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WASHINGTON.

CONGRESS—THE TARIFF BILL—THE TAX COMMITTEE—STATISTICS OF SOUTHERN AGRICULTURE—COLORED CONVENTION.

BY TELEGRAPH TO THE TRIBUNE.

WASHINGTON, Thursday, Jan. 10, 1867.

In the Senate to-day the bill to fix the time for the meeting of the XLth and all succeeding Congresses, was taken up and passed without much discussion. It goes back to the House for concurrence in some unimportant amendments. The bill to regulate the elective franchise in the Territories of the United States was also passed without much opposition or debate. It is in the nature of a substitute for the House bill of last session, and declares that there shall be no denial of the elective franchise in the Territories on account of race or color, and repeals all laws making such distinctions. Is goes back to the House. The bill offered on the first day of the session by Mr. Williams, to regulate the tenure of office, was then taken up and discussed until adjournment. An amendment by Mr. Howe, to prevent the President from removing Cabinet officers without the consent of the Senate was voted down. Cabinet Ministers are the only exceptions to the general provision of the bill that no officer shall be removed by the President without the consent of the Senate except for a crime or misdemeanor. In the discussion on the bill Reverdy Johnson said he was free to say that for the President to reappoint an officer whom the Senate had rejected, was a clear violation of the spirit of the Constitution; he had given this opinion, he said, while he was Attorney-General, and had seen no reason to change it since; he contended, however, that the President's right of removal was unlimited, and quoted precedents from political history to prove it. It is manifest that this measure will lead to a long discussion. Mr. Sherman has an amendment, which he offered to-day, but subsequently withdrew, with the intention of renewing it before the final passage of the bill, making it a penal offense to pay an officer after his rejection by the Senate. Just before adjournment, Mr. Poland gave notice that he should call up the Bankrupt bill on Monday.

The House to-day started out by consuming over one hour's time in debating the establishment of a postal route. Mr. Alley of the Post-Office and Post Roads Committee reported a bill making the railroad bridge crossing the Mississipoi River at Clinton, Ia., and New-Albany, Ill., a postal route. An interesting and spicy debate sprung up between Messrs. Alley, Farquhar, Schofield, Price of Iowa, Griswold and Davis of New-York, in favor of, and Messrs. Washburne of Illinois, and Allison of Iowa against the bill. Washburne was very severe in his remarks, charging certain members of the Post-Office Committee with being interested in the stock of the North-Western Railroad, which company's track crosses on above mentioned bridge. Mr. Washburne argued in favor of the destruction of the bridge, as it was a hindrance to navigation on the Mississippi River. Scofield of Pennsylvania, with a kindness of heart, came to Alley's aid, and helped him to reply to Washburne. At this point the proceedings became very interesting, although it was only a small matter under consideration. Washburne made such headway with his charges of corruption that the friends of the bill, after more than an hour's debate, pressed the bill to a vote under the operation of the previous question, and it was passed. Wentworth asked to be excused from voting because he was a large stockholder in the road. Davis of New-York was also excused from voting, because Washburne had charged him with being interested as a stockholder, and the Speaker would not allow him (Davis) to reply. The House next went to work in disposing of the business on the Speaker's table. The galleries were densely crowded with people, two-thirds of whom were Department clerks, who expected the bill for the increasing of their salaries to be acted upon. They were sadly disappointed, as the House adjourned before the bill was reached. The bill providing for the meeting of the XLth Congress, with the Senate amendment, was passed. Ashley called up the Senate bill to admit Nebraska as a State into the Union, and tried to pass it under the operation of the previous question. The opposition was so decided against rushing the bill through that the seconding of the previous question was voted down, the Democrats voting solidly against the bill. Blaine, Ingersoll, Dawes, Thayer, Washburne of Illinois, Williams of Pennsylvania, and other prominent Radical Republicans are opposed to the bill in its present form, and voted to postpone its consideration. They argue that the "Edmund's proviso" amounts to nothing, and that the Territory will become a State with the negro excluded from the right of suffrage. A majority of the Republicans, headed by Bingham, Spaulding, Ashley, Banks and Delano, are in favor of the bill, and if a vote can be reached to-morrow the bill will be passed by a small majority. During the discussion of the bill the scene was quite lively and interesting. Ashley tried his utmost to have the bill passed; failing in that he was willing to compromise by having it made a special order for some day next week, in order to allow debate. Blaine and Ingersoll, however, fought the bill with determination. The latter moved its being sent to the Committee on Territories, which motion Mr. Blaine amended by moving that it be sent to the Judiciary Committee. Washburne feeling sore over Alley's defeating him on the bridge question, moved its reference to the Committee on Post-Offices and Post-Roads. In the midst of these motions, Mr. Bundy moved to adjourn, which motion prevailed.

The Senators elect from Nebraska are hard at work to-night lobbying with doubtful members. Bingham will make a speech against the bill to-morrow, but will vote for it.

