...ously for us, not true; and it is very clear that nothing beyond making reconnoissances with cavalry has been attempted or intended. As I have said before, the Italian army covets a battle in the open ground this side the Mincio, and Austria has no intention of gratifying our generals at that point.

The military situation is, therefore, unchanged, and it cannot be said to be entirely satisfactory. Persano seems to do nothing with the fleet, and even our own accounts of the encounter at Ancona hurt our pride. We are strongest at sea, and should have pursued the enemy, and *ought* to have been able to catch him.

The Austrian report of the affair sets forth in substance that they came to Ancona, shook their fists at our fleet, and had to go off without exchanging civilities. It is not quite true, but it is near enough to the truth to disgust the public here.

But, although we are not fighting as brilliantly as the Prussians, we are doing our full part by keeping a full third of the Austrian army in the Quadrilateral and other parts of Venetia. The Hapsburg pride is pretty certain of a fall, for it is evident that Benedek has been terribly outgeneraled and awfully whipped, just because Austrian pride would not consent to a cession of a foreign province to its rightful owner. The 200,000 soldiers required to hold the positions in Italy, would have turned the scale in Austria's favor in Germany.

I must not disguise, however, that public opinion asks more energetic military action here. It is not enough to show that our soldiers will fight to the death, that their officers rival them in splendid proofs of personal valor; we want more, we need more—the prestige of victory. The rapid march of Prussian success, the jealousy of that success which appears in Paris journals, and the impatience of other powers, all show that the war cannot last long, unless it becomes general, and though we are reasonably sure of Venice, we cannot digest the idea of getting it by military combinations or diplomatic circumlocutions. Now that our army is in the field, we ought to win this Italian province by force of arms.

THE WAR TO GO ON—ITALY ANXIOUS TO FIGHT—POPULAR INDIGNATION AT THE CESSION OF VENETIA TO FRANCE—DIPLOMACY SCOUTED.

From Our Special Correspondent.

MILAN, July 7, 1866.

We were all convulsed on the evening of the 5th by a telegram setting forth that the Emperor of Austria, though defeated in Bohemia and on the brink of defeat in Italy, has proposed to cede Venice to France, and asks the Emperor Napoleon to mediate for him with Italy and Prussia.

I think the first impression was a universal indignation at the studied contempt of Austria for Italy, and not one man in a thousand would hear of accepting the proposition, no matter how it might be modified. "We want blood. We cannot accept Venetia as a *gift* of Napoleon, with only the memory of the drawn battle of the 24th for this last war for independence. The humiliation, the shame, we will not, cannot bear." I think two days' reflection have but little modified public opinion, and there is a vivid desire that the war shall go on, at least until we win a victory. Men and women grit their teeth, and exclaim, "Why don't our Generals fight—fight now—before an armistice can be concluded?"

Reflection has modified public opinion to such an extent that if Austria could be brought by France to treat directly with us, and cede Venetia to us, and if Prussia also settled her quarrel with Austria, we should have a large party willing to let the military glory which we covet go entirely to the Prussians. There is even more than this to be said. We have secured Prussian success by tying up 200,000 Austrians in the Quadrilateral. If Austria offers to cede Venetia now, after having refused to hear of the cession for seven years of peace, it is because she sees she cannot keep it. She yields to superior force, or she would not yield.

The Hapsburgs must be allowed to dress their wounded vanity with a few falsehoods, and ill-manners toward Italy are so habitual with them that it should not surprise us. But we cannot quite stomach it that they pretend to have shown that they do not yield to *fear* by the battle of Custozza. What do they yield to?

The proposition to cede Venetia to Napoleon is at once ridiculous and ill-mannered. Ridiculous, because there is not a French soldier within a hundred leagues of it, and France has not the slightest claim to Italian territory on the Adriatic. Ill-mannered, because it is a forcible way of showing contempt of the 400,000 Italian troops who belong to Venetia. But there is more in it. This course to Austria is bad policy. Treating directly with Italy, she would make a friend; tossing gratuitous insults at us, she embitters old enemies.

It is probable, however, that this diplomatic intervention has wider ramifications, and it is very certain that we have not heard the whole of the story. Napoleon, as President of Europe, naturally *expected* Austria to make her an offer in this form. The glory of his reign would be incomplete without it. Whether he has also claims to put in against us for his *moral* support, does not appear. Nobody here believes in a cession to Sardinia as having been contemplated, and the only reply to the suggestion that Napoleon may expect it, is "that would be impossible for a hundred good reasons, one of which is sufficient, viz.: that other European powers would not hear of the aggrandizement of France."

It is impossible to judge at this moment what answer Italy and Prussia will make to the imperial arbitrator. We cannot act independently of Prussia. The nation might tolerate military humiliation, but breaking treaties and deceiving an ally would not be heard of for a moment.

