# Pittsburgh Gazette.

VOLUME LXXXIV. PITTSBURGH, SATURDAY, MARCH 27, 1869. NUMBER 76.


# SECOND EDITION.

FOUR O'CLOCK A. M.

## THE CAPITAL.

**Nominations by the President —Confirmations by the Senate —Mississippi Affairs—Discharge of Enlisted Men Ordered—Ex-President Johnson Recovering.**

[By Telegraph to the Pittsburgh Gazette.]

WASHINGTON, March 26, 1869.

APPOINTMENTS.

The President this afternoon nominated to the Senate Geo. G. Sims as Associate Judge of Montana; Aubrey H. Smith, United States Attorney for the Eastern District of Pennsylvania; Thomas Steel, Surveyor of Customs for Pittsburgh, Pennsylvania; Wm. Kapas, Collector of Customs for Alaska.

The rush of parties to the appointment office of the Treasury is so great that an order will be issued excluding applicants for office until after each day's mail is read.

Judge Fisher, of the Supreme Court of this District, accompanying a delegation from Delaware, called on Secretary Boutwell this morning.

AT THE WHITE HOUSE.

There were not as many visitors as usual at the Executive mansion to-day. Before the Cabinet meeting Judge Swayne, of the Supreme Court of the United States, Hon. W. B. Allison, of Pennsylvania, Senators Morton, Yates, Cameron and Gen. Logan, had interviews with the President.

DISCHARGE OF SOLDIERS ORDERED.

By direction of the President the commanding officers of the following named arsenals and of the Military Academy will at once reduce the number of enlisted men of the Ordnance Department there, and grant discharges to all men whose services are dispensed with. Under this order Allegheny Arsenal will discharge fifty men, Watervleit Arsenal fifty men, Charleston twenty men, Indianapolis twenty men; Columbus twenty-five men, Fortress Monroe twenty-five men, Augusta twenty-five men, Vancouver twenty-five men, Kennebec twenty men, Mt. Vernon fifteen men, Detroit fifteen men, West Point Academy ten men, Pikeville five men, Champlain five men.

NOMINATIONS CONFIRMED.

This evening the Senate confirmed the following nominations: Commander Calhoun to be Captain of the Navy; Lieut. Commanders Carpenter and Kirkland to be Commanders; W. K. McSherry and A. C. Kelton to be Second Lieutenants of the Marine Corps; Reade W. Smith, Second Assistant Postmaster General; Moses H. Grinnell, Collector of Customs for New York; Alonzo B. Cornell, Surveyor for New York; K. E. Merritt, Naval Officer for New York; Pendleton G. Waltmough, Collector of Customs for Massachusetts; J. H. Wilson, Collector of Customs at Puget Sound; J. A. Babson, Collector of Customs for Gloucester, Massachusetts.

Assessors of Internal Revenue: Joshua Thorne, Fifth District, Mo.; D. H. Stanton, Seventeenth District of N. Y.; W. S. Stockley, Second District, Pa.

Collectors of Internal Revenue: L. N. Coy, First District, Ark.; Jos. A. Cooper, Second District, Tenn.; John McHurg, Second District, N.Y.; Samuel J. Rogers, Seventeenth District, Pa.; Joseph L. Smith Second District, Miss.; R. M. Smith, Third District, Md.; Thos. E. McCracken, Sixth District, Iowa; Isaac J. Young, Fourth District, N. C.