The House Judiciary Committee not being ready to proceed with the impeachment investigation, to-day decided to inquire into the facts connected with the selling of negroes in Maryland. They have ordered a number of witnesses to be subpenaed who will probably appear before the Committee to-morrow. The Ways and Means Committee were in session again to-day on the Tax bill, but no decisive action was taken in regard to any of the matters under consideration. A delegation of gunpowder manufacturers were before the Committee endeavoring to have the tax on gunpowder changed. A strong pressure is being brought to bear upon the Committee to induce them to reduce the tax on whisky. The Committee do not look with favor upon any change at present. They will probably report some additional legislation to secure the collection of the present tax, and to prevent the frauds which are so extensively perpetrated by the Revenue agents who are in collusion with the manufacturers.

The Senate Finance Committee have completed the Tariff bill, and it will be reported to-morrow. It is an entire new measure, embracing many of the leading articles in the House bill; the Committee have endeavored to mature a bill that will give satisfaction to all the various interests involved. Commissioner Wells's recommendations of low duties on imported wool and woolens, have been rejected by the Finance Committee. The provisions of the House bill on both will be adopted and reported by the Committee to the Senate. The feeling excited among the farmers of the West against Mr. Wells for his opposition to the protection of wool-growers this side of the Mississippi, is strongly represented here, and begins to assume a practical shape. It now looks as if the act creating the office of Special Commisioner of the Internal Revenue would be repealed.

"Who is John McGinnis?" All that is known about him is that he is an obscure contractor of Chicago, who made some money during the war; that he is of the Copperhead persuasion; that he came here with his wife; that they, John and wife, were then invited to "swing round the circle" to Douglas's grave and back; that they complied with the invitation with alacrity, and that to the amusement of everybody John was subsequently nominated Minister to Stockholm. The last heard of him in Washington is that he made anxious inquiries in regard to the uniform of the Embassadors at the Swedish Court. But he is not yet confirmed. All is comical in this affair excepting the fact that a most worthy representative of M. C. Campbell, and a faithful Republican, our present Minister to Sweden, is to be sent into comparative exile to Bogota, in order to make place for this hero.

Leading New-York merchants and bankers have sent letters to members of the Senate Committee on Foreign Affairs, asking that the appointment of Gen. Dix be confirmed as Minister to France. The Committee have taken no action on this nomination, nor on any of the numerous other foreign appointments before them. They do not seem to be in any hurry in disposing of the nominations sent to them by the President.

The Committee on Indian Affairs are still investigating the charges against Commissioner Bogy. The evidence is very strong against present management of Indian affairs. It is expected they will close the evidence to-morrow, when the arguments will commence.

The chair that President Lincoln occupied in Ford's Theater at the time of his assassination has been presented to Secretary Browning, who has transferred it to the Museum of the Interior Department.

Last month the Treasury Department redeemed and canceled National Bank notes amounting to $80,100, $63,500 of which belonged to New-York banks.

A complete list of prizes captured by the United States Navy during the Rebellion, adjudicated by the Navy Department, has been prepared by the Fourth Auditor for apportionment and distribution. Over 1,000 captured vessels and the successful cruisers are enumerated. It is estimated that not less than five thousand seamen and officers are interested in these prizes and that from $5,000,000 to $6,000,000 are involved.

Gen. Spinner has prepared a lengthy circular for distribution to the Assistant Treasurers relative to the redemption of the fractional currency, in which it is decided that whenever a holder of any United States currency shall present to an Assistant Treasurer of the United States, United States Depositary, or a National Bank which is a designated depositary of the United States, notes which in the aggregate shall be of the nominal value of $50 or over, which notes shall have been carefully assorted, strapped, labeled, and then put up in one parcel, in conformity with the rules approved by the Secretary of the Treasury, April 21, 1865, for the redemption of such notes, it shall be the duty of such officer or bank to receive such parcel of notes and give to the owner thereof either the value of the same in money, or a receipt conditioned for the payment of the proceeds of such parcel when returns therefor shall have been received from the Treasurer of the United States.

The December Report of the Agricultural Department just published contains a variety of important matter, facts and suggestions, concerning Southern industry and resources. A history of cotton insects by practical entomologists, besides valuable statistics from foreign official sources, are among its interesting matter. The Commissioner represents that the corn crop of the States, exclusive of 11 Southern and the Pacific States, was estimated for 1865 in round numbers at 704,000,000 bushels. The same States in 1866 yielded an estimated product of 679,000,000, a decline of 25,000,000 bushels in quantity; a deficiency in quality equivalent to 75,000,000 more, making a difference in the feeding value of the crop of 100,000,000 bushels between this and the previous year. In regard to the cotton crop it is believed that the following table, carefully prepared, gives the total number of bales manufactured during the past year:

North Carolina, 91,000. South Carolina, 102,000. Georgia, 205,000. Florida, 35,000. Alabama, 220,000. Mississippi, 270,000. Louisiana, 105,000. Texas, 300,000. Arkansas, 182,000. Tennessee, 148,000. 1,663,000. Other States, 87,000. Total, 1,750,000.

