New-York Daily Tribune.

VOL. XXV....No. 7,769. NEW-YORK, FRIDAY, MARCH 2, 1866. PRICE FOUR CENTS.

FROM WASHINGTON.

OUR SPECIAL DISPATCHES.

Congressional Proceedings.

The Senate Passes the House Bill Prohibiting the Importation of Cattle.

THE STEVENS CONCURRENT RESOLUTION

Speech of the Hon. Reverdy Johnson

A VOTE TO BE TAKEN TO-DAY.

ACTION IN THE HOUSE.

The Senate Bill Protecting Civil Rights Taken Up.

Speeches of Messrs. Wilson of Iowa, Rogers of New-Jersey, and Cook of Illinois.

The Miscellaneous Appropriation Bill Passed.

THE CONDITION OF THE TREASURY.

WASHINGTON, Thursday, March 1, 1866.

PROCEEDINGS IN THE SENATE.

In the Senate to-day, Mr. Wilson, from the Military Committee, reported a resolution for the disbandment of the militia of the late Rebel States, and preventing their reorganization. Mr. Sherman, from the Committee on Agriculture, reported a bill which was passed, granting discretionary powers to the Secretary of the Treasury respecting the importation of cattle and hides from districts not infected by cattle disease.

Various petitions were presented, after which the concurrent resolution in relation to the admission of Senators and Representatives from the lately Rebellious States was taken up. Mr. Stewart of Nevada, who had the floor at the close of the day yesterday, finished his remarks, and was followed by Mr. Johnson from Maryland, who read a series of secession resolutions which he claimed were introduced some years ago by Mr. Wade of Ohio at a meeting held at Cincinnati. This charge Mr. Wade declared to be false in toto.

He said that he was never present at any meeting in Cincinnati at the time designated and never introduced the resolutions read; on the contrary, he declared that at that time he was not within sixty miles of that city. At the close of Mr. Wade's remarks it was agreed that a vote should be taken on the resolution at 6 o'clock to-morrow. The resolution will pass beyond question.

PROCEEDINGS IN THE HOUSE.

In the House, on motion of Mr. Coffroth, a resolution was adopted instructing the Committee on Ways and Means to inquire into the expediency of affording relief to the inhabitants of Chambersburg, whose town was burned by Gen. McCausland, and their business thereby destroyed.

The Civil Rights bill being then taken up, Mr. Wilson of Iowa obtained the floor, and proposed an amendment thereto, and to the effect that there shall be no discrimination in the civil rights and immunities among the citizens of the United States, of any State or Territory. This, with other slight amendments, was, after discussion, adopted. Mr. Wilson urged the passage of the bill as it then stood. Mr. Rogers of New-Jersey opposed its passage in a parenzied outpouring of words. The House then went into Committee of the Whole on the Appropriation bill, which passed, and goes to Senate to-morrow.

THE PUBLIC DEBT.

The statement of the public debt issued from the Treasury to-day, is looked upon by financial men here as exceedingly flattering, while it is stated from official sources that the next months showing will exhibit a much greater reduction. There is the most determined effort made in every Department to reduce Governmental expenditures to the utmost while the revenues continue large and will soon be greatly increased by the cotton tax, which is deemed certain to be laid.

BRUTAL TREATMENT OF FREEDMEN.

A mob of the Copperhead ruffians of Georgetown, incited by bad whisky and a diabolical spirit of enmity to the negro, last night combined in an unprovoked and brutal assault on a number of the freedmen of this city, driving them from their homes, sacking their houses, and indulging in various other riotous demonstrations. Firearms were used during the melee, but no casualties have thus far been reported. The inference is natural that to the success of the Rebels at the recent municipal election and the President's late speech may be attributed the disgraceful demonstrations on the unoffending blacks which have been made under the shadow of the Capital since the veto of the Freedmen's bill.

THE PRESIDENT AND SENATOR SUMNER.

A report in general circulation to the effect that the President had sent an autograph letter to Senator Sumner apologizing for his rude allusion to him by name on a recent occasion, has caused numerous inquiries to be addressed to the Senator as to the facts. The nearest approach to the truth in the matter is probably that the propriety of such a course had been suggested to the President.

THE COURSE OF CONGRESS.

The temperate dignity with which Congress has deported itself since the irritating Presidential speech of the 22d, finds approval not only in hundreds of letters from representative Union men in nearly every Congressional district sent members here, but has unquestionably improved the political atmosphere at both ends of the avenue, at least such is the averment of a prominent executive officer of the Government to-day.

THE GALLERIES DESERTED.

To-day, for the first time during the week, have the galleries of the Senate and House been deserted. Crowds have wended their way daily to the two Houses under the general impression that Mr. Sumner, Mr. Stevens or some other irate and indignant member was to fly back at the President in a fury of words. But all such have been disappointed. Congress has moved on with a quiet dignity which must challenge universal respect.

THE TENNESSEE DELEGATION.

