WASHINGTON

Action of the Reconstruction Committee on the Impeachment Scheme.

THE COMMITTEE'S REPORT REJECTED

The Case of Senator Thomas Under Consideration in the Senate.

THE KENTUCKY ELECTION CASE.

John Y. Young Brown Declared Ineligible to a Seat in the House of Representatives.

WASHINGTON, Feb. 13, 1868, 11 o'Clock P. M.

Action of the Reconstruction Committee on the Impeachment Scheme—Its Final Defeat.

The Reconstruction Committee of the House met this morning, all the members being present. Mr. Stevens, of Pennsylvania, at the earliest moment offered the following report and resolutions for the action of the committee:—

The Committee on Reconstruction to whom was referred the correspondence of Andrew Johnson, President of the United States, and U. S. Grant, General commanding the armies of the United States, having considered the same and evidence, do report:—

That in virtue of powers with which your committee have been invested they have fully examined the evidence before them and are of the opinion that Andrew Johnson, president of the United States, is guilty of high crimes and misdemeanors, and therefore recommend the adoption of the following resolutions:—

Resolved, that Andrew Johnson, President of the United States, be impeached of high crimes and misdemeanors.

Resolved, That a committee go to the Senate and in the name of the House of Representatives and of all the people of the United States do impeach Andrew Johnson, President of the United States, of high crimes and misdemeanors, and acquaint the Senate that the House of Representatives will in due time exhibit particular articles of impeachment against him and make good the same.

Resolved, That the committee do demand that the Senate take order for the appearance of said Andrew Johnson to answer said appearance.

Mr. Stevens supported the resolutions in a most vigorous style, and was replied to by Mr. Bingham, who to induce General Grant to hold the office of Secretary held with great cogency of reasoning that the President had not really violated the Tenure of Office bill by his efforts of War at his disposal after the Senate had reinstated Mr. Stanton. Nearly all the members discussed the point with great animation, after which, upon the motion of Mr. Bingham to lay the report upon the table, the following vote was had:—

YEAS—Messrs. Bingham of Ohio, Paine of Wisconsin, Beaman of Michigan, Brooks of New York, and Beck of Kentucky.

NAYS—Messrs. Thaddeus Stevens of Pennsylvania, Boutwell of Massachusetts and Farnsworth of Illinois.

The result caused a good deal of excitement and some dissatisfaction in certain quarters. Mr. Stevens was particularly incensed at the sudden turn of affairs, because he felt assured that the scheme was tolerably certain of going through this time. When the committee adjourned he invited Mr. Boutwell and Mr. Farnsworth to join him to devise a new plan of action; but it is generally thought that impeachment has fallen through now forever.

The Bill Relative to Taxing National Bank Shares Signed by the President.

The President has approved and signed the bill providing that the words "place where the bank is located, and not elsewhere," in section forty-one of the National Currency act shall be construed and held to mean the State within which the bank is located, and the Legislature of each State may determine and direct the manner and place of taxing all shares of national banks located within said States, subject to the restriction that the taxation shall not be at a greater rate than is assessed upon other moneyed capital in the hands of individual citizens of such States, and provided always that the shares of any national bank owned by non-residents of any State shall be taxed in the city or town where said bank is located, and not elsewhere.

The New Tax Bill.

Dealers and others interested in petroleum from Philadelphia, Pittsburg and other cities were before the Committee of Ways and Means to-day. The new Tax Bill will be reported to the House, it is thought, in about three weeks.

Protection of Naturalized Citizens Abroad.

The rights of naturalized citizens, now under discussion in the House of Representatives, says the *Telegram*, promises an indefinite exhibition of the volubility of the national lawmakers; every member in the least solicitous of the support of the foreign population of the country will speak on the subject. In order to give way to other business of the House now being delayed by this protracted debate, effort was made to refer to the Committee of the Whole. This was disagreed to, and the bill and amendments were recommitted. It is generally understood that Mr. Seward had much to do with the preparation of the bill, and the opposition of the House does not produce the best feeling, it is said, on the part of the Secretary. The points of the disagreement between the House and the Secretary seem to be that the former wishes to make it a law which will be a dead letter upon the statute books. The latter, with diplomatic ingenuity, devises a measure which, it is thought, will only heap insult upon the nation by the indecision manifested in the policy proposed to be enacted.

Organization of a New Military Department.

An order has just been prepared and will be issued to-morrow, it is thought, creating a new military division, to be called the Military Division of the Atlantic. It will be composed of the present Department of the East and the Department of Washington, and Lieutenant General Wm. T. Sherman has been assigned to its command, with his headquarters in Washington. General W. S. Hancock will still command the Department of the East, and General Emory will remain in command of this department. The military force comprising the garrison of Washington is to be largely increased. This order will be issued by General Grant by order of the President.

Reduction of War Department Expenses in New York.