Since the cessation of the war the travel on the Pennsylvania-ave horse railroad has fallen off 33 per cent. The receipts this year are $117,000 less than those of last year.

The Commissioner of Pensions to-day appointed the following examining surgeons of applicants for pensions: Michael Lahmer, Oregon, Missouri; True M. Gould, Raymond, New-Hampshire; Joseph P. Root, Wyandotte, Kansas; Henry M. Avery, Morristown, New-Jersey.

One hundred and ninety-five new patents will be granted next week, being an increase over the number authorized last week.

The following list of Claim Agents have been suspended in the office of the Fourth Auditor, for various causes: J. C. Dickey, New-York; O. B. Murray, Baltimore; Foulks & Co., Philadelphia; T. L. Braynard, New-York; M. J. Higgins & Co., New-York; C. S. Bundy, Washington.

The naval station at Port Royal, S. C., which proved almost invaluable during the war, is now being broken up.

Major-Gen. Howard and Brevet Brig.-Gen. F. D. Sewall, Inspector-General, have returned from a tour of inspection through the Southern States. Gen. Howard will, at an early day, make a report of the operations of his Bureau and the condition of freedmen's affairs in States which he has visited.

Brevet Major-Gen. D. H. Rucker is performing the duties of Quartermaster-General during the illness of Gen. Meigs.

A Convention, representing the colored people of the United States, met here to-day, pursuant to a call issued by the National Equal Rights League. John M. Laughton of Ohio was elected President, and B. M. Arnett Secretary. Delegates were in attendance from Alabama, Tennessee, North Carolina, Virginia, Maryland, Pennsylvania, New-Jersey, Kansas, Massachusetts, Ohio, Indiana and, Arkansas. Additional delegates are expected to-morrow. Among other business they propose to petition Congress, and to issue an address to the people of the United States, and to take other measures, with a view to educate public opinion to the point of giving them impartial suffrage in all the States, and in other respects to improve their social condition. They design, also to petition Congress either to remove the tax on raw cotton or to so amend the present law that there may be a distinction in the tax for the different grades.

Gen. Jack Magruder has arrived in Baltimore en route to this city.

A Cabinet dinner is to come off at the White House on Friday evening.

Secretary McCulloch, in conversation with a gentleman of this city, upon the subject of the finances, last evening, said that he regretted to find the future prospects so unfavorable and forbidding. It was his earnest desire to secure practical measures of reform in this important matter, but his plans were seriously obstructed by the political complications that had been sprung upon the country, and which threatened to retard, if not break up, all the efforts which he might put forth.

The Senate, it is believed, will pass the Bankrupt bill with an amendment respecting the appointment of a Commissioner.

Speaker Colfax's first reception of the season took place to-night. The throng of visitors was very large and fashionable. Chief-Justice Chase, Senators and Representatives, gentlemen of the Foreign Legations, army and navy officers, and others of prominence, were among the guests.

The postal affairs of the Duchies of Schleswig and Holstein, having been united to those of Prussia, all correspondence in future between the United States and those Duchies by Prussian closed mail will be subject to the same treatment and the same postage charges as similar mail matter addressed to or received from other parts of Prussia.

The Supreme Court of the United States has relaxed its rules so far as to permit reporters to take ample notes of its decision to be pronounced on Monday next on the constitutionality of the Test Oath as applicable to lawyers practicing at its bar. The anxiety of the public to hear the opinion of the Court on this subject is assigned as the reason for this privilege to the press in these premises.

It is said the Naval Committee of the House have gone to Philadelphia to inquire into the facts of the burning of the New Ironsides.

The Committee on the New-Orleans Riots will not prepare their reports for several weeks, the entire testimony not yet being written out.

The Committee on Internal Revenue frauds will be in Philadelphia to-morrow, in prosecution of their business, and will soon go to New-York; and the Committee in relation to Southern railroads were in session to-day.

XXXIXTH CONGRESS—SECOND SESSION.

SENATE.....WASHINGTON, Jan. 10.

PETITIONS.

Mr. WADE (Rep., Ohio) presented a petition for the passage of the House tariff bill, which was referred to the Finance Committee.

Mr. SHERMAN (Rep., Ohio) presented a similar petition, which was similarly referred.

Mr. LANE (Rep., Ind.) presented a petition for a modification of the duty on cigars, which was referred to the Finance Committee.

Mr. HENDRICKS (Dem., Ind.) presented a petition asking that the duty on flax seed be fixed at not less than 30 cents, which was referred to the Finance Committee.

Mr. MORGAN (Rep., N. Y.) presented a petition for the passage of the House tariff bill, which was referred to the Finance Committee.

Mr. SUMNER (Rep., Mass.) presented the petition of the citizens of Pennsylvania for a Constitutional amendment abolishing all distinctions on account of color, which was appropriately referred.

