

S P E E C H

OF THE

Hon. JOSEPH W. McCLURG,

OF MISSOURI,

Delivered in the House of Representatives,

April 29, 1864,

ON MOTION TO PRINT THE EVIDENCE AND REPORT OF THE INVESTIGATING COMMITTEE, IN THE CASE OF THE ALLEGED CHARGE AGAINST

HON. F. P. BLAIR,

FOR VIOLATING THE LAWS IN A "LIQUOR SPECULATION," AND OF THE TRUTH OR FALSITY OF AN ALLEGED "ORDER;"

AND THE REMARKS ON THE SAME OCCASION,

OF THE

Hon. WILLIAM HIGBY, of California,

CHAIRMAN OF THE INVESTIGATING COMMITTEE.

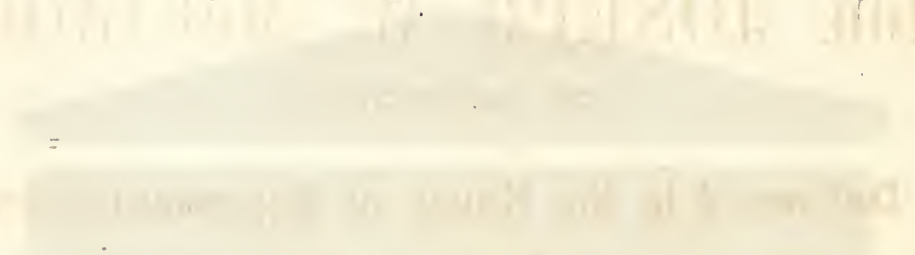


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SPEECH

OF THE

HON. JOSEPH W. McCLURG,

OF MISSOURI,

DELIVERED IN THE HOUSE OF REPRESENTATIVES,

April 29, 1864,

On motion to print the evidence and report of the Investigating Committee, in the case of the alleged charge against Hon. F. P. BLAIR, for violating the laws in a "liquor speculation," and of the truth or falsity of an alleged "order," and the remarks, on the same occasion, of the Hon. WILLIAM HIGBY, of California, chairman of the Investigating Committee.



Mr. McCLURG said—

Mr. SPEAKER: In accordance with notice given last Saturday, as labors have ended upon the tax bill, I rise to a question of privilege on the motion to print the evidence and report of the committee appointed to investigate the charges said to have been made by myself against Hon. F. P. BLAIR, member from the first district of Missouri, and to inquire into the truth or falsity of a certain alleged liquor order. I regret it was not the pleasure of the House for me to speak then while "the military member" [Mr. BLAIR] was present. It will be remembered I desired to speak then, but submitted to a vote of the House desirous of considering the tax bill; neither do I consider it unfair for me now, in his absence, to comment on the testimony when the first assault in this House was made by this military "member," and in a clandestine manner by inserting his personal remarks, not uttered in the House, into his printed speech. But I regret the necessity of asking the attention of the House to the subject now presented when the people are calling for immediate action upon bills of importance to our afflicted country. But, forced into my present position by another, I also regret that I cannot ask your indulgence beyond the one hour rule. It is impossible in one hour to do justice to the case and properly expose the witnesses, from their own testimony, who have come forward and testified, as I believe I can show, to save themselves or others from disgrace. I desire to show up in distinct colors those who would rule, in corruption, my beloved but unfortunate State, and who have their counterparts in the other border slave States.

As my language will go to the public, it is due to myself, to truth, and the cause of freedom in Missouri, on which my heart is fixed, to remind this House, and thus inform the country, that I was drawn reluctantly into this discussion, that I was forced into it, that I remained in almost disgraceful silence after I had been, without provocation, attacked in my character for truthfulness by a colleague—excuse me, "the military member" from the first district, [Mr. BLAIR]—on the 5th day of February last, and until

after a second attack by the same "member" on the 27th day of the same month. In his first attack he spoke distinctly of the four radicals from his State, and in reference to General Schofield said: "After accepting the concession, these parties flew from their agreement." Notwithstanding a colleague from the seventh district [Mr. LOAN] in a personal explanation pronounced it "false," thereby directing his, "the military member's" [Mr. BLAIR'S] attention to his language, he did not in his second speech, although twenty-two days after the first, retract, but attempted to add insult to injury. It was after all this that I condescended to make a defense, and still "the military member" [Mr. BLAIR] had the audacity on the 23d instant to say that "vindictive persons had pursued him to this place." It is known to all that he first attacked. The radical members from his State had agreed with themselves to remain silent with regard to the past if unprovoked, believing it possible he might, if left to himself, advance again to the attack he had once led upon the enemy of the country, slavery, and rejoice those who had outstripped him, and, regardless of him, were pressing up the heights and driving back the foe. But he went over to the enemy and attacked his former friends who had never on any occasion abused him.

In my defense I did not therefore conceive it to be my duty merely to have parried off his thrusts at my character, but, having been forced by him into the contest, to bring down a few blows upon the head of one I regarded and still regard as a political trickster, that his future attacks upon myself or others would be weakened and powerless for harm; to exhibit the character of one who would make all others bow before him, not because of worth, but because of the fortuitous position of birth, and a name which he has failed to honor. His own conduct, therefore, as you know, forced me to notice him. The result was he was unable to defend himself in arguments and facts, and called for a committee of investigation on what he called "the charge of violating the laws in the matter of an alleged liquor speculation." We will, therefore, see what charges I made, and whether or no I am sustained by the evidence. My belief is that if I had made a direct charge of "violating the laws in the matter of an alleged liquor speculation" I could sustain the charge and myself before an impartial and intelligent public. But I did not so charge. What was my language? We will refer to the Globe—good authority—of 12th March, containing my speech of the 9th. My language appears as follows:

"My colleague from the first district has much to say about trade regulations, 'trade friends' 'trade stores.' It may, therefore, be well to display without comment, for they are a commentary within themselves, the copies of a certain 'order' and certain 'invoice,' and which will not be denied to be true copies of the originals, to which access can be had in a proper manner."

Copies of the order and invoice are then set forth. My language then is:

"It is only necessary to say they did not reach their destination. Trade regulations prevented. Probably \$20,000 were not made. Politicians should have some honorable way of making bread and meat when they do not own lead mines. Probably there was an interference when an attempt may have been made to smuggle liquors contrary to existing regulations. Fortunes in anticipation from sale of poor whisky at rich prices may have been lost."

