deferred, will amount to	s fiscal year, if

Ordinary expend tures, 1868-9.... Alasks, 1868-9.... Private appropriations, 1868-9... befolencies, 1867-8.

 beficiencies, 1867-8.
 19,275,79.

 Principal of loans, 1847-8—1868-9.
 553,284

 Treasurer's expenditures, 1858-9, estimated.
 42,000,000

 \$175,959 202 -without including the Post Office deficiency,

which will amount, as before stated, to \$6,100,000. AUTHORITY TO EXPEND. When Congress adjourned the amount of appropriations that remained as "available sources of authority for the expenditure of money from the Treasury" was as follows:—

Permanent appropriations specific and in-definite, as limited by estimates \$18 \) 469 000 Principal of loans of 1847-8 \$5.82,641 New special appropriations made by For-tieth Congress.

"Limited by whatever construction may be placed upon third section of act of June 17, 1868. The above does not include [Post Offices deficiencies covered by appropriation act of March 30, 1868, nor "Treasurer's" expenditures, which are constructively covered by the original appropriation made for the purchase of the property from the sales of which the Treasurer's receipts are obtained.

ESTIMATED REVENUE OF THE CURRENT FISCAL YEAR To meet the \$475,959,202.23 of expenditures for 1868-9, we shall have the following receipts: Register's receipts-

Direct tax	
	N/A
Hewenter a receibigumminum nomminum. 42 000'	
Total \$321,620,	00

Thus, if the Treasury endeavors to meet its | SECOND EDITION current expenditures this year (to say nothing of matured claims deferred, or of the Post Office

of matured claims deferred, or of the Post Office deficiency), it will show a dedcit of \$154,339,202 at the end of the year, to be obtained from increased taxes or loans.

The departmental estimate of custom receipts is \$145,000,000; but taking the average vield since the imposition of the present tariff, the customs (though imports have this year fallen very sensibly) should yield daring the year ending June 30, 1869, \$150,000,000. See monthly report of the Director of the Bureau of Statistics report of the Director of the Bureau of Statistics No. 20, for 1868, for details.

The Internal revenue receipts are estimated INTERNAL REVENUE RECEIPTS, 1868-9. Estimate based on actual receipts during the

ı	year ended June 30, 1858. Those mark not been modified:—	ed * have
1	Spirits	*18 650,000
	Total manufacture, productions, etc Gross receipts	\$39 620,900 *6,400 000 *4,800,000
	Incomes and salaries. Legacles and successions. Misocitaneous, Schedule A, etc.	*1.100.000
١	Bank circulation, dividends, and deposits Fines penal les, and forfeitures Stamps	*1.800.000 *1.200,000 *14,000,000
ł	Additional taxation is regarded as	\$122,120,000 morac'i

additional taxation is regarded as impracticable, and there is, therefore, no apparent way out of the present difficulty but to increase the public debt by the issue of more bonds. This the Treasury has power to do until the whole sum of the public debt amounts to 2827 millions, or its amount at the date of the passage of the sect of 12th April 1868. act of 12th April, 1866. CONDITION OF THE TREASURY ON JANUARY 1, 1869.

AND JUNE 30, 1869. The condition of the Treasury on 30th June, 1869, has already been estimated. It will exhibit a dediciency of \$154,000,000. I now present an estimate of its condition on or about 1st January,

Leaving as balance..... RECEIPTS TO JANUARY, 1869—TREASURER'S RECEIPTS EXCLUDED.

Total. EXPENDITURES TO JANUARY I. 1869-TREA-SURER'S EXPENDITURES EXCLUDED. Civil service foreign intercourse and miscellaneous (some in

4,864,160

Balance in Treasury January 1, 1869\$28,247,650 Of which several millions will consist of trust funds, which the Treasury cannot use. Deduct from this amount the Post Office defi-ciencies for the half year, which will probably amount to \$3,000,000 and \$583,669-81 of private appropriations, most of which will be paid by that time, and you have the condition of the Treasury on the 1st of January, 1869.

FINANCE AND COMMERCE.