Mr. EDMUNDS (Rep., Vt.) presented several petitions for the passage of the House tariff bill, which were referred to the Finance Committee.

RAILROAD RELIEF.

Mr. SHERMAN called up the bill for the relief of the Winona and St. Peter's Railroad Company of Minnesota, which was passed and goes to the House. It directs the Secretary of the Treasury to refund to the Company named $3,421 28, excessive duty collected on railroad iron.

THE FORTIETH CONGRESS.

Mr. POLAND (Rep., Vt.) called up the House bill to fix the time for the regular meeting of Congress.

Mr. WILLIAMS (Rep., Oregon) asked if Senators or Representatives would be entitled to more than two mileages for the XLth Congress. He thought this provision ought to be inserted.

Mr. POLAND said that under the bill no Member of the present Congress would be entitled to additional mileage. New members who were obliged to come here from home, would be allowed mileage.

Mr. WILLIAMS said that would add to the expense of the XLth Congress, and the idea was that nothing would be done more than to effect an organization on the 4th of March. He did not believe that the people would approve of an additional outlay for the purpose.

Mr. POLAND said that he was not aware that the special session of Congress on the 4th of March was to be of such short duration as Mr. Williams supposed. He thought Mr. Williams would find that he was mistaken in that belief.

Mr. HENDRICKS thought there was no necessity for such legislation as this. It was not thought necessary to keep Congress in continual session during the war, and he did not see the need of it now. If it was a party measure he had nothing to say, but if it was claimed to be required by the interests of the country he would like to have it explained. He believed the country had got along very well without a continuous session heretofore. He should like to know the necessity for the additional session hereafter. If it was simply designed to hold the President in check, the country ought to know it. If it was for strictly party purposes, the country ought to know it. He believed the passage of the bill had been determined on in caucus, but he thought the Senator having charge of the bill ought to explain the matter a little.

Mr. EDMUNDS said he had only taken charge of the bill at the request of Senators who were absent, and of members of the House. So far as he knew the reasons that procured the passage of the bill in the House, the principal one was to provide an additional officer for the succession to the Presidency in the event of the death of the President. The bill would give us a permanent Speaker of the House, which we would not have without it. How much political significance there might be in the bill he did not know. He was not prepared to say that the unfortunate difference between the President and Congress had not contributed to the passage of the bill, though how much it had contributed he could not say.

Mr. HENDRICKS inquired if the President pro tem of the Senate would not hold over in that position if a member of the next Congress, that is, if he would not hold office during the vacancy.

Mr. POLAND replied that he thought he would.

Mr. HENDRICKS said if that were the case, the contingency of the President's death was already provided for.

Mr. JOHNSON (Dem., Md.) raised the same question put by Mr. Hendricks, and asked Mr. Foster (Rep., Conn.) in the chair to answer it.

Mr. FOSTER replied that the Senator elected President pro tem before the adjournment held that office during the recess and until his successor was elected.

Mr. HENDRICKS offered an amendment to the second section of the bill, to add the following words: "Unless there be a recess in such session for more than 30 days, in which case members of the former Congress shall receive mileage." The amendment was disagreed to.

The bill was then read a third time and passed—Yeas, 26; Nays, 7.

YEAS.

Anthony,	Fogg,	Lane,	Sumner,
Chandler,	Foster,	Morgan,	Van Winkle,
Conness,	Grimes,	Morrill,	Wade,
Cragin,	Henderson,	Poland,	Willey,
Creswell,	Howard,	Ramsey,	Williams—26.
Edmunds,	Howe,	Sherman,	
Fessenden,	Kirkwood,	Stewart,	

NAYS.

Buckalew,	Johnson,	Patterson,	Saulsbury—7.
Hendricks,	Norton,	Riddle,	

As passed by the Senate and sent to the House for concurrence in the Amendment, the bill is as follows:

AN ACT to fix the time for the regular meeting of Congress.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in addition to the regular times of meeting of Congress, there shall be a meeting of the XLth Congress of the United States, and of each succeeding Congress thereafter, at 12 o'clock, m., on the 4th day of March, the day on which the term begins for which the Congress is elected, except that when the 4th of March occurs on Sunday, then the meeting shall take place at the same hour on the next succeeding day.

SECTION 2. *And be it further enacted*, That no person who was a member of the previous Congress, shall receive any compensation as mileage, for going to, or returning from, the additional session provided for by the foregoing section.

MICHIGAN CANALS.

Mr. CHANDLER (Rep., Mich.) presented Resolutions from the Buffalo, Detroit, and Toledo Boards of Trade, recommending the plan proposed to the Secretary of War, through the Engineer Department, of making a straight Canal through the St. Clair Flats instead of further expenditures of money in dredging the existing channel, and praying Congress to make the necessary appropriations therefor, which was referred to the Committee on Commerce.

THE CIVIL RIGHTS BILL.

Mr. WADE called up the bill to Amend the Organic Acts of the Territories of the United States, by prohibiting the Denial of Civil or Political Rights on account of Color. Mr. Wade offered the following as a substitute for the pending bill.

