not to have been brought in here in a speech to add to the excitement and passion prevailing at the time. He alluded to Mr. Banks as seemingly lying in wait throughout the discussion to attack him. Mr. Mercur, of Pennsylvania, renewed the point of order against Mr. Rousseau, which was sustained, whereupon Mr Rousseau concluded his remarks by saying that he had tendered his resignation to the Governor of Kentucky, a copy of which was sent to the Clerk's desk and read. Mr. Spaulding moved that Mr. Rousseau be discharged from the custody of the House. He thought the case had gone far enough, and the gentleman, having resigned, was beyond the power of the House. Mr. Stevens was astounded at the motion of the gentleman from Ohio. There was nothing for the Speaker to do but to execute the order of the House reprimanding Mr. Rousseau. Mr. Spaulding intimated that if the gentleman from Pennsylvania continued in that line of remark there would be occasion for another breach of the privileges of the House, which produced intense merriment.

A long debate ensued as to whether the House could accept Mr. Rousseau's resignation or not, and as to whether the House could execute the order of reprimand under the circumstances. Mr. Banks contended that a resignation could not take effect until it was accepted, and that Mr. Rousseau was just as much a member of the House now, and just as much subject to its orders as at any previous day during the session. Mr. Spaulding modified his motion so as to accept Mr. Rousseau's resignation. Objection being made that the House could not accept the resignation of any member, Mr. Spaulding withdrew his motion. A good deal of skirmishing ensued, Mr. Rousseau's friends resorting to every legitimate parliamentary artifice to spare him the mortification of the reprimand, and the other side being persistant in their efforts to have the reprimand administered. The hostile party at last prevailed, and Mr. Rousseau was brought to the bar of the House, when the Speaker addressed him a very few words, reciting the action of the House, concluding by saying that he had been ordered to administer a reprimand, which is therefore hereby administered.

Mr. Rousseau immediately retired from the House. His friends concur in acknowledging the lenient manner in which the Speaker performed his duty. It is stated tonight that Mr. Rousseau will not resume his seat in the House unless re-elected.

The Question of Adjournment.

Mr. Conkling, of New York, offered a concurrent resolution providing that when the officers of the two houses shall adjourn their respective houses on the —— day of —— they adjourn them to the second day of October, and if on that day there was no quorum in either house the presiding officers shall adjourn both houses to the first Monday in December. This was designed as a substitute for Mr. Stevens' unconstitutional proposition, and to give Congress an opportunity of meeting again before December, if it is so desired. The proposition was adopted.

Mr. Rogers Headed Off by the Radicals.

Mr. Rogers, of N. J., rose to a privileged question in the House to-day. He was a member of the committee that had Jeff Davis' case in hand. That committee had taken a vast amount of testimony, and had instructed its chairman, Mr. Boutwell, to make a report. Yesterday Mr. Rogers had called at the committee room to examine the testimony preparatory to making a minority report, as he felt called upon to do. He found there a phonographer who declined to show him the papers. He called upon the clerk of the committee, who also declined to show them, stating that the chairman of the committee had given orders that nobody should examine the papers. He applied to the chairman of the committee, who had positively refused to let him have access to the papers or look at them. He desired to know how he could perform his duties as a member of the committee if its records were not open to him. Mr. Boutwell replied at length, admitting the statement of Mr. Rogers, but explaining that many of the papers in the custody of the committee were confidential papers of the War Department, and could not safely be exposed to general examination. He had a confidential clerk of the War Department with him arranging these papers preparatory to use in making up the report, which the committee had instructed him to do, and the handling of them by others would only disarrange them and retard his labors. Moreover, he objected to the character of the phonographer Mr. Rogers had employed (Mr. Carran) to assist him in examining the papers. This person had been imprisoned during the war for disloyalty, and was certainly not a proper person to be admitted to the examination of the important documents now in the custody of the committee. Mr. Rogers expressed his ignorance of the character of his phonographer, and was willing that the House should appoint one for him either at his own charges or at the expense of the House. He wanted to take no advantages, but simply desired to sift the testimony for himself and make up a report. The Speaker ruled that the committee having committed the business of making the report to a sub-committee (Mr. Boutwell), all the papers of the committee were properly in his hands, and the House could not interfere in the matter.

Financial Matters.

The receipts from internal revenue during the week just closed amounted to $4,631,935. The total sum received since July 1 is $18,796,666.

The receipts from customs at the following named ports during the week ending July 14 were:—

At Boston	$297,896
Philadelphia	89,500
Baltimore	60,774
Total	$448,171

The disbursements of the Treasury on account of the several named departments, during the week ending today, were as follows:—

War Department	$630,657
Navy Department	1,332,317
Interior Department	1,834,484
Total	$3,797,458

The National Bank of Newport, N. Y., was authorized to commence business last week under the National Banking law, with a capital of $50,000. This bank filed its papers over a year ago, and has not been allowed to commence business owing to its state circulation not having been reduced as provided for by law. The total number of banks so far established is 1,655.