Not another word in my speech of March 9 did I utter with regard to the order or the speculation. Is there in them a charge of violating laws? Nothing of the kind. There is no charge. And if the "military member" had remained as cool as he should be when going into battle, and had asserted the order to have been altered from a small amount, the whole liquor discussion might there have ended. But he could not control his vindictive spirit, and took occasion to again attack the Secretary of the Treasury through the special agents. He directly, in emphatic language, charged two of the agents with forgery, and gave the name of Mr. Bonner as one. We now know he alluded to Michael Powers, his own agent "to procure the liquors," as the other; and it is in evidence that he was never what is known as a Treasury agent, but had been, prior to the purchase of liquors, a steamboat revenue aid, appointed by Mr. Howard, a witness in this case, collector of the port at St. Louis, a personal and political friend of "the member," [Mr. BLAIR,] appointed, not by Mr. Chase, but by the President, and that appointment procured, Mr. Howard in his testimony "supposes," through his friend "the member," [Mr. BLAIR,] All this is in the evidence. But the name of Mr. Powers, who, as it appears in the testimony, held letters of recommendation from the "military member," was not mentioned. Mr. Bonner's name was made prominent because he was not a political friend. He, "the member," [Mr. BLAIR,] used this language in his interruption:

"It is acknowledged now to have been a forgery on the part of these two agents of Mr. Chase."
 "When these miserable miscreants committed this forgery."

Now, as I remarked, it is in evidence Powers never was a Treasury agent, and at date of the purchase of liquors was not even a revenue aid. It is also in evidence that Mr. Bonner was not a Treasury agent until weeks after the purchase and shipment, and knew nothing about the case until after the seizure of the liquors at Cairo. And it is not in evidence that the order was ever under the control of any one except Powers, the agent of "the military member," after it was delivered to him and before it went into the custom-house. He and his friends wrote and signed and controlled it. And in the face of this positive testimony, which I hope will be printed, that it may be read by the public, "the general member" [Mr. BLAIR] on last Saturday said, "Evidence shows that the forgery was made public by a Treasury agent, who knew it to be of that character." I assert the evidence does not so show. It shows only that Mr. Bonner did what any honest office holder should do; gave to one of the sovereign people a copy of the order and invoice, not believing that the corruption of those in power should be kept concealed. It shows that Mr. Bonner never acknowledged that he believed there was a forgery. To be sure, Mr. Howard testifies that he (Bonner) "tacitly" acknowledged it; acknowledged by saying nothing. I say Mr. Howard, who I will show you before I close, contradicts himself when on oath.

Now, as "the general member" [Mr. BLAIR] has uttered as a fact what the testimony proves to be false, I merely ask what are the anonymous letters worth which he produced and read containing denunciations of Secretary Chase? The letters may be genuine, they may not. They may be from those of like character with himself. I shall not, therefore be led away from the points in this case to an unnecessary defense of the Secretary of the Treasury. I will only remark I am a great admirer of the photographic art, and will imagine a scene that may find its way to canvass and appear among others of the naval engagements of this war: a mammoth iron-clad with six-inch plating, the S. P. Chase, lying undisturbed upon the bosom of the quiet deep, and "an individual," bearing the name of a major general, firing upon her paper wads from an alder pop-gun, and the sentinel not aroused from his slumber. As my speech will show, I then stated that I would retract if Mr. Bonner's acknowledgment should be at any time presented. I remained in silence two weeks. "The member" [Mr. BLAIR] did not produce Mr. Bonner's acknowledgment, nor did he retract. It therefore became incumbent upon me to defend Mr. Bonner against so false a charge. When on the 23d March I did so, and had Mr. Bonner's letter read, what charge did I make? None but what I am sustained in by the evidence. And it was to investigate "the charge" made in this speech that "the military member" [Mr. BLAIR] called for a committee. The most pointed language used in those remarks upon which it is possible to base anything like a "charge" is the following:

"What becomes of his maddened attempt to relieve himself of the 'suspicion' of an effort to speculate by smuggling liquors in violation of regulations?"

If afterwards I use the words "condemned criminal" in comparison, they could only apply to the charge "of suspicion." I will show you enough in the testimony to convince you that he was suspected, that he should have been suspected, and that, by this investigation, he has indelibly stamped "suspicion" upon his character. An intelligent public will pronounce a correct verdict, and consign to a political grave a political demagogue.

I say "suspicion." Let us see the language of his own witnesses and friends on this point, for no others did he have, save a Mr. Finney, whose testimony is so insignificant and manifestly partial that I shall not further notice him.

Mr. CLAY. I wish to remark to the gentleman that being a member of the committee, I patiently heard all the testimony in the case, and there is not a particle of evidence going to show that General BLAIR was implicated in this matter at all. There was not even a suspicion cast upon him. The matter is as plain as day is from night. There was not one particle of evidence during that whole investigation showing, or tending to show, that Mr. BLAIR was engaged in liquor speculation.

Mr. McCLURG. My speech may go forward to the public, and they will judge for themselves. I here give the language of that testimony, and I contend that it does throw suspicion upon him. If I come to a false conclusion, it is my fault; if the House come to a false conclusion, it is their business and not mine. I will give the language, and I am willing that it should go before the public in that way.

But before I proceed to the definite language of the witnesses, I wish to give you a hasty insight into the case from a correct point of view. Then I will endeavor to make

your view more distinct. The order was signed by "the military member" [Mr. BLAIR] as general commanding a division near Vicksburg, 3d June, 1863, and by eight of his staff officers, the last one, Doyle, having signed it at Memphis. The order empowered one Michael Powers to procure liquors, &c., "for their own use." The order, according to its present face, is for twenty-five gallons brandy "each," and other articles in proportion, such as whisky, ale, wines, cigars, &c. The order is as appears in the photographs now distributed in the House. Michael Powers, the agent, purchased from one David Nicholson of St. Louis, as the original invoice will show, which is in evidence, nine times, with two small variations, the amounts of each article named in the order, interpreting the order as it reads, "each" being after the word brandy, the first item, and dotted for the others, nine being the number of officers. The shipment was made and the application for the shipment was made at the custom-house, and permit granted. Mr. Howard, the friend of "the general member," [Mr. BLAIR,] is the custom-house officer, the collector of the port. The original application for the permit to ship is in evidence, and that application embodies the affidavit of a clerk of Mr. Nicholson, who sold the liquors, &c., his statement, sworn to, that "the goods, wares, and merchandise are owned by Powers," and again that "M. Powers is the owner," &c. This application and affidavit are dated 15th June, 1863.