That from and after the passage of this act there shall be no denial of the elective franchise or of any office of the Territories of the United States which are now, or may be hereafter organized, to any citizen thereof on account of race, color, or previous condition of servitude, and all acts, or parts of acts, either of Congress or of the Legislative Assemblies of said Territories inconsistent with the provisions of this act are hereby declared null and void.

The above was adopted as a substitute and passed. The following is the vote:

YEAS.

Anthony,	Fogg,	Howe,	Sherman,
Conness,	Foster,	Kirkwood,	Stewart,
Cragin,	Fowler,	Lane,	Sumner,
Creswell,	Grimes,	Morgan,	Wade,
Edmunds,	Henderson,	Morrill,	Willey,
Fessenden,	Howard,	Poland,	Williams—24.

NAYS.

Buckalew,	Johnson,	Patterson,	Saulsbury,
Dixon,	Norton,	Riddle,	Van Winkle—9.
Hendricks,			

The bill now goes back to the House for concurrence in the amendments.

TENURE OF OFFICE.

Mr. EDMUNDS called up the Senate bill to regulate the tenure of office. The bill was taken up and read at length.

A BILL regulating the tenure of certain civil offices.

SECTION 1. That every person excepting heads of Departments, holding any office to which he has been appointed by and with the advice and consent of the Senate; every person who shall hereafter be appointed in the same manner to any office and shall become duly qualified therefor, is and shall be entitled to hold said offices respectively until a successor in like manner is appointed and duly qualified, unless otherwise provided by law.

SEC. 2. That when any officer appointed as aforesaid, excepting Judges of the U. S. Courts, shall, during the recess of the Senate, be guilty of misconduct in office, or for any reason shall become unable to perform its duties, in that case, and in no other, the President may appoint a person to fill and office by granting to him a commission that shall expire at the end of the next session of the Senate, but the evidence and reasons for the action of the President in such cases shall be in writing and filed in the proper department for inspection; and the President shall also have power in like manner to fill all offices not before filled, and all vacancies that may happen during the recess of the Senate, by death, resignation, or expiration of term, and in no other case; but no appointment shall be made, without the advice and consent of the Senate, to any office, filled as aforesaid after the session of the Senate at which the temporary commissions thereon shall expire; *Provided*, that this act shall not apply to or interfere with any rules made by Congress for the government and regulation of the land and naval forces.

The Committee recommended to strike out the above and insert the following:

SECTION 1. That every person—excepting the Secretaries of State, of the Treasury, of War, of the Navy and of the Interior, the Postmaster-General and the Attorney-General—holding any civil office to which he has been appointed by and with the advice and consent of the Senate, and every person who shall hereafter be appointed to any such office and shall become duly qualified to act therein, is and shall be entitled to hold such office until a successor shall have been in like manner appointed and duly qualified, except as hereinafter provided.

SEC. 2. Any officer appointed as aforesaid, excepting Judges of the United States Courts, and excepting those specially excepted in Section 1 of this act, shall during a recess of the Senate be shown, by evidence satisfactory to the President, to be guilty of misconduct in office, or crime, or for any reason shall become incapable or legally disqualified to perform its duties, in such case and in no other the President may suspend such officer, and designate some suitable person to perform temporarily the duties of such office until the next meeting of the Senate, and until the case shall be acted upon by the Senate; and it shall then be the duty of the President, within 20 days after the first day of such next meeting of the Senate, to report to the Senate such suspension, with the evidence and reasons for his action in the case, and the name of the person so designated to perform the duties of such office; and if the Senate shall concur in such suspension and advice and consent to the removal of such officer, they shall so certify, to the President, who may, thereupon, remove such officer, and by and with the advice and consent of the Senate, appoint another person to such office. But if the Senate shall refuse to concur in such suspension, such officer shall forthwith resume the functions of his office, and the powers of the person appointed in his stead shall cease, and the official salary and emoluments of such officer shall, during such suspension, belong to the person performing the duties thereof, and not to the officer so suspended. *Provided*, however, that the President, in case he shall become satisfied that such suspension was made on insufficient grounds, shall be authorized at any time before reporting such suspension to the Senate, as above provided, to revoke such suspension, and reinstate such officer in the performance of the duties of his office.

SEC. 3. That the President shall have power to fill all vacancies which may happen during the recess of the Senate by reason of death, resignation, expiration of term of office, or other lawful cause, by granting commissions which shall expire at the end of their next session thereafter; and if no appointment by and with the advice and consent of the Senate shall be made to such office so vacant or temporarily filled, as aforesaid, during such next session of the Senate, such office shall remain in abeyance without any salary, fees, or emoluments attached until the same shall be filled by appointment thereto by and with the advice and consent of the Senate. And during such time, all the powers and duties belonging to such office shall be exercised by such other officer as may by law exercise such duties and powers in case of a vacancy in such office.