Monday, Sept. 28, 1868. The Money Market continues quiet. Call loans rule at 44@5 per cent.; first-class commercial The Stock Market was inactive this morning,

but prices were steady; Government loans were firmly held. City loans were unchanged the new issue sold at 1034; and old do, at 101, Railroad shares were the most active on the list. Pennsylvania Railroad sold at 56, no change; Little Schuylkill at 441, no change; Reading at 47@471, no change, and Philadelphia

and brie at 26g, no change.

In City Passenger Railway shares there was nothing doing. 50 was bid for Second and Third; 70g for Tenth and Eleventh; 15 for Thirteenth and Fifteenth: 22 for Spruce and Pine: 104 for Hestonville; 28 for Germantown; and 31 for Green and Coates.

Bank shares were firmly held at full prices. 240 was bid for North America: 163 for Phila-delphia: 1302 for Farmers' and Mechanics'; and 60% for Commercial. PHILADELPHIA STOCK EXCHANGE SALES TO DAY

Reported by De Haven & Bro., No. 40 S. Third street

-The following are this morning's gold quotations, reported by Narr & Ladner, No. 30 outh Third Street:— 1424 12.12 P. M. 1414 12·21 ··· 1414 12·23 ··· 141 141 141 1411 12·24 " 1411 12·30 "

11-50 " 141½ 12·30 " 141½ —Messrs. Jay Cooke & Co. quote Government securities, etc., as follows:—U. S. 6s of 1881, 114@114½; old 5-20s, do., 114@114½; new 5-20s, 1864, 109½@110; do., 1865 110]@110½; 5-20s, July, 1865, 108½@109; do., 1867, 108½@109; do., 1868, 109@109½; 10-40s, 104½@104½. Gold, 142½. —Messrs. William Painter & Co., bankers, No. 36 South Third Street, report the following rates of exchange to day at 12 clock. No. 36 South Third Street, report the following rates of exchange to-day at 12 o'clock:—United States 68, 1881, 113½@114; U., S. 6-208, 1862, 113½@114; do., 1864, 109½@109½; do., 1865, 110½@109½; do., 1865, 110½@109½; do., 1865, 110½@109½; do., 1865, 108½@109½; do., 180½@109½; do., 180½@109½; do., 180½@109½; do., 180½@109½; do., 180½@109½; do., 180½@10½; do., 180½@10½; do., 180½@10½@11½; do., 180½@11½; do., 180½.

Philadelphia Trade Report.

Monday, Sept. 28.-The Flour Market is moderately active, and prices are steady. About 1200 barrels were taken for home consumption, including 400 parrels Redstone family, and 500 barrels Ohio family, on secret terms; superfine at \$6.50@7.50 for low grades and good, extras at \$8@8 75, new spring wheat extra family at \$9@

9-75, old do. do. at \$9-75@10-25, Minnesota do. do.

at \$9.50@9.75, Pennsylvania and Ohio do. do. at

at \$9'50@9'75, Pennsylvania and Ohio do. do. at \$10@12, and fancy brands at \$12'50@14, according to quality. Rye Flour may be quoted at \$9@9'50' 49 bbl. Nothing doing in Corn Meal.

The Wheat Market presents no new feature. A steady inquiry prevails for good and choice lots, but inferior grades are not much wanted. Sales of red at \$2'20@2'30; about 2000 bushels sold within this range, and 1000 bushels on secret terms. Rye is held at \$1'60 for Western. Corn is quiet at former quotations. Sales of yellow at \$1'27@1'28, and Western mixed at \$1'26@1'27. Oats are in moderate request at full prices. Sales of 2000 bushels Western and Pennsylvania at 76@77c. No change to notice in Barley or Mail.

Seeds—Cloverseed is not so firm. Sales of 50

Mait.

Seeds—Cloverseed is not so firm. Sales of 50 bushels new at 88; Timothy ranges from \$3 40@ 3-60; Flaxseed is taken by the crushers at \$2.80@2-90.

LATEST BY TELEGRAPH

The Memorial of the Alabama Legislature Presented to the President-Federal Troops Asked For to Aid the State Authorities.

Secret Organizations in Kentucky-A Disaster on the North Pennsylvania Railroad.

Financial and Commercial

Etc., Etc., Etc., Etc.

FROM WASHINGTON.