It is probably no breach of propriety to state what has unquestionably been drawn from some member of the Committee of Fifteen, that on Monday next a bill will be reported declaring the loyal representatives from Tennessee admitted to seats in Congress. The measure, it is confidently asserted, will pass by a large vote, even should Messrs. Sumner and Stevens deem it their duty to oppose.

SENATOR NYES SPEECH.

Your types in to-day's dispatches seriously belittle the compliment extended to Gen. Nye's speech, in stating the Union League's order is for 100 copies. It was written 100,000 copies, which is the number ordered.

THE FINANCIAL SITUATION.

The United States Treasurer now holds thirty-five million dollars in Government securities for the seventy-three million dollars now held by the different banks throughout the United States designated as depositories of public moneys. Of the entire number of public depositories but four have more money on deposit than the amount of their securities. The redemption of the Treasury Department to-day amounted to one hundred and fifty thousand dollars.

INTERNAL REVENUE.

The receipts from Internal Revenue to-day amounted to $1,322,313.

PROTECTION FOR THE FREEDMEN.

A Senator elect from one of the seceded States, in an interview with Secretary Stanton to-day, entreated that the Freedmen's Bureau might be continued in his State, and said that if the Government desired to protect and foster the loyal sentiment in the South it must send a strong military force there.

THE TARIFF ON IRON AND STEEL.

The Secretary of the Treasury was waited upon this afternoon by the members of the Iron and Steel Association, who, after being severally introduced by Mr. Ward of Michigan, interchanged views upon the Tariff question at some length, with great freedom. The interview was pleasant and agreeable to both parties, and the free discussion of so important a question can but prove advantageous to the manufacturing interests of the country.

SCARCITY OF LOYAL MAIL AGENTS IN ALABAMA.

The Government not finding a loyal man in Alabama who would take the test oath, and become a mail agent over the route from Mobile to the Mississippi, imported a Philadelphian there. He passed through this city on his Southern mission to-day.

GEN. BUTLER BUSY.

Gen. Butler is busily engaged in preparing his argument on behalf of the Government in the case which is to come up in the United States Supreme Court on Monday next, testing the validity of the trial of certain Indian Rebels before a Military Commission. Ex-Attorney-General Black is opposed. The case is is one of great interest, and the presence of two such able Constitutional lawyers engaged therein will draw attention momentarily from the now crowded halls of Congress.

To the Associated Press.

THE MISCELLANEOUS APPROPRIATION BILL.

WASHINGTON, Thursday, March 1, 1866.

The Miscellaneous Appropriation bill, which passed the House to-day, contains a clause authorizing the Secretary of the Treasury to sell the Pennsylvania Bank Building in Philadelphia in accordance with the acts of 1860 and 1862, provided the property be sold at public auction for a sum not less than $110,000. The bill appropriates $100,000 for the purchase of Ford's Theater for the deposit and safe keeping of documents and papers relating to soldiers and of the museum of the medical and surgical department of the army.

THE REPORT OF THE PATENT COMMISSIONER.

The report of the Commissioner of Patents communicated to Congress to-day states that the number of patents issued in 1865 was 6,616. The number of applications in that year exceeded by nearly 40 per cent the number filed in any preceding year, and the number of caveats filed exceeded those of any previous year by more than 75 per cent. The number of patents issued exceeded those issued in 1864, the highest previous year by more than 30 per cent.

TARIFF ON COPPER.

A memorial from the Board of Trade of Detroit to the Senate represents the necessity of increased duties on copper to offset the Internal Revenue tax, and enable copper miners to compete with the copper from Chili. It is stated that $30,000,000 is invested in the copper mines of Lake Superior, and that the production has fallen off from 15,000,000 pounds in 1861 to 12,000,000 in 1865.

FEDERAL JUDICIARY.

The bill in reference to the Federal Judiciary, which was introduced the other day by Mr. Wilson of Iowa, and referred to the Judiciary Committee, of which he is Chairman, enacts that hereafter the Supreme Court of the United States shall consist of one Chief-Justice and eight Associate Justices; that the First, Second and Third Circuits shall remain as now constituted. The Districts of Maryland, Delaware, Virginia, North Carolina and South Carolina shall constitute the Fourth Circuit; that the Districts of Georgia, Florida, Alabama, Mississippi, Louisiana and Texas shall constitute the Fifth Circuit; that the Districts of West Virginia, Ohio and Maryland shall constitute the Sixth Circuit; that the Districts of Indiana, Illinois, Kentucky and Tennessee shall constitute the Seventh Circuit; the Districts of Wisconsin, Minnesota, Iowa, Missouri, Kansas and Arkansas shall constitute the Eighth Circuit, and the Districts of California, Oregon and Nevada shall constitute the Ninth Circuit.

XXXIXTH CONGRESS.

FIRST SESSION.

SENATE....WASHINGTON, March 1, 1866.

DYER'S MADDER.