The joint resolution reported by Mr. Ketcham from the Committee on Military Affairs and passed in the House, directing the Secretary of War to take immediate measures for the reduction of the expenses of the War Department at and in the city of New York, contemplates the lease of a single building at an expense not exceeding $20,000 per annum, in which all the officers of the army shall be located; and also a suitable building or property within the harbor of New York to be used for the storage of all government property, the cost not to exceed $50,000 annually. This is not, however, to interfere with the use of permanent government property.

Customs Receipts.

Following are the receipts from customs from the 1st of February to the 8th inclusive at the following named ports:—

Boston	$336,409
New York	2,478,425
Philadelphia	146,750
Baltimore	55,825
San Francisco, from January 4 to 11	161,328
Total	$3,178,739

Amount of Funds in the Treasury.

The following is a statement of the funds in the vaults of the United States Treasury before the commencement of business this morning:—

Gold and silver	$102,675,000
Currency	28,038,000

The Forthcoming Reports of Pardoned Counterfeiters, Forgers, &c.

The reports of the number of counterfeiters, forgers and persons condemned for perjury and embezzlement, called for by the Senate and House of Representatives at the beginning of the present session, has been almost completed by Mr. F. U. Stifler, the Pardon Clerk of the Attorney General's office, and the reports will most probably be transmitted to Congress on Monday next. It is said that these reports will furnish very little evidence against the President that can be used by the impeachers to establish the charge of abuse of the pardoning power. The number of counterfeiters and persons convicted of passing counterfeit money that have been pardoned is about one hundred. The number of individuals convicted of forgery is about twenty-five, while but one or two appear in the list of pardons that were convicted of forgery and perjury. The reports show that the number of such criminals who have received Executive clemency does not exceed one hundred and thirty. None of these have been pardoned by the President without having been recommended by the judge or jury that tried them, or the District Attorney who prosecuted, and in most cases by the Senators and Representatives from the State in which the criminal resided at the time of trial. Since the time the first of these pardons was granted by the President upwards of three thousand persons have been convicted of the crimes included in the reports; and the proportion of the number pardoned to those not pardoned is about one to twenty-four. A majority of those who have received Executive clemency had served nearly three full terms of imprisonment when pardoned, and a large number of them had served out their entire sentence.

The Election in Alabama.

The following telegram was read in the Senate to-day by Senator Patterson:—

MONTGOMERY, Ala., Feb. 13, 1868.

Hon. D. T. PATTERSON, Senator from Tennessee:—

Ratification of the constitution is defeated by over fifteen thousand majority. What is the prospect for the passage of Sherman's bill respecting Alabama?

D. D. DALION, Governor's Secretary.

Nominations by the President—Promotion of Lieutenant General Sherman.

The President to-day nominated to the Senate Lieutenant General W. T. Sherman to be General by brevet in the army of the United States for distinguished courage, skill and ability displayed during the war of the rebellion; also Charles N. Tuttle to be Assessor of Internal Revenue for the Twenty-fourth district of New York, in place of Joseph W. Gates, to be removed, and Horace G. Storms, Assessor of Internal Revenue of the First district of Ohio, to fill a vacancy existing since the close of the second session of the Thirty-ninth Congress.

The Legislative and Executive Appropriation Bill.

The *Telegram* states that considerable comment has been caused here by the fact that no appropriations are made in Mr. Washburn's bill for the Department of Education and the Bureau of Statistics. It is argued from this that these branches of the government are to be abolished. The same bill reduces the number of clerks in the Surgeon General's office from about two hundred to eight—nearly the same force employed in that bureau at the beginning of the war. The passage of this clause will suspend the work on the medical and surgical history of the war now being prepared by Surgeon General Barnes.

The Diplomatic and Consular Service.

The Consular and Diplomatic Appropriation bill, reported on the 10th inst., differs from the one originally introduced. It restores the appropriation for the salary of the Minister to Portugal, and provides Commissioners and Consul General to Hayti and Liberia instead of Ministers. The bill contains no appropriations for Ministers to Greece and Rome. It reduces the contingent fund of the State Department from $65,000 to $30,000, omits the salary of the Second Assistant Secretary of State, and fails to appropriate money for the following objects, namely:—For Examiner of Claims; rent of State Department building; Superintendent of Statistics; despatches by cable and Boundary Commission of Washington Territory. The bill contains a provision that no consul generals, consuls, consular agents or commercial agents shall be paid except those specified in the act; and all laws and parts of laws providing for the payment of any other consular officers than those in this act specified are hereby repealed, and all moneys received for fees at any vice consulate or consular agency of the United States, beyond the sum of one thousand dollars in any one year, shall be accounted for and paid into the Treasury in the same manner as other moneys received by consular officers of the United States. The number specified in the act is about one hundred and sixty, leaving upwards of four hundred consuls and commercial agents to be no longer paid. The total sum appropriated by this bill is $1,268,934.

Probable Resignation of Secretary McCulloch.

