TWELVE O'CLOCK M.

PENNSYLVANIA LEGISLATURE.

[Special Dispatch to the Pittsburgh Gazette.] HARRISBURG, April 13, 1868. SENATE.

BILLS PASSED PINALLY. The following House bills passed finally: Authorizing the authorities of Irwin borough, Westmoreland county, to erect a

lock-up. Providing for appeals from assessment en property in Westmoreland county. To prevent fishing with seines or nets in Redstone Creek, Fayette county.

Supplement to act extending the limits of Bridgewater borough, Beaver county. Authorizing the Commissioners of Green county to revise and equalize asses

in the several townships.

Fixing the number and mode of eletcing councilmen in Ebeusburg borough, Cam- to do so. bria county, prescribing their terms of office, and providing for filling vacancies. Incorporating Cherry Tree Male and Female College, for Cambria, Indiana and

Westmore and counties. Authorizing the School Board of Slippery Rock township, Butler county, to borrow

Providing for Inspectors of Salt in Pittsburg and Allegheny cities, and fixing a standard weight for salt.

Authorizing F, L. Snowden to sell certain real estate in Allegheny City. Establishing a ferry over the Youghio-

gheny river at Layton Station, Fayette county Supplement for Pittsburgh and Minersville Passenger Railway Company, as amended on Saturday in Senate Com-

mittee. Incorporating Ballding and Savings Association of Allegheny City.

RECORDER IN PHILADELPHIA. The Governor has appointed James Given as Recorder of Philadelphia for ten years.

Confirmed. In the afternoon the confirmation of Gen. Given, as Recorder of Philadelphia, was reconsidered and laid over. A large number of House amendments

were concurred in. Adjourned till 8 o'clock. EVENING SESSION.

The Senate again confirmed the nomination of Colonel James Given, as Recorder of Philadelphia. The Senate concurred in large number

HOUSE OF REPRESENTATIVES. REGISTRY LAW.

The House met at two. Mr. CHALFANT, Dem., of Montour, called the attention of the House to the fact that the registry law had been signed by the Governor and an official report certified to containing twenty-one sections, whereas as it passed the Legislature it contained but three long sections. He offered a resolution for investigation and charged that bills had been tampered with by unauthorized, persons in the transcribing rooms after final passage. The House refused to consider the resolution.

PUBLIC BILLS PASSED FINALLY. Senate hill giving Courts power to define boundaries in certain cases of devisees and conveyances for life or term of years. Senate bill relating to fees of witne

in hearing on writs of habeus corpus. The House bill exempting from payment of taxes the products of forest and hewn timber ascending the Monongaliela Slack-

water, was defeated. The House receded from its amendment to the eight hour labor bill.

The House bill for the better protection and safety of passengers on railroads, was defeated. The House bill extending the jnrisdiction

of Justices of the Peace to cases of three hundred dollars was defeated. Mr. FORD, of Allegheny, called up the Senate bill exempting the Pittsburgh Church Guild from taxation to the amount of sixteen thousand dollars. Passed

finally.

The Rough wife

Adjourned till 81/4 o'clock. Senate bill requiring telegraph companies to make yearly reports to the Auditor General, and a joint resolution for codification of railroad and telegraph laws of the Commonwealth, passed finally.

EVENING SESSION Action on the conference report on the Philadelphia and Pittsburgh Gas Inspector bill having been delayed till so late in the session, the bill is regarded as defeated. The House concurred in a number

Senate amendments and adjourned. NOMINATION FOR SPEAKER OF SENATE. The Republican Senators this afternoon nominated for Speaker of the Senate Hon. Wilmer Worthington, of Chester.

## THE CAPITAL.

By Telegraph to the Pittsburgh Gazette 1 1837/ Al and Washington, April 13, 1868.

INDIAN MATTERS. Information has been received at the Burcau of Indian Affairs that the Peace Commissioners are at Laramie, and two hundred lodges of hostile Sioux are there encamped, and large numbers of Ogalla-lahs and Brite Sloux. Sixteen hundred lodges of Minnesota Conjours, Uncpappa and other bands are on their way and are expected at Laramie soon.