So, as it is Prussian victories which alarm both Emperors and the new map of Germany which interests all Governments in Europe, the brunt of this diplomatic battle will fall upon Prussia. Italy will doubtless refuse in the face of any peril or threat to break her league with Prussia. Whether there are small holes in it, through which an agile diplomat can wiggle, has not transpired; but if there were I think we should have had hints of them in the official organs of the Ministry.

Your Parisian and Prussian correspondents will give you earlier and abler speculations than mine upon the probable action of Prussia. I can only report the popular temper here and the apparent attitude of the Government.

The most obvious thing in the latter is that the Ministry manifest more surprise than is good for them. I informed you a week ago that the grass of Mount Cenis was kept smoking with diplomatic couriers, and since then Ricasoli has been at camp, or traveling between it and Florence, almost incessantly. It is given out as pure accident that he was at the royal headquarters when Napoleon's dispatch was received. "Tell that to the marines."

The second thing to be noted is a perfectly non-committal policy in the publication of the news. We were first favored with an extract from the *Moniteur*, and since then have been fed on Parisian bulletins. Public opinion must be a real power here, when a Ministry makes Napoleon wait to hear from the Italian people. And the journals have pointed out the path of duty with remarkable unanimity and singular clearness. The Ministry know what the country thinks.

The gist of it is: "Do not abandon your allies, and do not submit to gratuitous insults. If there is an armistice, let it be clearly set down, before you desist from battle, what terms are to be given you, on what conditions you get Venetia, and how much of it you get." The attitude of the Government is still further rendered doubtful by the fact that yesterday's cannonade of Borgoforte was very spirited, seeming to indicate a determination to fight it out without the help of Napoleon's good offices. Of course, these offers of the Emperor of France imply a resolution on his part to intervene by force if he is not heard when he speaks as an arbitrator. But I find it hard to believe that the contingency of Prussian success was not foreseen and provided for. A mock war against Prussia by France might be the easiest method of settling the Rhine matter, *and it may be in the programme.*

Austria has been so much humiliated, and is so powerless before her two powerful enemies, and Prussia has been so successful in all her schemes, that all things point to an early peace. But a very good argument could be made for a general war through the intervention of France by an advance upon the Rhine.

At all events, a few days will settle the question, and I can only add that however peace may be made—whether directly with Austria or not—this nation will be profoundly dissatisfied if it disbands its troops without some more successful fighting. We feel all the immense difficulties of our attacking the Quadrilateral, but we *do* believe victories possible with so many and such gallant soldiers as we have put into the field. The Italians have been very patient thus far; but since this diplomatic checkmate, there is a burning thirst for news of a battle and a victory.

FLORENCE.

THE GREATEST DISASTER SINCE WATERLOO—CONDITIONS OF PEACE —AUSTRIAN BRAGGADOCIO—BLUNDERS OF GOVERNMENT—DEAK AND THE HUNGARIAN DIET.

From Our Special Correspondent.

FLORENCE, July 6, 1866.

That big Austro-Hungarian bully, Benedek, whom all the conservative papers in Europe praised as the great General, has, at last, ruined the finest army Austria ever had under arms. Outgeneraled by the quick movements of the two Prussian armies, he did not oppose their march through the gorges of the Riesengebirge; wanting to meet both at once, instead of crushing one of the invading armies, by concentrating his forces, he sacrificed one army corps after the other on the 27th, 28th, 29th, and 30th June, without being able to prevent the junction of the two Prussian armies commanded by the Prince Royal and the Prince Frederic Charles. At last, on the 3d of July, attacked along the railroad between the fortresses Josephstadt and Königgratz, he was completely defeated. One hundred and sixteen guns, 20,000 prisoners, and innumerable flags were the trophies of the victory. Three Archdukes were wounded, two Princes, Lichtenstein and Windishgratz, taken prisoners. Bohemia is lost; the army demoralized. It is said that since Waterloo no such disaster has happened to any European army, and though we did not receive as yet any detailed account of the defeat and flight, we may judge of its importance by the immediate result. Gen. Gablenz, on the evening of the 3d, appeared at the Prussian headquarters, where he is very popular, having been the Commander of the Austrian forces in Schleswig, and Governor of Holstein—and asked for a truce as a preliminary to peace, openly avowing that the Austrian army was not in the condition to resist. He was at once told that since Prussia has bound herself toward Italy not to make a one-sided peace without her ally, a similar message must be sent by the Emperor Francis Joseph to King Victor Emanuel. The pride of Francis Joseph, however, did not allow him to take such a humiliating step. He, therefore, by one of those sudden and fatal fits of pigheadedness, telegraphed to Napoleon that he makes to him a present of Venetia, inviting him to become the mediator of peace between Austria, Prussia and Italy.