Mr. SHERMAN (Ohio) submitted a communication from the Commissioners of Agriculture to the Senate Committee on Agriculture relating to Dyer's Madder, which was ordered to be presented. It contains the statistics of its consumption in this country, an account of experiments in its culture here, with their results, and a reference to the causes of its non-production. It also gives an epitome of several essays upon its present culture in France by intelligent parties engaged in producing it from original sources. The amount imported in ten years has been $11,026,311 in gold at foreign ports of shipment.

THE RECIPROCITY TREATY.

Mr. MORGAN (N. Y.) presented the memorial of the Free Trade League of New-York, for a continuance of the present Reciprocity Treaty, which was referred to the Committee on Finance.

DISBANDMENT OF REBEL MILITIA.

Mr. WILSON (Mass.), from the Military Committee, reported a resolution for the disbandonment of the militia of the lately Rebellious States, and to prevent their reorganization.

INCREASE OF PAY TO MILITARY OFFICERS.

Mr. WILSON presented the petition of military officers for an increase of pay, which was referred to the Military Committee.

THE DAVIS EULOGY.

Mr. WILSON introduced a resolution to print 10,000 copies of Mr. Cresswell's address on Henry Winter Davis, which was referred to the Committee on Printing.

SOLDIERS' BOUNTIES.

Mr. STOCKTON (N. J.) presented the joint resolution of the New-Jersey legislature, asking bounties for New-Jersey soldiers, which was referred to the Military Committee.

GOVERNMENT BUILDINGS IN OREGON.

Mr. WILLIAMS (Oregon) introduced a resolution instructing the Committee on Finance to inquire into the expediency of appropriating money to build a post-office, bonded warehouse and Custom-house at Portland, Oregon, which was passed.

VETERAN RESERVE CORPS.

Mr. STOCKTON presented the memorial of the New-Jersey Legislature in favor of retaining the Veteran Reserve Corps in the service, which was referred to the Military Committee.

PACIFIC RAILROAD LAND GRANT.

Mr. BROWN (Mo.) called up the bill to grant land in aid of the construction of a railroad from Springfield, Mo., to the Pacific coast by the Southern route.

Mr. LANE (Kan.) said the bill authorized the road to run through the entire Indian Territory. We could not, according to treaty, intrude upon this territory without the consent of the Indians. It was known that the Indians were opposed to white settlements among them. He hoped the bill would be so amended that no lands would be sold to white settlers.

Mr. BROWN said he was not in favor of violating any obligations of the Government in its Indian treaties. He did not believe the bill would violate any treaty. There was a special proviso in the section referred to that the extinguishment of Indian titles should be as rapidly as may be consistent with public policy and the welfare of the said Indians.

Mr. GRIMES (Iowa) inquired if it was to run through the Cherokee and Choctaw Indian Territory.

Mr. LANE said it was to run through it, from one end to the other. He did not believe the Indians would object, provided the alternate sections granted under the bill, were not to be sold to the white settlers.

Mr. BROWN suggested, as an amendment, to add the words "and only by their consent" after the words "welfare of the Indians."

Mr. POMEROY (Kansas) said that was not necessary, as it could only be done by consent of the Indians, anyhow.

Further consideration of the above was postponed till to-morrow.

THE IMPORTATION OF CATTLE.

Mr. SHERMAN (Ohio) reported, from the Committee on Agriculture, the House bill to amend the act to prevent the importation of neat cattle. The bill provides that "An act to prevent the spread of foreign diseases among the cattle of the United States," approved Dec. 18, 1865, is hereby amended, so as to read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress Assembled, That the importation of neat cattle and the hides of neat cattle from any foreign country into the United States is hereby prohibited—provided, however, that the operation of this act or any part thereof shall be suspended as to any foreign country or countries, or any part of such country or countries, whenever the Secretary of the Treasury shall officially determine and give public notice thereof that such importation will not tend to the introduction or spread of contagious or infectious diseases among the cattle of the United States; and the Secretary of the Treasury is hereby authorized and empowered and it shall be his duty to make all necessary orders and regulations to carry this law into effect or to suspend the same as therein provided, and to send copies thereof to the proper officers in the United States, and to such officers or agents of the United States in foreign countries as he shall judge necessary.

SEC. 2—And be it further enacted that the President of the United States, whenever in his judgment the importation of neat cattle and the hides of neat cattle may be made without danger of the introduction or spread of contagious or infectious diseases among the cattle of the United States, may, by proclamation, declare the provisions of this act inoperative, and the same shall be afterward inoperative, and of no effect from and after 30 days from the date of the said proclamation.

And be it further enacted that any person convicted of a willful violation of any of the provisions of this act shall be punished by a fine not exceeding $500 or imprisonment not exceeding one year, or by both such fine and imprisonment, in the discretion of the Court.

The bill was passed, and when signed by the President will become a law.

THE STEVENS CONCURRENT RESOLUTION.

At 1 o'clock the regular order, which was the House concurrent resolution, that no Senator or Representative from any State lately in Rebellion shall be admitted to either House until Congress shall have declared such State entitled to representation was taken up.