Deputy Postmasters: Samuel L. Day, Paxton, Ills.; Christian Bidaman, Canton, Ills.; Thos. B. Kelley, Dugwin, Ills.; Geo. W. Mills, Petersburg, Ills.; Jno. Cirr, Georgetown, Colorado; H. P. Bennett, Denver, Cal.; Wm. T. Ward, Susanville, Cala.; H. L. Strut, Sonora, Cal.; D. F. Brintlinger, Louisiana, Mo.; Miss Marian Champlin, Waterloo, Iowa; J. D. Buckholder, Fort Dodge, Iowa; Miss Julia P. Woolfolk, Jackson, Tenn.; H. B. Cropster, Shelbyville, Kentucky; John M. Stockton, Marysville, Ky; Joseph B. Brown, Garrytown, N. Y; W. W. Perkins, Baldwinville, N. Y; B. F. Heyler, Uttica, Ind; L. R. Johnson, Cambridge City, Ind; Wm. A. Hoornal, Washington, Ind; G. W. Dunlanto, Franklin, Ind; A. C. Haughton, Wellington, O; T. W. Collins, Coshocton, Ohio; R. Smith, Canton, Miss; Curtis J. Gale, Corruna, Mich.; E. W. Merrill, Muskegan, Mich.; Henry E. Luddoth, Darlington, Wis.; Albert G. Hatch, Windsor, Vt.; John R. Dobson, Phœnixville, Pa.; Chas. T. Nayles, Troy, Penn.; Philip Hoerr, Buchanan, Penn.; L. M. Price, Chester, Penn.; Harvey G. Baker, Genesee, N. Y.; N. G. Smith, Flemington, N. J.; J. D. Clevenninger, Mt. Holly, N. J.; James Furman, Bordentown, N. J.; Richard H. Fountain, Misawaka, Ind.; J. G. McPheters, Bloomington, Ind.; Benjamin Carter, Seymour, Ind.; Thos. O. Tregnor, Council Bluffs, Iowa; F. M. Casserly, Mintersel, Iowa; W. Williams, Dubuque, Iowa; Julius Wagner, Indianola, Texas; N. B. Benson, Newton, Mass.; Wm. Price, Grenada, Miss.; H. D. Shaffer, Canton, O.; Jas. O. Bond, Columbia, Tenn.; Jno. O. Williams, Neenah, Wis.; M. A. Gaining, Hatkinson, Wis.

RINCKLEY SENTENCED.

Jno. M. Rinckley was to-day sentenced to pay a fine of one hundred dollars and costs for an assault on Deputy Commissioner of Internal Revenue Harland.

OUT OF DANGER.

Information is received to-night from Greenville, Tennessee, that ex-President Johnson is out of danger.

MISSISSIPPI AFFAIRS.

In an interview to-night between the President and a delegation from Mississippians, representing the Conservative and Republican elements of that State, the President said he thought the best plan to quiet opposing parties in Mississippi would be for Congress to authorize the Constitution to be again submitted to the people, a separate vote to be taken on the features objected to by the Conservatives, and that in the meantime the present Military Commander should control the State.

PACIFIC RAILROAD PROGRESS.

Mail service has been extended on the Central Pacific Railroad to the 507th mile, and the track laid to the 612th mile. The grading is finished to Ogden, where the road meets the Union Pacific Railroad on the 51st section.

## FORTY-FIRST CONGRESS.

[FIRST SESSION.]

**SENATE: Supplement to the National Currency Act Discussed, and Amendments Offered Rejected. HOUSE: Tenure-of-Office—Reference of Senate Amendment to the Repealing Bill Reconsidered and the Amendment Nonconcurred in, After an Animated Debate.**

[By Telegraph to the Pittsburgh Gazette.]

WASHINGTON, March 26, 1869.

SENATE.

The bill extending the charter of the City of Washington was passed.

Mr. HOWARD made an ineffectual effort to have the joint resolution granting the right of way to the Memphis, El Paso and Pacific Railroad referred to the Pacific Railroad Committee.

Mr. HAMLIN introduced a bill additional to the acts concerning the government of the cities of Washington and Georgetown; also, to establish a Probate Court in the District of Columbia.

Mr. PATTERSON, a bill relating to judicial privileges in the same.

Mr. ABBOTT, a bill to remove political disabilities from certain persons.

The joint resolution to relieve actual settlers upon certain lands in Arkansas was passed.

Mr. WILLEY introduced a bill for the relief of Judge Taylor, of Virginia, from political disabilities.

The bill to carry into effect the Mexican claims treaty passed.

Mr. WILSON introduced a bill for the protection of soldiers and their heirs against claim agents, which was referred to Committee on Military Affairs.

Mr. CHANDLER introduced a bill to detach part of St. Paul from the collection district of Minnesota and to annex it to the collection district of Louisiana. Referred to Committee on Commerce.

Mr. NYE introduced a bill providing that the construction of penitentiaries in Territories shall be under the supervision of the Secretary of the Treasury instead of the Secretary of the Interior. Referred to Committee on Territories.