It must have been with a proud sensation that Napoleon received the surprising notice that he was appealed to to act as the great umpire between three great powers of Europe, while he had kept a strict neutrality. His uncle, with all his military and administrative genius, never had a more glorious position. He therefore at once invited the Kings of Prussia and of Italy to make an armistice with Austria, and modestly sent word to England and Russia to take a part in the pacification of Central Europe. The Italian funds at Paris rose from 45 to 57—the town was illuminated—the exchange happy. But when the news was flashed by the telegraph to Florence, the consternation of the people knew no bounds. "*We cannot accept Venetia as a present from France,*" was the universal outcry. "*It is an insult of Austria to fling her to Napoleon.*" "*We lost a battle at Custozza, but we guarded our honor; to acquire Venetia by a defeat would be worse than a disaster.*" Ricasoli at once went to the camp, but returned yesterday evening; but at this hour (five o'clock) we do not know as yet the answer Victor Emanuel sent to Napoleon. Everybody hopes it will be a refusal; and rumors are rife that at Bologna the reports of guns are clearly heard. Italy wants to be independent, not a vassal to France. Unless she can carry her head high in the councils of the European powers she prefers to remain in her present position of uncertainty and hope. All the leading papers, without party distinction, pronounced themselves vehemently against an armistice and the transfer of Venetia to Italy in the form of alms.

While we live here at Florence in such an agitation, which might become dangerous to Victor Emanuel's throne if he preferred a Province to the honors of the victor, Vienna is still in a worse plight. The Austrian Government, faithful to its traditions, kept up the system of enormous lying. The Vienna papers of the last week are before me. Day by day they speak of Austrian victories; day after day the Prussians were defeated, flying toward the frontier; the Hanoverian army had joined the Confederates, who are advancing, and Benedek is the great General of the age! It was on the 2d that the inhabitants of the Austrian Empire got some inkling that some screw must be loose, since they were officially informed that after those repeated victories Benedek had retired, for strategic reasons, to Josephstadt and Königgrätz. Still the Prussians were exactly where he wanted them to be. Suddenly, on the 4th, the whole truth dawned upon the Viennese; the army was annihilated, the Prussians victorious! Deep indignation seized everybody; the mob shouted for vengeance; they accused the Generals and the Emperor of having lost the Empire; and Francis Joseph gave orders to put three Generals, the Count Clam-Gallas, the Chevalier Henikstein, Chief of Benedek's Staff, and Krismanich, a Croatian, before the court-martial. They have to expiate the blunders of the Government, of the Emperor, and of Benedek. But the blunders of the Austrian Government are not confined to their war policy; they could not do anything more mischievous to the interest of the dynasty than the adjourning of the Hungarian Diet. Just at the time when Deak had matured his plan of reconstruction in the Committee for Common Affairs, Chancellor Majlath came down from Vienna to Pesth, confidentially to ask Deak whether the Diet might vote a levy of 15,000 conscripts by a handsome majority, and without any exciting debate. Deak replied at once that the Diet would certainly refuse any such bill by an immense majority, after having been treated so shabbily by the Government during these last six months. Upon this, Majlath had the Diet adjourned, to the great despair of all the conservative party, who know that the Diet is the last dyke against the rising revolutionary flood. As long as the members were meeting at Pesth, there was a hope of conciliation; once sent home, everybody knows that Austria has no mind to come to terms with Hungary. If, therefore, the armistice is not accepted and war continues, you may soon hear of a rising in Hungary.

XXXIXTH CONGRESS.

FIRST SESSION.

SENATE.... WASHINGTON, July 21, 1866.

MILITARY RELIEF.

Mr. NESMITH, from the Military Committee, reported a joint resolution for the relief of the First Michigan Cavalry, which was ordered to be printed.

THE ALABAMA AND FLORIDA RAILROAD.

Mr. GUTHRIE called up the joint resolution extending for five years to the Alabama and Florida Railroad the time for the payment of duties on railroad iron for relaying the track of said road.

The resolution was passed.

INTER-OCEANIC COMMUNICATION.

Mr. ANTHONY, from the Committee on Printing, reported a resolution for the printing of 2,500 copies of the Report of the Superintendent of the Observatory on inter-oceanic railroads and cable, which was passed.

POST-ROUTES.

On motion of Mr. RAMSAY, the bill declaring certain highways in the different States and Territories to be post-roads was taken up from the points reached when last under consideration, and was passed.

THE PENSION BILL.

Mr. VAN WINKLE from the Committee on Conference on the disagreeing amendments to the bill increasing the pensions of widows and orphans, made a report.

It does not alter the provisions of the Senate's amendments. It secures to the widow of a deceased soldier, though she has married again, her pension up to the date of her subsequent marriage. It provides that arrears of pension, in default of succession by any of the relatives mentioned in the several pension acts shall go to the executor or administrator.

The report was agreed to.

THE ADMISSION OF TENNESSEE.

Mr. TRUMBULL here rose and said that the Committee on the Judiciary, to whom was referred the House joint resolution declaring Tennessee again entitled to representation in Congress, have instructed me to report it back with an amendment. If it meet the views of the Senate, as it is a matter that ought to be acted upon, I shall move that the Senate proceed to its consideration at the present time.

Mr. McDOUGALL—Let it be read for information.

Mr. TRUMBULL—It is on all desks, printed.

Mr. McDOUGALL—Let the amendment be read.

The Chair directed the reading of the resolution and amendment.