The *Telegram* learns to-day, from a reliable source, that Secretary McCulloch really does entertain serious intentions of resigning his office at no very distant day, provided certain matters now in process of adjustment turn out satisfactorily. One of these contingencies is said to be the pending Loan bill. If this bill should become a law and other arrangements depending upon its passage should result successfully, Mr. McCulloch will resign, it is said, and accept the position of financial agent of Jay Cooke & Co., at London. There seems to be some trouble in the way of selecting for the office of Assistant Secretary of the Treasury a man who will come sufficiently near to suiting all parties to insure his confirmation. It is understood that the Secretary favors a New York aspirant, while the strongest pressure of influence, both in and out of Congress, is said to be in favor of a gentleman who now holds a position in the Treasury.

John C. Breckinridge on His Travels.

A letter received here from an American citizen at Beyrout, Syria, dated January 2, says John C. Breckinridge was there on the 1st of that month, making inquiries with regard to travelling through Syria. He denied all claim to the privileges of a citizen of the United States, and appeared much affected while conversing upon affairs in his country. When asked if he intended to return to America he said he had no wish to become a martyr, and should not return until he could do so in personal safety; but that no other country could be his home. He also said, with reference to affairs here, that as the war was over and the appeal to the sword had been decided against those with whom he had been associated, he was now willing to shoulder his gun like any other man in defence of his country. He, however, spoke of matters here in the tone of a foreigner. The same letter states that Jacob Thompson and other leading parties of the South during the late war were wandering about Turkey.

Payment of Bonds of 1847.

The United States bonds of 1847 which matured on the 31st of December will, it is understood, be paid on presentation at the Treasury Department or at the office of the Assistant Treasurer in New York, interest being allowed only to the 1st of January last.

The Mail Service Between the United States and Buenos Ayres.

The Minister of the Argentine Republic has addressed a letter to Secretary Seward relative to a subsidy authorized by his government to a line of steamships to be established between the ports of New York and Buenos Ayres. The Minister says that sundry merchants at Buenos Ayres have resolved to present a petition to the Congress of the United States soliciting its assistance to carry out the extension to Buenos Ayres of the line which does service between New York and Rio Janeiro. The Minister urges the line of steamships because it will be the means of extending and increasing the commercial relations between the two countries, and says it is to be wondered at that there does not exist a single line of direct communication between the United States and the river de la Plata, while the fact is that Europe finds advantage in increasing more and more the lines of steamers which connect her with it.

Report on the Crops of 1867.

The monthly report of agriculture for January contains tables of the average yield per acre of the principal farm crops of 1867. The latter show, with average home prices at the present time about the same range as in January, 1867, in New England, a slight reduction in the West and a decrease in the South, except in Mississippi, Louisiana and Texas. A marked reduction is shown in Georgia, the Carolinas and Virginia in wheat and in the Carolinas as to corn. The range of potatoes is higher in all the Atlantic States and generally in the West, excepting Kansas and Nebraska, the greatest Western increase being noted in Illinois, where the average yield was but sixty bushels per acre and the average price is $1 20 per bushel. The reports concerning acreage of winter wheat indicate no material change as compared with last year. In New York, Pennsylvania, Ohio and Indiana there appears to be a slight decrease, and an increase in Michigan and in some of the Southern States, amounting in North Carolina to forty per cent. At the beginning of winter the appearance of the crops was not generally quite so favorable as usual. A prominent feature of the report is an article presenting special statistics of farm resources and products for the Eastern and Middle States, giving a comparison with 1860 in prices of farms and of wild lands, and interesting facts as to resources in timber and minerals, special crops, the cost of pasturage, &c.

Treasury Circular to Collectors of Customs.

The Secretary of the Treasury has addressed the following circular to collectors of customs:—

The circular issued by the Internal Revenue office on September 19, 1867, containing regulations concerning the assessment and collection of the tax on cotton requires that when cotton is exported the permit and certificate of payment shall be delivered to and taken up by the collector of customs at the port of exportation, who shall, after cancelling such certificate and permit, transmit it to the assessor of the district in which it was issued. The Commissioner of Internal Revenue represents that he has been informed that great negligence and even abuse exists in regard to this matter, only a small portion of the permits heretofore issued having been returned, and many, as is believed, having even been issued a second time. He therefore represents that collectors of customs be required, after cancelling these permits, to deliver them to the assessor of the district in which the Custom House is located, to be by such assessor returned to the assessor of the district in which they were issued. Approving this suggestion, I hereby require that the course thus indicated be pursued in all cases by collectors of customs at ports from which cotton is exported. Each such collector will, on receipt of this circular, institute a thorough examination into the manner in which the duty of cancelling and returning permits has been heretofore discharged by his subordinates, and will report the result to the department. The utmost care will in future be observed to insure the cancellation of these permits before their delivery to the assessor.

The Metrical System of Weights, Measures and Coins.