Mr. STEWART (Nevada) took the floor in continuation of his speech commenced yesterday. He spoke in favor of the repudiation of the Rebel debt and of a change in the basis of representation. He opposed the pending amendment to the Constitution on the subject of representation, and advocated a change, basing representation upon actual voters. He concluded his remarks with an indorsement of the President and his policy.

At the conclusion of Mr. Stewart's remarks, Mr. JOHNSON (Md.) took the floor. The question, he said, was, what was the condition of the States in which the Rebellion lately prevailed? He supposed that all would agree that the Rebellion or insurrection, or if his friend Mr. Fessenden would have it, "the war as contradistinguished from the Rebellion or insurrection," had ceased. There is no hostile force to be found in any one of the States in which the Rebellion, or insurrection, or civil war, existed. There is no opposition to the authority of the Government in these States. The paramount obligation of that authority is practically conceded everywhere and an unwillingness to abide by that authority is manifest everywhere, so far as my information extends. However it may be in relation to individuals, or classes of individuals, to be found in these States, there does not exist now, in any one of them, any purpose or wish to resist the authority of the General Government; on the contrary, so far from wishing to resist that authority, their ardent desire is to have it exercised over them, and to be protected by all the security which the Constitution throws around the individuals of the State. In the exercise of that authority, if the fact be as stated, and I repeat that I know of no evidence in contradiction of it. Then it would seem that any department should be unwilling, while extending to them the authority of the Government, to inforce against them the allegiance due by them to the Government; to legislate in relation to them, by virtue of that authority, and legislate in every form of legislation which Congress has a right to adopt, taxing them under the taxing power, both by the imposition of duties upon imposts in their several ports, and by the imposition of taxes under the Internal Revenue law, that you should be unwilling to give them the same security, the same guaranty that the Constitution secures to you and to all of us and to our respective States, in the execution of the same authority over us and our States. With these preliminary remarks, said Mr. Johnson, I deem it necessary, for the purpose I have in view, very briefly to call the attention of the Senate to the character of the Government under which we live. My friend from Maine (Mr. Fessenden), and, to a greater extent in that particular, the one from Massachusetts (Mr. Sumner), and, even to a greater extent in that particular, the Honorable Senator from Nevada (Mr. Nye), have discussed the question which I am about to examine, as if we were living under one Government, owning but one allegiance and Government, not only paramount within its prescribed limits, but paramount everywhere without limitation—capable of doing everywhere what any National Government can do within its own domain. Is that true? When the thirteen Colonies determined to resist what they considered the tyrannical usurpation of England, and declared themselves free and independent, and succeeded in achieving that independence, each for itself—itself, because as absolutely a nation as it is possible for any nation to become—they professed to have no superior; they claimed perfect and absolute nationality, as separate and distinct people, competent to do in peace or in war what any people, under any form of government, is competent to do in that condition. Finding it necessary, however, to have some form of General Government, they adopted for that purpose the articles of confederation. Not only did they not devolve upon that Government no powers inconsistent with their absolute sovereignty, but they carefully guarded against the possibility of an inference of that kind by saying that all the powers not expressly granted to the Government by the Articles of Confederation, were still to be considered as remaining in the several States. And they did more. The form of government, if government it could be called, which these Articles created, was in one sense no government at all. It constituted but a compact, which amounted to a league, and all the powers to be exerted, not upon individual citizens anywhere, but upon individuals through the State Governments; and the vice of that Government was that it was incapable of performing many of the functions for which governments are created; and the men of that day becoming convinced of that fact, recommended to the American people the Constitution under which we now live; which, for the execution of its own powers, looks to no State interference and no State assistance, but to the direct responsibility of each individual citizen to the Government within the limits of the powers conferred on the Government. It does not pass by the States altogether. It is not only not designed to impair them in any manner except to the extent of the powers expressly delegated. It did not impair the sovereignty of the States at all. On the contrary, in order to place the continued existence of that sovereignty beyond all doubt, and exempt it from the hazard of a possible implication that there could be found in some clause of the Constitution a feature which in future might be construed to impair the sovereignty of the States, they, by an amendment soon after adopted, declared in the Constitution that all the powers not conferred were reserved to the States for the people. The clause upon which the Senator from Massachusets (Mr. Sumner) relies as giving to Congress power to legislate as to the freedom of the late slaves is limited to such laws only as may be necessary and proper to carry out the express and implied end. Is the Government created by that Constitution a national Government? Not if the men of the day, when it was adopted, knew what its character was. It was partly National and partly Federal. Its adoption, the very act of its adoption, the very measures provided for its adoption, demonstrated that in the judgment of the men of that day it was not a National Government. It was submitted to the people of the several States for rejection or approval, the people of the United States acting as the people of the several States respectively. The concurrence of the people of a certain number of the States was necessary according to the provisions of the Constitution to give it actual being. In adopting the Constitution of the United States, the people judged and acted separately. It was not adopted by a majority of the people of the United States. It might have been adopted by the required number of States, and yet not have met the approval of a majority of the people of the United States. Mr. Johnson here quoted from the 39th paper of the Federalist, which he said was attributed to Mr. Madison, to show that it was Madison's opinion that the Constitution was not strictly Federal nor strictly National. In its foundation it is Federal not National. In the sources from which the ordinary powers of the Government are derived it is partly National and partly Federal. In the operation of these powers, it is National, not Federal. In the extent of them again it is Federal and not National. And finally, in the authority vested in its amendment it is neither wholly Federal nor wholly National. It is obvious from these considerations that the machinery of this Government—that without which it cannot continue at all—is nearly all vested in the States. This body cannot exist without that machinery. There can be no Congress without the concurrence of the States. The Constitution itself recognizes this fact by providing that Senators shall be chosen by the States, through their Legislatures. And no provision is made for any other mode under any possible state of circumstances by which that can be changed. The States, therefore, are absolutely necessary to the very existence of the Government. You can no more go on with the Government without the States than you would be able to administer the Government without people. Therefore, whoever seeks to blot out the existence of a State of the Union strikes a blow at the very life of the Government. It may live although one be stricken out of existence. It may live, although it be stricken out. But the blow at the Government, although not absolutely fatal according to the hypothesis of fact which I have supposed, is none the less a fatal blow. If the men by whom that Constitution was framed had been asked whether, thus contemplated as a possible contingency, any of the existing States would cease their existence, they would have said, because the continuing wholesome existence of the Government depending upon the continuing existence of the States, the General Government is infinitely more dependent upon the States than the States are upon the Government. Gentlemen who have engaged in this debate seem to suppose that all the political questions that can possibly arise, all the measures which it will be necessary to adopt in order to secure the prosperity and freedom of the people are with Congress. That is not so. Not only is there a large mass of power necessary to be exerted in order to secure prosperity, peace and protection to the individual citizen, but a far larger mass of power belongs to the States. The whole subject of contracts as between man and man, the mode of disposing of personal property, the mode of disposing of real estate the mode of dividing real and personal estate, the law of marriage, and judicial jurisdiction over these several subjects in anything that concerns the interest of the citizen, is with the States. Not only is the power of the General Government limited in regard to its legislative department, but it is equally limited in regard to its judicial Department. We look in vain in that department of the Government for any authority at all to adjudicate upon the infinite variety of transactions which take place as between man and man in the States. The Government deals with matters involving the interests of the States, *inter se*, with the contracts entered into by the individuals of the several States, and upon all controversies of that description the Government has judicial powers and in all cases in law or equity arising under the Constitution and laws of the United States, and the treaties made in pursuance of the authority conferred upon the Judicial Department of the Government; but there it stops—nothing else. What is to become of the interests of the people of the several States if they have no government of their own? Anarchy! Mr. Johnson next considered the status of the lately rebellious States, denying the grounds taken by some Senators that they were reduced by the Rebellion to the condition of Territories. If they are States still, they are such States as they were before the war. Their relations to their sister States and their consequent relations to the Government of the United States are the same on which they stood to both when the insurrection broke out. If this is a necessary result, does it not also follow that they are entitled to representation? Whether they present persons who cannot take their seats, because they have individually committed crimes against the United States, is another matter. I speak now as to the right itself. What provision is there in the Constitution which puts it in the authority of this body to deny to any State of the United States an equal representation with those other States that are represented here? Not only is there nothing, but so sedulous were the framers of that instrument to guard against the possibility that any State should not be equally represented on the floor of the Senate with every other State, that they placed that right beyond the power of amendment. The language of the Constitution is, as we all know, that no State shall be deprived of its equal representation in the Senate except by its own consent. The lately rebellious States, said Mr. Johnson, are States, and not Territories. If this be true, it is obvious that they are entitled to representation in Congress. Yet, what has been done? I do not understand the Senator from Maine (Mr. Fessenden) as denying the right, not only as denying that the time had come when the right should be enjoyed. Mr. Johnson then referred to the fact that the credentials of several Senators from lately insurrectionary States were before the Senate. He had himself presented the credentials of Mr. Perry of South Carolina.