SEC. 4. That nothing in this act contained shall be construed to extend the term of any office, the duration of which is limited by law.

Mr. HOWE (Rep., Wis.) could see no reason for excepting the Heads of Departments from the operations of this law. If he understood the question aright, they were created by law for the public welfare, just as much as an Indian agent or a deputy postmaster.

Mr. EDMUNDS said, the Committee that prepared this bill did not doubt that the Heads of Departments were public officers, responsible to the people, but it seemed to them best, just to leave to the President full discretion in the selection of his Cabinet officers.

Mr. HOWE could still see no reason for making the exception proposed by the Committee. It was true that the Cabinet officers had peculiar relations to the President, but they were not the less responsible to the people. A British Cabinet officer had to leave the Cabinet when his course became displeasing to the people, and he could not see why an American Cabinet should not be as much responsible to the people as a British Cabinet.

Mr. BUCKALEW (Dem., Pa.) argued against the proposition of Mr. Howe.

Mr. HOWE moved to strike out the words "except the Secretaries of State, of the Treasury, of War, of Navy, and of the Interior, the Postmaster-General, and the Attorney-General," in the first section of the proposed substitute.

Mr. EDMUNDS thought the President ought to have left to him the discretion given him by the exceptions named in the bill.

Mr. HOWE said the second section of the bill provided a sufficient safeguard against corrupt Cabinet officers.

Mr. WILLIAMS opposed the amendment of Mr. Howe. He argued, that the President was responsible directly for the acts of his Cabinet officers, and therefore could not be limited by the Senate in the selection of them.

Mr. FOGG (Rep., N. H.), asked Mr. Williams if he thought the President could be impeached for the misdemeanor of a Cabinet officer.

Mr. WILLIAMS said he did not think he could, unless it could be shown that he was a party to the crime committed by the Cabinet officer.

Mr. FESSENDEN (Rep., Me.) said the Constitution imposed upon the President, and not upon the Secretaries, the duty of executing the laws. Secretaries were the confidential advisers of the President, and standing in that relation, their connection with him was very peculiar. It was important that their relations should be entirely harmonious. It was not many years ago since a complaint arose because the Cabinet officers were not harmonious among themselves. It had already been the practice to let the President select his own Cabinet officers, and the Senate always confirmed them, even when they did not like them. He did not think it was treating the office of President with great respect to say that he should not remove a Cabinet officer during the recess of Congress. It was carrying the matter too far. Under ordinary circumstances he would be opposed to legislating on the subject at all. He regretted that there was any necessity for it. He had stated at the last session that if the President should disregard the power of the Senate in the matter of appointments by reappointing men whom the Senate had rejected, he would be in favor of legislating on this matter. That contingency had arisen. The President had reappointed men from the State of Maine who had been rejected by the Senate. He understood the Senator from Maryland (Johnson) to hold that this was in violation of law.

Mr. JOHNSON said he so believed.

Mr. FESSENDEN was glad the Senator from Maryland agreed with him.

Mr. HOWARD (Rep., Mich.) said the President had committed the offense in a great many cases that had come under his knowledge.

Mr. HOWE resumed the floor in advocacy of his proposed amendment.

Mr. JOHNSON said he was free to give the opinion that the practice of reappointing men rejected by the Senate was in conflict with the spirit of the Constitution. He had expressed this opinion once as Attorney-General. It was but just for the President to say, however, that what he had done had been done in accordance with the example of his predecessors, and this example had been based upon the opinion of the Attorney-Generals—Wirt, Cushing, and others. All that he would say was, in his judgment such practice was at war with the spirit of the Constitution, because it enabled the President to take from the Senate all its power and responsibility in the matter of appointments. With regard to the President's power of removal, it had not been seriously questioned, since the first session of Congress, when it was settled by a majority of one, that he had that power. Mr. Madison held, that the power of removal might be so abused as to render the President liable to impeachment; but since that time the practice had been upon a different belief. Mr. Johnson referred at some length to the conduct of President Jackson, in removing the Secretary of the Treasury, for the purpose of appointing a successor who would remove the United States deposits. On the immediate question before the Senate, which was Mr. Howes amendment, Mr. Johnson said it was impossible to have harmony in the counsels of the President, if you denied him the right to select his own Cabinet. The result might be to give to the President, a Secretary of State, inimical to him who would seek to involve the country in foreign entanglements. The Secretary of State would be more properly an officer of the Senate under the operations of the proposed amendment than a confidential adviser of the President. The same would be true of the Attorney-General. The President might find the man he had selected for the office to be incompetent, and his incompetence might operate to the disadvantage of the Government, yet he could not remove, but only suspend him. It would be difficult to find any one to fill the place for the few weeks for which the suspension took place.

Mr. BUCKALEW said this bill involved many very important questions, which he hoped would be separately and distinctly debated. The power of the President to remove from office, he said, had been settled for 77 years, and a proposition to change it now ought to be approached very cautiously. He hoped, without going into any further debate, the proposed amendment would not be agreed to.