The Treasury during the week issued fractional currency to the amount of $279,100. The shipments during the same period amounted to $307,993, $100,000 of which sum was forwarded to the Assistant Treasurer at New York, $100,000 to the Assistant Treasurer at Philadelphia, $80,000 to the national depository at Cincinnati, and the balance to national banks. The amount cancelled by the redemption division during the same period was $256,100.

The amount of funds in the cash vault of the Treasury at the close of to-day's business is shown below:—

United States notes	$6,476,000
National bank notes	4,164,000
Fractional currency	481,007
Gold	321,379
Silver	2,500
Cents	350
Five cent coin	600
Surplus issue United States notes	$6,232,425
Total	$97,678,451

The Internal Revenue Law—Circular from Commissioner Rollins.

The Commissioner of Internal Revenue has just issued a circular to the Assessors, as follows:—

TREASURY DEPARTMENT, OFFICE OF INTERNAL REVENUE, WASHINGTON, July 20, 1866.

Sections 110, 120 and 122 of the act of June 30, 1864, having been amended by the act of July 13, 1866, so as to provide that the taxes imposed therein are not to be returned and paid to the Commissioner of Internal Revenue after August 1, 1866, Assessors will instruct the proper officers of corporations, &c., taxable under those sections, that all returns due from them after July 31, 1866, should be made to the proper Assistant Assessors, and when any such return is received after that date will inform the person making the same that payment of the tax is to be made to the Collector. Duplicate returns should not be forwarded to this office. The taxes should be assessed on the monthly list and paid to the Collector as other taxes are paid, instead of being deposited to the credit of the Treasury of the United States.

Section six of the act of March 3, 1865, is amended so that every national banking association, state bank or state banking association shall pay a tax of ten per centum on the amount of notes of any person, State bank, or State banking association used for circulation and paid out by them after the first day of August, 1866, and the tax is to be assessed and paid in such manner as shall be prescribed by the Commissioner of Internal Revenue.

It is hereby prescribed that the return of said tax shall be made for the preceding month, on or before the tenth day, and said tax shall be due and payable on or before the last day of each and every month after August, 1866. Until otherwise directed the return can be made on form No. 67.

No tax will be required to be paid under this provision on account of any circulation paid out prior to August 1, 1866.

The returns required to be made after July, 1866, by associations or companies known as provident institutions, savings banks, savings funds or savings institutions, having no capital stock, and doing no other business than receiving deposits to be loaned or invested for the sole benefit of the parties making such deposits without profit or compensation to the association or company, are to be made on the first Monday of January and July of each year. This postpones the returns for liabilities accruing in July, 1866, until January, 1867.

E. A. ROLLINS, Commissioner.

The new Internal Revenue law has been printed, and copies of the same are being forwarded as rapidly as possible by the Bureau of Internal Revenue to its various officers throughout the country.

The Public Lands.

The general Land Office has just submitted for signature a patent in favor of the State of Wisconsin for 3,564 acres in the Menasha land district, enuring as swamp land to the State under the grant by act of Congress approved September 28, 1850. At Nebraska City, Nebraska, 4,074 acres were taken up in June last with Agricultural College scrip, and 11,793 acres under the Homestead law.

At Nebraska City, Nebraska, seventeen thousand eight hundred and seventy-five acres of the public domain were disposed of during the month of June.

At the land office of St. Peter, Minnesota, 18,899 acres were disposed of last month, the greater portion for homestead actual settlement, the residue under the Agricultural College grant, by bounty land warrants and Sioux scrip. The cash sales amounted to $3,504.

Prizes of the Paris Exposition.

Eight hundred thousand francs will be distributed in prizes at the Paris Exposition. Among them will be ten prizes of ten thousand francs each, and one capital prize of one hundred thousand francs, to local establishments which are most successful, by their organization and management, in promoting the prosperity and harmony and the moral and intellectual well being of the operatives. This information has been officially communicated to the Secretary of State.

THIRTY-NINTH CONGRESS.

First Session.

SENATE.

WASHINGTON, July 21, 1866.

RELIEF OF MICHIGAN CAVALRY.

Mr. NESMITH, (dem.) of Oregon, from the Military Committee, reported a joint resolution for the relief of the First Michigan cavalry, which was ordered to be printed.

EXTENSION OF TIME FOR PAYMENT OF DUTIES ON RAILROAD IRON.

Mr. GUTHRIE, (dem.) of Ky., called up a joint resolution extending for five years to the Alabama and Florida Railroad the time for the payment of the duties on railroad iron for relaying the track of said road. The resolution was passed.

INTEROCEANIC RAILROADS AND CANALS.

Mr. ANTHONY, (rep.) of R. I., 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 interoceanic railroads and canals, which was passed.

POST ROADS.

On motion of Mr. RAMSEY, (rep.) of Minn., 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.

PENSIONS TO WIDOWS AND ORPHANS.

Mr. VAN WINKLE, (rep.) of W. Va., from the Committee of 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 pensions, 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.

ADMISSION OF TENNESSEE.

