## XXXIXth Congress-First Session. CLOSE OF YESTERDAY'S PROCEEDINGS.

SENATE.—The bill to authorize the con struction of a bridge across the Mississippi Mr. Henderson offered an amendment which was adopted, authorizing the construction of a bridge at Hannibal, Mo.

The bill, as amended, was then passed.

The bill making appropriations for the support of the Post Office Department for

the ensuing year was called up.

Mr. Trumbull (Ill.) offered the following
san amendment to the bill: "No person
exercising or performing the duties of any
officials which by law is required to be filled by the advice and consent of the Senate shall, before confirmation by the Senate, recéivé any salary or compensation for his services, unless he be commissioned by the President to fill up a vacancy which has during the recess of the Senate, and since its hast adjournment, happened by death, resignation or expiration of the term.

Mr. Johnson (Md.) opposed the above as

an infringement upon the appointing power Mr. Trumbull did not think the right of

the power of removing from office was understood in his amendment. According to a statute of 1863, it was competent for Congress to provide that officers appointed by and with the advice and consent of the Senate should be removed only by and with the advice and consent of the Senate. This was provided in the law creating the office of Comptroller of Currency. The President, said Mr. Trumbull, has no authority over the Treasury of the country. He cannot draw his own salary without the consent of Congress. There is, therefore, no constitutional question involved in this. The intentional question involved in this. tion of the amendment is to prevent any one being put out of office, and another put in his place so as to receive his pay, and if the President thinks proper to undertake to remove officers, the successor shall receive no pay, if this provision becomes a law, un-

til he is confirmed by the Senate.
Mr. Johnson said that, admitting the sower of Congress to refuse to pay an officer two squestionable whether there was any moral right to do so. The precedent about the been established might be a bad one, and might return to plague the inventor. It might happen that those now in the minority should obtain a majority in Congress, while the other party had a President elect while the other party had a President elect-ed. Congress might then refuse to pay the Bresident's appointees. Mr. Johnson said he would read a letter from Mr. Madison on this subject, written at a time when there was a more bitter war between Congress and the President than now exists, admit-

there is a war at present. ir. Clark—There is no war. [Laughter.] Johnson—I say, admitting there is a [Laughter.] I am sure there is no but I say, admitting there is. [Laughter.] Mr. Sumner—A mere hypothesis. [Laugh-

Mr. Trumbull—A mistaken hypothesis. [Laughter.]
Mr. Johnson—This has a little squinting that way, but unfortunately, perhaps, the honorable member from Illinois does not

see it. [Laughter.] Mr. Johnson continued his remarks on the pending amendment. Mr. Trumbull had admitted the power of the President to remove during the session of the Senate, but denied his right to appoint. Suppose the President, who is a man of firmness and nerve, should be of the opinion that it is purpose of Congress to war upon him by taking from him the power to remove. what will he do? He will remove, and not appoint, and the wheels of government will stop. If the President is impeached for it, he can defend himself and appeal to the people. What is to be accomplished by carrying on apparent war, doing what never has been done in relation to any of never has been done in relation to any of the predecessors of the President? What is the condition of the country? The war is over, and the Union still practically dis-solved. What are the signs of the times?

If the instructions given by the Secretary of State to our Minister to Austria are carried out, the result will be war between this country and Austria. We may defeat the few soldiers she may send against us, but she will fill the seas with privateers to destroy our commerce. With eleven States excluded from the Union, we are not in a condition to go to war; and if the report of e on Reconstruction is adopted the States will be kept out till after the next Presidential election.

Mr. Sumner (Mass.) said he would like

to simplify the question before the Senate, which it seemed to him Mr. Johnson had done more to perplex than to explain. It was said that the fox when pursued cunningly contrives to throw his pursuers off the scent, and it seemed to him (Mr. Sumner) that Mr. Johnson had been trying to throw the Senate off the scent. Mr. Johnson had spoken of the possibility of war with Austria. He shared the solicitude of that Senator with reference to the question to which he had referred, but he begged to remind the Senate that it could have nothing to do with this question. The question now pending was so simple as hardly to