The House resolution was read first, as follows:

Joint resolution declaring Tennessee again entitled to Senators and Representatives in Congress.

Whereas, The State of Tennessee has in good faith ratified the article of amendment to the Constitution of the United States, proposed by the XXXIXth Congress to the Legislatures of the several States, and has also shown, to the satisfaction of Congress, by a proper spirit of obedience in the body of her people, her return to her due allegiance to the Government, laws and authority of the United States; therefore,

Be it resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Tennessee is hereby restored to her former practical relation to the Union, and is again entitled to be represented by Senators and Representatives in Congress duly elected and qualified upon their taking the oath of office required by existing laws.

The following substitute, proposed by the Judiciary Committee, was then read:

Whereas, In the year 1861 the Government of the State of Tennessee was seized upon and taken possession of by persons in hostility to the United States and the inhabitants of said State, in pursuance of an act of Congress, were declared to be in a state of insurrection against the United States; and *whereas*, said State Government can only be restored to its former political relations in the Union by the consent of the law-making power of the United States; and *whereas*, the people of said State did, on the 22d of February, 1865, by a large popular vote, adopt and ratify a Constitution and Government, Republican in form, and not inconsistent with the Constitution and laws of the United States, whereby Slavery was abolished, and the ordinances and laws of Secession, and debts contracted under the same, were declared void; and *whereas*, a State Government has been organized under said Constitution, which has ratified the amendment to the Constitution of the United States abolishing slavery, and also the amendment proposed by the XXXIXth Congress; and *whereas*, the body of the people of Tennessee have, by a proper spirit of obedience shown to the satisfaction of the Congress of the United States, a return of said State to due allegiance to the Government and laws of the United States; therefore

Resolved, That the United States do hereby recognize the State of Tennessee, organized as aforesaid, as the legitimate Government of said State; entitled to all rights and guaranties under the Constitution.

Mr. SHERMAN trusted that the Senate would not adopt the substitute of the Committee, but that it would pass the resolution as it came from the House. There was nothing in the substitute of the Committee but what he indorsed and had voted for. The same effect, however, would be produced by the House resolution as by the Senate substitute. The assertion of the political dogmas of Mr. Trumbull's substitute could do no good whatever. It was but a reassertion of what Congress had already asserted, and as it might be vetoed by the President it could only cause delay. The Committee had so formed the resolution that the President could not approve it. The result would be another veto and further delay. The House resolution accomplished the same result in a speedy way.

Mr. TRUMBULL—I regret that the Senator from Ohio cannot agree to the substitute proposed by the Committee, and that he bases his objections to it on the ground that the Executive will veto it. He says that Congress has twice asserted all that is in the resolution, and having asserted it he is for giving up his own opinion and the opinion of Congress and yielding to the Executive.

Mr. SHERMAN—I did not state that.

Mr. TRUMBULL—Well, Mr. President, he did state that we had asserted it twice and that the President would veto it.

Mr. SHERMAN—I did say that.

Mr. TRUMBULL—If so understood it. I did not see how any other inference could be drawn from it except that he was opposed to the proposition because the Executive would veto it. It is known that the President has asserted his authority on the question of reconstruction and concedes to Congress nothing but the right of passing upon the admission of members, and he does not concede that to Congress, but to each House separately. Now, Sir, this is a joint resolution as it comes from the House, which, of course, has to go to the President for his approval. What is it? It is a joint resolution declaring Tennessee again entitled to Senators and Representatives in Congress. Now, I say very frankly to the Senator from Ohio that I am opposed to a resolution simply confining Congress to the admission of Senators and Representatives. We have jurisdiction over this whole subject, and I am opposed to adopting such a proposition, declaring simply that Senators and Representatives may come here—a matter that Congress has nothing to do with. So far as the qualifications, elections and returns of members is concerned, I agree with what is contended for on the floor of this House by the friend of the President, that each House must pass separately upon the election, qualification and return of its own members. Congress has nothing to do with that subject, and what is it that we are legislating about? It is whether the condition of things in Tennessee, brought about by the rebellion, so dissevered the political relations between the State Government of Tennessee and the Government of the United States that it lost its representation here, and whether it can have the right of representation as any other right; and that is our resolution as we reported it. We do not report simply that Tennessee is entitled to Senators and Representatives. We report that the Government organized in Tennessee under a Constitution which was submitted to a popular vote and ratified as proclaimed by Andrew Johnson himself as the legitimate Government of the State of Tennessee, entitled not to representation. We say nothing about representation, but entitled to all the rights belonging to one of the States of this Union. It is much broader than the House proposition, entitled to representation of course, but entitled to the guaranty of a republican form of Government, entitled to every right which the States of Ohio and Illinois have. At this stage of the proceedings I do not propose to be drawn into any extended remarks, but the preamble of the House resolution simply places the admission of the State of Tennessee upon the fact of its having adopted the Constitutional Amendment. That is all. Now, Sir, Tennessee has done much more than that; she is in a very different form from most of the other Southern States. Her Constitution, I believe, was the only one of all the other Southern Constitutions which have been adopted in the rebel States since the Rebellion which was submitted to the popular vote and ratified by the people. Perhaps the same thing may have been done in Arkansas. I am not sure but that there may be one or two other instances.