The petition of the American Statistical Association, recently presented in both houses of Congress, respectfully asks attention to the following nine propositions, and requests that the principles involved in them may be incorporated in any law that may be adopted in respect to the metrical system of weights, measures and coins:—

First—That the American Statistical Association earnestly favors the speedy practical adoption by the people of the United States of the metrical system of weights and measures, the system of which the meter, the litre and the gramme are respectively the units of length, of capacity and of weight, and the use of which, by act of the last (the thirty-ninth) Congress, has been rendered permissible in the United States in the making of contracts, and has been necessitated by the requirements of several branches of industry.

Second—That our coinage should have simple relations as to weight, with the unit of weight of the metrical system—the gramme.

Third—That the standard as to fineness of our coinage, whether of gold or of silver, should continue as now, nine-tenths of fine metal to one-tenth of alloy.

Fourth—That in the opinion of this association no widely extended and permanent uniformity as to coinage can be secured through the adoption by our government of any system which is in conflict with the principles above mentioned.

Fifth—That the weight in grammes and the fineness of the coins hereafter to be used should be legibly stamped thereon prior to issue.

Sixth—That the changes required for converting our existing coinage into a metrical coinage are so slight that the recoinage of the existing coins of the United States would be unnecessary; that the difference between the existing coinage and that proposed, especially as regards gold coins of less denomination than $10, is very considerably less than the deviation now allowed to the Mint, which is one-fourth of a grain for the gold dollar and the quarter eagle, and one-half of a grain for the half eagle, the eagle and the double eagle.

Seventh—That in pursuance of the foregoing, the gold dollar should contain one and one-half grammes of fine gold or its equivalent, one and two-thirds grammes of standard gold (nine-tenths fine), and that other gold coins should be in proportion.

Eighth—That the silver half dollar and the smaller silver coins hereafter to be issued should contain of fine silver at the rate of twenty two and one-half grammes to the dollar or its equivalent, twenty-five grammes of silver (nine-tenths fine) to the dollar.

Ninth—That the gold coinage, as above described, should be made legal tender in payment of sums of all amounts, and that the silver coinage should be subsidiary and admitted as legal tender to an amount not exceeding $10 in any one payment.

Note on Proposition Seventh.—The weight of the existing gold dollar when new is slightly (only about three-tenths of one per cent) in excess of the proposed metrical dollar, containing of fine gold 1.505 grammes—a gramme contains 1.5438 grains Troy, nearly, or of standard gold (nine-tenths fine) 1.672 grammes, an excess of about five one-thousandths of a gramme, or eight one-hundredths of a grain, about one-third of deviation allowed to the unit.

Note on Proposition Eighth.—The existing legal tender silver five franc piece of France contains twenty-five grammes of standard silver (nine-tenths fine), or twenty-two and one-half grammes of fine silver, the same as herein proposed. Our existing fractional and subsidiary silver coins are somewhat smaller than the above, about one-half of one per cent, containing of standard metal at the rate of 24 88 grammes to the dollar, instead of twenty-five grammes, the difference being inconsiderable.

Note on Proposition Ninth.—It will be observed that the proposed silver coinage has precisely fifteen times the weight of the proposed gold coinage of the same denomination. The market equivalent is and for the past sixty years has constantly been greater than this, the value of gold relatively to silver having averaged for the past fourteen years about fifteen and three-eighths times that of silver. Hence, by the above proportions silver is overvalued, as, according to the experience of all commercial nations it should be. But to prevent the silver from driving the gold from circulation it is necessary, as proposed, that the silver should be legal tender only in payment of sums of small amount. The limit in the United States is now $5, in England 40s. (about $10).

The Quarantine at Malaga Reduced.

Our Consul at Malaga writes that by a decree dated the 14th of January last quarantine on vessels from Boston, New York, Philadelphia, Baltimore and Charleston has been reduced from ten to three days. This three days observation may be performed at Cadiz, Carthagena and Barcelona.

United States Supreme Court.

The following cases were disposed of in the United States Supreme Court to-day:—

No. 102—United States, plaintiff, vs. Cook.

No. 84—Ætna Insurance Company, plaintiff in error, vs. Webster.

No. 86—Williamson, plaintiff in error, vs. Suydam.

The above cases were argued.

THE FORTIETH CONGRESS.

Second Session.

SENATE.

WASHINGTON, Feb. 13, 1868.

PETITIONS.

Memorials were presented by the Chair and appropriately referred from the New England Manufacturing Company of Massachusetts, asking an entire revision of the Revenue laws and more economy in the Revenue Department; from certain citizens setting forth a reason why the constitution should be changed so as to acknowledge God and religion; from the convention of manufacturers at Cleveland, Ohio, praying that greater economy be exercised in the administration of the government.

PROTEST AGAINST NEGRO RULE IN ALABAMA.

Mr. DOOLITTLE, (rep.) of Wis., presented a memorial, signed by over one thousand citizens of Alabama, protesting against negro rule, and praying for the continuance of the military government over the State. It sets forth many alleged grievances and misrepresentations, and concludes as follows:—"Continue over us, if you will do so, your own rule by the sword; send down among us honorable and upright men of your own people, of the race to which you and we belong; and, ungracious, contrary to wise policy and the institutions of the country, and tyrannous as it will be, no hand will be raised among us to resist by force their authority. But do not, we implore you, abdicate your own rule over us by transferring us to the blighting, brutalizing and unnatural dominion of an alien and inferior race—a race which has never shown administrative capacity for the good government of even the tribes into which it has always been broken up in its native seats, and which in all ages has itself furnished slaves for all the races of the earth."