Mr. Trumbull said Mr. Johnson was mistaken in supposing that this was a measure nostile to the Executive. It was simply an amendment to carry out a clear constitutional power of Congress to prevent a practice which had grown up of making enpoint tional power of congress to prove a place tice which had grown up of making appointments to office without consulting the Senate. He did not believe the adoption of his amendment would affect the question of

war with Austria. [Laughter].
Mr. Sherman (Ohio) said he believed Congress had the right to limit the power of the President to appoint. It exercised that power in 1863, in the bill creating the office of Comptroller of the Currency. The pending proposition was, however, very harsh, sand he would hesitate before giving his assent to it. If the Jhairman of the Judiciary Committee would report a bill to regulate the subject of removals and appointments, he would support it, if it was judicially framed. There was a jealousy, he would but say a person Congress and the not say a war, between Congress and the President, and he knew of no time better than the present for regulating the subject of removal and appointments, by passing a wise and just law on the subject. It ought to be passed in an informal manner as ot to be passed in an informal manner as an amendment to the appropriation bill; he did not believe it would be wise to declare that an officer legally appointed should receive no pay, unless his appointment was agreed to by the Senate.

Mr. Henderson (Mo.) saidhe had partially prepared a hill of the patture referred to by

prepared a bill of the nature referred to by Mr. Sherman. He had come to the conclusion that the President had no constitutional power to remove any one from office. Speaking of the practice of executive removals, he said Washington, in eight years, removed but four from office, Adams but ten, Jefferson but eight, Monroe but nine, John Adams but four, General Jackson removed two hundred and thirty Jackson removed two hundred and thirty during the first year, and after that some four or five thousand. Since Jackson's time the habit of removing had been much more frequent than before. He did not know that President Johnson would undertake to remove from office to any great extent; but if (Mr. Henderson) was in his place, and same difference existed between him and Congress that exists between Congress and Mr. Johnson, he would use all the was taken away from him, Mr. Johnson would be justified in using his appointing power to carry out what he calls "my

policy."
Mr. Henderson was referring to the fact that a western newspaper had advised the \* President to march troops into the Capitol wand drive the Senate out. Mr. Davis (Ky.) had said that if the Southern Senators came bere and joined the minority in the Sena to twould be for the President to say which was the legal Senate.

Mr. Davis—I will state what I did say, and what I believe. It is made the duty of he President to communicate to Congress rom time to time, and recommend for its consideration, such measures as he shall deem proper. The position that I assumed was this, that before the President could xercise that office he would have to ascerain what bodies of men constituted the Congress. If there were four bodies of men wo of them concluding that they were the Senate, and the other two concluding that they were the House, then the President must necessarily decide which body consti-tuted the House and which the Senate; that it was a necessity, and that it was his plain constitutional prerogative and right to determine, under such a state of the case as that, which was the true Senate and which was the true House. I furthermore stated that if the Southern members were to get tutional function and right to decide whether they were the Congress or not, and t he chose to recognize them as the two Houses of Congress, they constitued the regular legal constitutional Congress. That

s still my opinion.

Mr. Howard (Mich.)— Then the Congress depends upon the will of the Presidents
Mr. Davis—I furthermore stated that it was the province of the two Houses to judge exclusively, each for itself, of the elections, qualifications and returns of its own memers; that over these issues the President had no control or jurisdiction; but at the same time, if the members contesting for seats were to get together in such bodies as constituted a majority of the two Houses, that the President had the right to recognize them in the Congress. I say so still. That is my opinion—my belief.

Mr. Howard—Will the Senator from Kentucky allow me to ask him from what part of the Constitution of the United States he seats were to get together in such bodies as

derives this power?

Mr. Davis answered by quoting the constitutional provision requiring the Presisident to communicate with Congress.

Mr. Anthony (R. I.) said the Senator from Kentucky not long since made a speech which at the time excited the surprise of the Senate. He had looked for it in the Globe, but it was not there; and he desired to know whose fault it was—whether it was the fault f the reporters or publishers of the Globe bat this omission occurred.

Mr. Davis—It is my fault.
Mr. Anthony said that this practice of making speeches and then either suppressing them or so altering them as to make replies to them appear ridiculous ought to be stopped. He believed the reporter of the Globe ought to be held responsible for the Globe ought to be held responsible for the publication of everything said in the Senate. He for one should oppose the appropriation for the Globe, if it was to be optional with men to print or suppress speeches made in

Mr. Davis, in reply, said it was a common ractice for speeches to be withheld for publication in the appendix of the Globe intended to print in the appendix the speeches to which Mr. Anthony referred. Mr. Howard (Mich.) said he held in his hand the original report of the remarks which Mr. Dayis had just explained, as taken by the reporters at the time, and writen out from his desk. He asked that it be

