New-York Tribune.

VOL. XXVI....No. 7,840. NEW-YORK, THURSDAY, MAY 24, 1866. PRICE FOUR CENTS.

FROM WASHINGTON.

OUR SPECIAL DISPATCHES.

Political, Personal and General Intelligence.

CONCERNING THE SERENADE—SECRETARY HARLAN'S LETTER.

Reports from the Colombian Mission.

Commencement of Debates in the Senate on the Reconstruction Resolves.

SUBSTITUTES AND AMENDMENTS PROPOSED.

THE TAX BILL BEFORE THE HOUSE.

All Incomes over $10,000 to be Taxed Ten Per Cent.

THE HEALTH OF JEFFERSON DAVIS.

WASHINGTON, Wednesday, May 23, 1866.

TO HARDWARE MEN.

The American hardware manufacturers should immediately forward to this city the information necessary to the framing of the Tariff bill, to make it sufficiently protective of their interests. Strange to say, the facts and figures thus far principally furnished have come from the hands of a man who is an American indeed, but turns out to be an agent of the Birmingham and Sheffield manufacturers. Our hardware makers should hurry up.

MORE PRESIDENTIAL CLEMENCY.

Special Treasury Agent Dexter of Mobile, who was under sentence of a military commission and fined $250,000, has been discharged by the President.

NEW EXECUTIVE MANSION.

It is in contemplation to build a new and costly executive mansion on the high grounds east of the Capitol, and turn the White House into a fire-proof building for the State Department. It was for that purpose leave was asked to-day to bring in a joint resolution directing the proper committees to make a reconnoisance for a site.

APPOINTMENT.

Col. W. Penn Clarke of Iowa, late Paymaster United States Army, has been appointed by the Secretary of the Interior, Chief Clerk of that Department, and entered upon the discharge of the duties of the office.

THE SERENADE.

The long talked of serenade came off to-night, and was one of the heaviest farces ever played in the National Capitol. There were not over 800 or 1,000 people at the White House gathered to hear the President's speech. There was no enthusiasm and no cheering. The band played several times; when the President appeared cheers were called for, but not over 50 voices responded, and they broke down at the second cheer and then dropped the matter. The President did not speak loud enough for any one to hear him who was not within 50 feet of him. He concluded his brief speech, having only alluded to himself 26 times, and gave out no new doctrines. The President had concluded and gone into the house some time before a number of persons were aware he had been out, and were clamoring for a speech. About 500 people went over to Secretary Seward's, who was not at home, but a few remarks were made by Frederick W. Seward, and then the crowd proceeded to Secretary McCulloch's, where they were reënforced by a number of Treasury clerks, who had filled up the sidewalk in front of his house, and were ready to cheer anything he might say. His speech was more virulent than any yet made here by the President or any member of Congress; and his threat that the Union party must accept of the President's policy, or die, was received with silence, when he expected applause, and a loud voice exclaimed "No, it won't." Only momentarily disconcerted, he went on to assail Congress, but, at its close, the crowd failed to give him three cheers, and the band went to Secretary Stanton's, where at least 1,000 persons were assembled, and listened patiently to a written speech read from his steps, and occasionally greeted him with a few scattering cheers. The band then proceeded to Postmaster-Gen. Dennison's, who, without indorsing the President's policy, gave them a lecture upon the importance of harmonizing Congress and the President, which he thought could be yet done. About 300 persons were present, but there was no cheering. At 10:15 p. m. they dispersed, all impressed with the idea that serenades to officials were "played out," and that there is no life nor hope in "my policy" with the Union party, not even in the office-holders here in Washington, and none in the Cabinet, save by Secretary McCulloch.

INTERNAL REVENUE

receipts to-day, $403,424.

TIN ORE FROM CALIFORNIA.

Specimens of tin ore from California were exhibited at the General Land Office, recently, of extraordinary richness and purity. This ore is found about eighty miles south of the quicksilver mines of California, and is 72 per cent pure metal.

GEN. HOWARD'S SECRETARY.

Second Lieut. Joseph A. Sladen, 17th United States Infantry, who has served for several years on the staff of Major-Gen. Howard, has been assigned to duty as private secretary to that General.

RECONSTRUCTION.

The discussion of the Reconstruction Committee's report, in the Senate, indicates that no vote will be taken for a week or ten days.

THANKS TO KILPATRICK AND RODGERS.

The resolutions of thanks voted to Gen. Kilpatrick, the United States Minister to Chili, and Commodore Rodgers of the United States Navy, for their action in regard to the bombardment of Valparaiso, were transmitted to those distinguished officers to-day, through the proper departments.

LETTER FROM SECRETARY HARLAN.

DEPARTMENT OF THE INTERIOR, WASHINGTON, Wednesday, May 23, 1866.

SIR: Several days since I received a note signed by you as President of the National Union Club, informing me of their intention to serenade the President and his Cabinet officers on an evening which you then named, and a note from the Secretary of this organization, announcing its postponement on account of the character of the weather.

I have to-day received a third note, signed by the Corresponding Secretary, informing me that the serenade will be tendered this evening at 8 o'clock. After tendering to you and the club my thanks for including me in the number to be thus honored, I regret to be compelled to add that my official engagements render it impracticable for me to be present.

This circumstance gives me less pain, as I am not conscious of having done anything which entitles me personally to the honor of such an ovation, and if the proposed "call" is intended, as the newspapers assert, to furnish the officials connected with the Executive Department of the Government an opportunity to announce their operations on political subjects. I am inclined to think it a pardonable egotism for me to suppose my opinions fully known to all who may consider them of sufficient consequence to merit a passing notice, as I have frankly proclaimed them on the floor of the Senate and from the rostrum for ten consecutive years next preceding the commencement of my service as Secretary of the Interior; and have not at any time since, when occasion required it, failed to express my views with equal candor.

As my political affiliations in the past have not been doubtful, I do not intend that they shall be in the future. I have been four times elected to a seat in the United States Senate by the Legislature of Iowa as a representative of the Republican party; and as a member of that political organization I was appointed to the office I now hold. To betray the confidence thus reposed in me, would be a manifestation of ingratitude so glaringly dishonorable, that I am sure no intelligent member of your organization expects it. Nor can it be expected that I will do or say anything which would, [illegible] weaken, or demoralize the great Union organization until the purposes of its creation shall have been fully accomplished.