HOMESTEAD LAW IN ARKANSAS. Reports to the General Land Office from Clarksville, Arkansas, show that during February twenty-one farms, comprising 13,295 acres, were added to the productive and the harmatical art.

FOUR O'CLOCK A. M.

## FORTIETH CONGRESS.

The Impeachment Court---Gen. Sherman's Examination Resumed--His Opinions as to the Propriety of the Removal of Stanton Objected to and Ruled Out-He is Allowed to Testify as to What Was Said by the President.

By Telegraph to the Pittsburgh Gazette.] WASHINGTON, April 13, 1868. SENATE.

The reading of the journal was dispensed

The CHIEF JUSTICE stated the question participate in the final debate as may wish

Senator SUMNER offered an amendment that no further postponement should be caused thereby. Accepted.

Several amendments relative to the num pers who should close, and length of time o be occupied by each, were made.

Mr. STANBERY said the counsel for the defense were strongly opposed to the limitation of the time of the final argument.

Mr. BUTLER intimited that he would

not take advantage of a chance to speak.

Mr. EVARTS said the result of the proposition as it now stood would give six
Managers against four counsel on the closing argument.
Senator DRAKE raised the point of order

that the Senate, sitting as a Court, could not take such action.

The point was over ruled, and a vote taken, resulting thirty-eight to ten, so the rule remains unchanged. EXAMINATION OF GEN. SHERMAN RE-

SUMED. Mr. STANBERY asked: After the restoration of Stanton did you form an opinion as to the desirability, or as to the good of of the office of Secretary of War the service, of the office of Secretary of War being filled by another than Stanton? If so, did you express your opinion to the President?

Objection made and argued by Mr. BING-Mr. STANBERY replied that the question of intent was of vital importance. They did not offer this testimony as an abstract of the programment formed They did not offer this testimony as an abstract opinion, but as the judgment formed and expressed by the second officer in the service, for its good. He referred to the relations existing between the President and Stanton, and claimed it was competent to prove that distinguished Generals like Grant and Sherman believed a change prove that distinguished Generals like Grant and Sherman believed a change should be made in the interest of the Government. He appealed earnestly to the senate, for the sake of justice, to admit the

Mr. BUTLER rejoined that by introducing irrelevant testimony the law would be broken to defend a breaking of the law. He said there would be no limit to the enquiries which would be put to witnesses. The Managers could ask him if he had any quarrel with Stanton, and if that influenced his opinion, so that the field would be boundless. It seemed to be assumed by the other side that evil intent must be proved by something the President had said, whereas it was proved by his act in breaking the act. It was also immaterial said, whereas it was proved by his act in breaking the act. It was also immaterial whether Stanton was a fit men or not to be retained in office. Evil could not be done that good might come. Referring to the remarks of Mr. Stanbery that Stanton did. remarks of Mr. Stanbery that Stanton did not take part in the Cabinet council, he said there was no such thing contemplated by the Constitution. Members of the Cabinet were to be called on for advice respecting affairs of their own departments. The President must show that he never called on Mr. Stanton for a written opinion, or that he had given him an order which he had displayed.

had disobeyed.

Senator CONKLING enquired if the counsel proposed to prove that Gen. Sherman had advised the President to procure the counsel proposed to prove that the procure of the procure of the president to procure the procure of the procure the change in any particular way?

Mr. STANBERY replied in the negative

Witness had only expressed an opinion as to the desirability of some change.

Mr. EVARTS said it was not merely a question of having committed a violation of law, which was punishable in another Court by so small a penalty as six cents court by a small a penalty as all cents fine or a few days' imprisonment, but it was a question of the commission of an impeachable offense, punishable by deposition from the highest office; on which question all evidence in relation to motives was of the

most vital importance.

Mr. BINGHAM held that the rules evidence were the same on the trial of a beggar or a President.

Mr. EVARTS interrupted to say he had not in his remarks supposed the President to be on trial for a petty offense, and repelled the insinuation that he would mete

out justice according to rank.

Mr. BINGHAM continued in an earnest appeal against the admission of the testimony, and at the conclusion the yeas and nays were taken—fifteen to thirty-five.

So the question was not admitted.