The Secretary read it accordingly. [Mr. Davis says in it that the President is, by the Constitution, made the Judge of what is the Congress. The excluded Senators, with the minority in this body, constitute a majority of all the Senators of all the States. These two could get together in a conclave and it would be the constitutional obligation of the President to choose between th wo Senates then existing. It is his power, and I would advise him to use it. He has the right, and, by the Eternal, be ought to exercise that right. If I were he I would do it to-morrow, and recognize the Southern

onstitutional body.]
Mr. Davis, at the conclusion of the reading, rose and said: Mr. President, that is my principle still; I maintain that that is he true principle of the Constitution. Mr. Howard—The honorable Senator from Kentucky (Mr. Davis) says that is his prin-I regret very much to hear him nake such an announcement. I pronounce

that principle to be revolutionary, unconstitutional and treasonable. I move that the Senate adjourn.

Mr. Davis—I wholly dissent from the position of the honorable Senator. It is neither

revolutionary, unconstitutional, nor treasonable. The Senate, at 5 o'clock P. M., without taking action on the pending bill or amend-

ment, adjourned.

House,—Mr.Stevens (Pa.) from the Committee on Appropriations, reported a bill making appropriations for the use of the Bureau of Refugees, Freedmen and Abandoned Lands for the year commencing January 1st, 1866, which was read twice and referred to the Committee of the What referred to the Committee of the Whole on the State the of Union, and made the special order for to-morrow.

The bill makes the following appropriations—Salaries of Assistant and sub-Assistions—Salaries of Assistant and sub-Assistant Commissioners, \$47,500; salaries of clerks, \$82,800; stationery and printing, \$63,000; quarters and fuel, \$15,900; clothing for distribution, \$1,750,000; commissary stores, \$4,106,250; medical department, \$500,000; transportion, \$1,980,000; school superintendents, \$21,000; sites for school houses and asylums, \$3,000,000; telegraphing, \$18,000. Total, \$11,584,450.

Mr. Stevens offered a substitute for the bill introduced by him on December 20th, and referred to the Committee of the Whole on the State of the Union, to double the pensions of those who were made pensioners by sions of those who were made pensioners by the casualties of the late war, to pay the damages done to loyal men by the late rebel government and rebel raiders, and to enforce the confiscation of the property of the enemy, which was ordered to be printed. The substitute forfeits to the United States all the public lands belonging to the eleven States that formed the government of the so-called "Confederate States of America," called "Confederate States of America, directs the President to cause the seizure "forthwith of such property belonging to "forthwith of such property belonging to the kelligerent enemy as is deemed forfeited by the act of 17th of July, 1652, to hold and

appropriate the same as enemy's property, and to proceed to condemnation with that already seized; that the President shall appoint two commissioners or more, to consist of three persons each, to adjudicate and condemn such property, which shall there-upon become vested in the United States. The lands thus confiscated shall be distri-buted to the slaves liberated by the operations of the war and the amendments to the Constitution, at the rate of forty acres to each adult male person, and to each widow who is the head of a family, to be held by them in fee simple, but to be inalienable for ten years, after which time the absolute title to them shall be conveyed. The rest of the configurated property is to be applied to the confiscated property is to be applied to the following purposes, viz: Giving \$100 for the erection of buildings on each homeste id: \$200,000,000 to be invested in United States securities, and the interest added to the pensions of pensioners; \$100,000,000 to go to wards equalizing the bounties of soldiers, and \$200,000,000 to go towards paying damages done to loyal citizens by the civil or military operations of the government lately called "The Confederate States of America," No person's property is to be seized whose whole estate on the 4th of March, 1865, was not worth more than \$10-000, unless he had voluntarily become an officer or employe in the military or civil service of the Confederate States, and in enforcing all confederate States, and in enforcing all confederate States. forcing all confiscations the value of \$10,000 in real or personal property is to be left to

The last section is as follows: That so much of the joint resolution passed on the 17th day of July, 1862, entitled "a resolution explanatory of and to suppress the insurrection, to punish treason and rebel-lion, to confiscate the property of rebels, and for other purposes," as provides that no pro-ceedings under it shall be construed as to work a forfeiture of the real estate beyond his life, shall be repealed, so far as it refers to the seizure and forfeiture of enemy's pro-

Mr. Stevens asked leave to offer a resolu-March 5th, inquiring as to the number of pardons granted, and the amount of forfeit ed property restored to rebel owners, and requesting him to communicate such infornation at his earliest convenience, it being needed for purposes of legislation.