Also, a bill to insure the completion of of the Washington Monument. Referred to the Committee on the District of Columbia. The bill provides for the creation of a body corporate, to consist of A. T. Stewart, C. Vanderbilt, T. C. Sherman, J. J. Combs, J. A. Ross, W. T. Adams, J. M. Wilson, S. A. Smith, C. B. Phillips and Chas. B. Barton, under the style of the Washington Monument Union, for the purpose of devising ways and raising means for the completion of the Washington Monument, and for the erection of a similar one to the memory of Abraham Lincoln.

Mr. HOWARD submitted an amendment, intended, he proposed, as a substitute for the House joint resolution to protect the interests of the United States in the Union Pacific Railroad Company, and for other purposes. The substitute provides that the stockholders of said company, at a meeting to be held in Washington City on the 31st of March, with power to adjourn from day to day, shall elect a Board of Directors for the ensuing year; the stockholders are also authorized to establish their general office at such place in the United States as they may select at such meeting; provided the passage of this resolution shall not confer any other rights upon the company than to hold such election, to be held in any manner to relinquish or waive any rights of the United States, to take advantage of any act or neglect of said company heretofore done or omitted, whereby the rights of the General Government have been or may be prejudiced.

Mr. FESSENDEN made an ineffective effort to have the Indian appropriation bill considered.

The financial bill was then taken up.

Mr. KELLOGG withdrew his pending amendment to Mr. Wilson's amendment.

Mr. WILSON modified his amendment so as to provide that whenever the amount of United States notes and circulating notes of National Banks combined shall be in excess of $650,000,000, the Secretary of the Treasury shall be required to fund in 10-40 bonds, United States notes to the extent of such excess, until the amount of notes outstanding shall be reduced to $550,000,000. He said the plan proposed in the amendment would relieve the South and West without doing at the same time injustice to other portions of the country, which would be done by the plan of the Committee.

Mr. CONKLING argued generally against the bill as illy calculated to meet the financial requirements of the country, and declared himself opposed to any legislation for the reduction of the banking circulation in any part of the country. He would not consent, for instance, to the reduction, by a single dollar, of the circulation which the state of New York had received, under an arrangement whereby her own banks, then working prosperously, were, whether wisely or not he would not say, trampled out of existence under the heel of federal power.

Mr. WILSON defended his proposition, and incidentally expressed the opinion that the present financial condition of the country was very satisfactory, and that the national debt would soon be made a very light burden by the rapid development of national revenues.

Mr. SAWYER said it was quite evident Congress would not now consent to any expansion of the currency or increase of the interest bearing obligations of the country, and, therefore, if justice was to be done to the States having less than their proportion of banking circulation, it must be done by transferring to them the excess of circulation in other States.

Mr. WILLIAMS again expressed his opposition to the measures intended to effect the National currency, and said the withdrawal of circulation from certain States proposed by the Finance Committee would be a breach of faith. He moved to amend the amendment of Mr. Wilson by fixing the limit of the issue of circulating notes at three hundred and ten instead of three hundred and fifty million dollars, and by adding a clause directing the Secretary of the Treasury to cancel United States notes as said ten millions of circulating notes are issued.

Mr. SHERMAN denied that the bill proposed any injustice to any portion of the country. The New England States would still have their full share, and one of them (Rhode Island) would have a great deal more than her share. He objected also to the amendment of the Senator from Massachusetts, (Mr. Wilson) and that of the Senator from Oregon, (Mr. Williams) because they involved the question of the funding of greenbacks, which again implied the return to specie payment. The bill reported by the Committee, however, provided simply for a redistribution of the circulation to meet temporarily the requirements of the business of the country, until Congress could mature and adopt some general measure of legislation looking to the resumption of specie payments.