Special Despatch to The Evening Telegraph, The Alabama Memorial to the President. WASHINGTON, Sept. 28 .- The Committee of the

Alabama Legislature will call upon the President to-day. The joint resolution and memorial of the Legislature to the President, as Com mander-in-Chief of the Army, sets forth that:-Whereas, It has come to the knowledge of the

General Assembly that in many portions of the State the civil authorities have not yet assumed the discharge of the duties of their respective offices under the present State government, in consequence of their resignation in some cases and want of time to quality in others;

And whereas, In consequence of the want of

such civil organizations in many of the countres in this State laws are neither respected nor obeyed, and violence has been committed in many cases upon human life, numbers of peace-able men have been forced to leave their homes, able men have been forced to leave their homes, others have been compelled to emigrate from the State, society is fast verging to a state of anarchy, officers have been intimidated from the discharge of their duty, and others have been forced to resign and vacate their offices. These and many other acts of violence have been committed, growing out of the delay in perfecting the civil organizations as aforestad. We are satisfied that the people, and society generally, and the best interests of the whole country, and the cause of peace, law and whole country, and the cause of peace, law, and order in this State, require the immediate protection of an armed force be detailed by the President of the United States to aid the authority of the Constitution in such portions of the State as may be hereafter designated. In view of the approaching exciting election, and absence of the usual legal restraints thrown around the people on such occasions, and the necessity for such protections afterwards, it is therefore hereby

is, therefore, hereby

Resoived, By the General Assembly of Alabama, First. That his Excellency the President
of the United States be and he is hereby respectfully memorialized to detail a sufficient force for
this State, to secure such protection as is indi-

cated above.

Second. That a joint committee, consisting of two members of the Sevate and three from the House, to be appointed by the presiding officers, proceed to Washington City to lay the appoint before the president. Governor Smith was also authorized to unite

with the delegation to lay the memorial before the President.

DISASTER.

A Cow Wreeks a Train on the North Pennsylvania Rattroad - One Man Killed and Five Injured. Special Despatch to The Evening Telegraph

BETHLEHEM, Pa., Sept. 28 .- At noon yesterday, as the accommodation train on the North Pennsylvania Railroad was approaching this place, and about half a mile from the town, a cow came auddenly out of some bushes by the roadside and rushed upon the track just in front of the engine. The train consisted of an engine, tender, two baggage, and two passenger cars. The engine struck the cow and passed over it, but did not leave the track. The first baggage car was thrown to the right, in a small cut; the second baggage car went to the left; and the first passenger car was upset and fell upon its side on the bed of the road. The first passenger car was badly broken, while the second one was but little injured, and did not leave the track.

Of the persons on the train, the only one killed was Henry Dutts, a freight brakesman, who was riding on the train, and received a fatal blow ou the head. Several passengers were badly injured. Charles Keichline, a clerk in a store at Bethlehem, who was in one of the baggage cars, was badly hurt about the head. Joseph Sharwell, innkeeper, formerly of Allentown, now of Philadelphia, was severely hurt about the head. Charles Bowman, clerk in a coal office, was cut about the head. W. Esch, a railroad engineer, was very badly cut on the head and face. D. G. Meglathery, freight agent at Bethlehem, was hurt in the head. Several other persons were slightly injured, but of the passengers on the train only two were unable to walk after the accident. The wounded were taken to Fetter's Hotel, at this place, where medical aid was promptly obtained, and every care was taken of them. The accounts of their condition this morning are favorable.

FROM KENTUCKY.

The K. K. K. Still Committing Depreda-tions and Outrages. Special Despatch to The Evening Telegraph.

FRANKFORT, Sept. 28 .- The Ku-Klux are still committing depredations around Harroldsburg. Last week a gentleman of the name of Figg was taken from his home and terribly beaten, from the effects of which he has not yet recovered. There are three gentlemen in the city at present, who have been driven from their homes by the Ku-Klux.

Secret organizations under various titles are organizing in the city and vicioity. One organization called the Stephenson Rides have been armed, and go through regular drills, always after night.

THE EUROPEAN MARKETS.