Mr. SUMNER (Mass.) asked if Mr. Johnson was aware that Mr. Perry held office under the Reed Government, so that he could not take the oath required of a Senator?

Mr. JOHNSON was aware of that. He was speaking of Mr. Perry as an individual. But while Mr. Perry might have made mistakes in the past, he had no doubt, that he was as loyal as Mr. Sumner himself. It was a grateful theme to him to speak of these men in terms of praise. No one had denounced their acts of Secession more than he. He read from the late speech of Mr. Stephens before the Georgia Legislature, and commended its tone and spirit as patriotic and statesmanlike. He had before him a newspaper containing a report of a meeting held in Cleveland, Ohio, in 1861, at which Mr. Wade presided. Resolutions were passed denouncing the Fugitive Slave law as unconstitutional, and asserting the doctrine of Secession and State Rights as clearly as Calhoun had ever done. The present Chief-Justice of the United States was present at the meeting, and gave his assent to the resolutions. He did not doubt that these two gentlemen were loyal now, though the action of the Cleveland meeting was clearly disloyal; but he referred to the matter to show that men might change their opinions on these subjects, and that the fact of disloyalty seven years ago was not proof of present disloyalty. If Jefferson Davis was to be tried for treason, the present Chief-Justice was not the man to sit in judgment on him. He might pronounce him guilty according to the title of the law; but with the Cleveland resolution before him, he could not help entreating pardon for him. Massachusetts was not altogether free from this taint of treason. In the war of 1812 she refused to let her troops leave the State which was clearly an act of hostility to the Government. Josiah Quincy said in a speech in the House that the purchase of Louisiana would justify and lead to the secession of Massachusetts. Mr. Johnson next discussed the pending resolution, speaking against it as unwise and unconstitutional.