Mr. SPRAGUE denied the statement of Mr. Wilson, that the country, and especially New England, was prosperous. He knew the financial condition of the manufacturers and operators in New England, and he felt perfectly sure, if the manufacturers should close their establishments, as they must soon do unless their business could be made more profitable, in less than two weeks after the suspension the operatives would be thrown upon the charitable for support. He had under his own charge nearly two thousand hands, and he knew that if the mills in which they were employed should suspend work for two weeks, the employers of the town would have to take care of the operatives. The idea of the Finance Committee, that the South could be supplied with working capital by forcibly withdrawing the circulation from the East and sending it there, was fallacious. The capital sent to the South in that way would necessarily be in the hands of a few men, and they would not invest it in the South, for investments there would be insecure; but would take it to New York and speculate with it. There was but one possible way of supplying the South with capital, namely, by so legislating as to make capital cheap at the points where it is localized, so it will naturally seek investment elsewhere.

Mr. MORTON desired the plan proposed would be injustice to the Eastern States, and said the amendment offered by Mr. Wilson was substantially a proposal that the Treasury should pay out two and a half million dollars per annum, in order that New England might be left in undisturbed enjoyment of an unjustly large proportion of banking circulation. The amendment of the Senator from Massachusetts proposed also a direct violation of the act to strengthen the public credit. That law distinctly pledged the country to the redemption of greenbacks in coin; but the Senator from Massachusetts proposed to fund them in 10-40 bonds.

Mr. WILSON said he would like to see all the greenbacks funded, and denied that the bill to strengthen the public credit would be violated by funding them.

Mr. MORRILL said the chairman of the Committee on Finance had stated when the bill to strengthen public credit was under discussion, that it was not designed to prohibit the funding of the greenbacks.

Mr. FESSENDEN—Anybody can see that.

Mr. MORTON said he could not see it. The language of the act contained a distinct pledge that the greenbacks should be redeemed in coin.

Mr. FESSENDEN remarked that the Senator from Indiana, (Mr. Morton,) to be consistent, must be prepared to argue that if a man gave a note to be paid in coin, and the holder of the note afterwards expressed his willingness to accept a bond instead, the debtor could not honestly substitute the bond for the coin, because of his previous promise.

Mr. MORTON said the Senator from Maine's illustration did not state the case fully. He had no doubt the holders of greenbacks would gladly exchange them for bonds.

Mr. FESSENDEN—Would that violate the pledge in the bill to strengthen the public credit?

Mr. MORTON replied it would not violate the pledge to the individual, but it certainly would to the Government. Several plans had been proposed for the redemption of the national obligations, and Congress had finally fixed upon this one, and had solemnly pledged the government to the redemption of these obligations, including greenbacks, in coin. To give the law any other construction would be making it nonsense.

Mr. FESSENDEN complained that the Senator from Indiana had treated him discourteously, in asserting that what he had said was "nonsense." That was not proper language for a Senator to apply to another.

Mr. MORTON denied having made the assertion. What he had said was that the construction which the Senator from Maine wished to put upon the act to strengthen the public credit would make it nonsense. But even if he had said what the Senator charged, he thought it would not have been more discourteous than it was for the Senator from Maine to say, when he (Mr. Morton) was advocating a certain view of the law, that anybody could see that the contrary was the correct view. He had for many years admired the Senator from Maine, but he thought that Senator never appeared to less advantage than when lecturing the Senate, as he had done in this case.

Mr. FESSENDEN—I beg the Senator, when he talks about my lecturing the Senate, to remember that so far as any lecture of mine to-day is concerned, it was addressed to the Senator himself. And I beg it to be understood, also, that he is not the Senate, but only a very small part of it.

Mr. MORTON—That is also very true. These little flings I care nothing about. It does not become one of even my age in the Senate. But the Senator will find, that in this case he has lectured me under a mistaken idea of what I said.

Mr. MORTON, speaking of the bill to strengthen the public credit, said it had been carried through the House by the pledge contained in it, that greenbacks would be redeemed in coin, without which it must have failed to pass.

Mr. FESSENDEN said the act simply pledged the Government to the payment of the national obligations in coin, at the earliest day practicable. The object of making that pledge was simply to assure the national creditors that the nation would keep faith with them, and would not be cheated. But there was no pledge that the payment would be made at any particular date. Therefore, if any of those obligations were presented for payment before the Government was prepared to pay in coin, and the creditors should agree to accept something else instead of coin, the pledge would not be violated. He had objection to increasing the amount of interest to be paid by the Government, provided the country would gain nothing by doing so, and he believed that it would gain greatly if the greenbacks could all be put into bonds at five or six per cent interest.