I have the honor to be, very respectfully, your obedient servant, JAS. HARLAN.

To the Hon. A. W. Randall, President of National Union Club.

To the Associated Press.

WASHINGTON, Wednesday, May 23, 1866.

HEALTH OF JEFF DAVIS.

The following is an official report of the present physical condition of Jeff Davis made up by direction of the President:

FORTRESS MONROE, Va., Friday, May 9, 1866.

Adjutant-General United States Army, Washington, D. C.

SIR: In compliance with directions from the President of the United States to me, given through the office of the Adjutant-General, I have made a special examination of State prisoner Jefferson Davis, now in confinement at this post, and report the following to be the result of said examination: He is considerably emaciated, the fatty tissue having almost disappeared, leaving his skin much shriveled. His muscles are small, flaccid, and very soft, and he has but little muscular strength. He is quite weak and debilitated. Consequently his gait is becoming uneven and irregular.

The digestive organs at present are in comparatively good condition, but become quickly deranged under anything but the most carefully prepared food. With a diet disagreeing with him, dyspeptic symptoms promptly make their appearance, soon followed by vertigo, severe facial and cranial neuralgia, an erysipelatous inflammation of the posterior scalp and right side of nose, which quickly affects the right eye, the only sound one he now has, and extends through the nasal duct into the interior nose. His nervous system is greatly deranged, being much prostrated and excessively irritable. Slight noises, which are scarcely perceptible to a man in robust health, cause him much pain, the description of the sensation being as of one flayed and having every sentient nerve exposed to the waves of sound.

Want of sleep has been a great and almost the principal cause of his nervous excitability. This has been produced by the tramp of the creaking boots of the sentinels on post round the prison room and the relieval of the guard at the expiration of every two hours, which almost invariably weakens him. Prisoner Davis states that he has scarcely enjoyed over two hours of sleep unbroken at one time since his confinement. Means have been taken, by placing matting on the floors for the sentinel to walk on, to alleviate this source of disturbance, but with only partial success. His vital condition is low, and he has but little recuperative force. Should he be attacked by any of the severe forms of disease to which the tide water region of Virginia is subject, I, with reason, fear for the result. A copy of this report I have furnished to the Headquarters of the Military District of Fortress Monroe, in compliance with orders from the Major-General Commanding.

Respectfully your obedient servant,

GEORGE E. COOPER, Surgeon U. S. A.

A PRESIDENTIAL APPROVAL.

The President has approved the bill to prevent and punish kidnapping. It provides that if any person shall kidnap or carry away any other person, whether negro, mulatto, or otherwise, with the intent that such other shall be sold or carried into involuntary servitude or held as a slave, or if any person shall entice, persuade or knowingly induce any other person to go on board any vessel or to any other place with the intent that he or she shall be made or held as a slave, or sold out of the country to be so made or held, or shall in any way knowingly aid in causing any other person to be held, sold, or carried away to be held or sold as a slave, he or she shall be punished, on conviction thereof, by a fine of not less than $500 nor more than $5,000, or by imprisonment not exceeding five years, or by both of said punishments.

If the master, owner, or person having charge of any vessel, shall receive on board any other person, whether negro, mulatto, or otherwise, with the knowledge or intent that such person shall be carried from any State, Territory, or District of the United States to a foreign country, State, or place, to be held or sold as a slave, or shall carry away from any State, Territory or District of the United States any such persons with the intent that he or she shall be so held or sold as a slave, such master, owner or other person appealing shall be punished by a fine not exceeding $5,000, nor less than $500, or by imprisonment not exceeding five years, or by both of said punishments; and the vessel on board which said person was received to be carried away shall be forfeited to the United States.

The President has also approved a joint resolution to extend the time for the construction of the first section of the Western Pacific Railroad.

TREASURY CLERKS.

The President to-day transmitted to the House a communication from the Secretary of the Treasury, in reply to a resolution calling for information in respect to clerks employed in that department. The number of males is 1,566; females, 439, or a total of 2,005, of whom 547 served in the Union army, and several in the navy. The only person who was in the Rebel army is in the Second Controller's office. He was, according to his own statement, drafted by the Texas State authorities, and took the oath with a mental reservation and by compulsion, and had always cherished a love for the Stars and Stripes. Mr. Cragin recommended and is well acquainted with him, being his brother-in-law. He asserts that his relative had always most emphatically condemned Secession, and mentions other things to show the patriotism and good character of the clerk in question.

CONFIRMED.

The Senate to-day, in Executive session, confirmed the following nominations: Elisha Foote of New-York, and Samuel C. Fessenden of Maine, to be Examiners-in-Chief of the Patent Office; Joseph W. Patten, Postmaster at Hudson, and Ezra Harrington, Postmaster at Newburgh, N. Y.; John A. Goodwin, Postmaster at Lowell, Mass. B. Franklin Martin was confirmed as Internal Revenue Collector at Columbus, Ohio, and Joshua F. Bailey, Collector at New-York City.

PARDONED.

Orders for the issue of pardons to the following named individuals, charged with treason, were authorized by the President to-day:—J. C. Ireland, J. Y. Calconay, A. W. Doyle, J. Beazly, J. D. Owen, J. H. Thomas, D. J. Thompson, Geo. Doyle, Wm. Sullivan, J. H. Thomas, W. B. Crabb, T. L. Cardwell, R. M. Kenzie, and J. N. White, of Kentucky, and W. J. Greene, of North Carolina.

RESIGNED.

N. P. Mellen, General Treasury Agent, has resigned that position. The business which had been under his supervision having terminated, there has been no appointment of a successor.

CAPT. FOX ON HIS TRAVELS.

Capt. Fox, Assistant-Secretary of the Navy, left Washington to-day on his way to St. Johns, New-Brunswick, where he will take passage on the Monitor Miantonomah for Europe.

XXXIXTH CONGRESS.

FIRST SESSION.

SENATE......WASHINGTON, May 23, 1866.