The question was then taken on the amendment of Mr. Howe to strike out the words "excepting the Secretaries," etc., in the first section of the proposed substitute, and was decided in the negative.

Mr. SHERMAN proposed to insert in the first section of the proposed substitute, after the words "such office," the words "during the term limited by law."

The above amendment was subsequently withdrawn, and Mr. SHERMAN offered the following additional section as an amendment:

That no money shall be paid from the Treasury of the United States to any person having been nominated for any office, and rejected by the Senate, and subsequently appointed to that office by the President, for any salary, fees, perquisites, or expenses accruing, after the close of the session of the Senate during which his nomination was rejected; and if any person shall appoint or sign, or prepare such an appointment or commission; or if any person so rejected and reappointed shall hold or exercise the functions of the office, for which he was rejected by the Senate, after the close of the session of the Senate at which he was rejected, or if any disbursing or accounting officer shall allow, or pay to any person so rejected, any salary, fees, perquisites, or expenses accruing for that office, after the close of the session of the Senate, at which he was rejected, he shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined, not exceeding $10,000, or, at the discretion of the Court, shall be imprisoned, not more than five years. That it shall be the duty of all Courts of the United States having jurisdiction of criminal offenses, to give this act specially in charge of Grand Juries organized in such courts.

Mr. EDMUNDS said he would like to see such a proposition as the above in the form of an independent bill, but he would prefer not to see it as an amendment. He hoped Mr. Sherman would withdraw the amendment, and let the sense of the Senate be taken on the general proposition embraced in the bill of the Senate.

Mr. SHERMAN said the President was acting on an opinion of the Attorney-General, that a man rejected by the Senate could be reappointed immediately. Cases in which this had been done had occurred in Ohio, New-York and Philadelphia. This bill was to prevent a repetition of the offense, yet under it the President could be impeached for doing what he had already done very often.

Mr. EDMUNDS said he agreed in all that Mr. Sherman had said, but he believed it would not be wise to put his amendment to the bill. Such a measure could be brought forward after the passage of the bill. At the request of Mr. Edmunds Mr. Sherman withdrew his amendment.

Mr. HOWARD offered an amendment to insert in the second section of the substitute, after the words "acted upon by the Senate," the words "and shall require of such person a bond with sufficient security for the faithful discharge of the official duties under such temporary appointment, if such bond be required by law of the person suspended."

Pending the consideration of the above the Senate adjourned, Mr. POLAND having previously given notice of his intention to call up the Bankrupt bill on Monday next.

HOUSE OF REPRESENTATIVES.

TEXAS AND ALABAMA REPRESENTATIVES.

Mr. COOPER (Dem., Tenn.) presented the credentials of A. M. Branch as Representative from the Sixth Congressional District of Texas, and Thomas J. Foster as Representative from the Third Congressional District of Alabama. Referred to the Committee on Reconstruction.

Messrs. Boyer (Dem., Penn.) and Hale (Rep., N. Y.) were excused from further service on the Committee on the Militia.

LAKE MICHIGAN.

On motion of Mr. UPSON (Rep., Mich.), the Committee on Commerce was instructed to inquire into the expediency of making an appropriation to repair and complete the piers for the improvements in the harbor of St. Joseph on Lake Michigan.

REVENUE STAMPS.

Mr. MILLER (Rep., Pa.) introduced a bill supplementary to the act relating to the cancellation of revenue stamps. Referred to the Committee on Ways and Means.

PAY OF DISCHARGED SOLDIERS.

On motion of Mr. COOK (Rep., Ill.), the Committee on Military Affairs was instructed to inquire into the expediency of providing by law for allowing full pay and allowances to commissioned officers and enlisted men who have been discharged, until they can get to their homes.

POSTAL AFFAIRS.

Mr. ALLEY (Rep., Mass.), from the Post-Office Committee, reported a bill authorizing the Postmaster-General to pay route agents not less than $800 nor more than $1,200 per annum. After discussion the bill was passed.

Mr. ALLEY, from the same Committee, reported a bill declaring Clinton Bridge across the Mississippi River at Clinton, Iowa, a post road.

Mr. WASHBURNE (Rep., Ill.) made the point of order that this was the same proposition that was voted down by the House last session.

The SPEAKER ruled that a Committee could certainly report at one session precisely the same bill that was rejected at a former session. But at all events this bill was different.

Mr. WASHBURNE (Ill.)—It is the same proposition substantially to dam up the Mississippi River.

Mr. ALLEY proceeded to explain and advocate the bill.

Mr. WASHBURNE followed in opposition to it, contending that the bridge was a material obstruction to navigation, and describing the North-Western Railroad Company as a mammoth, stupendous and remorseless monopoly.

Mr. FARNSWORTH (Rep., Ill.) asked his colleague how long the bridge had been in existence.

Mr. WASHBURNE replied that it had been there five or six years, and had been a constant source of annoyance and complaint.