This Morning's Quotations. By Atlantic Cable, London, Sept. 28—A. M.—Consols, 944 for money and account; United States Five-twenties firm at 784. Railroad shares steady; Eric 332: Atlantic and Great Western, 392; Illinois Cen Liverpool, Sept. 28-A. M.—Cotton firm; sales estimated at 12,000 bales. Other articles un-

London, Sept. 28-A. M.-Sugar firm.

FROM BALTIMORE.

Delegations to the Grand Soldiers' Mass Meeting in Philadelphia - Political Affairs.

pecial Despotch to the Evening Telegraph,
BALTIMORE, Sept. 28.—The Philadelphia, Wilmington, and Baltimore Railroad Company has reduced the fare to the Boys in Blue attending the grand celebration in Philadelphia, to two dollars the round trip. This will induce very large delegations, probably thousands, to be with you on Thursday and Friday next.

The Baltimore City Council meets again in extra session this evening.

Some Democrats here are now telling that Seymour and Blair will only carry Maryland and Kentucky, with probably Georgia. The Republicans are becoming amazingly active and hopeful. Some of them think if things go on as now indicated, even Maryland is not certain for

Dr. J. S. Coleman, for fourteen years professor in the South Carolina College, has been chosen Military Surgeon in the University of

The Cincinnati Club eastly beat our Baltimore Enterprise Base Ballers on Saturday afternoon.

FROM STROUDSBURG.

The Recent Murder at the Delaware Water Gap,

Special Despatch to The Evening Telegraph. STROUDSBURG, Pa., Sept. 28 .- Thomas Brodhead, brother of Theodore Brodhead, who was wounded on Friday during the struggle with two robbers named Charles Orm and William Brooks, at the Delaware Water Gap, in which Theodore was instantly killed, is worse this morning, and fears are entertained of his recovery. Popular feeling is very strong, and it is thought that if Thomas dies it will be difficult to keep the citizens from taking the prisoners by force from the Stroudsburg Jail and lynching them, in revenge for the double murder. Nothing is thought of or talked about in this section of the country but the murder. Theodore Brodhead's funeral yesterday morning was very largely attended. Endeavors are being made to have the murderers tried at the present term of court, so as to avoid the delay of three months. The people demand speedy justice. The prisoners are greatly depressed.

FROM PANAMA.

Advices from the Isthmus-The Pros-

Pects of War.

New York, Sept. 28.—The steamship Alaska brings Panama dates to the 19th. The Star and Heraid says the prospects of peace on the Isthmus are not very promising, there being already discontent with the new Government. There is no news from the earthquake in South America. The cereal crops in Gustamala are seriously affected by the want of rain; also in Nicaraugua. The fever epidemic is disappearing from Salvador.

Loss of a Schooner.

NEW CASTLE, Ontario, Sept. 28. - The schooner Arisdne, with barley for Oswego, is ashore near ints prace, with about three feet of water in her hold. The vessel and cargo will probably be a

LEGAL INTELLIGENCE.

U. P. DISTRICT COURT-Judge Cadwalader. U. F. DISTRICT COURT-Judge Cadwalader.—
U. S. District Attorneysnip. As per agreement of Friday last, the argument of the quastions presented in the difficulty which has occurred in the appointment of Mr. U'Nelli to this office, counsel appeared in Court this morning to present their views. Mr. Gilphi's interests were represented by Messrs, F. C. Brightly and George D. Budd white Mr. W. L. Hirst appeared in behalf of Mr. U'Nelli, "On the part of Mr. Gilphi the positions taken by Mr. Brightly, who opened the discussion, were the following:—

The Constitution provides that the President shall noministe and by and by and with the advice of the Senate shall appoint all officers of the United States, whose appointments are not increin otherwise provided for, and which shall be established by law. Coost. Art. II, sec. 2.

But Congress may by law vest the appointment of such inferior officers as they think proper, in the President alone, in the courts of law, or in the neads of departments.—bid.

The effect of this provision is, to require the consect of the Senate to all the appointments st, unless otherwise provided by law—6 Opin. 1. 2 Johnson's Trial 34.

The Coostitution further provides, that the President constitution further provides, that the President shall we have a supposed to the senate to all the stepolium that the President of the Senate to all the stepolium that the President of the Senate to all the stepolium that the President was provided by law—6 Opin. 1. 2 Johnson's Trial 34.