Senator JOHNSON offered a question, that a before the removal of Mr. Stanton whether before the removal of Mr. Stanton the witness had advised the President that

he should be removed and replaced?
The CHIEF JUSTICE said the Court must decide whether the question should be put, and the Senate decided in the negabe put, and the Senate decided in the negative—vote eighteen to thirty-two.

Mr. STANBERY then said he had no more questions to ask Gen. Sherman.

The Managers declined to cross-examine and the Court took a recess at 2:10.

On re-assembling, R. J. Meigs, Clerk of the District Supreme Court, testified that he affixed the seal to a warrant for the arrest of Gen. Thomas about two o'clock on ne amxeu the seal to a warrant for the arrest of Gen. Thomas about two o'clock on the morning of February 22d. Mr. Pile, of Missouri, brought it to him at his house.

In answer to Mr. BUTLER, he said he had been called on at such hours before in cases of presenting processity.

cases of pressing necessity.

Mr. STANBERY then offered to put in evidence the warrant, and the affidavit of Mr. Stanton on which it was issued.

Mr. BUTLER objected to the proposition.
Mr. EVARTS said they related to the same subject on which the Managers had introduced testimony, and that the President's counsel intended to show that he proceedings com-

took advantage of the proceedings com-inenced by Mr. Stanfor as the speedlest method of bringing the question before the

Court.

Mr. BUTLER argued that the effect of introducing these papers would be to open up new regions of controversy irrelevant to Mr. STANBERY referred to the fact

And the discharge of the first body from the Sea Bird that has come ashore.

Mr. STANBERY referred to the first her her had been admitted as declarations of the had been admitted as declarations.

great criminal by those who procured his Mr. BUTLER rejoined, when The CHIEF JUSTICE ruled that the warrant and affidavit were admissible, and, on taking the yeas and nays, his ruling was sustained by thirty-four to seventeen.

Mr. EVARTS read the document.

Mr. STANBERY resumed the examination of the deciment.

The warrant was issued in Chambers: had not the docket book with him. Senator JOHNSTON then offered to put a question to General Sherman: When the President tendered you the office of Secre tary of War ad interim, January 27th and 30th, 1868, did he, at the time of making such tender, state what his purpose in so

doing was? question was objected to and sub-So the question was put and answered,

'yes.' Mr. JOHNSON then offered an addition Mr. JOHNSON then observed an attacking all question: Will you state what he said his purpose was?

Objected to, when the CHIEF JUSTICE ruled the question admissable, as it tended to show the import of the President's ac-

before the Court to be on the motion altion, and, in expressing his opinions, remarked that this Court was not bound by the same vestricities rules in admitting cylindrical courts. the same restrictive rules in admitting evidence as some of a different character.

The yeas and nays resulted 26 to 25. So the question was admitted.

The question having been put to witness General Sherman replied: The conversa-tions were long and covered a great deal of ground, but I will endeavor to be as precise on the point as possible. The President stated to me that the relations which had Mr. Butler—I must again interpose an

MY. BUTLER—I must again interpose an objection. The question is for the witness simply to state what the President said his purpose was, and not to introduce his whole conversation. I pray the point may be submitted to the Senate whether we will submitted to the Senate whether we will prejuding have the whole of the long conversation or whether we shall have nothing but the purpose expressed by the President. Witness—Intended to be very precise in my statement of the conversation, but it appears to me necessary to state what I began to state, that the President told me the relations between himself and Stanton, and between Stanton and other members of the Cabinet, were such that he could not of the Cabinet, were such that he could not execute the office he filled, as President of the United States, without making provis-ions for an ad interim filling of the office of Secretary of War, and that he had a right under the law, and that his purpos was to have the office administered in the interests of the army and of the country, and he offered me that. His purpose was not to bring the matter into the Courts dinot to oring the matter into the Courts directly, but for the purpose of having the office administered properly in the interests of the army and of the whole country. [Sensation in Court.] I asked him why lawyers could not make a case. I did not wish to he brought as an officer of the army into the controvers.

army into the controversy.

Senator CONKLING—Please repeat that ast answer, General.
Witness—I asked him why lawyers could

not make a case and not bring me, an officer, into the controvery. His answer was,
it was found impossible for that, a case
could not be made up but, said he: "If e could bring the case into the Courts, would not stand for an hour."

Mr. STANBERY—Have you answered to both occasions?