Mr. TRUMBULL, (rep.) of Ill., 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 meets 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, (dem.) of Cal.—Let it be read for information.

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

Mr. MCDOUGALL—Let the amendment be read.

The CHAIR ordered the reading of the resolution and amendment.

The House resolution was read first, as follows:—

Whereas the State of Tennessee has in good faith ratified the article of amendment to the constitution of the United States, proposed by the Thirty-ninth 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 oaths 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 Thirty-ninth 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 the rights and guarantees under the constitution.

Mr. SHERMAN, (rep.) of Ohio, 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 endorsed 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 would be 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 no 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—I 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 are concerned. I agree with what is contended for upon this floor 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 discovered she 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 guarantee of a republican form of government—entitled to every right which the State of Ohio or Illinois has. 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 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 there may be one or two other instances.

Mr. BROWN, (rep.) of Mo.—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 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, Harris, 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, Howe 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 resolutions.

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, afterwards on the preamble.

On motion of Mr. EDMUNDS, (rep.) of Vt., the resolution of the Judiciary Committee was modified so as to to read as follows:—

Resolved, That the United States do hereby recognize the present government of the State 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 and Wilson—19.

The next question was on adopting 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, Morrill, Nye, Poland, Pomeroy, Ramsey, Sprague, Sumner, Trumbull, Wade, Wilson—16.

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

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

Mr. SUMNER, (rep.) of Mass., 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, (rep.) of Wis., 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 and Yates—29.

NAYS—Messrs. Chandler, Creswell, Grimes, Harris, Howard, Kirkwood, Lane, Sherman, Sprague, Ward and 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 first 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, Nesmith, Norton, Poland, Riddle—11.

NAYS—Messrs. Anthony, Brown, Buckalew, Chandler, Clark, Creswell, Edmunds, Fessenden, Foster, Grimes, Harris, Henderson, Howard, Kirkwood, Lane, Morgan, Morrill, Nye, Pomeroy, Ramsey, Sherman, Sprague, Stewart, Sumner, Trumbull, Van Winkle, Wade, Willey, Williams, Wilson, Yates—34.

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, (rep.) of Kansas, 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, Poland, Pomeroy, Riddle, Sherman, Stewart, Sumner, Trumble, Van Winkle, Wade, Willey, Wilson—23.

NAYS—Messrs. Brown, Chandler, Cowan, Creswell, Doolittle, Edmunds, Grimes, Howard, Kirkwood, Lane, Morgan, Morrill, Nye, Ramsey, 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 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, (rep.) of R. I., 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, (rep.) of Ill., 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 Thirty-ninth 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, as follows:—

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, Nesmith, Norton, Poland, Ramsey, Riddle, Sherman, Stewart, Sumner, Trumbull, Van Winkle, Willey, Williams, Wilson—33.

Mr. COWAN, (rep.) of Pa., 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, and the Senate sustained the Chair.

Mr. NYE, (rep.) of Nevada, offered the following amendment as a substitute for the joint resolution:—

That the people of Tennessee, having organized a 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, (rep.) of Mo., at six 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 amnded 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 endorsed 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 6.

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 and Yates—28.

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

ABSENT OR NOT VOTING—Messrs. Cragin, Davis, Dixon, Fessenden, Grimes, Guthrie, Harris, Henderson, Johnson, Kirkwood, Norton, Ramsay, Riddle, Saulsbury, Sherman and Wright—16.

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 of February, 1865, by a large popular vote adopt and ratify a constitution and government, wherein 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 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 the rights and guarantees under the constitution.

Mr. SHERMAN, (rep.) of Ohio, 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 endorsed 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 would be 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 no 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.

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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—I 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 are concerned. I agree with what is contended for upon this floor 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 discovered she 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 guarantee of a republican form of government—entitled to every right which the State of Ohio or Illinois has. 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 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 there may be one or two other instances.

Mr. BROWN, (rep.) of Mo.—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 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, Harris, 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, Howe 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 resolutions.

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, afterwards on the preamble.

On motion of Mr. EDMUNDS, (rep.) of Vt., the resolution of the Judiciary Committee was modified so as to to read as follows:—

Resolved, That the United States do hereby recognize the present government of the State 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 and Wilson—19.

The next question was on adopting 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, Morrill, Nye, Poland, Pomeroy, Ramsey, Sprague, Sumner, Trumbull, Wade, Wilson—16.

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

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

Mr. SUMNER, (rep.) of Mass., 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, (rep.) of Wis., 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, Wiley, Wilson and Yates—29.

NAYS—Messrs. Chandler, Creswell, Grimes, Harris, Howard, Kirkwood, Lane, Sherman, Sprague, Ward and 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 first 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, Nesmith, Norton, Poland, Riddle—11.

NAYS—Messrs. Anthony, Brown, Buckalew, Chandler, Clark, Creswell, Edmunds, Fessenden, Foster, Grimes, Harris, Henderson, Howard, Kirkwood, Lane, Morgan, Morrill, Nye, Pomeroy, Ramsay, Sherman, Sprague, St