TAX ON STOVES.

Mr. MORGAN presented the petition of stove manufacturers for a reduction of the tax on this business, which was referred to the Finance Committee.

TARIFF.

Mr. COWAN presented a petition for an increased tariff, which was referred to the Finance Committee.

BRIDGE ACROSS THE MISSISSIPPI.

Mr. NORTON called up the bill to authorize the Winona and St. Peters Railroad Company to construct a bridge across the Mississippi River, which was discussed till 1 o'clock.

THE RECONSTRUCTION RESOLVES.

Mr. HOWARD moved that the Senate proceed to the consideration of the Reconstruction resolutions recently passed by the House.

Mr. SUMNER—The question, as I take it, is of proceeding to the consideration of that resolution. Of course that does not involve the merits of the question, and I shall not speak of them. I know not that I shall be able to take any part in the debate, but I cannot allow the resolution to be taken up without expressing my individual opinion that it would be better if its consideration were postponed still longer. I believe, Sir, that the country has gained much by the postponement that has already been had. On a former occasion I stated that we were able to have a better proposition at the end of April than we had at the end of March; and I believe now we shall be able to accept better propositions just as the weeks proceed, and we shall be better prepared for this question next week than this week, and the week after better than nak. Here is a vast mass of testimony which has been town. It has been laid in driblets, if I may so express myself, before Congress and the country, never gathered together as a whole. It has never been analyzed. No conclusions have been drawn from that testimony, and yet, I take it, that that testimony was brought together for some purpose, doubtless to enlighten Congress and the country; and yet Congress is now asked to proceed without an opportunity of considering that testimony in any mature form. I think, Sir, it is a mistake that we are asked to proceed under such circumstances. I think, Sir, that delay for the arrangement of that testimony to the end that it may be presented in proper form for our consideration would be wisdom. I think, Sir, it would be the highest statesmanship. I think that after the consideration of that testimony we shall be better prepared to decide than we are now, not only of what we ought to do, but of what we can do. For instance, here is a very considerable question which we shall be called upon to discuss as to the extent to which certain persons shall be excluded from the right of suffrage. I doubt not that the Senate is better prepared to discuss that question this week than last week, and I am sure it will be better prepared to discuss it next week than now; and my reason is that the evidence on that subject is daily accumulating. It so happened that I heard, early last evening, very important testimony from a gentleman in whom I have every confidence, just from the South, in regard to public opinion there, especially among those who have recently been in rebellion, all tending to show the necessity of some regulation or requirement on our part. I say such evidence is constantly accumulating, and I wish that Congress may have the full benefit of such evidence, that what we do may be well done. The question is presented, Sir, whether we shall proceed on the principle of inclusion or of exclusion. The Senator from Nevada (Stewart) adopts the principle of inclusion without exclusion. There are others, Sir, disposed to adopt the principle of exclusion without inclusion. In other words, Sir, they would exclude certain Rebels but would not include loyal persons whose misfortune it is that they were born with a skin not colored like our own. For myself, it seems to me we should adopt something of both principles; the principles of inclusion and the principles of exclusion. But I do not think the Senate is, at this moment, so well informed in regard to the facts which necessarily [illegible] of the greatest questions ever presented in the history of our country or any country. It should be approached carefully and solemnly with the assurance that we have before us all the testimony, all the facts, everything that can by any possibility shed any light upon it. Have we all that? I doubt it, Sir. But I content myself now with simply entering my own individual *caveat* against what seems to me something like precipitation, with which this measure is sought to be pressed.

Mr. FESSENDEN said he did not know that he should take any part in this discussion; but he begged leave to say that he differed entirely from the honorable Senator from Massachusetts (Sumner) as to the propriety of proceeding with it at the present time. The matter had been under consideration very long, and if the Senator from Massachusetts had not informed himself on the kind of testimony which had been taken, it was his own fault; because not only had the testimony been published in the newspapers, but it had been published in numbers under the direction of the Senate, and laid upon the tables of Senators. He (Fessenden) agreed with Mr. Sumner in one thing, and that was, that much had been gained by the delay already had. The Senate would remember that at one time it was pushed very hard in all the newspapers to have speedy action. It was necessary, however, to take testimony, and the publication of that testimony has had a most beneficial effect in informing the country and satisfying everybody. The matter had been better understood in consequence of the course which had been adopted by the Committee from necessity, because it was unable to come to a conclusion without this testimony. As to taking more testimony, as suggested by Mr. Sumner, the Committee felt that some time must be fixed at which the testimony would close, otherwise it might continue till the next session. That time had been fixed and the testimony had been closed. The Committee thought it had gone far enough. It was now late in the session. The House had passed the resolution some two weeks ago. It had been delayed in the Senate longer than it would have been but for circumstances to which it was not worth while to allude. He (Fessenden) had thought it well, after the resolution had passed the House, that it should lie upon the table in order to give time to consider it, and that some day should be fixed for taking it up. This had been done. He agreed that public opinion was very apt to change on this subject; but that was only a reason why the Senate should act according to its own best judgment. The probability was that Congress would adjourn between the first and the middle of July, and it was essential to proceed immediately to the consideration of the resolution.

Mr. SUMNER said he did not wish to be understood as making any formal opposition to proceeding with the measure. He had expressed an individual opinion which he felt very strongly. He could not help it. He might be in error. It was probable he was in error. But he had performed his duty and in an humble way had satisfied himself simply by making this declaration.

Mr. HENDRICKS wished to inquire of Mr. Sumner to what time he would propose to postpone the consideration of this question. He hoped the Senate would adjourn as stated by Mr. Fessenden. If Mr. Sumner wished a postponement for a short time he (Hendricks) would join him in seeking it. But he could not agree to a postponement beyond the middle of June.

Mr. SUMNER said he did not think the business of the Senate was in such a condition as to warrant the belief that it would adjourn before the latter part of July. He believed this great question of reconstruction ought to be reserved as the last considerable subject of discussion before the adjournment. He thought it might be taken up during the last half of June, something like a month from now. He believed that at that time the Senate would be better instructed on the general subject and better prepared to harmonize and adopt a policy which would be the best for the country.