Mr. Ross objected. Mr. Hitchcock (Nebraska) introduced a bill appropriating part of the proceeds of in-ternal revenue in the territory of Nebraska for the purpose of erecting a penitentiary mpleting the Capitol of that territory. Read twice and referred to Committee of he Territories. Also, a bill to provide for the construction

Also, a bill to provide for the construction of a wagon road from Columbus, Nebraska, to Virginia City, Montana territory, which was referred to the same committee.

Mr. Ashley, of Nevada territory, presented resolutions of the Legislature of Nevada, in reference to building a United States Branch Mint of Corson City and to mail considerate.

Mint at Carson City, and to mail service and to mining districts in the eastern portion of Neyada, which were appropriately referred. Mr. Whaley introduced a bill in reference to claims for horses turned over to the government. Read twice and referred to the Committee on Military Affairs.

Mr. Bidwell offered a resolution, which

was adopted, requesting the Committee on Military Affairs to inquire into the propriety of providing by law that whenever any person subject to the rules and articles of war shall be tried by a court martial for any alleged offence, and the finding of the court shall be that he is not guilty, the President and Judge Advocate shall give a written pertificate of acquittal to the accused, who shall then be released from arrest and coninement.

Mr. Higby (Cal.) offered a resolution. which was adopted, reciting the allegations in responsible public journals and elsewhere that in the enforcement of the revenue laws at Boston and New York, frauds had been committed on the United States, and also that frauds had been committed in the en-forcement of the internal revenue laws, in the adjustment of claims for the violation thereof in those cities, and instructing the Committee on Public Expenditures to inquire into all such alleged frauds, and to sit turing the recess of Congress, at such place as may be deemed most convenient, and by such number, not exceeding three, of such committee as may be deemed advisable.

Mr. Driggs (Mich.) offered a resolution,

which was adopted, requesting the Secretary of State to furnish the House with a list of the claims of citizens of the United States now pending in the U.S. Legation at Caracas against the government of Venezuela, and to state what measures are required to bring such claims to a speedy settlement.

Mr. Loan introduced a bill declaring St. Joseph, Missouri, a port of delivery. Read twice and referred to the Committee on Commerce.

Mr. Blow introduced a bill to allow the extension of the wharf at St. Louis. Read twice and referred to the Committee on Military Affairs. Messre. Darling and Ward presented re-

solutions of the State of New York in favor of equalizing bounties.

Mr. Van Horn (N. Y.) presented a petition signed by 63 citizens of Elba, Genesee county, N. Y., asking an increase of duty on

Mr. Conkling presented a petition of Mrs. Butts and 65 other women of Hopedale, Mass., asking an amendment of the Constitution prohibiting the States from disfranchising citizens on the ground of sex. Referred to the Judiciary Committee.

Messrs. Price (Iowa) and Randall (Pa.)

were excused from serving on the Conference Committee in reference to the sale of iquors in the Capitol, and Messrs. Grinnell and Dawson were appointed in their places. On motion of Mr. Eliot, the Committee of the Whole on the State of the Union was discharged from further consideration of the River and Harbor Improvement bill, and the bill came before the House for reconsidera-

tion.
Mr. Eliot addressed the House at considerable length, advocating the principle of internal improvement and explaining the provisions of the bill, and then moved he previous question. Mr. Ross asked Mr. Eliot to admit an

amendment appropriating \$200,000 for the improvement of the Illinois river, but Mr. Eliot declined, saying that gentlemen all around were pressing for amendments. There was not an appropriation recommended in the bill which did not rest upon careful estimates made at the War Depart ment, and upon recommendations coming from there. There was not one point concerning which petitions had not come up from the people, and which had not been carefully examined. He believed that in every instance where the people had dear in every instance where the people had desired the action of Congress, and where it had been possible to obtain from the department such estimates as enabled the committee to determine with any accuracy what was wanted, had been duly considered, and would be reported upon. It would not do, wanted, had been duly considered, and would be reported upon. It would not do, he said, to open the bill to amendments which would be loose and merejguess work. Mr. Donnelly (Minn.) asked Mr. Eliot to

Mr. Donnelly (Minn.) asked Mr. Eliot to yield for an amendment to the section authorizing surveys to be made.

Mr. Eliot had no objection to that, and the following points were, on motions of Messrs. Donnelly, Van Horn (N. Y.), and Pike, added to the section authorizing surveys to be made, viz.

Pike added to the section authorizing surveys to be made, viz:

The Sombro river and the Cannon river, Minnesota; the lake and mouth of Eighteenmile creek, Olcott, New York, and the St. Croix river, above the ledge.