Mr. FARNSWORTH asked whether there was any authenticated case of detention or delay or injury to navigation by that bridge.

Mr. WASHBURNE replied that testimony on that point had been presented to the Committee.

Mr. DAVIS (Rep., N. Y.) stated the bridge had been opened to navigation in March, 1856, and not a single suit had been brought against the company for damage to a vessel or craft.

Mr. WASHBURNE said there was such a suit now pending in the United States Court in Iowa.

Mr. DAVIS repeated the assertion that not a suit had ever been commenced against the bridge, except by way of indictment, against which the Government asked protection by Congress.

The debate was further continued by Messrs. SCHOFIELD (Rep., Pa.) and ALLEY.

The House having seconded the previous question, and Mr. Alley having the floor to close the debate, he yielded to Mr. Farquhar (Rep., Ind.), a member of the Post-Office Committee, who made an argument in support of the bill. He yielded, in like manner, to Mr. Washburne of Illinois, and Messrs. Schenck, Griswold, Allison, Farnsworth, and Price. Finally, the House proceeded to vote on the passage of the bill.

Mr. WENTWORTH (Rep., Ill.) asked to be and was excused from voting, on the ground that he was a stockholder, and, therefore, an interested party. He wished every member of Congress would adopt the same rule. [Laughter].

The vote resulted, Yeas, 101; Nays, 43. So the bill was passed.

THE FORTIETH CONGRESS.

The House then proceeded to the business on the Speaker's table as follows:

Senate amendment to fix the time for the regular meeting of Congress. The amendment was concurred in, and the bill goes to the President for his signature.

SUFFRAGE.

Senate amendment to the House bill to regulate the franchise in the Territories of the United States. The amendments were concurred in, and the bill goes to the President for his signature.

THE RETRENCHMENT COMMITTEE.

The next business on the Speaker's table was the joint resolution appropriating $15,000 for expenses of the Retrenchment Committee.

Mr. WARD (Rep., N. Y.) thought that this, which was the first matter yet heard from that Committee, did not look very much like retrenchment. He would ask whether the Committee had saved that amount to the Government!

Mr. SCHENCK, (Rep., O.) a member of the Committee, said that was more than he could tell. A large amount of testimony had been taken by the Committee, with a prospect of a great deal more yet to be taken, which would develop an enormous amount of fraud and rascality. The joint resolution was passed.

NEBRASKA.

The next business taken from the Speaker's table was the Senate Bill for the admission of the State of Nebraska into the Union.

Mr. GARFIELD (Rep., O.) wished to submit a motion to refer the bill to the Committee on Territories.

Mr. ASHLEY (Rep., Ohio), chairman of that Committee, being recognized by the Speaker, moved the previous question on the passage of the bill. He said the Committee on Territories had the moving with only one negative vote, that of Mr. Cooper, and had instructed him to report the bill to the House.

Mr. GARFIELD said he did not wish to vote now, on a bill which allowed a State to come in on the condition stated in the bill, which might be attached to a bill to admit South Carolina. If Nebraska were admitted under this bill, Congress might be compelled on that precedent to admit every Southern State on precisely the same terms.

Mr. BANKS (Rep., Mass.)—Not at all.

Mr. FINCK (Dem., Ohio) asked his colleague (Mr. Ashley) whether this important measure was to be passed without discussion!

Mr. ASHLEY said that it would be if the House sustained the previous question. He would, however, distribute among members who might wish to speak the hour that he would be entitled to.

Mr. WILSON (Rep., Iowa) appealed to Mr. Ashley not to press the bill to a vote now. The House had just passed a bill securing to all male citizens within the Territories the right of suffrage, without distinction of race or color. It was now proposed to pass a bill accepting a Constitution for Nebraska, which expressly disfranchises the persons who the House had just declared should be enfranchised. He thought that, with such a question presented, the House should not make haste under the previous question to create this new State, and thereby undo the work it had just done in reference to colored citizens in the Territories. He was aware that there was a provision in the bill declaring that the act should only take effect on the fundamental condition that no person should be disfranchised on account of his race or color. But if the bill was passed, and the Territory of Nebraska thereby become a State, there was no consent to the condition, either by a vote of the people or of the Legislature of the Territory. Congress simply declared that the act of admission should carry with it as a condition the amendment of one section of the Constitution of the State. As had been suggested by the gentleman from Ohio, Mr. Garfield, this thing might come back to plague Congress, when it should be asked to pass upon the cases of the Southern States. If this condition could be rendered effective in Nebraska, why not attach the same condition to a bill admitting South Carolina.

Mr. DAWES (Rep., Mass.) asked Mr. Wilson, as Chairman of the Judiciary Committee, what would be the legal effect of a failure on the part of Nebraska to perform this condition subsequent!

Mr. WILSON (Iowa) thought the only effect of the provision would be to throw into the courts of the State and of the United States the question as to whether, under it, colored citizens were entitled to vote in Nebraska.

Mr. DAWES asked whether