THE TERRITORY OF WYOMING.

Mr. YATES, (rep.) of Ill., introduced a bill creating and providing a temporary government for the Territory of Wyoming, which is to consist of that portion of Dakota lying west of the 104th meridian. The distinguishing provisos of the bill are those guarding the rights of person and property now possessed by the Indians so long as they remain unextinguished by treaty, and those guaranteeing the right of suffrage to all male citizens of the United States above the age of twenty-one who have not borne arms against the United States in the late rebellion. Referred to the Committee on Territories.

FILLING VACANCIES IN THE EXECUTIVE DEPARTMENTS.

Mr. TRUMBULL, (rep.) of Ill., from the Judiciary Committee, reported a bill to authorize the temporary supplying of vacancies in the executive departments, which was passed to a second reading. It provides that in case of death, resignation, absence by sickness of the head of any executive department, or of any officer in either of them whose appointment is not in the head thereof, the President may authorize the head of any other executive department or other officer in either of said departments whose appointment is vested in him, with the consent of the Senate, to perform the duties of said respective offices until a successor be appointed, or the disability cease, provided no vacancy shall be supplied in this manner for a longer term than thirty days.

WARNINGS TO VESSELS.

On motion of Mr. MORGAN, (rep.) of N. Y., the joint resolution authorizing the Light House Board to place warnings over obstructions at the entrance of bays, and in the fair ways of channels was taken up and passed.

SUBSISTENCE STORES FOR INDIANS, ETC.

Mr. WILSON, (rep.) of Mass., offered resolutions (which were adopted) asking information from the Secretary of War in regard to the amount of subsistence stores purchased under order of the War Department for Indians under the charge of the Indian Bureau for which payment has not yet been made; also the amount paid by the United States to the Union Pacific Railroad, Eastern division, and the Chicago Northwestern Railroad Company for the transportation of troops and stores.

RAILROAD BRIDGES DECLARED POST ROUTES.

On motion of Mr. RAMSEY, (rep.) of Minn., the bill to establish and declare the bridges and railroads of the New Orleans, Mobile and Chattanooga Railroads post routes was taken up and passed.

RELIEF OF GOVERNMENT CONTRACTORS.

Mr. GRIMES, (rep.) of Iowa, called up a bill for the relief of certain government contractors. He explained that the matter had been referred to a committee of the House, which has instructed the Secretary of the Navy to inquire into it. Who then referred it to a commodore and other officers. Those officers had reported that there is justly due the sum mentioned in the bill—about $200,000—the balance of expense resulting from changes made in iron-clads, and the Committee on Naval Affairs had reported the bill accordingly. The bill was discussed until the expiration of the morning hour.

THE CASE OF SENATOR THOMAS, OF MARYLAND.

The resolution to admit Mr. Thomas, of Maryland, was taken up.

A substitute was offered that Philip F. Thomas, Senator elect from Maryland, cannot be permitted to take the oath of office required by the constitution of the United States, inasmuch as he allowed his minor son to leave the paternal roof and serve as a rebel soldier, and furnished him with $100 to carry out his purposes, all of which was "aid and comfort and encouragement to the rebellion," which he was forbidden to give, for which, and in forbearing to make known that purpose to the proper authorities, he was guilty of misprision of treason as defined by the existing law.

Mr. SUMNER, (rep.) of Mass., said that the question of loyalty in the rebel States had been set aside to allow a decision of a question of loyalty in this chamber. He read the declaration of Congress requiring loyalty in Senators and Representatives, and said they could not, if that was not enforced, require loyalty in others. The constitutional amendment had already been adopted by three-fourths of the States, and by the Legislatures of three-fourths of the States, and it was, therefore, binding upon all as a part of the letter as well as of the spirit of the constitution. The original text of the constitution was sufficient, in his opinion, without this amendment. It allowed each house to define the qualifications of its members, and did not limit them in that regard. It clearly required loyalty. Where an oath was declared necessary, a false oath, taken with their knowledge, would compromise the Senate itself, which could not divest itself of responsibility by referring the matter to individual judgment. He quoted Lord Coke's opinion that an infidel cannot be allowed to take an oath, and said a political infidel should not be allowed to do so. He then referred to the course of Mr. Thomas during the war and his associations with rebels, saying "a man is known by the company he keeps," as well as by his act in furnishing his son with means of joining rebels; and he quoted from Lord Hale and other eminent English authorities on the question of misprision of treason, and also from the statute on crimes adopted in 1790, which imposed a punishment not exceeding seven years or a fine not exceeding one thousand dollars. He said it was proposed now, instead of seven years' imprisonment, to reward misprision of treason with six years in the councils of the nation. Mr. Sumner also quoted from Sallust the act of a Senator, who, when his son engaged in a conspiracy, ordered him to be slain. Though Mr. Thomas should not have slain his son, he should at least have given him up to justice. Mr. Sumner then appealed to Senators to give the country a lesson of loyalty that would swell the hearts of those who were now awaiting their action, and concluded his address by quoting the following lines:—

I hear a lion in the lobby roar;
Say, Mr. Speaker, shall we shut the door?
Or shall we open it and let him in,
And see if we can get him out again?