Witness—The conversation was very long and covered a good deal of ground.

Mr. BUTLER—I object to this examination being renewed by counsel for the President. Whatever may be the pretense under which it is renewed, I hold that with due order this cannot be allowed. See how it is attempted. Counsel had dismissed witness. He was gone after and brought back at the request of one of the

Mr. STANBERY—I must interrupt th learned gentleman, to say we did not dis-miss the witness. On the contrary, both Ministry and with the same of Mr. BUTLER-I must deny that I want a private examination. I say the witness was dismissed from the stand and called back by one of the Court. That is not, in

any Court I have practiced, allowed—after a question is put by a Judge for counsel on either side to resume the examination of the witness, after having dismissed hlm. Senator JOHNSON asked for the reading

Senator JOHNSON asked for the reading of questions as proposed by himself, and they were read by the Clerk.

The CHIEF JUSTICE—Nothing is more usual in Courts of justice than to recall witnesses for further examination, especially at the instance of any member of the Court. It is frequently done at the instance of counsel. It is, however, one of those questions within the discretion of the Court. If the Senate desire, I will put the question whether the witness shall be further ex-

Mr. EVARTS-May we be heard on the

subject?
CHIEF JUSTICE—Certainly,
Mr. EVARTS The question, Mr. ChiefJustice and Senators, whether a witness may be re-called is always a question within the discretion of the Court, and is tion within the quecretion of the court, and a allowed, unless on suspicion of bad faith or unless there be special circumstances where cultess there be special circumstances where collusion is suspected. Courts frequently lay down a rule that neither party shall call a witness who has been once dismissed from the stand, and of logures we shall obey whatever rule the Senate may adopt in this case; but we are not aware anything has occurred showing the necessity for the adoption of such a rule.

the adoption of such a rule. the adoption of such a rule.

Mr. BUTLER—When the witness was on the stand on Saturday this question was asked, ""At that interview what conversation took place between the President and you in relation to the removal of Mr. Stanton?"

The question was objected to, and after argument the Senate solemnly decided it should not be put. That was exactly the should not be put. That was exactly the same question as this. Then other proceedings were had, and after considerable delay, the counsel for the President asked leave to recall this witness this morning. leave to recall this witness this morning. It Senate gave that permission. This morning they recalled the witness and put to him such questions as they pleased. Then the witness was sent away. Then one of the Judges decided to put a question, to satisfy his own mind. Of course, he was not acting as counsel for the President, that cannot be supposed.

Senator JOHNSON, rising—What does the honorable Manager mean?

Mr. BUTLER—I mean precisely what I say, that it cannot be supposed that the Senator was acting for the President! Senator JOHNSON—Mr. Chief Justice, if the honorable Manager means to impute that in anything I have done in this trial I

them, which I do not charge? How can the President's coursel know what satisfies the Senator's mind? He recalls a winness for the purpose of satisfying his own mind. I argued that it is common to re-call wites for something overlooked or forgotten, but I never have known that where a member of the Court wants to satisfy him-

member of the Court wants to satisfy himself by putting some question, that opens up
the case to counsel on the other
side to put other questions. The
Court is allowed to put questions
because a Judge may want to satisfy his
mind on a particular point, but having satisfied himself on that point there is an end of
the matter, and it does not open the case. I
trust T have answered the honorable
Senator from Maryland, that I make no Senator from Maryland, that I make no imputation on him, but I am putting it

right the other way.
Senator JOHNSON—I am satisfied. Mr.
Chief Justice, I rise to say I did not know the coursel proposed to ask any question of the witness, and I agree with the honorable Managers that they have no right to do any such thing. [Sensation in Court.]

Mr. BINGHAM—I desire, on behalf of the Managers, to say there shall be no pos-sible misunderstanding, to disclaim, once for all, that there was no intent by my assofor all, that there was no intent by my asso-ciate, who has just taken his seat, or any intent by the Managers at any time, or in any way, to question the right and entire propriety of Senators calling on any wit-ness and putting any question which they may see alt. We impute no improper mo-tives to any Senator in doing so, but recog-nize his perfect right to do so and with pro-

nize his perfect right to do so and with pro EVARTS-A moment's consideration, I think, will satisfy the Senate and Chief Justice that the question is not seri-ously as to the right to recall a witness, but as to whether the witness being recalled to answer a question of one of the Judges, the counsel is obliged to leave that part of the evidence. Evidence might be brought out which as, it stood naked might be made prejudicial to one side or the other, and certainly it would be competent under ordinary rules of examination that counsel should be permitted to place the matter before the Court. fore the Court.