Mr. Spaulding (Ohio) asked Mr. Eliot to yield for an amendment providing that the Secretary of War shall at all times be authorized to place the public works of the

thorized to place the public works of the United States mentioned in the act in charge of Custom-house officers or other agents he government living near the works, who shall protect the same from unwarrantable obstructions or injuries of any kind, with-out additional charge for their service; but Mr, Eliot declined to yield for that

purpose.

The previous question was seconded and the amendments agreed to, and the bill passed.

Mr. Blaine rose to a personal question, and asked to have read a letter from General Fry, which he sent to the Clerk's desk.

Mr. Conkling stipulated that he should have an opportunity of replying to it.

have an opportunity of repring to it.

Mr. Blaine stated that he wished to have this letter read, for the double purpose of vindicating himself from the charge of having made an untruthful statement in the House some days since, and in giving, in the broad American sense of fair play, an opportunity to a worthy officer to be heard in the forum where he has been assailed. I wish further to state that if, on investigaion, I had found that I was in error in the statement I made in debate, touching the difficulties between the member from the Utica district and the Provost Marshal-General, I would have felt bound, humiliating as it would have been, to apologize to the House, and to make the correc-tion. Whether I was in error I will leave to be judged by the House, after it shall have heard the letter of the Provost Marshal

General read. The Clerk then read the letter of General Fry, of which the following are extracts:
WAR DEPARTMENT, PROVOST MARSHAL GENERAL'S BUREAU, WASHINGTON, April

27th, 1866.-Hon. James G. Blaine, Esq :-I have to thank you for repelling a you did, in the House of Representatives, on the 23d inst., the very extraordinary assault upon me by the Hon. Roscoe Conkling, of New York. It was a defence of me in a forum where T had no opportunity to be personally heard, and I am enabled to say that your assertions to which Mr. Conkrete in the contract of the con that your assertions touching Mr. Conk-ling's difficulties with this Bureau are amply and completely justified by the facts which this letter will disclose.

My official intercourse with Representatives in Congress, during the past three years, has been constant, and in many cases intimate, and with the solitary exception of Mr. Conkling, it has been marked so far at I remember, by mutual honor and fair dealing. Mr. Conkling being thus an exception, it is my purpose to give a brief ummary of his connection and intercourse with this Bureau. In the summer of 1863 Mr. Conkling made a case for himself by telegraphing to the War Department that the provost marshal of his district required legal advice, which he was thereupon em-

powered to give.

In April, 1865, Mr. Charles A. Dana, then Assistant Secretary of War, without notifying me, had Mr. Conkling appointed to investigate all frauds in enlistments in Western New York, with the stipulation that he should be commissioned judge advocate for the prosecution of any cases brought to trial, and he was so appointed to prosecute, before a general court-martial, Major J. A. Haddock. Mr. Dana vested him by several orders issued in the name of the Secretary of War, without the sanction of Mr. Stanton, with the most extraordinary power. Among those was the right to examine the des-patches in all telegraph offices in the western division of New York, which enabled a violation of the sanctity of personal and business correspondence. For his services in this connection, Mr. Conkling received, on the 9th of November last, from the United States, the modest fee of \$3,000. Whether he received, as it has been reported, from his district \$5,000 more for the same service, and whether he received additional fees from guilty parties, for opposing proceedings at Utica, I am unable to say; but, as hereafter shown, he was as zealous in preventing prosecutions at Utica as he was in making them at Elmira, and the main ground of difficulty between Mr. Conkling and myself has been that I wanted exposure at both places while he

wanted concealment at one. I suppose there can be no doubt among high-minded men as to the character of Mr. Conkling's course in this matter. Whether his action is exercising the functions o judge advocate, and receiving pay therefor from the United States to the amount of three thousand dollars, while receiving his compensation as a member of Congress, was a violation of the letter or spirit, or both, of Article I, Section 6 of the Constituion, I leave others to decide.