Mr. TRUMBULL followed in favor of the admission of Mr. Thomas, denying that there was any evidence of disloyalty on his part before the Senate, and claiming that if he was to be excluded it should be because he did not possess the qualifications required by the constitution or laws. The Senate, he said, was not passing upon an appointment, but upon the selection of a Senator by one of the States of the Union. He then took up the various allegations of disloyalty against Mr. Thomas just preceding the war and discussed them at length, and in regard to the act of furnishing his son with the one hundred dollars he asserted as his conviction that it was dictated solely by paternal affection. Mr. Trumbull then said that the Senators here were quite as guilty of misprision of treason when they sat here at and after the outbreak of the war while the Senators from the Southern States rose from their seats and left this chamber, one after the other, declaring their intention to defy the constitution and the laws, without bringing them to justice; and he cited the case of John C. Breckinridge, who sat here until after the battle of Bull Run. Mr. Trumbull read the oft quoted "Stokes letter," saying to Senators "they should not make fish of one and flesh of another."

Several subdued manifestations of sympathy were made in the gallery during Mr. Trumbull's remarks, but they were promptly suppressed.

Mr. EDMUNDS, (rep.) of Vt., next addressed the Senate at length, taking the ground warmly that the statute was not a sham, and that they should fearlessly fulfil the duty it imposed upon them, reviewing again the whole field of argument heretofore traversed.

Mr. YATES followed, holding it to be their sacred duty to keep these halls pure and undefiled from the stains of disloyalty.

Mr. SHERMAN, (rep.) of Ohio, could not vote for the amendment, as he did not consider the giving of the $100 sufficient ground for the exclusion of Mr. Thomas, but opposed his admission mainly because of the conduct of Mr. Thomas in the trying times of the winter of 1860 and 1861, when, he said, after delaying occurrences, men took their sides, he (Mr. Thomas) had then done acts better calculated to overthrow the Union than those of the soldier in arms against it. He read Mr. Thomas' letter of resignation, and said if its doctrines were true the South was right and they were wrong. No one could doubt that Mr. Thomas was then a secessionist and an enemy of his country, and had taken rank with leading rebels. He had never since, by word or deed, shown loyalty to the Union, but his neighbors had testified that his moral support had been given to the rebellion. Did any one doubt that if Maryland had seceded Thomas would have been in the Maryland Legislature, and would have advised his son to go into the rebel army? He disowned party motives and party policy in giving his vote, but said if they admitted Mr. Thomas they might as well throw wide open their doors to red-handed rebels.

Mr. BUCKALEW, (dem.) of Pa., rose to speak at half-past four, but gave way to a motion to adjourn, which prevailed and the Senate accordingly adjourned.

HOUSE OF REPRESENTATIVES.

WASHINGTON, Feb. 13, 1868.

Resolutions of the Maine Legislature were presented by Mr. Price.

RIGHTS OF AMERICAN CITIZENS IN FOREIGN COUNTRIES.

The House then proceeded, as the business of the morning hour, to the consideration of the bill concerning the rights of American citizens in foreign States.

Mr. JENCKES, (rep.) of R. I., addressed the House in advocacy of the substitute proposed by him.

Mr. WILSON, (rep.) of Iowa, moved that the bill and pending amendments should be referred to the Committee of the Whole on the State of the Union.

Mr. BANKS, (rep.) of Mass., stated that the Committee on Foreign Affairs had had a regular meeting this morning, and desired to have the bill recommitted with all the amendments, and he asked the gentleman from Iowa to substitute that motion for his.

Mr. WILSON said he would allow the motion to be offered as an amendment, so that the sense of the House might be taken upon it.

Mr. BROOKS, (dem.) of N. Y., asked as a Parliamentary question whether the effect of referring a bill to the Committee of the Whole on the State of the Union would not be to delay action upon it, and would not be equivalent to killing the bill.

Mr. WILSON said it would not, and said there was no such purpose. He did not suppose that any member would put any obstacle in the way of the advancement of the bill.

Mr. BANKS said it would be very difficult for the House to control the question if it were referred to the Committee of the Whole on the State of the Union. Every member of the House knew that.

Mr. HOOPER, (rep.) of Cal., suggested evening sessions for the discussion of the question, remarking that the House might as well begin the evening sessions at once.

Mr. WILSON said he did not care what arrangement was made, provided the bill was left open to discussion and amendments. He would therefore modify his motion so as to make the bill a special order for Tuesday evening.