After some remarks against postponement by Mr. CONNESS, the joint resolution was taken up and read as it passed the House.

Mr. HOWARD took the floor to explain the proposition in behalf of the Special Committee of Fifteen. He said he regretted that the honorable Senator from Maine (Mr. Fessenden), who was Chairman of the Committee of Fifteen, was so unwell as to be unable to open the discussion of this grave and important matter. He was anxious that Mr. Fessenden should take the lead in the conduct of this discussion, and still entertained the hope that before the close of the debate the Senate would have the benefit of a full and ample statement from Mr. Fessenden of his views on this subject. For himself he could only promise to present to the Senate in a very succinct way the views and the motives which influenced that Committee in so far as he understood those views and motives in presenting the report which was now under consideration. The joint resolution creating that Committee intrusted them with a very important inquiry—an inquiry involving a vast deal of attention and labor. They were instructed to inquire into the condition of the insurgent States, and authorized to report by bill or otherwise at their discretion. I believe I do not overstate the truth when I say that no Committee of Congress has ever proceeded with more fidelity and attention with a matter intrusted to them than has that Committee. They have been assiduous in the discharge of this duty. They have instituted an inquiry so far as was practicable for them to do so into the political and social condition of the insurgent States. It is very true they have not visited any of the localities of the South in order to obtain information. But they have taken the testimony of a very great number of witnesses who have been summoned by them to Washington, and who had some acquaintance with the condition of affairs in the insurgent States. I think, Sir, it will be the judgment of the country in the end that the Committee, so far as the procuring of testimony upon this subject is concerned, has been not only industrious, but assiduous and impartial and entirely fair. I know that to guide has been their aim. I know that it has not been their purpose to present to Congress or the country in their report anything unfair or one-sided, anything of a party tendency. Our anxiety has been to ascertain the whole truth in its length and breadth, so far as the facilities given us would enable us to do so. One result, Sir, of this investigation has been, the resolution for the amendment of the Constitution of the United States now under consideration. After most mature deliberation and discussion, prolonged for weeks and even months, they came to the conclusion that it was necessary, in order to restore peace and quiet to the country and to impart again vigor and potency to the laws of the United States, and especially to obtain something in the shape of security for the future against a recurrence of the enormous evils under which the country has labored for the last four years, that the Constitution ought to be amended, and the project which they have now submitted is the result of their consideration upon that subject. The first section of the proposed amendment relates to the privileges and immunities of the citizens of the several States of the Union, and to the rights and privileges of all persons other than citizens under the laws of the United States. It declares that no State shall make or enforce any law which shall abridge the privileges or immunities of the citizens of the United States; nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the law. It will be observed that this is a general prohibition upon all the States, as such, from abridging the privileges and immunities of the citizens of the United States. That is its first clause, and I regard it as a very important clause indeed. It also prohibits each one of the States from depriving any person of life, liberty or property without due process of law, or denying to any person within the jurisdiction of the States the equal protection of law. The first clause of this section relates to the privileges and immunities of the citizens of the United States, as such, and distinguished from all other persons who are not citizens of the United States. It is not, perhaps, very easy to define with accuracy what is meant by the expression "citizen of the United States," although that expression occurs twice in the Constitution—once in reference to the President of the United States, in which it is declared that none but a citizen of the United States shall be President of the United States; and, second, in reference to Senators, who are likewise required to be citizens of the United States. Undoubtedly, the expression is used in both these cases in the Constitution in the same sense in which it is applied in the amendment now before the Senate. A citizen of the United States is, I believe, held to be a person who was born within the limits of the United States and subject to their laws on the adoption of the Constitution. The citizens of each State were, in a qualified sense at least, aliens to one another, for the reason that the several States, before that time, were regarded by each other at least as independent governments, each one possessing sovereign power to enable it to claim the right of naturalization, and undoubtedly each one of them possessed for itself the right and power of naturalizing foreigners, and each one also that had seen fit to exercise that branch of sovereign power, might have declared the citizens of every other State to be aliens, in reference to its own citizens, with a view to prevent such confusion and disorder. With a view to put the citizens of the several States upon an equality one with another, in reference to certain fundamental rights, a clause was introduced into the Constitution, declaring that the citizens of each State shall be entitled to the privileges and immunities of the citizens of the several States. The effect of this clause was to constitute *ipso facto* the citizens of each and every one of the States. And how did they become citizens of the United States? And how did they become citizens of the several States? By birth or naturalization? They became such in virtue of national law, or, rather, natural law, which recognizes persons born within the jurisdiction of every country as being citizens of that country. Such persons are, therefore, citizens of the United States who were born in the country, or who have since become such by naturalization; and the Constitution declares that they are entitled, as such, to all the privileges and immunities of citizens of the several States. They are entitled by these privileges and immunities, and have a right to assert them, and ask for their enforcement whenever they come from one State to another. It would be a curious question to solve—what are the privileges and immunities of the citizens in each State of the several States? I do not propose to go into that question at present. It would be rather a barren discussion. But it is certain that that clause was inserted in the Constitution for some good purpose; it certainly has in view some beneficial purposes to the citizens of the several States; or it would not have been inserted. I am not aware that the Supreme Court of the United States have undertaken to define either the nature or extent of those privileges and immunities thus guaranteed to the citizens of the several States. Indeed, if my recollection serves me, the Supreme Court on a certain occasion not many [illegible] to them, very modestly declined to go into a definition of these privileges and immunities, leaving the question arising under that clause of the Constitution to be discussed and adjudicated in proper form when they should happen to arise in the course of adjudication. But we gather something of what probably will be the opinion of the Judiciary in that very important question, by a reference to a case which was decided many years ago in one of the Circuit Courts of the United States by Judge Washington. I will trouble the Senate a little while by reading what that learned and excellent Judge says of these privileges and immunities of the citizens of the several States from the fourth Washington Circuit Court reports, page 380.