As to the animus of Mr. Conkling's calumnious assault upon me, it is true, not-withstanding his assertion that he had no personal quarrels with me, that the differences between him and myself were alto-gether from my unwillingness to gratify him in certain matters in which he had a trong personal interest. It is true, also, that ne was foiled in his efforts to obtain undue from my Bureau, and to disredit me in the eyes of my superiors.
The letter then goes into considerable de-

ail about the issues between the writer and Mr. Conkling, and concludes as follows: The general management of business ha received the approval of all dispassionate parties who have had an opportunity to udge of it, including the late President, and hat superior officer to whom I have been directly responsible, whose vigor and whose apacity and opportunity to judge are beyond dispute; and it will not be forgotten hat complaints and accusations have pread with great industry before the high micials last referred to. I have been at all imes amenable to the severest form of law, the military code, liable at any moment to summary arrest, court martial, and extreme punishment in case of any dereliction of official duty. No one knows the fact better than Mr. Conkling himself; and if while acting as Judge Advocate, under the extra-ordinary inquisitorial powers bestowed upon him by his friend Mr. Dana, he came nto the possession of any fact impugning or impeaching my integrity as a public offi cer, he was guilty of grave public wrong and unfaithfulness if he did not instantly file his formal charges against me with the Secreary of War.

tary of War,

He can, therefore, only escape the charge
of deliberate and malignant falsehood, as a
member of Congress, by confessing an unpardonable breach of duty as Judge Advocate. He held both offices, and took pay for both, and at the same time. He has sainly been false to honor in one, and perhaps, as the sequel may show, in both. Copies of the official documents substantiat ing statements herein made are subjoined.

JAMES B. FRY, Provost Marshal General. [Signed] Mr. Blaine said he did not desire to have the documents read, but would ask to have hem printed in connection with Gen. Fry's

Mr. Conkling expressed the hope that all the documents would be read.

Mr. Ross inquired of the Speaker whether motion to print ten thousand extra copies of correspondence was in order The Speaker replied in the affirmative:

Mr. Ross thereupon made that motion, which was referred, under the rule, to the Committee on Printing.

The accompanying documents, rather voluminous were read by the clerk. They contained nothing of public interest.

Mr. Conkling (N. Y.), although appreciating the indifference which the House must have felt at an issue personal and individual in its character, desired to address the House briefly. He could assure the House, with the utmost sincerity, that for everything in the extraordinary communication. cation just read, which savored of imputations on him, he was doubly consoled by the fact that he had become the instrumen-tality of initiating an investigation which would be good for the people and wholewould be good for the people and wholesome for the public ends. Before taking his
seat he would ask some member to move
for a committee to investigate the subject,
which had ceased to be private, and had bebecome public. It would not be proper for
himself to move it, but he trusted an impartial committee would be appointed to
bring to the public knowledge some metters. partial committee would be appointed to bring to the public knowledge some matters whereof he should briefly speak. The insinuation that he had telegraphed to the Secretary of War to make a case for his own professional employment. Mr. Conkling cleared up by a simple statement of the circumstances connected with the matter. cumstances connected with the matter. I was the case of an arrest and detention of a was the case of an arrest and detention of a deserter, for whose discharge from arrest a writ of habeas corpus had been served on the provost marshal at Utica, and where there was great danger of collision between the civil and military authorities, and in reference to which he (Mr. Conkling) telegraphed to the Secretary of War to give in-

graphed to the Secretary of War to give instruction to the officer.

The Secretary of War telegraphed to him (Mr. Conkling) in reply that the officer must hold his prisoner at all events, and requesting him to appear as ing him to appear as counsel and argue the questions arising between the military au-thorities and the judicial authorities of New York. He did attend and argue the case, and the decision was in favor of the Governand the decision was in favor of the Government. An appeal was taken to the court in banc. He was again directed by the Secretary of War to appear there and act as counsel for the Government, which he did, when the 'decision was affirmed. That was his whole connection with that transaction, on which the head of the Bureau (General Town hed dared to sand a letter under pre-Fry) had dared to send a letter, under pre-tence of defending himself, but with no-other purpose than to stab the reputation of another. As to his appointment by Mr.

Dana to act as Judge Advocate, he also gave a full and complete explanation. He had received, while attending professional business at Syracuse, an urgent despatch from the Secretary of War, requesting his immediate attendance at Washington.

Ignorant entirely of what was wanted with him, he had come to Washington, and had an interview with Ms.

interview with Mr. Stanton, who desired him to act as counsel for the Government in the examination and prosecution of bounty frauds. He had declined the offer, but the Secretary insisted, and he (Mr. Conkling) at length yielded, and received a letter of retainer, under which he had labored, day and night, for three months, two months of which time was occupied in the actual trial of the case of Major Haddock. The Secretary had asked him to send in an account of his charges, which he declined to do, leaving it to the Secretary to make whatever allowance he chose, and subsequently he received from the Secretary a letter stating that, in his opinion, three thousand dollars would be a very moderate sum for the labor performed. He returned an answer that he was entirely satisfied, as he would have been with any other sum that might have been fixed, as he did not consider it an occasion out of which profit was to be made.