The effect of this provision is, to require the consect of the Sewate to all the appointments, unless otherwise provided by law—8 Opin. 1. 2 Johnson's Triat 34.

The Constitution further provides that the President shall have power to fill up all vacancies that may happen duting the recess of the senate by granting commissions, which shall expire at the end of their next session. Iold, 3.

The act 15th May, 1829-1, provides that all District Attorneys shall be appointed for the term of four years, but shall be removable from office at pleasure. I Bright, Deg. 32.

The Tenure-of-Office act of March 2, 1867 (14 stat., 430), provides that every person holding any civil office to which he has been appointed by and with the actice and consent of the Senate, shall be entitled to hold such office until a successor shall have been in like manner appointed and duly qualified." Provided, that nothing in this act contained shall be construed to extend the term of any office the duration of which is limited by law. See 1 Johnson's Trial, 378.

It further provides that the President shall have power to fill all vacancies which may happen during the recess of the Senate by reason of death or resignation, by granting commissions which shall expire at the end of their next session thereatter; and if no appointment by and with the advice and consent of tenate shall be made during their next session, the office shall remain is absyance, and the dusies shall be performed by such other officer as may by law exercise such powers and duties in case of a vacancy.

Mr. Gilpin's term, as District Attorney, would have expired under the act of 1821 in April, 1888, during the session of the Senate. What effect has the act of 1871 upon his tenure of office?

The first section does not extend the term of the District Attorney, though it would clearly have been competen; for Congress to have done so. The same power which find the term at four years could have extended it to five, or any other number. There can be no doubt on this point. Mr.

vs. Madison, 1 Co., 137, 162, See 2 John's, Tr. 47, 2 John's, Tr. 37-8, Howard, J., 21 Eractinghuysen.

The term of an office is not merely the duration of it, but it signifies also the office in the office to which he is appointed.

"The idea of an office clearly embraces the ideas of teners, duration, fees or emoluments, rights and powers, as well as that of duty."—2 Burril's S. Dict. 257 Se. Johnson's Trial, 379.

The act then does not extend the term, but provides for the performance of its duties after the excitation of thaterm fixed by the act of 1820, until a successor shall be duly qualified.

This is nothing but a case growing cut of the idea of the third sec ion that some person shall execute the duties of the office until the Sona's shall consent to the appointment of a successor to the incumbent.

But is to ere any person holding an appointment which justifies him in disputing the authority of Mr. Gilipin as District Attorney?

If Mr. Gilipin's term excited by limitation, the vacancy happened not during the recess, but during the session of the Senate.

It is claimed that the President has power, during a recess of the Senate, to fill a vacancy that occurred by expiration of commission during the previous session. Opinion, 881; 2 Ibid 625; 3 Ibid, 673; 4 Ibid, 523; 10 Ibid, 356.

This is but an executive construction of the powers of the President. It is a forced construction, and one in which Attorney-General Sates says he would have serious doubts, had it been a case of first impression. 10 Opinion, 358.

But these executive constructions are not binding

serious doubts, had it been a case of first impression. 16 Opinion, 358.

But these executive constructions are not binding on the Courts. They cannot authoritatively fix the const tutional power of the President; much less can they control the Legislature in the adoption of a different rule of construction. (2 Johns. Tr., 312. Evarts.)

This has been done by the act of 1867. The first section in effect provides that there shall be no vacancy until a successor to the incumbent is duly qualified. The third restricts the power of the President to fill vacancies to such as shall occur during the recess, by death or resignation. He cannot create a vacancy by removal; neither can be fill the office of one whose

cfficial term expired during the session. This is clearly the intent of the law. Its object was to restrict the President's power of appointment and removal within its strictly Contitutional limits, and to overtile all the latitudinarian constructions that hed been put on it by the Attorney-General's Departments 2 Johns Tr., 210 II.

What was the original theory of the Constitutional right of appointment and removal which Congress evidently intended to restore?

1. In the first place, it was the opinion of the best constitutional lawyers, at the time of the adoption of the Constitution, that the power of appointment did not necessarily include that of removal.—The Federicalist, No. 77 (Hamilton): Story on Const., 1839; 1 Marshal's Life of Washington, cb. 3, p. 175; 1 Lioud's Debates, 351, 396, 450, 480, 690; 1 Ken.'s Com., 310; 1 Senton's Thirty Years' View, cb. 22 2 Johnson's Trials, 38, 84-5, 202, 240, 244.