Mr. Howard having read from the work referred to then continued: Such, then is the character of the privilege and immunities spoken of in the Constitution in the second section of the fourth article. I believe to these privileges and immunities may be added the personal right guaranteed by the first eight amendments of the United States—such as freedom of speech and of the press, the right of the people peaceably to assemble and petition Government for a redress of grievances, a right pertaining to each and all of the people; the right to keep and bear arms, the right to be exempt from the quartering of soldiers in a house without the consent of the owner, to be exempt from unreasonable searches, seizures, &c. Here is a mass of privileges and immunities and rights, some of them secured by the second section of the fourth article of the Constitution, which I have recited; some of them secured by the amendments to the Constitution, to which I have referred. And it is a fact worthy the attention of gentlemen, that the course of the decisions of our courts and the present doctrine is that all these privileges, and all these immunities, and all these rights, thus guaranteed by the Constitution, are secured to citizens of the United States, solely as citizens of the United States; and as parties in their courts they do not operate in the slightest degree as a restraint or prohibition upon the States themselves. States are not affected by these restrictions, and it has been held repeatedly that these restrictions contained in the Constitution declaring that private property shall not be taken for public use without just compensation is not a restriction upon the State Legislature at all, and refers expressly to the legislation of Congress. Now there is no power in the Constitution to enforce any of these guaranties which I have mentioned. There is no power granted by the Constitution to Congress, and as such do not come within the sweeping clause in the Constitution authorizing Congress to pass all laws necessary and proper for carrying out the foregoing powers, and they extend simply to declarations of rights as a bill of rights in the Constitution, without power on the part of Congress to carry them out and give them effect, while at the same time the States are not restrained from violating the principles in their guaranties except by their own local laws, which may be altered from year to year, and almost from day to day. The great object of the first section of this amendment is to restrain the power of the States, and to compel them at all times to respect these great fundamental guaranties which I have enumerated. How will it be done under the present amendment? As I have already remarked, they are not powers granted to Congress, and therefore it is necessary, if they are to be effectual and to be enforced, that additional powers should be given to Congress to see to it that they are enforced. Now, is that done by the amendment proposed? It is done by the fifth section, which declares that Congress shall have power to enforce by appropriate legislation the provisions of the article. There is a direct and affirmative delegation of power to Congress to carry out and enforce these provisions and all these guaranties which I have mentioned—a power which does not exist in the Constitution of the United States. The first section of this amendment, while conferring the rights I have enumerated, does not confer any right to vote. The right of suffrage is not in law one of the privileges and immunities thus secured by the Constitution. It has always been regarded in this country as the result of positive local law. It has not been regarded as one of those fundamental rights lying at the foundation of our society and without which people cannot exist without being slaves or subjected to a despotism.

Mr. Howard then passed to the second section in regard to the basis of representation. If he could have his own way, he said, if his preference could be carried out, he should be in favor of securing suffrage to the colored race, to some extent at least. If he could not obtain universal suffrage in the popular sense of that expression, he should be in favor of qualified suffrage for the negro race, but it was not a question here what we would do upon the subject; it was not a question which he (Mr. Howard) or half a dozen other Senators might prefer in respect to colored suffrage. It was not entirely a question what measure could be passed by the two House. The question was, what would the Legislatures of the various States do in the premises? what was likely to meet the approbation of the various State Legislatures? This being the question he favored the proposition in regard to representation as likely to lead to negro suffrage at some future time. Concerning the third section relating to the disfranchisement of the late Rebels, Mr. Howard said he was opposed to this clause in the Committee, and was opposed to it now. He did not believe, if adopted, it would do any good. It [illegible] prevent Rebels from voting for their [illegible] Legislatures, and these State Legislatures [illegible] elect members of the Electoral College, so that the object of preventing Rebels from voting for President would not be obtained. Rather than this, he preferred a clause prohibiting all persons who had participated in the Rebellion from holding Federal or State offices. Mr. Howard then explained the fourth and fifth sections of the proposed amendment.

At the conclusion of Mr. Howard's speech, Mr. WADE offered the following as a substitute for the pending proposition.

ARTICLE—SECTION 1. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

SEC. 2. No class of persons, as to the right of whom to suffrage any discrimination shall be made, shall be included in the basis of representation, unless such discrimination be in virtue of impartial qualification founded on intelligence or property, or because of alienage, or for participation in the Rebellion, or other crimes.

SEC. 3. The public debt of the United States, including all debts or obligations which have been or may hereafter be incurred in suppressing rebellion or in carrying on war in defense of the Union, or for payment of bounties or pensions incident thereto, shall remain inviolate. And no debts or obligations which have been or may hereafter be incurred in aid of insurrection or of war against the United States and claims for compensation, loss of involuntary or servile labor, shall not be assumed or paid by any State, nor by the United States.

SEC. 4. The Congress shall have power to confirm by appropriate legislation the provisions of this article.

Mr. WILSON moved to strike out the words "or property" in the second section.

Mr. WADE accepted the amendment, and his amendment as amended was ordered to be printed.

Mr. WILSON offered the following as a substitute for the second clause of the House resolution:

Representatives shall be apportioned among the several States according to their respective numbers; and if in any State the elective franchise is or shall be denied to any of its inhabitants being male citizens of the United States above the age of 21 years, for any cause except insurrection or rebellion against the United States, the basis of representation in each State shall be reduced in the proportion which the number of male citizens so excluded shall bear to the whole number of male citizens over the age of 21.

This was ordered to be printed.

Mr. WILSON submitted the following substitute for the third section of the House resolution, which was ordered to be printed:

That any person who resigned or abandoned, or may resign or abandon any place under the United States Government, and has taken, or may take part in rebellion against the Government, shall be ineligible to any office under the United States or any State Government.

Mr. CLARK offered the following substitute for the third section of the House resolution, which was ordered to be printed:

No person shall be a Senator or Representative in Congress, or permitted to hold any office under the Government of the United States who, having previously taken an oath to support the Constitution thereof, shall have voluntarily aided in any insurrection or rebellion against the United States, or given aid or comfort thereto.

Mr. HOWARD suggested the striking out of the word "voluntarily" in the above, which was agreed to.

Mr. CLARK proposed the following as a substitute for the fourth section of the House resolution:

Debts incurred in aid of rebellion or war against the United States are illegal and void, and cannot be enforced in any Court; and shall not be paid by the United States or any State, nor shall any compensation be made for the loss or emancipation of any slaves.