Mr. BROWN—I ask whether the preamble introduced from the Committee on the Judiciary does not in so many words assert that the Constitution of Tennessee as it now stands is not only Republican in form, but conforms to the Constitution of the United States, notwithstanding the fact that it disfranchises the whole of the colored population?

Mr. TRUMBULL—There is nothing in the preamble about disfranchising the whole colored population.

Mr. BROWN—There is an assertion that its Constitution is Republican in form.

Mr. TRUMBULL—There is.

Mr. BROWN—Well, I don't believe in that doctrine, and cannot vote for the proposition.

Mr. TRUMBULL—Well, I am sorry that the Senator from Missouri has placed himself in the position, asserting that his own State Government is not Republican in form.

Mr. BROWN—I do say so.

Mr. TRUMBULL—Well, I don't know what business he has here if he is not representing a State having a Republican form of government. This Constitution of Tennessee, as it appears by a proclamation of Andrew Johnson, Military Governor of Tennessee, was ratified on the 22d of February, 1865, by a very large popular vote. That fact is recited in the preamble and it is not in the House preamble. It is also recited in the preamble that the State of Tennessee has repudiated the Rebel debt, has abolished Slavery in the State, has declared the ordinance of Secession and the laws under it null and void, all of which facts are omitted from recital in the House preamble.

Mr. SHERMAN replied to Mr. Trumbull. He could see no necessity for reasserting for the third time a proposition which would be the cause of a veto from the President upon the proposition. As it came from the House the President and Congress could agree.

The morning hour having expired, and the Civil Appropriation bill being in order, Mr. TRUMBULL moved to postpone the unfinished business for the purpose of proceeding with the pending resolution.

The Yeas and Nays were demanded on this, with the following result:

YEAS—Messrs. Anthony, Chandler, Clark, Conness, Cowan, Creswell, Davis, Doolittle, Edmunds, Foster, Grimes, Harlan, Hendricks, Howard, Howe, Johnson, Kirkwood, Lane, Morrill, Nesmith, Norton, Nye, Poland, Pomeroy, Ramsey, Riddle, Sherman, Sprague, Stewart, Trumbull, Van Winkle, Wade, Willey, Williams, Wilson and Yates—36.

NAYS—Messrs. Brown, Buckalew, Fessenden, Guthrie, Henderson, McDougall, Morgan and Sumner—8.

So the consideration of the resolution was continued.

After speeches from Messrs. Johnson, Grimes, Henderson, Lane and Hendricks, the question was stated by the Chair to be upon the adoption of the resolution reported by the Judiciary Committee as a substitute for the House resolution.

Several Senators inquired if the vote for the resolution carried the preamble with it.

The CHAIR replied that it did not; that the question was first on the resolution, afterward on the preamble.

On motion of Mr. EDMUNDS the resolution of the Judiciary Committee was modified so as to read as follows:

Resolved, That the United States do hereby recognize the present Government of Tennessee as the legitimate Government of said State, entitled to all the rights of a State under the Constitution of the United States.

The above was adopted as a substitute for the House resolution by the following vote:

YEAS—Messrs. Anthony, Chandler, Conness, Creswell, Davis, Doolittle, Edmunds, Guthrie, Harris, Hendricks, Howard, Howe, Nesmith, Norton, Nye, Poland, Pomeroy, Ramsey, Riddle, Sprague, Stewart, Trumbull, Van Winkle and Yates—24.

NAYS—Messrs. Brown, Buckalew, Clark, Cowan, Fessenden, Foster, Grimes, Henderson, Johnson, Kirkwood, Lane, Morgan, Morrill, Sherman, Sumner, Wade, Willey, Williams, Wilson—19.

The next question was on adoption of the preamble of the Judiciary Committee as a substitute for the House preamble.

Mr. TRUMBULL moved to strike from the preamble the following words: "And whereas, the body of the people of Tennessee have, by a proper spirit of obedience, shown to the satisfaction of Congress, a return of said State to due allegiance to the Government, laws and authority of the United States," and insert in lieu thereof the words "and has done other acts proclaiming and denoting loyalty."

The amendment was agreed to.

Mr. SUMNER moved to strike out from the third clause, after the word "Government," the words "Republican in form and not inconsistent with the Constitution of the United States."

The amendment was agreed to.

The question then was upon striking out the House preamble and inserting the Senate preamble as amended in lieu thereof. Disagreed to by the following vote:

YEAS—Messrs. Anthony, Chandler, Creswell, Fessenden, Harris, Howard, Howe, Nye, Poland, Pomeroy, Ramsey, Sprague, Trumbull, Van Winkle, Wade, Willey, Williams, Wilson, Yates—23.