The liquors, &c., succeeded in reaching a point near Vicksburg; but a military order of General Grant, dated 15th June, prevented their going ashore in a formal manner.— They remained in the boat, (so much as were not sold or used up,) and after some weeks were seized at Cairo on their passage up the river by the collector for alleged violation of regulations. At length Mr. Bonner, special Treasury agent at St. Louis, the same individual who is charged with forgery by "the member," [Mr. BLAIR,] who was not appointed an agent for weeks after the purchase and shipment, ordered the liquors, &c., to St. Louis, and turned them over by his order to the owner, Mr. Powers, and he immediately to Mr. Nicholson, who, you will see, swears he was, and who acts as, the owner. They arrived at St. Louis in process of time. A loss was the result to somebody, if testimony be true. Bad feelings were aroused. Treasury agents were abused. A defense had to be made. The newspapers were resorted to. The so-called "liquor speculation" was discussed; it was defended; it was excused. Letters were written early in September by Mr. Nicholson, the vendor of "the goods." Those letters are in evidence. In October, Michael Powers, the agent, appeared in a published letter excusing "the member" for having signed the order, as the sutlers were selling at prices too high to the soldiers. The order and invoice appeared in the newspapers, and "the Blair liquor speculation" became a subject of common conversation. During that entire discussion it was never intimated by either "the member" [Mr. BLAIR] or by any of his friends to the public that a forgery had been committed. This is the evidence. Notwithstanding "the member" was in St. Louis in July, which will not be denied, and it is in evidence he was there in September, and made a speech, in which he abused Mr. Chase, and notwithstanding it is in evidence that the witnesses, the staff officers, and Mr. Howard and Mr. Nicholson saw the publication of the order and invoice, still, as they themselves testify, there was no allegation that a forgery was committed. Nothing of the kind appeared until a letter of Mr. Howard appeared in print, dated 4th of February last, and that was indefinite in its language, and three or four months after the lengthy discussion. Therefore there was before the public *prima facie* evidence that somebody violated the "laws in the matter of an alleged liquor speculation." As "the member's" [Mr. BLAIR's] name was about that time prominent as one indorsing an emancipation ordinance, "declaring slaves free at their death," and as his name was first to this order for liquor, it was natural and reasonable that "suspicion" should have rested upon him.

Then when he, unprovoked, attacked my character twice, was it to be expected that I would not let fly an arrow, knowing him to be vulnerable not only in the heel, but in all parts of his body? And was it to be supposed I would not aim at a vital point? The poisoned arrow which deprived "the member" of his self-possession was the words, "how can he relieve himself of the suspicion?" The committee is constituted to investigate, and the vendor of the liquors, the collector who permitted the shipment, and four staff officers, whose names are signed by themselves to the order, interested witnesses, appear to testify. I produce, of course, the *prima facie* proof, the order. They swear that the amount of the order has been increased by addition of figures and the word "each." I might here let the case rest, as I have made no charge except of "suspicion," and as there is not one word of evidence to show, indeed, no attempt to show, that Mr.

Bonner heard of the order until the liquors were seized at Cairo. I have made no charge, and Mr. Bonner is proven not to be a forger, which "the member" distinctly charged him to be. But had I been disposed to have not argued this case further than this point, and to have suffered "the member" to escape unharmed, in case he had shown that magnanimity which I am satisfied an innocent man would have shown when apparently a load of suspicion was removed, all such disposition was eradicated by "the member" himself, by his cross-examination of Mr. Bonner, which covers fifty-seven pages of foolscap paper, throughout which his vindictive spirit is clearly manifest. I am under no obligations to be lenient, and it is my duty to give fearlessly my opinion formed from the testimony. The frowns of those I shall speak of I do not fear; their favors I do not ask. I shall give testimony as the reasons for my opinions. If testimony shall not sustain them of course they will be harmless. If it should the public should know them.

On page 18, of the manuscript testimony, Captain George A. Maguire, a staff officer, who signed the order, testifies that "the affair, commonly called 'BLAIR'S liquor speculation,' was discussed in the papers of St. Louis." On page 22, a letter or card of Captain Maguire appears, dated 23^d March last, last month, after my speech of 23^d, when I exhibited the order, and he says "the question of General 'Blair's liquor speculation' having been recently renewed by the agents of the Treasury Department," &c.—"renewed." It had been. On page 35 "the member's" [Mr. BLAIR's] first question to his own witness, Mr. Howard, collector, is, "Do you recollect anything in regard to this order for stores, liquors, &c., which has been so much commented on in the newspapers, called the 'Blair liquor speculation?'" And the answer is, "I do not recollect a great deal about it until after it was seized and made a matter of notoriety." On pages 55 and 60 this witness testifies that "during the months of September and October, 1863, he saw the discussions in regard to the 'so-called liquor speculation.'" On page 73, the first question asked by "the member" of Mr. Nicholson, his own witness, the vendor of the goods, is, "Did you ship the goods named in this 'famous Blair liquor speculation?'" On page 116 is a lengthy printed publication signed by this same David Nicholson, dated 31st October, 1863; and this communication has for its caption, "More of that liquor speculation." Still, as I have said, not one word, in all their communications, is uttered intimating a forgery until in February, 1864, and then the language is indefinite. "The member," in attempting to prove that Mr. Bonner knew of the forgery, asked Mr. Howard, I believe, with apparent astonishment, if Mr. Bonner knew it for three months, and would not do him the justice to publish it? With astonishment may I not ask why "the member's" personal friends, the collector, the merchant, his staff officers, who have lately come to the rescue, suffered at least four months to pass without attempting to do him justice, when, during that time, printed letters, making excuses for having signed the order, appeared?

Captain Maguire, who does not appear in the testimony in a very enviable light, which I will show should I have the time, on page 19, after saying he looked over the order and invoice a few days after the publication and satisfied himself that the forgeries had been committed, testified that he stated it was a forgery "to all his friends." Still, he testified that about that time he did not write and have published a card. Why did he not come to the rescue of his friend at that time, when he could have so easily defended him by exposing the forgery? Why did none of his friends? He stated it to "all his friends." Surely a staff officer had friends who were friends of the general. But none would defend him. On page 21, he, Captain Maguire, says "he saw two communications from Mr. Nicholson and one from Michael Powers and did not recollect that they stated it was a forgery." And, on same page, he testified "he did not see in any of those communications that a forgery had been committed. But he had satisfied himself, and he and "all his friends" remained silent. But he did not show himself a laggard, when, on the 28th March, he dated a printed letter, after the exposure in this House on the 9th and again on the 23^d of that month. We can suppose there was time for a proper understanding.