At the conclusion of Mr. Johnson's remarks, Mr. HENDRICKS (Ind.) moved to amend by inserting the words "the inhabitants of which" in the resolution so as to make it read "the eleven States the inhabitants of which have been in insurrection." He said this was necessary to make it accord with the proclamations issued during the war, which had all recognized the people and not the States as in rebellion.

Mr. POMEROY inquired if Mr. Hendricks would vote for the resolution so amended.

Mr. HENDRICKS said he would not vote for it in any shape. He thought it right, however, for him to get it into the best form possible if it must pass.

Mr. WADE (Ohio) rose to reply to that part of Mr. Johnson's speech which related to him. He had nothing to do with the meeting at Cleveland in 1861, and knew nothing about it. He had never indorsed Secession in any way.

Mr. JOHNSON said he had simply read what he found in *The Baltimore Gazette* copied from an Ohio paper.

Mr. WADE said there was not a word of truth in it.

Mr. JOHNSON asked Mr. Wade if he would deny that such a meeting was held.

Mr. WADE said he knew nothing about it.

A motion to adjourn created some discussion, but was finally agreed to to, with an understanding that a vote on the concurrent resolution would be taken to-morrow night.

HOUSE OF REPRESENTATIVES.

REFUNDING TAXES TO CITIZENS OF CHAMBERSBURG.

Mr. COFFROTH (Penn.) offered a resolution instructing the Committee of Ways and Means to report an act refunding to citizens of Chambersburg, Penn., whose property was burned, or business suspended or destroyed by the Rebels commanded by the notorious and fiendish Gen. McCausland, the amount of internal tax paid by them for the year 1864.

Mr. WASHBURNE (Ill.) suggested that the resolution be modified so as to direct the Committee to inquire into the propriety of doing so. The resolution after being so modified was adopted.

THE PACIFIC RAILROAD.

Mr. PRICE (Iowa), from the Pacific Railroad Committee, reported a substitute for the House bill to lay out and construct a railroad and telegraphic line from the City of Portland, Oregon, to the Central Pacific Railroad. It was ordered to be printed and recommitted.

MICHIGAN RAILROAD LANDS.

Mr. TROWBRIDGE (Mich.) introduced a bill amendatory of an act of June, 1856, making a grant of lands to the State of Michigan for railroad purposes, which was referred to the Committee on Public Lands.

THE DUTY ON PAPER.

Mr. KETCHAM (N. Y.) offered a resolution, which was adopted, instructing the Committee of Ways and Means to inquire into the expediency of reducing the duty on paper.

PORTAGE LAKE SHIP CANAL.

Mr. DAVIS (N. Y.) presented a resolution of the New-York Legislature relative to a ship canal from Portage Lake to Lake Superior, which was referred to the Committee on Public Lands.

PROTECTION IN CIVIL RIGHTS.

Mr. WILSON (Iowa), from the Judiciary Committee, reported several amendments to the Senate bill to protect all persons in the United States in their civil rights, and furnish the means of their vindication. The amendments, which were principally to substitute the words "citizens of the United States" for the word "inhabitants," were agreed to. The act declares, in its first section, that all persons born in the United States and not subject to any foreign Power, excluding Indians not taxed, are citizens of the United States, without distinction of color, and that there shall be no discrimination in civil rights or immunities among such citizens on account of race or previous condition of Slavery. The remaining nine sections contain provisions carrying the law into effect.

Mr. WILSON (Iowa) moved to recommit the bill and spoke in explanation and advocacy of it. He hoped to report it back and bring it to a vote to-morrow. The objects sought to be reached and secured by it would insure for it the most deliberate attention. It was a measure of as grave importance as any that ever commanded the attention of Congress. It was a positive bill, and he expected it to meet with positive opposition. Some of the questions presented by it were not entirely free from difficulty. Precedent, both judicial and legislative, were found in sharp conflict concerning it. If the States would all practice the Constitutional declaration, that citizens of each State should be entitled to all the privileges and immunities of citizens of the several States, and enforce it as meaning that the citizen has the right to be protected by the Government in the enjoyment of life and liberty, with the right to acquire and possess property of every kind, Congress might very well refrain from the enactment of the bill, but the practice of the States left no avenue of escape, and Congress must do its duty by supplying the protection which the States denied. Congress must do the best it can to protect citizens, from the highest to the lowest, from the blackest to the whitest, in the enjoyment of the great fundamental rights which belong to all men. This bill provided means for the execution of the powers delegated to Congress. Mr. WILSON defended, at considerable length, the constitutionality of the measure, supporting his argument with citations of judicial decisions, etc. In conclusion, he asserted that Congress possessed the power to do those things which Governments are organized to do; that it could protect a citizen of the United States against a violation of his rights by the law of a single State; that it should intervene to maintain the grand character of American citizens; that that power permeated one whole system, was a part of it, and that without it the States could run riot over every fundamental right belonging to citizens of the United States, that the right to exercise the power depended upon no express delegation, but ran with the rights it was designed to protect, and that Congress possessed the same latitude in respect to the selection of means through which to exercise that power as if it had been expressly delegated.