NAYS—Messrs. Brown, Buckalew, Clark, Cowan, Davis, Doolittle, Edmunds, Foster, Grimes, Henderson, Hendricks, Howe, Johnson, Kirkwood, Lane, Morgan, Morrill, Nesmith, Norton, Riddle, Sherman, Van Winkle, Willey, Williams—23.

So the Senate refused to adopt the preamble reported by Mr. Trumbull.

Mr. SUMNER moved to add a proviso to the joint resolution, that it shall not take effect except that within the State there shall be no denial of the elective franchise, or any other right, on account of color, &c.

This was disagreed to by Yeas 4, Nays 34.

Messrs. Brown, Pomeroy, Sumner and Wade voted in the affirmative.

Mr. DOOLITTLE moved to strike out the preamble of the House joint resolution quoted above, and demanded the Yeas and Nays:

YEAS—Messrs. Anthony, Brown, Buckalew, Clark, Cowan, Davis, Doolittle, Edmunds, Fessenden, Foster, Guthrie, Henderson, Hendricks, Howe, Johnson, Morgan, Morrill, Nesmith, Norton, Poland, Pomeroy, Ramsey, Riddle, Sumner, Trumbull, Van Winkle, Willey, Wilson, Yates—31.

NAYS—Messrs. Chandler, Creswell, Grimes, Harris, Howard, Kirkwood, Lane, Sherman, Sprague, Wade, Williams—11.

The joint resolution was then taken out of the Committee of the Whole into the Senate.

The question was on concurring on the amendment adopted in Committee.

The last vote taken was on agreeing to the substitute for the House resolution. The Senate disagreed by the following vote:

YEAS—Messrs. Cowan, Davis, Doolittle, Guthrie, Hendricks, Howe, Johnson, Morrill, Norton, Poland, Riddle—11.

NAYS—Messrs. Anthony, Brown, Buckalew, Chandler, Clark, Creswell, Fessenden, Foster, Grimes, Harris, Henderson, Howard, Kirkwood, Lane, Morgan, Merrill, Nye, Pomeroy, Ramsey, Sherman, Sprague, Stewart, Sumner, Trumbull, Van Winkle, Wade, Willey, Williams, Wilson, Yates—24.

This brought the resolution of the House, without its preamble, before the Senate again.

Mr. TRUMBULL moved to amend by striking out all after the word "Union" in the House resolution.

Mr. POMEROY moved to amend the amendment by striking out all after the word "Congress," i. e., the following words: "duly elected and qualified upon their taking the oaths required by existing laws."

Mr. Trumbull's amendment, as amended, was adopted by the following vote:

YEAS—Messrs. Anthony, Buckalew, Clark, Conness, Davis, Fessenden, Guthrie, Harris, Henderson, Howe, Johnson, McDougall, Nesmith, Norton, Pomeroy, Ramsey, Riddle, Stewart, Sumner, Trumbull, Van Winkle, Wade, Willey, Wilson—25.

NAYS—Messrs. Brown, Chandler, Cowan, Creswell, Doolittle, Edmunds, Grimes, Howard, Howe, Lane, Morgan, Morrill, Sherman, Sprague, Williams, Yates—17.

Mr. SHERMAN offered the following as a preamble to the resolution, the other proposed preamble having been rejected:

Whereas, The State of Tennessee has, in good faith, by the action of her people, now placed herself in obedience to and in harmony with the Constitution, laws and authority of the United States, therefore, &c.

Mr. DAVIS moved to strike out the word "now."

This was disagreed to.

Mr. SHERMAN's amendment was then rejected, by Yeas, 13; Nays, 31.

Mr. TRUMBULL again offered the preamble reported from the Judiciary Committee and rejected in Committee of the Whole.

Mr. SPRAGUE offered the preamble of the House resolution as a substitute for Mr. TRUMBULL's proposition.

This was disagreed to, by Yeas, 20; Nays, 24.

Mr. Trumbull's preamble was then adopted, by Yeas, 23; Nays, 20.

Mr. YATES moved to amend the resolution by adding at its close the words, "Who possess the qualifications required by the article of amendment to the Constitution of the United States proposed by the XXXVIIth Congress to the Legislatures of the several States, and have been duly elected and qualified, and taken the oath of office required by existing law."

This was disagreed to by Yeas, 9; Nays, 33:

YEAS—Messrs. Chandler, Edmunds, Howard, Lane, Nye, Pomeroy, Sprague, Wade, Yates—9.

NAYS—Messrs. Anthony, Brown, Buckalew, Clark, Conness, Cowan, Creswell, Davis, Doolittle, Fessenden, Foster, Grimes, Guthrie, Harris, Henderson, Hendricks, Howe, Kirkwood, McDougall, Morgan, Morrill, Nesmith, Norton, Poland, Ramsey, Riddle, Sherman, Stewart, Sumner, Trumbull, Van Winkle, Willey, Williams, Wilson—33.

Mr. COWAN offered as a substitute for the pending joint resolution a resolution of the Senate, declaring the Senators elect from Tennessee entitled to their seats.