A construction of the Constitution in direct opposition to this view was adopted by the First Congress by the casting vote only of the Vice President, John Adams, and as is admitted, beyond doubt, influenced by the exalled character of General Washington, the first President.

This was a latitudinarian construction not warranted by the letter o' the Constitution on eagainst which strict construction ists have always contended, and which the act of 1867 was evidently intended to overrute: 2 Johns.' Tr., 318.

A construction o' the Constitution placed upon the Constitution by Congress by the passage of a legislative act, is no more binding on a subsequent Congress than any other legislative enactment, No legislative body can control its successor, possessed of the same powers.

Another latitudinarian construction of the Constitution is subsequent Congress than any other legislative enactment, No

A construction of the Constitution placed upon the Constitution by Congress by the passage of a legislative sct, is no more binding on a subsequent Congress than any other legislative enactment. No legislative body can control its successor, possessed of the same powers.

Another laitudinarian construction of the Constitution was that placed upon it by the Attorney-t-sene-received the constitution was that placed upon it by the Attorney-t-sene-received during an energious session. See I Johns Tricay Guillag he nervious session, see I Johns Tricay Guillag he nervious session, see I Johns Tricay Guillag he nervious session. See I Johns Tricay Guillag he nervious session, see I Johns Tricay Guillag he nervious session. See I Johns Tricay Guillag he nervious session, see I Johns Tricay Guillage he nervious session. See I Johns Tricay Guillage he nervious session, see I Johns Tricay Guillage he nervious session of the population of our Attorney-General are a branch of the Pederal Executive and all their opinions appear to favor the most extensive construction of the power of the Federal Executive and all their opinions appear to give resons in favor of the extension of the Dexecutive and all their opinions appear to give resons in favor of the extension of the Dexecutive authority.

This is contrary to the recognized rule of construction applicable to the Federal Constitution. No power can be exercised under it, unless given either expressly or by necessary implication. Com. vs. Horstman, 5 Harris, 118: Wister vs. School Directors, 2 Sth. 474

The act of 1867 intended to correct this abuse; it provides expressly that the Preddent's power to fill vaccencies shall extend only to such as a happen during the recess by death or resignation, 3 Johnson's Tharts, 118: Wister vs. School Directors, 2 Sth. 474

Can there be a doubt of the power of Congress to confine the execution within the strict leater of the Constitution of the power of the federal legislation, which happened the power of the preddent passes the power has

The act is constitutional: 3 Johns. Tr., 7 Sherman, S.; 42 Howard: 86 Edmunds; 801 Henderson.

The act provides a tenure of office for all officers appointed by and with the consent of the Senate, to act an indefinite term, ending when a successor is duly qualified. 3 Johns. Tr., 20 Fessenden, S.

[Continued on the Eighth Page.]

Markets by Telegraph. NEW YORK, Sept. 28,—Stocks steady, Chicago and Rock Island, 1(1); Reading, 94; Canton, 47; Eric. 49%; Cleveland and Toledo, 101%; Cleveland and Pittsburg, 85%; Pittsburg and Fort Wayne, 109%; Mich gan Central, 118; Michigan Bouthern, 84; New York Central, 129%; Fillnois Central, 144%; Cumberland preferred, 32%; Virginia 68, 53%; Missouri 6°, 92; Hudson River, 139; 5-20a, 1892, 114; do, 1861, 109%; do, 1868, 116%; do, new, 108%; 10-40a, 104%. Gold, 141%. Money, 8@5 per cent. Exchange, 8%.

LATEST SHIPPING INTELLIGENCE. For additional Marine News see Inside Pages PORT OF PHILADELPHIA SEPTEMBER 25.

CLEARED THIS MORNING.