Even Collector Howard, the personal and political friend, and who "supposes" "the member" used his influence to have him appointed to office of collector, did not come to his friend's relief, but in silence suffered him abused, for he testifies, on page 39, that he "thought he discovered the alterations and forgery some time in September or October, after the order had been published." Still this same partisan friend, after publicity of the order, remained silent until the 4th of February last, when he appeared in a letter published and in evidence on page 36, and said that Mr. Bonner would inform that the documents, on which the charge of "General Blair's liquor speculation" is founded, "are

base forgeries." He commences his testimony by saying, "the presentation of the original papers by Colonel McClurg, in the House of Representatives on the 23d of March, 1864, demands this explanation." The presentation of the copies to the public in September or October did not demand from this personal and political friend even a letter to the public for four months. And when, on the 8th of February last, a letter appeared in the papers from Mr. Bonner, to disgrace whom the attempt has been so persistently made, which, in his too great kindness, he was induced to write by "the member's" friends, in which he did not inform the public as Mr. Howard had expressed, but stated merely that Mr. Howard stated that a member of General Blair's staff had, on examination of the paper, pronounced the word "each," as it appeared in the order, also the last item on the order, as forgeries, and that Mr. Howard also gave it as his opinion at the time that the same were forgeries and that to his mind there was a dissimilarity between the words mentioned and the body of the order; yet he (Howard) did not object, but suffered the charge against his friend to remain with such an explanation for two months more, until he was called to the witness-stand. Still "the member" asks for a Committee to investigate my charge: "how does he expect to relieve himself of suspicion?" He did not in September attempt to remove it; when absent his friends did not; when again in St. Louis in December he did not. Why, it even appears on page 50, from Mr. Howard's own testimony, notwithstanding he severely censured Mr. Bonner for giving a copy of the order, that, in his anxiety for his friend, he underscored some words and figures and sent the original order by mail to the President, and that it was seen by the Postmaster General also. But the forgery was not apparent enough for them to have made a publication in "the member's" behalf. Could it then be expected that I would not suspect, who had not at the time of my first speech seen the order, when now, having seen it and heard witnesses, I conscientiously believe every word and figure to have been made by Captain E. M. Joel, except the last item of canned fruits? If no suspicion, what had removed it? There was no proof, no declarations. I think, then, that if my language amounted to a charge at all, I stand justified in the opinion of all.

But I will now ask in all sincerity, where do those nine officers who signed that order stand? By their own testimony, if they are not guilty—those who testified—of perjury, they are morally, every one who has had knowledge of a forgery, guilty of that forgery. If their testimony be true, they knew the order went into the hands of Michael Powers, their own agent, and that as he made the purchase and shipment, and the order was enlarged to enable him to do so, he committed the forgery or procured it done. By their own testimony they knew of the forgery for months and remained silent, although their own characters were suffering. From their own mouths are they condemned. They knew a felony had been committed. "The member" knew it, for, as is in evidence by Mr. Howard, "he [Mr. BLAIR] wrote from the Army that a forgery had been committed," but he did not produce the letter. They knew who the felon was. They concealed the crime and the criminal, not only for a day or a week, but for months. If not accessories before the fact, by their own testimony they are after the fact; certainly morally if not legally. They will so stand condemned in the eyes of God and man. "The member" would not have him—Powers—who is guilty, by their direct testimony, if any one is, of the forgery, subpoenaed as a witness. I did, knowing that he could give the required light. Before I put him on the witness-stand, I informed the committee I knew what he would swear to. He testified as he stated to me, and covered himself with shame, if capable of shame. I did not believe his testimony. I do not now. Even upon the witness-stand "the member" came to the defense of him he would have us believe committed the forgery; for so soon as he—Powers—had testified to answer "the member's" purposes, as it would seem, he came to his relief and objected to my question, saying "I had no right to bring down my own witness;" but he should have added his own friend, either the perjurer or the forger, who knew how to testify so as not to criminate himself, as it is but reasonable to suppose he had been taught.

But there is another proposition I will make which will scarcely be controverted. It is this: "The member" [Mr. BLAIR] and staff officers are not only morally but legally bound by the acts of Michael Powers. He was their agent; and, admitting for argument's sake for the time being the forgery to have been committed, they ratified his acts. Their subsequent silence was a ratification and adoption of the acts of the agent by the principals. In sixty-sixth section, second volume, Greenleaf on Evidence, the truth of this proposition is enforced in these words:

"When the principal is once fully informed what has been done in his behalf, he is bound, if dissatisfied, to express his dissatisfaction within a reasonable time, and if he does not his assent will be presumed."

Then it is hardly competent for these principals to come in, interested witnesses, and by their own oaths repudiate the acts of their own agents. It is hardly competent for them to censure others for confirming, in words, the truth of what they themselves were confirming in actions.

Do I not therefore stand guiltless of undue severity in my language when I made the charge of "suspicion?" Is it improper to breathe "suspicion" upon one when exalted when the same act would brand the humble citizen with infamy? Are the exalted not to be brought low by their complicity in crime or acts in violation of laws? The people will answer that question correctly, and, thank God, they, the honest masses, constitute a tribunal, a committee of the whole, that never fails to pronounce a correct verdict. To that tribunal this case will go, and I doubt not the result.

My only witnesses examined were Mr. Powers, the agent of the "the member," Mr. Bonner, and a Mr. Conner, of Washington city. Mr. Conner was summoned merely to show an irregularity even in Captain Joel's signatures by producing a number from the quartermaster's department. Mr. Bonner was only subpoenaed that he might defend himself against the charge of forgery made by my colleague. My only reliance, therefore, to convince others that my opinion is correct, is upon the testimony of my colleague's interested witnesses. My candid, deliberate conviction that Captain Joel wrote all, except "25 box can fruits," and that all the staff officers and my colleague were cognizant of the same; that when they were detected they conceived it to be the better for one to suffer than all, and better for that one to be the more obscure and unfortunate one, rather than a major general and staff, if that individual could but be induced to take the whole load of disgrace upon himself. To be sure, in doing so, he would not so testify as to jeopardize his liberty by confinement within the walls of a penitentiary. His having written "25 box can fruits," probably, and I think most probably, by consent, but certainly afterwards, as I have shown, acquiesced in, would aid in placing suspicion on him; but it would not be necessary, if subpoenaed, to criminate himself, and he would be able to explain it away as a good opportunity to make some money. And who knows that he has not made money by testifying as he has? If guilty of a high crime, as his own testimony indicates, to make money, would he not perjure himself for money? I am irresistably brought to this conclusion by the appearance of the order itself and by the testimony of these interested witnesses. In the remaining time left me I cannot do justice to them. My analysis must be too brief. Either one would require my whole remaining time.