The Senate at 4 o'clock went into Executive session, and soon after adjourned.

HOUSE OF REPRESENTATIVES.

SAN FRANCISCO LETTER CARRIERS.

Mr. MCRUER (Cal.), from the Post-Office Committee, reported a joint resolution authorizing the Postmaster-General to pay additional salary to letter-carriers in San Francisco, which was read a third time and passed.

PUBLIC LANDS AT THE SOUTH.

On motion of Mr. JULIAN (Ind.) the Senate amendments to the House bill for the disposal of public lands for homesteads to actual settlers in the States of Alabama, Mississippi, Louisiana, Arkansas and Florida were non-concurred in, and a Committee of Conference was asked for.

AGRICULTURAL REPORT.

Mr. ROSS (Ill.) offered a resolution, which was adopted, directing the Committee on Printing to inquire into the expediency of having printed for distribution an extra number of copies of the Agricultural Report for 1864, equal to the number printed for 1863.

EDUCATION IN DAKOTA.

Mr. WINDOM (Minn.) offered a resolution, which was adopted, directing the Secretary of the Interior to inform the House how much money had been appropriated for the erection of school-houses, and for the maintenance of schools in the different agencies in the Dakota Indian Superintendency, together with the present condition of each agency, and in what manner the business of the Superintendency and agency has been conducted.

MARRIAGES IN THE DISTRICT.

Mr. PATTERSON (N. H.) introduced a bill for legalizing marriages in the District of Columbia, which was read twice and referred to the Committee for the District.

FOREST TREES.

On motion of Mr. BIDWELL (Cal.) the Committee on Agriculture was discharged from the further consideration [illegible] Tree Propagation and Land Company, for conducting experiments respecting forest tree culture, and the bill was laid on the table.

THE FREEDMEN'S BUREAU.

The House then resumed, during the morning hour, the consideration of the bill reported yesterday by Mr. ELIOT from the Select Committee, to continue in force and to amend the act establishing the Freedmen's Bureau.

The first section was amended on motion of Mr. ELIOT, by reducing the term of the continuance of the act to two years, instead of three years.

Mr. CHANLER (N. Y.) desired to know wherein this bill differed from the Freedmen's Bureau bill, which the President had vetoed.

Mr. ELIOT undertook to inform Mr. Chanler on that point, and to explain *seriatim* the provisions of the various sections. The first section, he said, simply continued the Bureau for two years, while the bill vetoed by the President was indefinite in its duration. He proposed, on the conclusion of his remarks, to move the previous question.

Mr. LE BLOND (Ohio) said there were gentlemen on his side of the House who desired to discuss the bill, and he therefore hoped it would not be pressed upon its passage now. There were important features in it, which he thought ought to be amended. He was opposed entirely to the theory and principle of the bill. The reports of Gens. Steadman and Fullerton showed that the system as already inaugurated was objectionable in every form, and if these reports were true, it was the duty of Congress to abolish the system at once and leave the colored people to make their own living in the same way as the poor whites of the country. The galleries of the House were crowded day after day with stout, hearty, able-bodied colored men, who, to all appearances, drew their rations from the Government. The system was a mischievous one, and ought not to be encouraged by Congress.

While Mr. Le Blond was speaking, the morning hour expired, and the bill went over until to-morrow in the morning hour.

THE TAX BILL.

The House then went into Committee of the Whole on the State of the Union, Mr. DAWES in the Chair, and resumed the consideration of the Tax Bill, commencing with the paragraph on bank issues.

On motion of Mr. MORRILL (Vt.) the paragraph was amended by adding the following:

"And the returns required to be made by such provident institutions and savings banks after July, 1866, shall be made on the first Monday of January and July of each year in such form and manner as may be prescribed by the Commissioner of Internal Revenue."

Mr. BLAINE (Me.) moved to amend by adding to it:

"And, provided further, that in lieu of all other taxes imposed on National banks there shall hereafter be levied, collected and paid a tax of one half per cent per annum on the average amount of their deposits."

This gave rise to considerable debate, which was participated in by Messrs. Blaine, Pike, Lynch, Kelley, Boutwell, Hooper, Hotchkiss, Randall of Pennsylvania and Morrill.

Mr. RANDALL (Pa.) spoke as to the necessity of revising the system of deposits in the National banks, as the present system led to immense losses to the Government.

Mr. MORRILL agreed as to the necessity of such revision, declaring that he was satisfied that unless some relief was given to the National banks they were in peril. He was willing to give some relief, but he wished that subject to come up in its proper place.

The amendment was rejected, and no other material change was made in the paragraph.

The amendment relating to the income tax provoked a good deal of discussion, Mr. PIKE having moved an amendment reënacting the present law, and Mr. SPAULDING moving an amendment to impose an additional duty of three per cent on the excess of incomes over $6,000.

Mr. ROSS (Ill.) offered an amendment making the discriminative tax ten, fifteen, twenty, or twenty-five per cent.

Mr. MORRILL opposed the amendment, giving it as his opinion that the tendency of such discrimination would be to repress enterprise and promote absenteeism.

The debate was continued by Messrs. Spalding, Sloan, Paine, and Hale in favor of the amendments, and by Messrs. Morrill and Davis against them.

Mr. PIKE (Me.) advocated letting the whole matter of the income-tax go over till the next Congress, leaving the law as it now stands.

Mr. SPALDING (Ohio) withdrew his amendment, and the amendment of Mr. Ross was rejected.

The amendment offered by Mr. Pike was adopted.

This leaves the law as it at present stands, with a tax of five per cent. on incomes up to five thousand dollars, and a tax of ten per cent on those over five thousand dollars; the only difference being that the limit of the first six hundred dollars is extended to one thousand dollars.

The vote on it was 57 to 42.

Mr. ANCONA (Pa.) offered an amendment to make the $1,000 limitation apply to the present year.

The amendment was rejected.

Among the deductions to be made in estimating incomes there were added, on motion of Mr. WILSON (Iowa), losses actually sustained during the year arising from fire, shipwreck, or incurred in trade, and debts ascertained to be worthless, but excluding all estimated depreciation of values.