Mr. RAYMOND (N. Y.) stated that early in the session he had introduced a bill to attain the same general object contemplated by the present bill, and asserting the same general principle. That bill has been referred to the Judiciary Committee. He should like to ask the Chairman of that Committee whether there has been any decision in the Committee concerning it.

Mr. WILSON (Iowa) stated that his best recollection about it was that the gentleman's colleague, Mr. Morris, who was a member of the Committee, had been authorized to report it.

Mr. RAYMOND would like, if in harmony with the rules, to have his bill reported and discussed in connection with the bill now pending.

Mr. WILSON (Iowa) did not see how two bills could be before the House at the same time.

Mr. RAYMOND would then send to the Clerk's desk and have read his bill, which he proposed at the proper time to move as a substitute for that now before the House.

Mr. Raymond's bill was read, as follows:

SECTION 1. That all the Acts of Congress, relating to naturalization, be and the same are hereby amended by striking out, wherever they occur, the words "Being a free white person" and the words "Free white," and the words "A free white person," so that in the matter of naturalization there shall be no distinction as to race or color.

SEC. 2. That all persons born or hereafter to be born within the jurisdiction of the United States, shall be deemed and considered and are hereby declared to be citizens of the United States and entitled to all rights and privileges as such.

SEC. 3. That nothing in this act contained shall be construed to authorize or authorize the naturalization of any member of the Indian tribes.

Mr. SHANKLIN (Ky.) gave notice that he would offer the following amendment as an additional section of the bill:

That nothing in this act contained shall be so construed as to confer upon any negro, mulatto or Indian the right to vote at any election or to invest them with any other political or social right not expressly named herein.

Mr. WILSON (Iowa)—That would be only reassuring what is already in the bill.

Mr. ROGERS said, as a member of the Judiciary Committee, he felt it his duty to expatiate somewhat on the bill, not only with regard to its constitutionality but with regard to its policy. No member was more willing than himself to extend to the negro all his rights of life, liberty and property. He was willing to treat him in the most kindly and Christianlike manner, and to extend to him every privilege which ought to be granted to any man in the United States for his protection. But he had, when he came to this Congress, taken a solemn oath to support the Constitution and defend it against its enemies, either within or without; and it could not be pretended by any lawyer, whatever his political opinions might be, that the Constitution gave any authority to Congress to enter the domain of a State and interfere with its internal regulations. The Constitutional amendment reported the other day from the Reconstruction Committee was in itself an evidence of the truth of what he said; for that amendment proposed to give to Congress the very power which the pending bill assumed it now to possess. He referred to the Dred Scott decision to sustain his position, that negroes were not citizens, and that no law of Congress could extend to them the status of white citizens, and declared if the bill were passed the President would have to veto it, because it sapped the very foundation of American liberty. He alluded to the anti-negro laws of Illinois.

Mr. FARNSWORTH (Ill.) interrupted, saying that the statement had been made several times that the statute of Illinois prohibited free negroes from going into that State. He would now and forever state, to deny that slander, that that old relic of barbarism on the statute book of Illinois had been wiped out.

Mr. ROGERS—But it was there once, was it not?

Mr. FARNSWORTH—Certainly.

Mr. ROGERS—Then I was right. I simply instance the state of Illinois as evidence of the soundness of my argument that there is no constitutional power in Congress to enter the domain of a State for such a purpose as is contemplated by this bill. In the course of his speech he said that he was willing to trust the Southern people. He believed that the masses of the people of the Southern States when they were fighting against the flag of the country, were moved by high conscientious convictions. In the spirit of Christianity—in the spirit which Jesus Christ exercised when he gave up his own life as a propitiation for a fallen world—he was willing to invite these Southern men to come back into the halls of Congress and participate in the passage of laws to govern the four million of people who have been habilitated within their lines.

Mr. THAYER (Penn.)—The gentleman has told the House that he is a progressive man, in favor of the expansion of human liberty. I ask him whether he voted for the Constitutional Amendment abolishing Slavery.

Mr. ROGERS—No, sir; I thank God I never did. [Laughter.] I could not go home and lie down at night with a clear conscience before God, if I had been guilty of robbing the people of this country of thousands of millions of dollars, invested in negroes under the Constitution adopted by our fathers for the protection of that property—for which our Revolutionary fathers fought as much as for the protection of any other rights. [Laughter.]