Mr. Ross (Ill.) inquired whether this sum was for services done during the time he was drawing pay as a member of Con-

Mr. Conkling replied that the service commenced in April, 1865, and as Congress commenced in March, the gentleman from Illinois might be able by the rule of three, gress or some other instrumentality with which he was familiar, to figure out the matter for himself. He should be sorry to suppose that the gentleman from Illinois, or any other member of the House, or any other human being except the distinguished mathematician and warrior, Provost Marshal Fry, should have such a low standard of intelligence as to imagine that there was the slightest impropriety in a member of Congress practising his profession, and acepting from the Government of the United States, or from any other client, a retainer to do professional business. As to the statement that some effort had been made by him to have concealment of frauds in the Twentyfirst Congressional District, that was a mere assertion; there were no circumstances stated, and he pronounced the statement utterly and absolutely groundless. Nothing whatever of truth could be found in it. Or the contrary, in the investigation that took place before the court-martial, everything pertaining to the Twenty-first Congressional District had been investigated. Nothing amazed him more than that the Provost Nothing Marshal General, or anybody else, would dare to put on record an assertion so utterly

Mr. Ross inquired whether the fee of \$3,000 was in addition to his pay as judge dvocate?

Mr. Conkling said that nothing gave him greater pleasure than to gratify the lauda-ble curiosity of the gentleman from Illinois, and he begged to assure that gentleman that he had never drawn pay as a judge advo-cate, and that the \$3,000 was the only com-pensation he had ever received for his services in that connection. All gentlemen who had any appreciation whatever, as such, would see that the point of the whole matter was the assertion of the gentleman from Maine, that he (Mr. Conkling) had quarrels with General Fry, and had been worsted in them, the Secretary of War having taken aldes with him. Was there one shadow of foundation, he asked, for such an assertion, taking the communication of the Provost Marshal General as the only evidence in the matter? He had but one single interview with that officer. When he (Mr. Fry) said that the people of his (Mr. Conkling's district were made made up of cowards, drunkards and sneaks, that he did not believe there was an honest man in the district, and that if any such was to be found the others would immediately debauch him, he had been astounded at hearing such language, but he had been taught to be careful n he associated, and more careful still as to those with whom he quarreled; and he knew that a man who ad done what General Fry had done, and who was capable of making such a remark, was a man whom he could have no controversy with. Neither in conversation nor in correspondence, nor in any other way what ever, had he ever had a quarrel, in any definition of that term, with the Provost Marshal General.

The House, he hoped, would pardon him for saying so much after the extraordinary incident that had occurred, where the head of a bureau, a clerk in the War Department, sent to be read such a pile of rubbish of personal assault on a member of the House, under pretence of vindicating himself. That gentleman (General Fry) panted for vindication, not with reference to the insignificant things which pertained to him significant things which persamed to min (Mr. Conkling), but with reference to those public affairs that concerned all the people; and he would ask his colleague (Mr. Hulburd) to offer a resolution under which that opportunity would be given to him. If a committee for the purpose were appointed committee for the purpose were appointed, be (Mr. Conkling) would undertake to make good his assertion that in all the western di-vision of New York the Provost Marshal's Bureau, as it was administered, was one carnival of corrupt disorder; and then the public would know whether the head of that Bureau was a man capable of administering it, capable of seeing the difference between honest men and thieves, or whether it was administered by a man who had the capa-city to do what but for the want of another quality he would have done, and that was to arrest the enormous flood of corruption that went unchallenged, month after month, all over the western part of the State of New

Mr. Hulburd (N. Y.) prefacing the resolu-MIT. Hulburd (N. Y.) prefacing the resolution, with a remark that he wished not to be appointed on the proposed committee, as he was on the Committee of Public Expenditures, to which a grave investigation had to-day been referred, offered the following resolution:

Resolved, That a select committee of five members of this House be appointed to investigate the statements and charges made by the Hon. Roscoe Conkling, in his place, last week, against the Provost Marshal General, in the administration of the duties General, in the administration of the duties pertaining to his bureau, whether any frauds have been perpetrated in his office in connection with the recruiting service; and also to examine into the statement made by General Fry, in his communication to the Hon. Mr. Blaine, read in the House this day, with power to send for persons and day, with power to send for persons and papers. Mr. Ross suggested that the committee

should also inquire whether the gentleman from New York had received any more pay than he was entitled to.

Mr. Conkling remarked that he would like to have that in Mr. Hulburd's resolution, and said it was embraced in the terms of the resolution.