Mr. STANBERY-The honorable Seua tor from Maryland having put his question to witness, a new door has been opened, closed up on us before; new evidence has been gone into, which was a concealed book to us, and about which we could neither examine nor cross-examine. It was closed by a decision of the Court on Saturday, but it is now opened to us by the question of the Senator. Now is it possible we must take an answer for better we must take an answer for better or worse to a question we did not put. If in that answer matter had been condemna-tory to the President, if the answer had been that the President told the witness expressly he intended to violate the law, that he was acting in bad faith, that he neant to use force, are we to be told, bemeant to use force, are we to use to use the fact was brought out by a Senator and not by ourselves, that we cannot put a question to elicit the whole truth? This is no testimony of ours. Suppose it had been, brought out by a Senator. Is the Secretary of War sacred against the pursuit of truth and the sacred against the pursuit of truth and the sacred right of examination? Does the doctrine of estoppel come in here; that whenever a question is answered we must take the answer without any opportunity of testing the first or 2 15 so yet are estopped not by our own act, not by the testimony we ruled out ourselves; but by an act of an-other. But we are shut out from the truth because a Senator has put a question. We hold that the door has been opened, that new testimony has been introduced into the case, and we have a right to cross-exmine witness to explain the testimony and contradict it. We can impeach the very witness who testified to it. If we can we

are entitled to use every weapon the defendant has put into his hands. Mr. BINGHAM—Although the Senate annot fail to have observed the extraordinary remarks which have just fallen from nary remarks which have just fallen from the lips of the honorable counsel for the President, it is perfectly apparent, whether on the floor of the Senate or in the galleries, that the counsel for the President have attempted to obtain through this witness the mere naked declarations of the accused to rebut, the legal presumption of his guilt arising from his having done an unlawful act. I am not surprised at the feeling with which the honorable centleman has discussed this

am not surprised at the feeling with which the honorable gentleman has discussed this question. If I heard the testimony which tell from the witness, it is testimony which utterly disappointed and confounded the counsel. What was it? Nothing was said in the first conversation about an appeal to the Courts, and finally it was said by the President that it was impossible to make up a case by which peal to the Courts, and finally it was said by the President that it was impossible to make up a case by which to appeal to the Court. These declarations of the President, standing in due yet not satisfactory to the counsel, are brought, to be sure, on a question from the honorable Senator from Maryland, but that is not satisfactory to the counsel, and now they tell the Senate they have a right to crossexamine their own witness. For what purpose? In search of truth they say. Well it is search of truth under difficulties, (Daughter) Witness has already sworn to (Daughter) Witness has 'already sworn to

matters of fact that shows the naked falsity of this defense, interposed here by the President, that his only purpose in the violation of the law was to test the validity of the law in the Courts. Why did he not test the validity of the law in the Courts? It will not do to say to the Senate of the Uni-ted States he has accounted for it by telling the witness a case could not be made up. The learned gentleman who has just taken his seat is so familiar with the laws of the country, too familiar with the able adjudications in that very case in the Supreme Court, to venture to endorse for ment these utterances of his client, made to the Lieut. General, that it was impossible to make up a case. I stand here to assert what the learned gentleman knows, that all that was needful to make up a case was for the President to do what he did do, in the first instance, issue an order to Mr. Stanton to surrender the office of Secretary of War to Mr. Thomas, to surrender all records and property of the office to him, and in disobedience of the

office to him, and in disobedience of the Secretary of his refusal to obey that order, to exercise authority vested in the President and at once through his Attorney General, who now appears as his Attorney in the trial in defence in this case, issue out his writ of quo warranto. That is the law, which we undertake to say is settled in the case of Wallace, 5th Wheaton, the opinion of Court being delivered by Chief Justice Marshall, no member of the Court dissenting. It was declared by the Chief Justice that the opinion of Court was that a writ of quo warranto could not be maintained ex-Senator JOHNSON—Mr. Chief Justice, if the honorable Manager means to impute that in anything I have done in this trial I have been acting as counsel, or in the spirit of counsel, he does not know the man of whom he speaks. I am here to discharge a duty, and that duty I propose to discharge. I know the law as well as he does.