Captain George A. Maguire, of the staff, testified that he signed the order, but did not know at first where, but recollected "very distinctly what was in it," even without inspecting the order. But subsequent testimony disclosed the fact that he had examined the order months before in St. Louis, and another witness testified that "a photographic copy of the order obtained from me had been examined in Washington city by the staff." Of course his testimony corresponded with Captain Joel's: "that the word 'each' was inserted, the item of canned fruits added, the first five twos and three in first column prefixed, the fours in twenty-four boxes Catawba and claret altered from sixes, (which is the only perceptible truth in the whole, except the canned fruits,) the cipher added in thirty boxes cigars, the cipher added in twenty boxes champagne, and doubt as to whether four bales tobacco is or is not an alteration from one," (and the sixes may have been altered to fours by Captain Joel.) This is the same witness, Maguire, that discovered the forgery months since, but remained silent, but now comes boldly up to the work. He remembered "very distinctly," at length, Powers "coming to Haines' Bluff, on a mule." It was seven to eleven miles from the boats. "He, [Powers] offered to bring down a small lot of liquors and cigars." "He made the offer." "He had more facilities." "Liquors, &c., that were shipped to us were constantly stopped by special Treasury aids and revenue aids and were seized." "Captain Joel was our quartermaster, and wrote the order, and presented it to us." "We signed it." "I examined it." "It was a very small one."

Let us notice whether or no his language does not recoil and show corruption and falsity on its face so as to destroy his testimony. Mr. Powers, who, as in evidence, was "not a personal friend," but bore "letters of recommendation" from "the member," [Mr. BLAIR,] rode fourteen to twenty-two miles on a mule, in June, in a hot climate, to "offer" to "bring down a small lot of liquors!" One instance of disinterested benevolence! They cannot now say his object was to commit a forgery, for his request, "not being a friend," was unreasonable, and, if true, he would have been suspected. Captain Joel says he remained at headquarters that day. But we were not informed whether or no he slept with the general, "who was not a personal friend," to talk over the "sheriff's bonds" against

themselves, (and I might say the judgments for twenty to thirty thousand dollars; but that is not in evidence, as it was left out of Mr. Powers' testimony from considerations on my part that I consider were afterwards abused by the "general member,") or merely to procure those "letters of recommendation" which Mr. Powers admitted he had. He "offered" to bring. Ah! there is such a thing as proving too much. No less than four times, in one answer to one question did this witness use this language, on pages 13 and 14.

I have not time to describe the affecting scene which can be imagined at headquarters (and which might be photographed to grace bar-rooms) when in the morning this benevolent man (Powers) on his mule took his departure; and the many admiring eyes followed him as his retreating form disappeared in the distance, and heartfelt wishes ascended that there might be a speedy return of the "whisky" and "brandy," which soothe all care, drive away fogs and sorrows, and aid in charging fortifications. He bore the order which would bring gladness and comfort to nine officers, and, of course, many friends. And, according to the testimony of these witnesses, what was it? Five gallons brandy, five gallons whisky, three boxes cigars, and a few other articles! The enormous quantity of one third of a box of cigars each and two and two ninths of a quart of whisky and same of brandy! And to procure this supply a major-general and one of his staff, the quartermaster, signed the order, and that quartermaster hunted up and presented it to six other staff officers for their signatures, and the ninth signed it at Memphis. Why was all this necessary for two and two ninths quarts each of whisky, and two and two ninths quarts of brandy? Why, Mr. Howard, the collector of the port, testified, in one answer, that the name of a general was sufficient, (meaning for any amount;) and here we have the names of nine for a morning dram! And we are told by a witness that Powers could take the liquors down without charge and without interruption. That is, Michael Powers could run the gauntlet between the Treasury agents; and Captain Maguire on that point indulges in these words: "Liquors, &c., that were shipped to us were constantly stopped by special Treasury aids." Of course shipments were constantly being made to have been constantly stopped, and the disappointment was so great that in that warm climate the thirst became intense, and in desperation it was resolved to have two quarts each, &c.; and, to obtain it, to become accessories before the fact to a violation of the regulations, as implied in the fact that liquors were being stopped by the Treasury agents. This they knew, for one most aggravated case is mentioned by Captain Joel, the quartermaster, who "went with some others of the member's" staff officers to the custom-house at Cairo, and found an "empty demijohn there with General Blair's name on it, a three or a five-gallon demijohn!" We were not informed who emptied it or how many demijohns might have been found all along the river with General Blair's name, and empty. I doubt not the whole truth would make an interesting record.

Of this witness, Captain Maguire, I have only time to add that he testified as to when he first saw the original order after its publication, and then, in a printed letter of 28th March, 1864, which he indorsed as true under oath, he states, in referring to the second time he attempted to see it, that he was informed at the custom-house that Mr. Bonner had "purloined" it. It is clearly shown by Mr. Bonner's and Mr. Howard's testimony that Captain Maguire's statement was false, although Mr. Howard attempted deception by giving the names of those who could give information at the custom-house, whom, on cross-examination, he acknowledged to be only porters. The maxim, "false in one, false in all," brings the whole testimony of this witness to the ground. And he, as is in evidence, some months since stated to friends that "each" and "canned fruits" were forgeries, and then comes and testifies distinctly to additions of figures, two and a three and two ciphers. And he testifies that the order "plainly shows the forgeries in a different handwriting from the body of the permit," to discover the falsity of which it is only necessary for any man to inspect the order.

Another witness, Dr. Franklin, the surgeon, a staff officer, I will pass by. It may be his first erroneous step; it may be his last. His recollection seemed distinct. He had seen the photograph; he "did not read the communications," as he did not "take the papers," and immediately says, "I saw the publication of it in the paper."

In turning attention to Mr. Howard I regret I cannot pay more respect to this personal and political friend of "the member." He is collector of the port, grants permits for shipments, &c. As to questions of veracity between himself and Mr. Bonner, irrelevant to the case, I must pass by them. Where the two are known, Mr. Bonner cannot suffer. For my present purpose, it is enough to show he contradicts himself, and at last is

compelled to disclose the fact, that he violated the regulations, and, of course, then, his oath of office, in granting the permit to ship the liquors. And here I would direct attention to the language of the committee in their report. The language is correct, but minds of others may be misled. The committee say, "At the time the order was delivered to Powers there was no law or military regulation in any way prohibiting it."

Mr. CLAY. I think the whole point of this part of the gentleman's speech is founded upon a mistaken idea. If I understand the facts, Mr. BLAIR never charged Mr. Bonner with forgery at all. He charged one of the agents with forgery and another with publishing the forged order. Mr. Bonner is the one he charged with publishing. Therefore, the burden of this part of the gentleman's speech, trying to convince the House that he charged Bonner with the forgery, is without foundation, for that charge was never made by Mr. BLAIR at all.