Mr. TRUMBULL made a point of order that a simple resolution of the Senate was not in order as a substitute for a joint resolution.

The Chair sustained the point.

Mr. COWAN appealed from the decision of the Chair, but the Senate sustained the Chair.

Mr. NYE offered the following amendment as a substitute for the joint resolution:

"That the people of Tennessee, having organized Government for that State which is in allegiance to the Constitution and laws of the United States, and have given satisfactory evidence of their purpose and ability to maintain the same, and the same requiring the sanction of Congress to its validity, it is hereby ratified, and shall be guaranteed by the United States."

Mr. NYE's amendment was disagreed to.

Mr. HENDERSON, at 6 p. m., moved to adjourn. Disagreed to.

Mr. DOOLITTLE moved to amend the resolution so as to make it read that the State of Tennessee is entitled to be represented by Senators and Representatives in Congress duly elected and qualified, upon their taking the oaths of office required by existing laws.

The amendment was disagreed to.

The resolution, as amended, was then read a third time and passed as amended, and it goes back to the House for concurrence in the amendment.

Before taking the final vote Messrs. HENDRICKS, COWAN and DOOLITTLE explained why they should vote for the resolution, although opposed to the preamble. They would do so because of the object sought to be accomplished, not because they indorsed the preamble.

Mr. BROWN said he should vote against it because he believed it to be a surrender of all the principles for which the Republican party had been contending to admit Tennessee while she denied suffrage to colored citizens.

The result of the final vote on the passage of the resolution was as follows: Yeas, 28; Nays, 4.

YEAS—Messrs. Anthony, Chandler, Clark, Conness, Cowan, Creswell, Doolittle, Edmunds, Foster, Hendricks, Howard, Howe, Lane, Morgan, Morrill, Nesmith, Nye, Poland, Pomeroy, Sprague, Stewart, Trumbull, Van Winkle, Wade, Willey, Williams, Wilson, Yates—28.

NAYS—Messrs. Brown, Buckalew, McDougall, Sumner—4.

ABSENT, OR NOT VOTING—Messrs. Cragin, Davis, Dixon, Fessenden, Grimes, Guthrie, Harris, Henderson, Johnson, Kirkwood, Norton, Ramsey, Riddle, Saulsbury, Sherman, Wright—15.

The resolution as passed by the Senate is as follows:

Whereas, In the year 1861 the Government of the State of Tennessee was seized upon and taken possession of by persons in hostility to the United States, and the inhabitants of said State, in pursuance of an act of Congress, were declared to be in a state of insurrection against the United States; and

Whereas, Said State Government can only be restored to its former political relations in the Union by the consent of the law-making power of the United States; and

Whereas, The people of the said State did, on the 22d day of February, 1865, by a large popular vote, adopt and ratify a Constitution and Government whereby Slavery was abolished, and the ordinances and laws of secession and debts contracted under the same were declared null and void; and

Whereas, A State Government has been organized under said Constitution which has ratified the amendment to the Constitution of the United States abolishing Slavery, and also the amendment proposed by the Thirty-ninth Congress; and has done other acts proclaiming and denoting loyalty; therefore, be it

Resolved, by the Senate and House of Representatives of the United States, in Congress assembled, That the State of Tennessee is hereby restored to her former proper practical relations to the Union, and is again entitled to be represented by Senators and Representatives in Congress.

The Senate then, at 6:30 p. m., adjourned.

HOUSE OF REPRESENTATIVES.

OFFICERS OF THE NAVY.

Mr. RICE (Mass.), from the Committee on Naval Affairs, reported back the Senate bill, passed June 13, to define the number and regulate the appointment of officers of the navy, with amendments. The first amendment was to strike out the proviso limiting the number of Rear-Admirals, and inserting in lieu of it a proviso that nothing in the act shall preclude the promotion of officers for bravery, high qualifications or distinguished conduct. The amendment was agreed to. Also amendments increasing the number of officers to 20 lieutenant-commanders, 50 masters and 75 ensigns; providing that volunteer officers attached to vessels at sea or in foreign stations may be appointed to the regular navy, and striking out a sentence that volunteer officers shall hold their positions until their places can be supplied by graduates from the Naval Academy.

THE CASE OF MR. ROUSSEAU.

Mr. SPAULDING called up the resolution of the House directing the Speaker to reprimand Mr. Rousseau for his assault on Mr. Grinnell. Mr. ROUSSEAU obtained consent to make a personal explanation. He said he felt it his duty to the House and to himself to say a word or two on a matter which had given him so much pain and mortification. He thought members had misunderstood his position and the feelings and motives which had prompted him. He had sat here and heard himself denounced in a way in which no member should speak of another, and which certainly did not tend to good feeling. He thought that the remarks of the gentleman from Ohio (Mr. Garfield), the other day, were unfair and unjust toward him, although that gentleman had risen professing friendship to him. It seemed as if both he and the gentleman from Iowa (Mr. Wilson) had supposed they were prosecuting a criminal. He thought they should have come here uninfluenced by passion and prejudice.