Mr. BUTLER—I again repeat, so that my language may not be misunderstood, that it cannot be supposed he was acting as counsel for the President. Having put the question to satisfy his mind upon something he wanted to know, how, can it be that it opens the case so as to allow the President's counsel to go on to a new examination. How do we know that he is not acting as counsel for the President and that there is not some understanding between

States, to the exclusion of the interposition of every tribunal of justice on God's foot-stool. What has the question to do with the decision in this case? I say if your Supreme Court were sitting to-day in judgment on this question, it would have no influence over the action of this Senate. The question belongs to the Senate exclusively. The words of the Constitution are that a Senate words of the Constitution are that a senate shall have the sole power to try impeach-ments. The sole or only power to try im-peachments includes power to determine the law and the facts arising in the case. It is in vain that the decision of the Supreme Court, or of the Circuit Court, the District Court, or of any other Court outside this high tribunal, is invoked for the decision of nign triounal, is invoked for the decision of any question between all people and their guilty President. The protest against the speech has been made here. We protest also against the attempt that has been made here to cross-examine this witness to get rid of matter already stated so truthfully

rid of matter aiready stated so truthing by witness, which clearly makes against their client, strips him naked for the avenging hand of justice to reach without let or hindrance.

Mr. EVARTS—Mr. Chief Justice and Senators: I cannot consent to leave matters so misrepresented. My learned associate, arguing on a hypothetical case, asked whether, if evidence elicited on the question of a judge should be injurious to a party, the party would be restricted from cross-examination. It had not the remotest application, as must have been apparent to every intelligent Senator, to the evidence given. The evidence given, if agreeable to the Managers, is extremely satisfactory to us. On inquiry of the President by the Lieut-General. ators: I cannot consent to leave matters so

is extremely satisfactory to us. On inquiry of the President by the Lieut-General, whether lawyers could not make up a case without an ad interim appointment, the President said it could not be done; but when these were appointment. President said it could not be done; but when there was an ad interim appointment could not stand half an hour.

Mr. BINGHAM—I desire in response to remark very briefly that instead of counsel for the President bettering his client's case,

he has made it worse by an attempt to ex-plain the declaration of the President to plain the deciaration of the President to witness, as to its being impossible to make up a case without an ad interim appointment. But now how does the case stand? Has not the President made the ad interim appointment three months before this conversation with the Lieutenant General? Has he not made an ad interim appointment of General Grant, in August, 1867? Oh! say the gentlemen, he only suspended Stanton then under the Tenure-of-Office act; therefore the quescion could be very well raised. I have no doubt that will be the answer of the counsel, and is all the answer they can make. But gentlemen, senators, how does such an gentiemen, senators, now does such an answer, put in here by the President, that he did not make that suspension under the Tenure-of-Office act, but under the Constitution of the United States, and by virtue tution of the United States, and by virtue of the power vested in him by that Constitution? He cannot play tast and loose in that way in the presence of the Senate and people of the country. Why did he not sue out his writ of quo warranto in August last, when he had his appointment of Secretary of War ad interim?

Why did he not go then into the Courts, why did he not go then into the Courts, forestalling the power of the poople to try by impeachment for this violation of law, for this unlawful act, which, by the law of every country, where the common laws obtains, carries the criminal intent with it on its face, and which he cannot drive from the record by with it on its lace, and which he cannot drive from the record by any false statement, nor swerve from the record in any shape or form, by any mere declaration of his own. Now one word more and I have done with this matter. He tells General Thomas they got evidence now they want to contradict, that evidence, too, after Stan-

ton refused to obey Thomas or-der, and after he ordered Thomas to go to his own place and Thomas refused. He tells Thomas. I say, not that he was going into the Courts, not that he should apply to the Attorney General for a writ quo warranto. There was no intimation of that sort. But there was a declaration of the accused to Lorenzo Thomas on the night of the 21st of February, after he had committed this crime against the aws and constitution of his country, that Thomas would go on of his country, that Thomas would go on and take possession of his office and dis-charge his functions as Secretary of War ad interim.