Mr. Blaine (Me.) said that he did not happen to possess the volubility of the gentleman from the Utica district, who took thirty minutes the other day to explain that an alteration of the report in the Globe was not an alteration at all, of which he hardly convinced the House, and who took an hour o-day to convince the House that ther not the slightest difficulty between himself

and General Fry.

The gentleman had attempted to pass off his appearance as judge advocate as simply an appearance as counsel for the government, but he would read again the appointment, but he which he had acted as prosecument, purne would read again the appointment under which he had acted as prosecutor for the government. Having read the letter he referred to a law, in Brightley's Digest, enacting that "no person holding any office under the government of the United States whose selection annual comany office under the government of the United States whose salary or annual compensation should amount to twenty-five pensation should receive compensations. hundred dollars, should receive compensa-tion for discharging the duties of any other

office." The gentleman could not deny that he had discharged the duties of judge advocate, and had been paid for doing so while drawing pay as a member of Congress. His distinguished colleague (Mr. Schenck), under like circumstances, had cut off his pay for the month during which he had both offices and he supposed the general held both offices, and he supposed the gen-tleman from New York would, if the committee so reported, voluntarily restore to the Treasury the amount he had improperly received. What he (Mr. Blaine) had stated the other day had been fully and emphatically borne out by the record, and if he had shown that he was incapable of stating anything for which he was not responsible, not "here or elsewhere," but responsible as a

gentleman and representative, he was con-Mr. Conkling desired to state that no mission, paper or authority whatever was issued to him except the letter of retainer which had been read. If the member from Maine had the least idea how profoundly indifferent to him his opinion was on the subject he had been discussing, or on any other subject, he thought he would hardly other subject, he thought he would hardly take the trouble to express it. He apologized to the House for the length of time he had occupied in consequence of being drawn into the matter by an interruption which he had before propounded to the length of t which he had before pronounced ungentlemanly and impertment, and having nothing whatever to do with the matter.

Mr. Blaine said he knew that this was

what they called, down east, "running emptyings." The gentleman from New York could not get off on the technical pretence that he did not hold a commission as Judge Advocate. Many an officer had led a brigade, a division or a corps, with no more of a commission than such a one as more of a commission than such a one as the gentleman from New York held. As to the gentleman's sarcasm, he (Mr. Blaine) continued, I hope he will let me escape. His disdain, his lordly pomposity his grandiloquent swell, his majestic overpowering, his turkey gobbler strutting [laughter], have been so crushing to myself and all the members of the House that I know if was an act of the grossest temestry. know it was an act of the grossest temerity on my part to venture on provoking them, but I knew well who was responsible for it all. I know that for the last five weeks an extra strut has seized the gentleman. It is not his fault. It is the fault of another. That gifted and satirical man, Theodore Tilton, of the New York Independent, was over here spending some weeks and writing home letters, in which, among serious things, he put in some jocose thing the cruelest of which was that the mantie of the late Winter Davis had fallen upon the member from New York. He (Mr. Conkling) took it as serious, and has since strutted more than usual. Well, the resemble of the control of the con the cruelest of which was that blance is great, is striking—Hyperion to a Satyr; Thersites to Hercules; mud to marble; a dung hill to a diamond; a singed cat to a Bengal tiger; a whining puppy to a roaring cow. Shade of the mighty Davis! forgive the profanation of even that jocose

satire.
As Mr. Blaine resumed his seat, the Speaker stated that the usage in the House had been, whenever the House grants consent for a personal explanation, that if a member transgresses the rules of debate, he should be called to order by some member, not by the Chair. That was the reason why the Chair had not checked the debate. The House having granted consent for personal remarks, it was for some member, not the Chair, to rise to a question of order, where the limits of debate were transgressed.

Mr. Thayer moved to refer the resolution to the Committee on Military Affairs, and though Mr. Schenck and Mr. Blaine asked him to withdraw that motion, he declined to

Mr. Henderson moved to lay the resoluion on the table.

Both motions were voted down. The resolution was adopted, whereupon he House, at a quarter past five, adjourned.
[The bill introduced to-day by Mr. Rice (Me.) in reference to national banks, provides for the conversion of State banks to national banks to an amount of capital to mited, on application to the Comptrolle of the Treasury on or before the first day of July next; provided that, in the apportionment of the same, preference shall be given to t e banks in such States as have not received their just proportion of the national banking capital, and with due regard to the existing existing banking capital, resources and business of such States.

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