Mr. NIBLACK (Ind.)—The gentleman says he did not vote for the Constitutional Amendment abolishing Slavery. I want to ask him if he voted against it.

Mr. ROGERS—I was unable to vote against it. [Laughter.] If I had been here, I would have voted against it; but I had a very good reason for not being here. [Renewed laughter.] Whatever insinuation any gentleman may throw out, I am clear in my conscience before God, and I am willing to appear before him at the Judgment Seat on the last day, and answer for the truth of the assertion which I now make that if I had been here I would have cast my vote most unhesitatingly against that most wicked and unjust measure. [Laughter.]

Mr. COOK (Ill.) spoke in support of the bill. In listening to the remarks of the gentleman from New-Jersey (Mr. Rogers), he had been astonished to find that in his apprehension this bill was designed to deprive somebody of some rights. He was sorry the gentleman had not informed the House what rights were to be taken away and from whom. He (Mr. Cook) had examined the bill with some care and had not found anything in it tending to take from anybody, white or black, any right which he now enjoyed under the Constitution and laws of the United States. This general denunciation of the bill did not seem entitled to much weight; four millions of human beings had been set free by the Proclamation of the President and by the amendment of the Constitution, and had become self-dependent. They were now required to take care of themselves. Many of them had been engaged in the defense of the country, and with their aid the Government had succeeded in suppressing the Rebellion, and now what was to be seen? In at least six States of the Union laws had been enacted by the reconstructed Legislatures so malignant in their spirit toward the freedmen, so subversive of their liberties, that the President of the United States, or the commanders acting under his authority, had set aside those laws and prevented their execution. Gen. Thomas, in Mississippi, Gen. Swan, in Alabama, Gen. Sickles in South Carolina, and Gen. Terry in Virginia had issued positive orders forbidding the execution of laws passed by the Legislatures of those States in relation to black men. Vagrant laws had been passed, which, under pretence of selling colored persons as vagrants, were calculated and intended to reduce them to a state of Slavery again. Laws so abhorrent to the spirit of the age had been set aside by military power; but the time when military power could protect them must cease. It was idle to say that they would be protected by the States. The conclusive answer to that was that the States had already passed laws virtually remitting them to a state of Slavery. The gentleman from New-Jersey (Rogers), had declared himself for the protection of these men. But he was opposed to every practical measure intended to protect them. He was like the man in the State of Maine who said he was in favor of the Maine Liquor Law, but was opposed to enforcing it. He (Cook) knew no way by which these people could be protected except by the action of Congress either in passing this bill or a constitutional amendment, as if Congress had not now the constitutional power. When gentlemen told him that they were in favor of the liberties of these people, but were opposed to every practical measure to protect them, he should most respectfully doubt their judgments in the matter. If the Vagrant Acts to which he referred had not been set aside, these four millions of people would again be slaves. He believed that the bill was the appropriate remedy. He believed that Congress had the constitutional power to pass it, and that it was its duty to do it. Congress would be guilty of a want of good faith, of a want of honor, and of common honesty, if it abandoned these men who had aided the Government, and thereby rendered themselves obnoxious to the white men of the South, without protection. For his part, he would never consent to do it. He had shuddered as he heard the gentleman from New-Jersey (Mr. Rogers) declaiming that he was speaking and thinking in the spirit which animated the Savior of mankind when he made an atonement for the human race, while he (Rogers) was striving to have these people left utterly defenseless in the hands of men who were constantly devising means to reënslave them. For himself, he trusted that this bill would be passed; that those men would be protected; that Congress would say to them, "Because on our call you aided us to suppress the rebellion and because the honor and faith of the nation were pledged for your protection, we will maintain your freedom and redeem that pledge."

Mr. THAYER (Pa.) obtained the floor, and the bill went over until to-morrow.

BOUNTY TO NEW-JERSEY SOLDIERS.

Mr. STORRAVES (N. J.) presented the joint resolutions of the New-Jersey Legislature relative to the bounty to New-Jersey soldiers mustered into the service of the United States; which were referred to the Committee on Military Affairs.

CALL ON THE WAR DEPARTMENT FOR INFORMATION.

Mr. FARNSWORTH offered a resolution, which was adopted, directing the Secretary of War to report the number of regiments furnished by each State during the war, how distributed during each year of service; in what battles they were engaged; their aggregate strength on entering the service; the number of recruits required each year; the aggregate present at each battle; where engaged and the number of killed and wounded at each battle.

Mr. ROSS (Ill.) desired to add an inquiry, why the Illinois troops, whose time had expired, were not mustered out of the service?

PATENT APPEALS.

Mr. MYERS (Pa.) introduced a bill regulating appeals to the Examiners-in-Chief of the Patent Office, which was read twice, and referred to the Committee on Patents.

MISSOURI CONTESTED ELECTION CASE.

The SPEAKER presented the papers