Senator DAVIS inquired of the Chief Jus-

tice whether the question proposed by Senator Johnson had been fully answered? The CHIEF JUSTICE said it was impossible for him to reply to that question. Witness only could reply. Senator DAVIS asked that the questions

of Senator Johnson be read.

They were read accordingly.

The Chief Justice ruled on the objection hade to question proposed by Mr. Stanbery that it was a matter entirely within the discretion of the Court, but that it was usual under such circumstances. usual under such circumstances to allow counsel to continue the inquiry relating to the same subject matter.

The questions and answers were read by the reporter, and then Mr. Stanbery's ques-

ion was put to witness as follows:

Have you answered as to both occasions: Witness said at the first interview nothing very definite was said by the President or himself. During the second conversa-tion the President expressed a wish to have the constitutionality of the Tenure-of-offic aw decided. He also said to witness, that if he accepted the position of Secretary Stanton, he would make no resistance, be-cause he knew him to be a coward. Witness gave no positive answer at the time,

but sent it in writing.

Senator HENDERSON put the question:
Did the President, on either occasion, express a firm determination to remove Witness replied the President never expressed any intention to use force, but seemed determined that their relatious

should cease. Senator HOWARD asked: What did-the President say about force?
The witness repeated what he had said before in relation to the President, and his his belief that Stanton would make no re-

Senator HENDERSON asked whether the witness gave the President any advice on this subject? but The Senate, without a division, refused to admit it.

The Managers notified Gen. Sherman that they would require his attendance in the morning and he left the stand.

Mr. Meigs was re-called and produced a docket-book, from which he read the ended.

tries in the Thomas and Stanton case, and the Court, at 4:40, adjourned. HOUSE OF REPRESENTATIVES. Mr. WASHBURNE, of Illinois, offered the following preamble and resolution: WHEREAS, It is reported that efforts are

being made to procure from the Govern-ment a transfer to a private Company, without consideration, the Island of Saint. Paul, a territory embraced in the treaty with Pressia. AND WHEREAS, Said Island is believed

Agreed to.
Mr. WASHBURNE gave notice that in

transacted after the call of the House he would move to take up the House bill for the protection of the rights of American itizens in foreign States, which has precedence of others.

The SPEAKER remarked that was the first business after disposing of 'the resolu-tion to print forty thousand copies of the

view of legislation he should move a call of

the House on Thursday in order that gen-tlemen now absent may return by that

ime. Mr. BANKS said if any business was

peech of Manager Butler.
Mr. GARFIELD gave notice that on the return of the House from the Senate, he hould ask for a vote on the resolution Mr. ELDRIDGE said he should obje the transaction of any business in the absence of a quorum, and would also object to the resolution unless one was admitted to print the opening speech of Judge Clutis in behalf of the President.

Mr. KELSO objected.
Mr. LYNCH introduced a bill to amend

The SPEAKER said it would require

the act concerning the registering of ships, approved December 30th, 1792. Referred to Committee on Commerce. Mr. WELLER introduced a bill to further amend the laws of the District of Columbia in relation to judicial proceedings. Referred to the Committee on the District of Columbia.

Mr. COBURN introduced a bill to establish a post road from Plainville to Smoot's Dell, Indiana. Referred to the Committee on Postoffice. Committee on Postoffice

On motion of Mr. BAKER it was resolved that the Secretary of War be instructed to communicate to the House the report on

communicate to the House the report on the improvement of the harbor at Alton, Delaware.

Mr. MAYNARD presented a memorial of the Memphis, El Paso & Pacific Railroad Company of Texas, praying for a grant of public lands and a loan of United States bonds to aid in constructing a continuous railroad and telegraph from Jeffries, Texas, to San Diego, California, by way of El Paso, with authority to make such railroad nonnections as to reach San Francisco, Guaymas, Memphis and Virginia, or any other point on the Atlantic coast and Washington city, under the title of Southern ington city, under the title of Southern Trans-Continental Railroad. Referred to Committee on the Pacific Railroad. The members then proceeded to the Sen-

After the members returned the SPEAK-ER laid before them an invitation from the charge the dedication of Mr. Lin monument, inviting the members to be in attendance on Wednesday next.