The amendment offered by Mr. Williams to Mr. Wilson's amendment was then rejected.

After some further discussion, the Senate, at 4:45, went into Executive Session.

When the doors were opened, the Senate took up the bill to abolish the office of Chief of Staff, and passed it, and then adjourned till Monday.

HOUSE OF REPRESENTATIVES.

Mr. BANKS, from the Committee on Foreign Affairs, reported a joint resolution declaring the sympathy of the people of the United States with the people of Cuba in their patriotic efforts to secure independence and to establish a republican form of government and guaranteeing personal liberty and the equal political rights of all people, and that Congress will give its constitutional support to the President of the United States, whenever he may deem it expedient to recognize the independence and sovereignty of such republican government. Recommitted and ordered printed.

Mr. HILL introduced a bill to amend the act of 27th July, 1868, to provide for an American line of steamships to Europe. Referred to Postoffice Committee.

Mr. POMEROY introduced a bill to protect the rights of actual settlers on the public domain. Referred to the Committee on Public Lands.

Mr. DAWES, from Committee on Appropriations, reported a joint resolution for the transfer of $78,000 from the Treasury to the Government Printing Office. Passed.

Mr. MORGAN introduced a bill regulating the date of commission in the army. Referred to the Committee on Military Affairs.

Mr. BOYD introduced a bill granting lands and the right of way to the St. James and Little Rock Railroad. Same reference.

The House then proceeded to the business of the morning hour, being the call of Committees for private bills.

After the morning hour, during which several private bills were passed,

Mr. CESSNA, from the Committee on Elections, reported in the contested election case from the Twenty-first District of Pennsylvania, that John Covode has *prima facie* evidence of his right to a seat pending the contest, and gave notice he would call up the report for action next Tuesday.

Mr. PAINE, in behalf of four members of minority in the same case, made a report that the proclamation of the Governor and the other papers do not show a *prima facie* right in either claimant.

Mr. BURR, on behalf of himself and Mr. Randall, while concurring generally in the views of the minority, submitted some special views. All the reports were ordered printed.

Mr. BUTLER, of Massachusetts, called up the motion to reconsider the vote of yesterday by which the Tenure-of-Office repeal bill was referred to the Judiciary Committee, and suggested that there be added to the House repealing bill an additional section requiring the President to return his nominations to Congress within thirty days of their being made.

Mr. WOOD—Does the gentleman from Massachusetts retract his position of yesterday on this question?

Mr. BUTLER—Not the least in the world.

Mr. WOOD—Well, sir, you know, and we know, that a Committee of Conference is designed as a Committee of Compromise, by which the rights of the House may be jeopardized and forfeited.

Mr. BUTLER—I am not going to ask any Committee of Conference. I assume that the Senate will concur, in that proposition. I am sorry the gentleman from New York should have found it necessary to ask whether I had changed my opinion. I am not very likely to do so where I have well considered it.

Mr. ELDRIDGE—We understood on this side, yesterday, that it was the desire of the gentleman from Massachusetts that the matter should go to the Judiciary Committee.

Mr. FARNSWORTH, (sarcastically,)—I regret that the friends of the President have fallen out. [Laughter.]

Mr. BUTLER—I should be very glad to have it go to the Judiciary Committee; but at the request of many gentlemen of the House, who think the course which I propose will be acceptable to all who desire to preserve the rights of the House and the integrity of the Constitution on this subject, I propose to take this course and save time.

Mr. ELDRIDGE—The gentleman on this side of the house desire that the Judiciary Committee may act on the bill; but they supposed that the gentleman from Massachusetts himself desired it.

Mr. BUTLER—I do; but the only act that I would desire the Committee to take, would be the action which I have proposed. Does the gentleman from Wisconsin desire to have it referred?

Mr. ELDRIDGE—Certainly, that is what we voted for yesterday. We desire the action of the Judiciary Committee on the bill.

Mr. BUTLER—I think what I have proposed is a better way to meet the wishes of the gentleman from Wisconsin, and the wishes of the House.

Mr. GARFIELD—Will the gentleman from Massachusetts yield to me a moment?

Mr. BUTLER—Yes, sir.

Mr. GARFIELD—If the allied parties have settled all their matters of differing, I desire to ask a question.