As to the matter of trade regulations, there were no trade regulations as we could understand from the collector. He said decidedly that there were no trade regulations, and that the permit was not given in violation of any orders whatever. That is my understanding, and that is the statement of the collector of the port. Therefore I think the gentleman is entirely mistaken in stating that the committee overlooked the matter.

Mr. McCLURG. I think the gentleman will be convinced, when I shall have quoted the language of the witness, that he did knowingly violate the regulations. I am aware that in the haste of the committee they overlooked that portion of the testimony, and I will make that clear to the gentleman himself before I am done. In the quotations I have made from the remarks of the military gentleman it is shown that he did distinctly make an allegation of forgery against Mr. Bonner. It is most clear and definite.

Bear in mind the committee say only that there was no regulation prohibiting "the order." That is true; a general could order what he pleased. But the committee do not say there was no violation of regulations in making the shipment. "The general member" did not violate the regulations in making the order; but Mr. Howard, the collector, as his own testimony shows, and Mr. Powers, the agent, violated the regulations by permitting and making the shipment; and I contend that the silence of these parties ratified all that was done and made the violation of regulations their own.

On Mr. Howard's cross-examination, page 55, he answered that "the regulations of the Treasury Department and military orders" governed him. To another question he answered, "I think then (meaning June, 1863) they could ship on a military order solely; of a major-general's, for instance. Now I think the signature of the commander of the district is required, as well as that of the general commanding. There are now two." That answer not satisfying me, I asked, "Whose signature was required in June, 1863?" The answer came: "I think that of the major-general commanding the department or district." The truth at last came contradicting his former testimony. "The member," [Mr. BLAIR] did not command a department or a district, but a division, as designated in the order itself, in his signature. This true answer is confirmed by Mr. Bonner, the special Treasury agent. Then, what is Mr. Howard's testimony worth? What value can be given to his opinions? What to his judgment, when he underscored as forgeries, four figures and words and left five not underscored, which some others testify to as palpable forgeries?

A few words as to Mr. Nicholson, another witness, who sold the liquors. He testifies that he is the owner; that he and Powers were the only ones interested; that he sustained losses, saying nothing about Powers' losses. He testifies that they were turned over again to the owner, and that they were turned over to Mr. Powers. Here is a contradiction. The invoice is made out to Mr. Powers, and Mr. Nicholson's clerk swears "Powers is the owner." The bill of lading shows "M. P." as the mark, and it is sworn to as correct. There are printed letters of this witness in evidence, in which he writes authoritatively as the owner. He paid the five per cent. at the custom-house. This witness, as his testimony shows, labors to establish the belief that the Treasury agents are corrupt plunderers, seizing goods without giving receipts, and not accounting for the same, but appropriating to their own use. And when I attempted to, and did show by himself, that the liquors, &c., were in charge of his own clerk, specially appointed, he even attempted to disguise the truth by saying "they were in the hold of the boat, if that was being in his charge." But he had to acknowledge that the liquors, &c., were in the charge of his clerk and Mr. Powers, his clerk being present all the time, until they arrived at Cairo, and he had to acknowledge that he sold a part of the "canned fruits" and butter, and fifty half barrels ale,

and that he could produce no account of what arrived at Cairo, merely relying upon a statement of the clerk, who may have disposed of much more. There is further proof in Captain Maguire's testimony, that he "thought they (those who gave the order) procured some of those liquors, &c., from Powers, by an order from General Grant's adjutant." There is not a word of evidence, as the committee will say, to show that a Treasury agent committed a wrong, except in not rigidly enforcing the regulations and disposing of these liquors, &c., for the Government. For it will be remembered there was no order or permission for the purchase from a department or district commander, and nothing to show that a shipment of one dollar's worth of liquor without such order was not a violation of the regulations. The regulations made no difference, although a custom was yielded to. Mr. Howard, however, testified that he "thought all orders (large and small) required the words in the order before us, 'for our own use.'" And this in part accounts for those words being in this order.

I leave the witness Nicholson to drown his conscience in liquors, and sustain his character at home. Before proceeding to the next witness, I will state that Mr. Howard produced a memorandum book of Mr. Powers to prove that "twenty-five boxes can fruits" and "each" and the additional figures were made by Mr. Powers. I believe after an examination of that book "twenty-five boxes can fruits" to have been written by Mr. Powers, but whether consent of the principals was given or not it was useless for me to attempt to prove. The word "each" and other figures resemble those in Powers' book about as much as an ox cart resembles a pleasure carriage. It is evident to any observer that "can fruits" and "each" were not written by the same hand.

Now, my few remaining minutes to the last, but not least, witness, I shall notice—Captain E. M. Joel, the quartermaster, who acknowledges to have written the body of the order.

Bear in mind that positive swearing does not always convict even of the crime of murder. A perjurer might acknowledge himself guilty to save friends, character being gone and the grave opening to receive him. But he would not be recognized, if the footprints of another, marked with blood, were truly traced from the bleeding corpse.

We will see the evidence of guilt, in my opinion, covering this witness. On page 4 "the member" asked the question, "Is there a palpable difference between the additions and the body of the order as written by you? The answer is, "Yes, sir; there is a very large difference." Question. "Compare the capital E in your signature with the same letter in the word 'each.'" The answer is, "The letter has no resemblance to my style of writing." Therefore, on page 6, I ask this witness to point out in what respect the figure 2 in the line "2 doz. bitters," acknowledged to have been made by him, differs from the other figures 2 claimed to have been added, and you could not imagine the answer of one who had just said "a very great difference." His answer was, "They look very much alike." To the question, "Do not the figures 5 appear to have been altered as much as any others?" he answered, "It does not make any difference whether they look so." I then asked him to point out any difference in the shading of the lines, the quantity of ink used, or in any other respect, between the word "each" and the rest of that line. The answer is, "I am not sufficiently posted to tell whether it is done with a different pen or with different ink. It looks pretty much alike, though it may have been with other ink altogether." He says E in "each" is not his E, because it differs from E in his name. Cast your eyes to the order, or to the photographic copies, and you will see as great a difference in C in "Capt." in his name and C in "Catawba" and C in "claret," "cigars," and "Charles" as between the E's. Again, see H in "each" and it resembles most strikingly the H in "Michael," in "half," and in "whiskey." Again, the order as it now is bears evidence of hurriedness. The letters in "each" are not well formed, neither are they in "Catawba," "tobacco," and "genuine." Again, the 4 in "bales tobacco" was originally a 4, because "bales" is in the plural and not altered. The same hand that formed 4 to bales formed all the fours as they now are. The ciphers in "30 boxes cigars" and "20 boxes champagne" appear to have been made by the same hand at the same time. Obliterate those ciphers and see how you destroy the beauty of the order by leaving wide spaces. As it is, the order presents a neat and business-like appearance, though hurried.