Mr. WASHBURNE, Ill., moved the

Speaker prepare a proper answer to the invitation.

Mr. RAUM suggested a Committee of the House be appointed to attend.

The SPEAKER said of course it was understood any gentlemen who desire could be present, but the House as a body could not, as they had recently passed a resolu-tion to attend the trial of impeachment. The SPEAKER stated that on the 31st of March, the House ordered the previous question on the passage of a resolution from the Committee on Printing to print 40,000 copies of Manager Butler's opening speech

Mr. ELDRIDGE desired to offer an ndment to the resolution. The SPEAKER replied it could only be done by unanimous consent. Mr. ELDRIDGE offered the antendment.

which was read for information, that there be printed for the use the Hodse forty thousand copies of the opening argument of the President's counsel, Judge Curis. The SPEAKER said unanimous could not make this a new order. By the statutes at large every proposition for the printing of extra numbers must be referred to the Committee on Printing. No amendment, nor unanimous consent, can evade

Mr. ELDRIDGE said the Senate amends the House bill for raising the revenue.

The SPEAKER replied that was a constitutional right; but the rule said that propositions for printing extra numbers of documents must be referred to the Committee on Printing.
Mr. ELDRIDGE asked action on the res-

olution be delayed in order that the House might act on it and the amendment at a The SPEAKER replied the Committee had already reported on the resolution.

Mr. ELDRIDGE desired that the resolution be referred back to the Committee, so as to have the two propositions deted upon t the same time.
Mr. KELSY objected.

Mr. ELDRIDGE said the House would see that the resolution could not now pass, On a division, the ayes were torty-three and the nays fitteen. No quorum. is a quorum was not present.

SECRETARY STANTON. He is Recommended for Secretary of the Treasury, in the Event of President Johnson's Deposition.

By Telegraph to the Pittsburgh Gazette. By Telegraph to the Pittsburgh Gazette.]

HARHSBURG, PA., April 13.—The following communication, headed and prepared under the auspices of the State Senator of Erie, is signed by the Governor and all the Republican members of both Houses and heads of Departments:

To Hon. Simon Cameron, U. S. Senator Department your no-

DEAR SIR: The undersigned your political friends, now at Harrisining, the seat of government of Pennsylvanis, would respectfully say, that upon the contingent succession of Hon. Benj. F. Wade to the Presidency of the United States, and on the reorganization of the Cabinet, that you recommend to the President, on behalf of Pennsylvania, the transfer of Hon. Pennsylvania, the transfer of Hon-Edwin M. Stanton from the Depart-ment of War to that of the Treasment of War to that of the Treasury. Be pleased to say to Mr. Stanton, on our behalf, the country owes him a debt of gratitude for his services during the war that can never be adequately repaid, and we feel the demoralized condition of the Treasury Department, resulting from the mal-administration of Andrew Johnson, requires for its purification the same high characteristics exhibited by Mr. Stanton in the suppression of the rebellion.

CANADA.

The Assassination Investigation.

(By Telegraph to the Pittaburgh Gazette.)

OTTAWA, April 13.—There is a luli in the proceedings of the authorities. With the evidence taken on Saturday, relative to the assassination of McGee, the case for the assassination of the case for assassination of incides, the case for the Crown rests for the present. The indications are strong that some of the conspirators have unbosomed themselves to the authorities. To-day is observed as a holiday in respect to the deceased.

And Whereas, Said Island is believed to be very valuable, as being the only home of the fur seal in the world; therefore be it of the fur seal in the world; therefore be it of the fur seal in the world; therefore to the fur seal of the the man. Affairs be directed to inquire into the man. Affairs be directed to inquire into the man. Affairs be directed to inquire into the forts to ter and report to the House such efforts to ter and report to the House such efforts to forthe Eric Railway Line, and the Northern Transportation Company's steamer City of New York, both from Cleveland, arrived here to day, being the first arrivals of the season from ports down the lake. The steamer Elima of the Eric Line, cleared to the sufficient of the Eric Line, cleared to the season from ports down the lake. ed for Buffalo vesterday,