Mr. BUTLER, (interrupting)—Stop a moment, sir. I did not yield for that.

Mr. GARFIELD—Ah!

Mr. WOOD—The gentleman from Ohio must understand we are on his side. I suspect desertion.

Mr. LOGAN—I would say to the gentlemen from Illinois and Ohio (Messrs. Farnsworth and Garfield) that their insinuations, made here, are unworthy of members of the House. Their insinuations about allies in reference to this or any other matter—

Mr. FARNSWORTH—When I think that a lecture from my colleague will be of any service, I will give him due notice; but I am not yet of that opinion.

Mr. LOGAN—I will only say to the gentleman, I am not a lecturer, in the general acceptance of the term. I always submit to his lectures with a good grace, as I did yesterday, however rough they may be, and however uncomely as coming from him.

Mr. BUTLER, resuming the floor, said—I do not think this discussion so valuable as to warrant me in yielding any further. Now let me say to the gentleman from Ohio, Mr. Garfield, that I have as much right to speak for the Republican party as he has. I am as firm an advocate of Republican principles as he is. And when he undertakes to say that I have allied myself with the Democrats, I want to say to him that, whenever they or he are right on a question, I am his or their ally, and whenever he or they are wrong on a question, I am not his or their ally. I will deal with them always on that proposition.

Mr. GARFIELD—I am willing to concede that the gentleman from Massachusetts is always right, and that those who differ with him are always wrong. All that I wished to ask him was whether he intended to have any debate on the question. Those of us who are decidedly in the wrong would like to show ourselves in the wrong, and to put ourselves in the wrong in the *Globe*.

Mr. BUTLER—That's always so evident that I do not care for any further exhibition in that direction. [Laughter.] I will now yield to the gentleman from Ohio, How much time does the gentleman want?

Mr. BINGHAM—All the time I am entitled to. I ask the favor of the House, independently of the gentleman's leave.

Mr. FARNHAM—That's right.

Mr. BINGHAM—I do not understand this thing of farming out the floor in this way. If the matter will bear discussion, let it be discussed. I undertake to show to the House, if I have liberty to be heard, that the Senate amendment, about which so much ado is made, does substantially repeal everything in the Tenure-of-Office act.

Mr. BUTLER—I have offered courtesy to the gentleman from Ohio. I am sorry he does not recognize it.

Mr. BINGHAM—I recognize the courtesy of the gentleman, but I ask as a matter of justice, which rises above courtesy, to be heard on this bill.

Mr. BUTLER—The gentleman will get all the justice, and he will get his due when he gets justice. [Roars of laughter.]

Mr. NIBLACK said—Reference having been made to the Democratic side, it would not be improper for him to define his position on the question, and which he believed to be the position of his associates. They had always opposed the Tenure-of-Office act. They believed that in most of its provisions it was in conflict with the Constitution. They believed it was an assault on the Executive Department of the Government, and that its tendency was to weaken that branch of the public service. Therefore, as a matter of consistency, and as a matter of principle, whenever the question of the repeal of that law was proposed, they would vote for the repeal. For himself, he should vote for an unconditional repeal of the law. Still, they were in no hurry to do it, just at this particular time. As the late Administration had to exist as best it could, encumbered by the Tenure-of-Office law, they were a little curious to see how the present Administration would get along hampered with it. Nevertheless, they were willing to vote for the repeal of the law, under the lead of the gentleman from Massachusetts, (Mr. Butler,) under the lead of the gentleman from Ohio, (Mr. Bingham,) or under the lead of anybody. He used to prefer, and would generally prefer, to follow the lead of the gentleman from Ohio in all contests of this sort between him and the gentleman from Massachusetts; but in this particular instance the gentleman from Ohio was not a proper leader for the Democratic side of the House, and they would therefore have to transfer their allegiance, for the time being, to the gentleman from Massachusetts. He hoped they were only doing so temporarily. At all events, he (Mr. Niblack) was [illegible]. [Laughter.]

Mr. WOODWARD said he never spoke for the Democratic party on this floor. He only spoke for himself and his constituents. He did not concur entirely in all the gentleman from Indiana (Mr. Niblack) had said in behalf of the Democratic party.