Brig Geo. Ames. Hail. Portland, L. Audenried & Co.
Brig Proteus, Hail. Portland, Hammett & Nell.
Schr Plandome, Eduards, Charleston, S. C., do.
Schr A. J. Fabens, Bragg, Nawburyport Knight & Son.
Schr W. F. Washington, Hopkins, Concord, Del.,
Moore, Wheatley & Cottingham.
Schr John Johnson, McBride, Boston, L. Audenried & Co. B. Marshall, Marshall, Boston, Warren & Gregg.
Schr D. H. Merriman, Tracy, Indian river, Captain,
Schr Reading RR. No. 44, Trainer, Hartford, J. Rom sonr Reading RR. No. 44, Trainer, Hartford, J. Rommel, Jr.
Schr Reading RR. No. 77. Carroll, New London, do.
schr Ida V. McCabe, Pickup, Norwich,
do.
Schr Rs. Dean, Cook, Dighton,
St'r Miliville, Renear, Miliville, Whitail, Tatum & Co.
St'r Beverly, Pierce, New York, W. P. Clyde & Co.
Tug Thom, Jefferson, Allen, for Baltimore, with a tow
of barges, W. P. Clyde & Co.

ABRIVED THIS MORNING.

Steamship Pioneer, Catharine, 50 hours from Wilmington, N. C., with naval stores, etc., to Philadelphia and Southern Mail Steamship Co. Yesterday alternoon, saw two barques, three brigs, and six schooners leave the Breakwater, bound up; off Brandywine Light, saw a foreign barque, beating up, and two others in the bay, coming up.

Steamship Fanita, Freeman, 24 hours from New York, with modes, to Jehn F. Oni.

Brig H. B. Emery. Small. 21 days from Clenfuegos, with old fron and steel to Madeira & Cabada.

Br. brig Ida. Clark. 14 days from Sombrero, with guano to Moro Phillips.

Schr George W. Chase, Bacon, 10 days from Miramichi, with lumber to order.

Schr Clara Bell, McAllister, from Wilmington, N. C., with lumber. ARRIVED THIS MORNING. michi, with itember to droer,
Schr Clara Beil, McAllister, from Wilmington, N.
C., with lumber,
Schr Martha M. Davis. Laws, 1 day from Milford,
Del., with grain to Jas. Barratt.
Schr Alaska. Jones. 1 day from Brandywine, Del.,
with flour to Richard M. Lea & Co.
Br. schr Prairie Bird, Thompson, from Washington,
Steamer Millville, Renear, from New York, with
mose to Whitall, Tatum & Co.
Steamer F. Franklin, Plerson, 13 hours from Baltimore, with mose, to A. Groves, Jr.
Steamer J. B. Shriver, Dennis, 18 hours from Baltimore with mose, to A. Groves, Jr.
Steamer Ann Eliza Richards, 24 hours from New
York, with mose, to W. P. Clyde & Co.
Steamer Vulcan, Morrison, 24 nours from New
York, with mose, to W. M. Baird & Co.
Tug Thos, Jefferson, Allen, from Baltimore, with a
tow of barges to W. P. Clyde & Co.

PUT IN FOR REPAIRS.

Schr Queen of the West, Beatty, from Georgetown,
S. C., for Boston, with lumber, put in sere to day for repairs, having sprung a leak during heavy gales on the 16th. 17th, and 18th inn's... also aprung foremast, split sails, etc., and is full of water.

Behr Topaz. Rose, from Nawbern for Philadelphia, with 46,000 shingles, at Nortolk 25th Inst. Schr Challenge, for Philadelphia, sailed from Norfolk 25th Inst. Schr Queen of Olippar. Bohr Queen of Clippers, Macomber, hence, at Half-fax 24th inst.

Schra Frank Herbert, Chase, and W. Hoardman, Billard, for Philadelphia, cleared at New York 26th Instant. instant.

Schr H. N. Squire, Fisk, for Palladelphia, cleared at Portland 24th inst.

Schr M D. Crahmer, Crahmer, hance, at Newbury-port 24th inst.

Schr Ann S, Brown, for Philadelphia, cleared at Plymouth, Mass., 18th inst.

Plymouth, Mass., 18th inst.

Providence 24th fast.

Providence 24th fast.

Providence 24th 48st.

[HY WELESBAPH.]

NEW YORK, Sept. 28—Arrived, steamship Westphalls, from framburg diantic Orbital

Grasgow. Sept. 28.—The steamship Columbia, from New York Sept. 12, arrived yesterday.