THE FREEDMEN.

The Committee here rose, and the SPEAKER presented a message from the President in answer to the resolution of the 27th of April, requesting a collation of the provisions in reference to the freedmen contained in the Constitutions of the Southern States, and of the laws of those States passed since the suppression of the Rebellion, transmitting a report from the Secretary of State. Referred to the Committee on Reconstruction.

CLERKS IN THE DEPARTMENTS.

The SPEAKER also presented a message from the President, transmitting a report from the Secretary of the Treasury, in compliance with the House resolution of the 7th of May, calling for information in reference to clerks employed in the several executive departments of the Government. Referred to the Committee on the Civil Service.

INSURANCE.

Mr. KETCHUM (N. Y.) presented the petition of George D. Hull and 51 others, citizens of Poughkeepsie, New-York, asking for protection against unjust State laws in reference to insurance.

The House then, at 4½ o'clock, took a recess until 7 o'clock this evening.

The House reassembled at 7:30 p. m., and having resolved itself into Committee of the Whole, resumed the consideration of the clauses of the Tax bill regulating the tax on incomes.

Mr. GARFIELD (Ohio) moved to amend the clause regulating the manner of assessment by adding the following:

Provided further, That the lists of incomes in the offices of the Assessor and Collector shall be open to inspection by the public; but neither the Assessor nor Collector shall furnish such lists, or any part thereof, for publication, nor permit the same to be copied for publication.

Mr. PRICE (Iowa) opposed the amendment urging that the publicity of the tax list imposed a very salutary check upon the tendency to make false returns.

Several members proposed to modify the amendment by allowing the lists to be copied for publication, but the Committee rejected the modification, and the amendment of Mr. Garfield was then agreed to.

Mr. BERGEN (N. Y.) moved to amend by inserting a proviso that no passport shall be issued from the State Department, or by any United States Consul, unless the applicant for said passport shall produce the receipts showing that he has paid his income tax every year since 1862.

Mr. BERGEN said that the object of this amendment was to catch dodgers. [Laughter.]

Mr. MORRILL (Vt.) said that it would be impracticable to carry such a resolution into effect.

The amendment was rejected.

The discussion of the bill was continued at some length, and a large number of amendments of no general interest, and chiefly of a verbal character merely, were proposed and acted upon.

At 9:45 o'clock, having reached page 123 of the bill, the Committee rose and the House adjourned.

MASSACHUSETTS.

Session of Good Templars—Death of J. Q. A. Griffin—Major-Gen. Butler—Sentence of a Murderer.

BOSTON, Wednesday, May 23, 1866.

At the second day's session of the Grand Lodge of the Independent Order of Good Templars, held to-day, officers were elected and installed, the Hon. S. D. Hastings of Wisconsin being called to the chair for the fourth successive year. To-morrow's session terminates this convention of the Lodge. Its next meeting is appointed at Detroit, Michigan, on the fourth Tuesday in May, 1867. A public demonstration took place this afternoon at Music Hall.

J. Q. A. Griffin, a prominent lawyer and politician, died last night at his residence in Medford, aged 40.

The House to-day concurred with the Senate in the election of B. F. Butler as Major-General of Massachusetts militia.

In the case of Gallagher, charged with the murder of Dennis Cakley, the jury returned a verdict of manslaughter. Gallagher was sentenced to the State Prison for 10 years.

THE FENIANS.

Mass Meeting in California—Efforts to Harmonize the Brotherhood.

SAN FRANCISCO, Monday, May 21, 1866.

Fifteen thousand Fenians assembled at the People's Park, San Mateo, to express devotion to the cause of Ireland, and to use their influence to heal the dissensions existing among the Brotherhood. The utmost harmony prevailed.

Speeches were made by John Hamill, State Center; Col. Walsh, of Gen. Sweeny's staff, and others.

Fatal Explosion.

AUGUSTA, Ga., Wednesday, May 23, 1866.

A temporary arsenal erected after the occupation of Macon by the United States forces as a place of deposit for Confederate ordnance stores was blown up on Monday afternoon while several freedmen were engaged in drawing fuses and extracting powder. One of the shells exploded and was quickly followed by others, resulting finally in a tremendous general explosion. Two of the freedmen were blown to atoms, and two others were [illegible]

EUROPE.

ARRIVAL OF THE CUBA'S MAIL.

The Great Financial Panic in England.

STOPPAGE OF OVEREND, GURNEY & COMPANY.

SUSPENSION OF THE BANK ACT.

The Emperor's Speech at Auxerre.

Explanations Demanded by England and Russia.

PACIFIC ASSURANCES OF M. DROUYN D'LHUYS.

New Negotiations Between Austria, France and Italy.

Resolution of the Federal German Diet Against Prussia.

WAR EXCITEMENT IN TURKEY.

The Cuba's mail arrived at this port last night. From all European files we make the following extracts:

Great Britain.

THE GREAT FINANCIAL PANIC—THE STOPPAGE OF OVEREND, GURNEY AND COMPANY.

The Times gives the following statement of the circumstances under which Overend, Gurney & Co. suspended payment:

Overend, Gurney & Co.'s liabilities amount to about £10,000,000, of which £6,000,000 is to depositors who hold bills as security, and £3,500,000 is to uncovered depositors. The paid-up capital is £1,500,000, the nominal capital being £5,000,000, in shares of £50 each, on which £15 has been paid, and the closing prices this evening of the shares, which six months ago were at nearly 10 premium, was 8½ discount. As the sum of £500,000 was paid to the old firm for the good will on the constitution last August of the limited company, that sum must now in any case be regarded by the shareholders as irretrievably lost, but it may be hoped that the assets in hand will go far to prevent a total exhaustion of the remaining £1,000,000 of paid-up capital, since, as recently as the past week or two, the managers firmly believed that at the meeting about to be held they would be able to show profits sufficient to cover all losses, including that from the fraud of Pinto, Perez & Co., and to admit of the declaration of a dividend. The breakdown has been the result of a run of speculative sales of the shares. The general public regarded the company with favor, and, although it was well known that the old firm, whose property not many years back was reckoned by millions, had greatly dissipated their resources by a series of improvident advances, it was believed that those of the partners who remained to manage the new concern would henceforth conduct the business with an especial amount of caution, owing to their full consciousness of the mistakes by which they had suffered in the past. That they have faithfully endeavored to do so is still the general opinion, but every circumstance has been against them. The frequent recurrence of disasters affecting the assets of the old firm constantly affected the reputation of the new one; the notorious failure of Overend, Watson & Co., the railway contractors, operated injuriously from the similarity of name; the heavy fraud of Pinto, Perez & Co., the general break-up of the finance companies, and the hourly expectation of a European war, were all calculated to try them to the utmost. But there is no reason to doubt they would still have worked through had it not been for the persistent sales of their shares on speculation. As soon as these operations had brought the quotation to a discount, the depositors began to take alarm, and at length the drain this morning became too sharp to be resisted. Application was made to the Bank of England, but the Governors felt it would be vain in a crisis like the present to help one establishment unless they were prepared to help all that might be compelled to come upon them. There was no time to take any other step, such as making a call on the shareholders, or seeking assistance from creditors or kindred establishments, and, moreover, the pending difficulty had become sufficiently known to render any palliative useless. Accordingly, suspension was resolved upon. The question now is, What is to be done? The stoppage of Overend, Gurney & Co., will be the signal for the suspension of every other large concern that has lately been known to be under pressure, and of every banking and finance company whose position has been assailed by rumor, or whose shares may be selected for attack in the Stock Exchange. Bills of parties whose engagements are enormous, and whose fortune is believed to be ample, have already this afternoon been returned, and unless prompt steps are taken the close of the week will be marked by disasters such as have never been equaled in our commercial history. The sole evil now to be dealt with is panic. The cure of the finance mania has long ago been wrought, and the prices of the shares of these schemes have fallen to a point to leave, as far as they are concerned, little more to dread; but it is now for those who represent the wealth and solidity of London to decide whether their sagacity and resources are so feeble as to render it impossible for them to devise any means of stemming an insane torrent that must not only affect the metropolis and all the great provincial centers of our commerce, as well as our Indian, our colonial, and foreign markets, but will at once lead us to a suspension of public works throughout the Kingdom such as in every district to throw thousands of people out of employment. By united action a few days back they might have averted the calamity of to-day, but on all sides there was perfect helplessness. The time is now past for discussion or counsel. The question of action in some way must be decided in a few hours. It is the instantaneous transition from a state of wild expansion of credit to a total stoppage of credit, that has brought us to the present pass. The introduction of credit in a new, safe and legitimate way can alone supply the remedy. Without the slightest avoidable delay, the leading institutions and firms who see the jeopardy of the moment should form a deputation to the Chancellor of the Exchequer, with a request that he should authorize the Bank of England to issue interest-bearing post-notes in the shape of ordinary bank post-bills, either at the customary 7 days or 30 days, or for any other period that might be considered better, to any extent they may deem necessary and prudent upon unquestionable security. If this or some analogous request be acceded to, there will be reason to expect an immediate subsidence of all unnecessary danger. If, on the other hand, nothing is done, and people are left to trample each other down, the Government will find before long that the commercial and revenue returns of 1866 will be of a character very different from those which have enabled them in each succeeding Budget for so many years past to congratulate themselves and the nation on the easiness of their task and the unbroken course of our material prosperity.

SUSPENSION OF THE BANK ACT.

In the House of Commons, on Friday, May 11, Mr. Disraeli asked whether there was any truth in the report prevalent out of doors that the Government had authorized a relaxation in the provisions of the Bank Charter Act, with respect to the issue of notes.

Mr. Bazley was also understood to ask if the Government were disposed to relax these provisions, supposing they had not yet done so.

The Chancelor of the Exchequer said there was no truth in the report that the Government had authorized any step at variance with the provisions of the Bank Charter Act of 1844. In point of fact, the Government had not arrived at any decision on the subject of the state of things which they are informed prevailed in the city, but he would go further, and state that up to within a period of two hours, or two-and-a-half hours ago, no representation had reached him from the city on the subject of that state of things. Within the last two hours he had been occupied in receiving statements and information from very influential persons in the city, and he had seen several of the most important members of the body of the London bankers, and he expected, as soon as he could get away from his engagements in the House, to receive a deputation from the joint-stock banks. The information which he had received represented that the state of panic and distress in the city was without a parallel in our financial history, and the suggestion made to him, and the desire expressed, was that relief in some form should be afforded. At present he had no exact information of the actual state of things in the city. It was well known that the reserves of the Bank of England contained the greatest portion of the disposable money of the country, and in the time of extreme demand constituted a real mirror of the monetary state of the country from day to day. He should therefore like to know the precise course of events during the day; but he hoped that it would not be supposed, in saying this, that he did so as if it were possible to raise any question as to the position of the Bank itself. The representations which had been made were general, and of an indefinite character; but, at the same time, they were of a kind, and the quarter from which they proceeded, entitled them to great weight and the most careful, anxious, and immediate consideration at the hands of the Government. However, in a very short space of time he should have enlarged means of information, and at present he could only say that the state of things would receive at once the most careful and anxious attention of the Government. In reply to his honorable friend, Mr. Bazley, he could only say that he had not the least reason to expect any request of the kind from the Governors of the Bank of England, and it was better not to ask any questions upon any hypothesis when they related to matters of so important a character.

At a few minutes after 12, the Chancellor of the Exchequer stated that the Bank of England was authorized to suspend the Bank Act. He said, in reply to Mr. Beazley, that he had already stated early in the evening that he had received representations from the private bankers with respect to the extraordinary state of things in the city that day. He had since received a deputation from the joint-stock banks, whose representations are more urgent than he had anticipated. He had also since then received a full account of the operations of the Bank of England during the day, and found that in their just desire to sustain the commerce of the country, and to prevent disaster, they had extended their loans to a sum somewhat exceeding £4,000,000, and had reduced the banking reserve by a sum closely approaching £4,000,000, reducing the reserve from £6,000,000 to a little less than £3,000,000. This state of things the G[illegible] called for their [illegible]

See [illegible]