Mr. NIBLACK disavowed having spoken for the party.

Mr. WOODWARD went on to say that for one he was in a hurry to get rid of the Tenure-of-Office law. He had voted against it last Congress, for a reason which would appear ridiculous to some gentlemen, namely, that it was unconstitutional. He did not know whether it was going to benefit or embarrass President Grant; but he knew the act was the same now as it had been then, and he was in favor of killing, not scorching it. If anybody doubted its unconstitutionality, he would refer him to the report of Senator Sprague's speech in the Senate, where there was a demonstration of its unconstitutionality as nearly absolute as any moral proposition could be made. He did not know whether Senator Sprague originated the proposition or not. It had been intimated he had not; but he did not care who originated it. Senator Sprague had produced it, and he (Mr. Woodward) commended it to the prayerful attention of the gentlemen who were conscientious about the violation of their oath to support the Constitution. According to political science, in all times and in all countries, the removal of executive officers was an executive trust. What did he care that a parcel of Senators, animated by a patriotic motive, or any other motive, came together and declared the executive power shall be executed by a branch of the Legislature. He agreed with what the gentleman from Massachusetts (Mr. Butler) said yesterday, that the repeal of the Tenure-of-Office act was the most acceptable measure that Congress could offer the people. He was therefore too day, as he had always been, against all modification of this unconsitutional measure, and in favor of its absolute and unconditional repeal.

Mr. BUTLER stated the reason why he had moved to reconsider the vote referring this matter the Judiciary Committee was, that he was afraid it could not be got back to the House, as the Committee might not be called on for reports. He moved the previous question.

The House refused to second the previous question, the Democrats voting against it; a circumstance to which Mr. Butler called attention by asking his opponents, "Where are the allies now?"

Mr. BINGHAM then took the floor and made an hour's speech in favor of concurrence in the Senate amendment, examining the whole question in its constitutional, legal and practical bearings. He stated it was perfectly manifest that an unconditional repeal of the law was impossible. The House could not compel the Senate to change its mind.

Mr. BUTLER—Can the Senate compel the House?

Mr. BINGHAM—I understand it cannot; but until the Senate shall change its mind it is impossible to repeal the law simply by an act of repeal. He went on to argue the Senate amendment was a substantial repeal of the Tenure-of-Office act, in as far as that act fettered the President. Therefore he desired the House to concur in it.

Mr. DAVIS argued against the Senate amendment and in favor of an unconditional repeal of the Tenure-of-Office law. He regarded this as the most important measure that would come before the House at this or any future session. In his judgment, the Senate, under the pretext of laying down its power, had drawn to itself all the executive power of the nation. The Senate amendment substituted for the constitutional executive of of one head an executive of seventy heads. He believed, as solemnly as he believed anything, that the Tenure-of-Office act was utterly in conflict with the Constitution. The Senate had, under the Constitution, no executive power whatever. The President could be impeached, if he appointed corrupt officers; but if the Senate should restore corrupt officers, where was the remedy? Could it send the gentleman from Ohio (Mr. Bingham) to try the Senate as it had sent him some months since to try the President? No! The representatives of the people would be in that case remediless and powerless. The Executive would be powerless, and there would be placed in the Senate—unimpeachable, irresponsible, not to be reached under the Constitution or laws—all the executive power which the Constitution had declared that the President should take care faithfully to execute.

Mr. BINGHAM replied to the argument of Mr. Davis.

Mr. HOTCHKISS argued in favor of the Senate amendment.

Mr. GARFIELD also supported the Senate amendment, and reminded the Republican side of the House that the impeachment of President Johnson was based principally on the constitutionality of the Tenure-of-Office act. Still he was in favor of removing the most restrictive features of the law, and that was what the Senate amendment proposed to do. The newspaper press had facetiously divided the parties on this question into "repealers" and "suspenders." He was neither a "repealer" nor a "suspender." He was a "mender."

Mr. HOAR inquired of Mr. Garfield whether he wanted any more power for the Senate than the Constitution gave it, and whether it would not reclaim all that power if the law were absolutely and unconditionally repealed?

Mr. GARFIELD replied that the people had for seventy years slept on their rights, but that finding, under the administration of Andrew Johnson, its power was abused, had passed the Tenure-of-Office law. He should vote against referring, against non-concurrence and in favor of concurrence.