Mr. STEVENS objected to a criticism of the judgment of the House by a man who was under sentence.

The SPEAKER ruled that the remarks of the gentleman, stating that the members were influenced by passion, were not in order.

Mr. ROUSSEAU professed his readiness, if he had said anything improper, to take it back. All he had said was that members should have come to the consideration of the case unprejudiced and without passion. If that were not so, then he was in error. He appealed to the House if these gentlemen (Garfield and Wilson) had not shown far more passion in words and action than he himself had.

Mr. STEVENS again rose and said he must object to criticism on the judgment of the House.

Mr. ROUSSEAU protested that he had not reflected on the judgment of the House. He was simply speaking of the arguments of gentlemen.

The SPEAKER intimated that it was not in order to impute passion to the House.

Mr. ROUSSEAU said that he would take that back. He asked the Speaker whether he would be allowed to say that an effort had been made to create excitement against him by bringing in the circumstances of a fist-fight in the same part of the Capitol.

The SPEAKER replied that the gentleman had already said it.

Mr. ROUSSEAU said that he would then stick to it, and not take it back. He went on to say that he was sorry to see an effort to influence members by bringing up in discussion a fist fight which had nothing whatever to do with the case. The House should not have been called upon to listen to things of that sort. His friend from Massachusetts (Mr. Banks) seemed to have been lying in wait until the close of the argument, and, when all reply was cut off, made an appeal against him, such as is rarely heard in a Court of justice, even in cases of the highest crimes known to the law. He thought the House could determine the matter just as well without that appeal as with it. He must say that the proceedings in this case had not been entirely just to him. He would not say it was unfair, because then he would be called to order.

Mr. STEVENS arose, and said he must insist that it was out of order to criticise the mode by which the House arrived at its judgment.

The SPEAKER sustained the point of order, reading from the manual a sentence that no prior determination of the House is to be reflected on by any member, unless he means to conclude with a motion to rescind.

Mr. ROUSSEAU remarked that that was the furthest from his intention.

Mr. STEVENS said there was no mistaking the whole course of the gentleman's argument. He objected to it, and instead of the House being reprimanded, he asked that the respondent be reprimanded according to the order of the House.

Mr. ROUSSEAU protested that he found no fault with the decision of the House, and said he should submit to it like a man as well as he could. He asked whether or no he would be allowed to say that members who were to be his judges had appeared before the Committee and prosecuted the case against him.

The SPEAKER said he did not think the gentleman had a right to challenge the motives of members.

Mr. ROUSSEAU repeated his assurance that he did not find fault with the decision of the House. He was merely speaking of the manner in which that decision had been brought about. If he was not allowed to do so, then he had nothing to say on the subject.

Mr. BANKS said he did not doubt that the gentleman from Kentucky meant to speak in vindication of himself, and not to impugn the motives of members; but he certainly did that when he spoke of the gentleman from Massachusetts lying in wait for the close of the discussion. That certainly implied a motive which was not creditable, and it was entirely unfair. The member for Massachusetts had spoken because the report of the Committee had been violently assailed. There had been no arrangement and no motive; it was a matter of pure accident.

Mr. GARFIELD, declared that he was entirely unconscious of having used any unfair argument or having been actuated by any unfair motive. It seemed to him, however, that if the whole matter could be reviewed in this way, then the order of the House would be reversed, and he would be reprimanding the House instead of being reprimanded by the House.

The SPEAKER said he had so decided three times.

Mr. ROUSSEAU said he would be very sorry to abuse the courtesy of the House. He wished, however, to say a word or two to the gentleman from Massachusetts (Mr. Banks). He had said something about the gentleman lying in wait in the argument he made. The gentleman said that he had in that done him injustice, and he would therefore withdraw the remark. It had been asserted against him that he had waited four days before taking redress, and that his anger had had time to cool; but he thought gentlemen would agree with him that no time was long enough for a man to cool when he is defamed and maligned on the records of the nation, when an outrageous assault was committed on his reputation. He had waited for the House to take the matter in its own hands as he thought it should have done, but he made no complaint against the House for its course on that occasion, nor on the Speaker of the House. The thing had occurred in a few moments, and there had been much excitement and confusion. The injustice which had been done was in not having the matter called up, and the member from Iowa (Mr. Grinnell) and himself perhaps punished for disrespect to the House.

Mr. BOUTWELL made the point of order that the House had already passed judgment on the remarks made by the gentleman from Iowa, and it was not in order for the gentleman from Kentucky now to criticise the character of those resources.

The SPEAKER sustained the point of order.

Mr. ROUSSEAU went on to say that he had felt aggrieved by the abuse which he had received, and that he had waited for the House to take action in the matter. He had been informed the day after the occurrence that the gentleman from Iowa would tender him a written apology. That caused the delay. He waited from Monday till Thursday, and then—no member having taken any steps to assert the dignity of the House—he thought he had but one remedy. He was smarting under a grievous wrong, and could not get r