There is one peculiarity which please notice. The left margin, beginning with first figure and ending with four presents a straight line, but not perpendicular, but inclining

regularly from the right to the left. And that your imaginations may not be taxed too severely, please observe the photographs made to correspond with Captain Joel's oath and you will see the order which he swears he wrote. Is there a man who believes him? Is it not more than ridiculous, more than absurd, inconsistent with reason and truth?—The whole beauty and harmony is destroyed. The first five figures in the right hand column incline somewhat to the right. Then the next figure is commenced a half inch to the left and a wide space left between it and the B. The next line, which he acknowledged he wrote, is written properly. In the next there is a wide space between the 2 and B. The margin from 3 down is regular and in harmony and inclines from the right to the left, and it requires the very figures as they appear in the order as it now is to place the margin in that harmony which we observe in the original order, and which alone is consistent with the evident business qualifications and neatness of this quartermaster. Captain Joel was the quartermaster, a business man, and such an order as he represents himself to have made is supremely ridiculous, and every candid man must say he has attempted to prove too much. If they had relied only upon the words "each" and "canned fruits" they might have induced some to doubt. As it is, it is evident they have been caught in their own net. Even Michael Powers, the agent who made the purchase, could not swear to anything definite; all that he seemed to know was that the order had been for a smaller amount, and that "each" had been inserted. He could not point out where one figure had been added; he would not swear he made the alterations; he would not criminate himself.

Look at the photograph of the order, omitting the alleged forgeries which makes it as Captain Joel swore he wrote it, and ask yourself why is the margin so different, from figure 3 down, from that of the part above; from 3 down inclining gradually to the left and the other somewhat to the right? Why a space after the 3, giving ample room for inserting a cypher? Why same space after 2 in line for champagne? Why, but that figures could be inserted and a regular margin made as now appears in the order that has been published? An inspection of the photographic order omitting the alleged forgeries will remove all doubts. No one can doubt that Captain Joel either swore falsely or carefully wrote the order that the forgeries might be perpetrated. And as "the general member" [Mr. BLAIR] said, "He could congratulate himself that the photographic art was applied to detecting criminals," I would suggest that he have the photograph of the order, as sworn to have been made by this witness, placed in the "rogues' galleries," with his quartermaster's likeness as executing it, and his own looking on complacently and approvingly. And here I leave them, in their disgrace, to themselves, their God, this House, and an intelligent public.

But before I take my seat I desire to read a letter. It may still be contended by some that the anonymous letters read by "the military member" [Mr. BLAIR] have some force when used against the Secretary of the Treasury. I therefore desire to close by reading the following:

CAMP THIRD REGIMENT MISSOURI INFANTRY VOLS.,

WOODVILLE, ALABAMA, April 6, 1864.

SIR: Permit us to make you a statement which may, probably, draw some light upon the whisky speculation case of General BLAIR, now before the House committee. While our regiment was encamped at Young's Point, Louisiana, (opposite Vicksburg,) in the spring of 1863, we were in the habit of frequently visiting the sutler's establishment of the thirtieth Missouri infantry regiment, then belonging to General BLAIR's brigade. The sutler always kept a fine stock of ale, wines, liquors, and can fruits, which he was selling to officers and men. To our great surprise we found that boxes containing the above mentioned articles were marked "General F. P. BLAIR," and it greatly astonished us to see that the sutler sold such articles as were marked as above stated. It is not our wish to accuse General BLAIR and blame him for this transaction, as he may not have had anything to do with it, but there must have been some swindle in some quarter, and it may be interesting for you to know it. At the same time we do not wish that this note be published, as it may injure us, but should you think our evidence desirable in the investigation of the liquor case, we declare our willingness to give it cheerfully, and so contribute anything that may enlighten the subject.

We have the honor to remain, sir, very respectfully, your obedient servants,

Lieutenant Third regiment Missouri Infantry,
Third brigade, First division, Fifteenth Army Corps.

First Lieutenant Third Missouri volunteer infantry.

Hon. J. W. McCLURG, of Missouri.

This letter was unexpected, unsolicited, and the authors are personally unknown to me. I would merely suggest that it may be an excusable offense "to suspect" that an individual who seems to have been engaged in one dishonorable transaction in the spring, may have been so engaged in another in the summer.

Here I leave this subject with "suspicion" in my mind confirmed of guilt resting upon an individual who it seems to begin to appear, was only a *pseudo*-member.

Mr. HIGBY. I shall occupy but a few minutes' time, and then I shall move the previous question, and I hope that that will close up the Missouri controversy in this House and that we will hear no more of it. I do not know that any one has become surfeited, almost to disgust, more than I myself, because of a local question and not a national one. Had the gentleman from Missouri [Mr. BLAIR] confined himself, in his remarks on Saturday, exclusively to what was reported by the committee, I should not have taken the opportunity to say anything on the question one way or the other. In what I have to say I shall confine myself entirely to my duties as a member of that committee, and to the final action in that report.

The question was raised in regard to the subject on which the committee should make its final report. The members of this House have already learned that in a large part of the report the whole committee agree, but that there was something appended to its conclusion on which no two members of the committee agreed. It will be recollected that the chairman came to the conclusion from the evidence that certain charges made by the honorable gentleman from Missouri [Mr. BLAIR] in his reply to the charges made against him, had not been sustained by the evidence. The gentleman from Missouri denied that the order referred to was genuine. The committee sustains that declaration. The report exculpates him from being engaged in liquor speculations.

But in connection with the gentleman's reply he made charges of a character which the people would probably like to know something about. Much evidence was introduced in regard to those charges which he made. I call the attention of members of the House to what took place at the time the resolution was introduced by the member from Missouri who asked for a committee of investigation. It will be borne in mind that the distinguished gentleman from Pennsylvania [Mr. STEVENS] rose and asked that the resolution be amended. If the amendment had been substituted in place of the original, it would have confined the duties of the committee to the simple business of ascertaining whether the order referred to was genuine or was forged. That would have been the whole business of the committee, and would have been all accomplished in three hours' work. Let me read the resolution as introduced in the first instance :

"That a select committee of three members be appointed by the Speaker, with power to send for persons and papers, to investigate the charges made by Hon. J. W. McCLEURG, of Missouri, against F. P. BLAIR, a member of the House of Representatives from the first district of Missouri, of violating the laws in the matter of an alleged liquor speculation."