Mr. JUDD, (rep.) of Ill., asked Mr. Banks, as chairman of the Committee on Foreign Affairs, at what time that committee could, under the rules, report back the bill if it were recommitted.

Mr. BANKS replied that he would ask the House for leave to report at any time.

Mr. WASHBURNE, (rep.) of Ill., said he would object to that.

Mr. WILSON remarked that his object was to hasten the passage of the bill and to put it in a shape that would effect the object which the House had in view. He believed that by adopting the course which he suggested earlier action would be had than by any other course.

Mr. BOYER, (dem.) of Pa., suggested that the bill was of sufficient importance to be discussed by daylight and in the ordinary business hours of the House.

Mr. WILSON again modified his motion that the bill might be simply referred to the Committe of the Whole on the State of the Union.

Mr. BANKS suggested that that reference would be the death of the bill.

The question was taken on Mr. Wilson's motion and it was rejected. The question was taken on Mr. Banks' motion and it was agreed to. So the bill and all the amendments were recommitted to the Committee on Foreign Affairs.

Mr. BANKS asked leave for the committee to report at any time.

Mr. WASHBURNE of Ill. objected.

Mr. BANKS said he would move to suspend the rules on Monday for that purpose.

PENSIONS FOR SOLDIERS OF THE WAR OF 1812.

Mr. MILLER, (rep.) of Pa., from the Committee on Revolutionary Pensions, reported a bill giving $8 per month pension to every surviving officer and enlisted man in the military service of the United States who served three months in the war of 1812 and who were honorably discharged, and who, during the late rebellion, had not adhered to the cause of the enemies of the government, who can take the test oath, and who are in circumstances which render them dependent on others for support.

During the consideration of the bill the morning hour expired, and the bill went over till the morning hour on Tuesday next.

COMMERCIAL RELATIONS WITH SPAIN.

The SPEAKER presented a letter from the Secretary of the Treasury with the draft of a bill relative to the commercial relations of the United States with Spain and her colonies. Referred to the Committee on Commerce.

MILITARY EXPENSES IN NEW YORK.

Mr. KETCHAM, (rep.) of N. Y., from the Committee on Military Affairs, asked leave to report a joint resolution directing the Secretary of War to take immediate measures for the reduction of the army expenses at and in the vicinity of New York city by concentrating the business of the various bureaus in that city and by hiring a suitable building for the accommodation of all at a cost of $25,000 a year, and hiring a suitable piece of property within the harbor of New York for the receiving and storing of army material and stores at an annual cost not exceeding $50,000.

Mr. WOOD, (dem.) of N. Y., objected.

KENTUCKY ELECTION CASE.

The House then, at three o'clock P. M., proceeded to the consideration of the election case from the Second Congressional district of Kentucky, the report of the committee being that John Y. Brown, the member elect, is not entitled to take his seat by reason of his having given countenance and encouragement to the rebels; that the contestant, Samuel E. Smith, is not entitled to it, because he did not get votes enough, and that the Speaker shall notify the Governor of Kentucky of there being a vacancy for Congress in that district.

Mr. BROWN, the member elect, addressed the House in his own behalf, arguing against the inference drawn against him from his letter to the Louisville *Democrat*, which expressed the idea that any Kentuckian volunteering in the Lincoln army ought to be, and, as he believed, would be shot down in his tracks. At the time he wrote that letter he was for Kentucky neutrality. He was then standing where the State had been placed by the solemn resolves of two State Conventions, by the State Legislature and by the address of the Union Committee. It was to that doctrine that he had been pledged, and it was in behalf of that position that he was then laboring. He had occupied the same ground that was occupied by Senator Crittenden, by Senator Guthrie, by Attorney General Speed, by all the Union men of Kentucky, and even by some of the great daily papers of New York, which were in favor of letting the erring sisters go in peace. If the doctrine expressed by them were allowed to pass unchallenged why should he be martyrized? He contended, also, that this was an attempt to punish him under an *ex post facto* law. Was he, he asked, because he had written an indiscreet letter, to be pronounced a political leper? Was he to be outlawed, to be ostracised, to be placed under the ban of the government and branded as unfit to hold any office of trust or profit within the gift of the United States of America? And yet this was the precedent proposed to be set. He stood here as no suppliant; he stood here begging no favor. He stood supported by the consciousness of his right—a right which he would be less a man if he surrendered. He asked for nothing but justice, and did not believe that his case was to be determined as if he was a candidate in a political caucus. If this brand were put upon him, if he were declared not worthy of a seat here, and therefore not fit to be a postmaster at any cross-roads in the United States—if that were to be the judgment of the House—he would be sustained by the happy consciousness that it was a foul wrong done him and an outrage on his rights, though it might not be so intended.