Mr. SCHENCK declared that, like his colleague, (Mr. Garfield) he was neither a "repealer" nor a "suspender," but was a "mender." When the bill repealing the Tenure-of-Office act was sprung upon the House, he had in his drawer a bill to modify and amend it.

Mr. BLAIR opposed the Senate amendment, and remarked that by the Tenure-of-Office act the Senate had captured an entirely new power, and the question was whether the House would let that power remain with the Senate. He was utterly opposed to it.

Mr. DAVIS again gained the floor and made another argument against the Senate amendment, declaring that under it the President would come to be a supplicant at the throne of Senatorial power; that it would be in the Executive a constant source of embarrassment; contests and strifes would ever disturb his peace; and that it would give to the Senate a power which would not only be depriving the President of his power, but would be putting him constantly on trial before the Senate.

Finally, at five o'clock, the debate was closed.

The vote on reference was reconsidered, and the motion of reference was withdrawn.

The question was taken on concurring in the Senate amendment, and the House refused to concur by a vote of yeas 70, nays 99.

So the bill goes back to the Senate as a simple repeal of the Tenure-of-Office act.

The following is the vote in detail:

*Yeas*—Messrs. Ames, Armstrong, Asper, Bailey, Beaman, Beatty, Benton, Bingham, Bates, Burdett, Butler (Pa.), Cessna, Churchill, Cobb, Coburn, Coates, Dixon, Dockery, Donley, Duval, Farnsworth, Ferris, Finkelnburg, Garfield, Gilfillan, Hawley, Hill, Hooper, Hotchkiss, Ingersoll, Jenckes, Kelley, Kelsey, Ketcham, Knapp, Laflin, Lamb, Lawrence, Lynch, Maynard, McCarthy, McGrew, Mercur, Moore (O.), Moore (N. J.), Packer, Poland, Pomeroy, Prosser, Roots, Sanford, Sargent, Sawyer, Schenck, Schofield, Shanks, Smith (Tenn.), Smyth (Iowa), Slivers, Stoughton, Strickland, Taffee, Tilman, Twitchwell, Ward, Walker, Wheeler, Wilson (Ind.), and Winans—70.

*Nays*—Messrs. Allison, Ambler, Archer, Axtell, Banks, Beck, Biggs, Bird, Blair, Boyd, Brooks, Buffington, Burr, Butler, (Mass.,) Calkin, Clark, Cleveland, Cobb, Cook, Conger, Crebbs Cullom, Davis, Dawes, Dewees, Dickey, Dickinson, Dyer, Eldridge, Ferry, Fisher, Fox, Getz, Galladay, Griswold, Haight, Haldeman, Hambleton, (Md.,) Hawkins, Hoyt, Heaton, Houg, Hoar, Holman, Hopkins, Johnson, Jones, (N. C.) Jones, (N. Y.) Julian, Kerr, Knott, Logan, Loughridge, Marshall, Martin, McCreery, McNeeely, Moffit, Moore, (Ills.) Morgan, Mungen, Niblack, O'Neill, Orth, Packard, Payne, Palmer, Phelps, Randall, Reading, Reeves, Rice, Rogers, Shumaker, Sheridan, Slocum, Smith, (Ohio,) Smith, (Oregon,) Stevenson, Swayne, Sweeny, Townsend, Trimble, Tyner, Upson, Van Horn, Van Trump, Washburne, (Ills.) Washburne, (Mass.) Wells, Whitemore, Wilkinson, Williams, Winchester, Witcher, Wood and Woodward—90.

Mr. Kerr was excused from further service on the Committee for the reorganization of the Civil Service, and Mr. Niblack appointed in his place.

The SPEAKER called attention to the want of Committee Rooms in the Capitol, stating there were several Standing Committees that had no rooms, and that in some rooms there were two or three committees.

The House at half-past five adjourned until Monday.

—It is said that another national bank is soon to be organized in Chicago under the control of an experienced banker from Richmond, Va., who has a national bank already with ample circulation, which he wishes to transfer to Chicago. Its capital, and the precise time when it will go into operation, cannot be made known for a few days.