That was the resolution as introduced by Mr. BLAIR. Then the gentleman from Pennsylvania [Mr. STEVENS] rose and proposed an amendment which was adopted, and was as follows: "and to inquire into the genuineness or falsity of the alleged order for the purchase of liquor, dated June 3, 1863." That amendment was adopted, although the gentleman from Missouri who introduced the original resolution objected to it, lest it would limit him in the introduction of certain testimony outside of the mere sustaining of his denial of being engaged in that kind of business. He wanted to introduce proof to sustain the charges he made against certain Government officials for being engaged in the forging of that order. The gentleman from Missouri [Mr. BLAIR] went before the committee and insisted on introducing proof to that point. This proof comprises more than half of the evidence taken before the committee.

When the committee had gone to the length of tolerating the introduction of that testimony and deemed it to be legitimate under the resolution, I, for one, deemed it my duty to report whether Government officials had or had not been engaged in forging such orders. The people of the country, I knew, would be anxious and sensitive upon that point—whether Government officials would be tolerated in their places after committing such criminal acts. That was the reason why I deemed it my duty to report upon it. We should not make ourselves such laughing stocks as to sit day after day taking testimony and pay no attention to that evidence in our report. It was for that reason that I did assert as a member of that committee in conclusion of the report my judgment as to

the conclusions to be arrived at from the evidence in the case as to the charges which the gentleman from Missouri made which were criminal in their nature. I did not deem it proper to refer to any mere matter of imprudence or indiscretion. I leave that matter to them in the settlement of their local difficulties. But when charges are publicly made against officers of the Government criminal in their nature the people are anxious to know something about them, especially when those charges are under investigation, and I deemed it my duty as a member of the committee to include that matter in our report. But it seems I stood alone in that.

Well, sir, the gentleman from Missouri, [Mr. BLAIR,] after being present at the taking of all this testimony and after reading the report of the committee, saw fit on Saturday, when that report was read, to rise in his place here and reiterate the language used when he made his charges in reference to Government officers. He did it in the face of and against the proof in the case, and he knew it when he asserted it. The proof shows this beyond contradiction. The very witnesses he called in reference to the matter proved who was the man that *did* commit the forgery, and I will not be mealy-mouthed about it. I do not want to go around it, as a portion of the committee did. I wanted to assert directly in the report that Michael Powers committed that forgery. There was an abundance of proof distinctly and directly to the fact that he was the man that altered the order. I did not feel that there was any delicacy in the matter when the man Powers came before the committee, after three men had testified who had signed the paper and pointed out the alteration made in it after it was signed. More than that, the surveyor of the port (Mr. Howard) examined the paper before the committee, and said that a certain word, the word "each," the word that has been spoken of so much here, was, in his judgment, put in by Mr. Powers; that he was familiarly acquainted with Mr. Power's handwriting, had often seen him write, and had an abundance of his handwriting in his possession; and he stated under oath that, in his opinion, Mr. Powers made the alteration which was made in that order. More than that, we compared the handwriting with that of other writing of Powers's in his possession, and found them to be similar. More than that Mr. Powers himself, when brought before the committee, admitted that the order passed into his hands after it had been signed by these parties. And when the question was put to him whether the order was altered after it came into his hands, he said it was. "Who made these alterations?" Well, he does not like to answer that question if he can get along without it.

Now, there is no lawyer in this House who has been in the practice of the law for a term of years who would hear a witness undertake to evade a question in that way, and not say, "You are the criminal!" First, the circumstantial proof was directly to the point; and secondly, his own evasion of that question and another similar one put to him, left no doubt in the mind of any one that *he* was the guilty person. For these reasons I wanted to insert in that report the fact that Mr. Powers was the man who committed the forgery.

Now, sir, who was this man Powers? The gentleman from Missouri has no right to rise and say here, or anywhere else, that I have no right to ask that question, because he introduced the proof before the committee, and directed their investigations directly to this point; and it was through the testimony thus introduced by him that proof was brought before the committee that Powers was the man who committed the forgery. His mouth is therefore shut forever from any complaint in this connection.

Now, sir, I repeat, who is this man Powers? The gentleman from Missouri on Saturday last asserted that he was a Government agent—"one of Chase's understrappers." He asserts when he makes the charges in the first place that it was one of Chase's agents who committed the forgery. Mr. Howard is called as a witness on the part of BLAIR; and his evidence was directly to the point, and cleared up the matter. He is called upon to state, as surveyor of the port of St. Louis, in what capacity this Mr. Powers was acting.

Mr. Powers at the time of this transaction, at the making of this order and the sending of these liquors and other articles down the river, was acting in no official capacity. He had been a Treasury aid previous to that time. By whom was Mr. Powers appointed when he had that office of Treasury aid? The question is asked Mr. Howard. "I appointed him," said Mr. Howard in answer. "By whom, Mr. Howard, were you appointed to occupy the position you do as surveyor of the port of St. Louis?" He replied "By Abraham Lincoln." If there were a shadow of a possibility of that man Powers acting as a Government official at that time, the appointment came from Abraham

Lincoln and not from Mr. Chase. But that would not suit the purpose of the gentleman from Missouri, [Mr. BLAIR.]

There is not, however, the head of any Department of the Government, from the President down, who is not fully and completely exonerated from the charge made by that man on Saturday last. And I am only astonished a man who occupied the position that he here did as a member of this House, a Representative of the people—of one hundred thousand and more if his district be full—I am astonished, sir, that a man occupying such a position should get up here and make such a barefaced statement in defiance of the testimony taken in the case.

As I said before, I would have preferred not to have said a word. I would have been glad to have called the previous question at the outset. I did move that the report should be laid upon the table, and ordered to be printed; and if it had not been for the importunity all around me I would not have withdrawn that motion. I believed that we had had already enough of discussion on the subject. I would not have said a word if the gentleman from Missouri [Mr. BLAIR] had not made charges entirely unwarrantable by the testimony taken in this case.

I now close by stating in reference to the evidence that members may refer to it conveniently. I refer them to the testimony, so far as the report is concerned, of Captain Joel, Franklin, the surgeon, and one other, whose name I do not remember; to the testimony of Mr. Howard, surveyor of the port of St. Louis, and also to the testimony of Mr. Powers. I think then that they will find no difficulty in coming to the same conclusion that the committee did. I think when they examine the testimony of Mr. Powers they will find that the conclusion of the report made by the chairman is entirely sustained; that the charge of criminality against any Government officer is not sustained in the least. If the testimony had been printed I would have had it read from the Clerk's desk; but as it is in manuscript, and would have occupied a great deal more time, I have not seen fit to do so.

With these remarks I close, and now demand the previous question.