Mr. DAWES, (rep.) of Mass., closed the debate by summing up the arguments in support of the positions assumed by the Committee on Elections and by answering the arguments made against them. The committee, he said, felt conscious of the importance of the case, and had endeavored to so conduct it that there should not lie at its door any just accusation of an attempt to arrive at a conclusion without the fullest and most perfect discussion of the case, and without hearing in full all parties affected by it. He referred to the intimations made by Mr Trimble, of Kentucky, and by Mr. Kerr, that if Mr. Brown had belonged to a different political organization no such report would have been made, and he expressed his surprise that the latter gentleman, who was a member of the Committee on Elections, and who was aware that no case before the committee had been decided on political grounds, and that in this very case the vote in the committee was a refutation of any such idea, should have indulged in such remarks. Mr. Dawes read copious extracts from the testimony taken by the Committee on Elections in Kentucky to show the difference between the neutrality professed by Messrs. Crittenden, Guthrie, Speed and Rousseau and that professed and practised by Mr. Brown, and to show that no subsequent act of Mr. Brown rendered his letter capable of being interpreted in any other than in a disloyal sense. He ridiculed the idea put forward by some of those who had argued against the report of the committee that while the House had a right by a two-thirds vote to expel a member for treason it had no right to refuse him his seat when he presented himself to be sworn as a member. He said that on that point the homely verse of Colonel Titus two hundred years ago, when Charles II. undertook to batter down the doors of the House of Commons and place his feet on the liberties of the nation, was a better commentary than anything he could say:—

I hear a lion in the lobby roar,
Say, Mr. Speaker, shall we shut the door?
Or shall we open it and let him in,
To try if we can turn him out again?

He also quoted remarks made in the Senate by Mr. Johnson, the present Executive, and Senator Dixon, of Kentucky, on the proposition to expel Senator Bright for holding traitorous correspondence with the President of the Southern Confederacy in justification of the report of the Committee on Election. It was no new policy, he said; the President himself, in his first message to Congress, had set forth the same proposition in these words:—"When a Senator or Representative presents his credentials, his certificate of election, he may at once be admitted or rejected; or should there be any questions as to his eligibility, his credentials should be referred for investigation to an appropriate committee. If admitted to his seat it will be on evidence satisfactory to the house of which he thus becomes a member, that he possesses the requisite constitutional and legal qualifications. If refused admission as a member for want of due allegiance to the government and returned to his constituents, they are admonished that none but persons loyal to the United States will be allowed a voice in the legislative councils of the nation, and the political power and moral influence of Congress are thus effectively executed in the interest of the government of the United States and fidelity to the Union."

At the conclusion of Mr. Dawes' speech the House proceeded to vote, the first question being on the substitute offered by Mr. Kerr for the resolutions reported by the committee. The substitute is as follows:—

Resolved, That John Y. Brown, not having voluntarily given aid, countenance, counsel or encouragement to persons engaged in armed hostility against the United States, and having received a majority of the votes cast in the Second district of Kentucky for Representative in this House, is entitled to admission and to take the oath of office as Representative from said district.

The substitute was rejected by yeas 43, nays 108.

The resolution reported by the Committee on Elections, that John Y. Brown, having voluntarily given aid, countenance, counsel and encouragement to persons engaged in armed hostility to the United States, is not entitled to take the oath of office or to hold a seat as Representative, was then adopted without division.

The two other resolutions were recommitted to the Committee on Elections.

WAR DEPARTMENT BUILDINGS IN NEW YORK.

Mr. WOOD having withdrawn his objection to the joint resolution proposed to be reported by Mr. Ketcham, from the Committee on Military Affairs, in reference to buildings for the use of the War Department in the city and harbor of New York, that joint resolution was reported, explained by Mr. Ketcham, read three times and passed.

PASSAIC RIVER IMPROVEMENT.

Mr. HALSEY, (rep.) of N. J., presented the resolutions of the Common Council of Newark, N. J., asking Congress to make appropriations to improve the navigation of the Passaic river. Referred to the Committee on Commerce.

RAILROAD LAND GRANTS.

Mr. DONNELLY, (rep.) of Minn., introduced a bill to regulate the disposal of the lands that may be hereafter given to aid in the construction of railways. Referred to the Committee on Public Lands. The bill gives all such lands to States, to be sold to actual settlers at prices ranging from $1 25 to $5 per acre, according to the distance from the railroads, the proceeds to go to the railroad companies; all even numbered sections not taken up in ten years to be disposed of as other public lands are; the land to be sold to settlers on long time, with a view to encourage the settlement of the country. The bill embodies the views of the Committee on Public Lands.

The House, at five o'clock, adjourned.

NEW YORK LEGISLATURE.

SENATE.

ALBANY, Feb. 13, 1868.

BILLS REPORTED FAVORABLY.

For the better protection against fires of visitors to theatres in New York; to amend the charter of the Irving Fire Insurance Company; requiring the tax collectors in Westchester county to pay over their collections at stated times; to extend the powers of the French Benevolent Society of New York; to incorporate the New York Elevator Company; authorizing the erection of piers and wharves in Harlem river, below Second avenue.

BILLS INTRODUCED.

By