WASHINGTON

The Nebraska Bill Passed Over the President's Veto in the Senate.

Passage of the Legislative and Executive Appropriation Bill.

Lengthy Debate on Thad Stevens' Reconstruction Bill in the House.

&c. &c. &c.

WASHINGTON, Feb. 8, 1867.

The Bill to Establish Military Governments in the Rebel States.

Notwithstanding the day was stormy, the interest in the fate of Mr. Stevens' bill to establish military governments in the lately rebellious States drew a large number of people to the House, and the galleries were well filled. It became apparent last night and this morning that the previous question would not be seconded at one o'clock, if a vote was obtained on the bill to-day, so great was the desire to debate the question at length. It was stated that about twenty members were recorded at the Speaker's desk for speeches. Mr. Shanklin, of Kentucky, addressed the House in opposition to the bill, and was followed by Mr. Thayer, of Pennsylvania, in its favor, who yielded a portion of his time to Mr. Harding, of Illinois, who argued in its favor. The debate was continued by Mr. Shellabarger, of Ohio, in favor; Mr. Ketcham, of New York, in opposition; Mr. Hotchkiss, of New York, in favor; Messrs. Griswold and Raymond, of New York, in opposition, and Mr. Garfield, of Ohio, in favor, before Mr. Stevens demanded that the main question be put, and the vote upon it was not taken until four o'clock this afternoon. The result was that the previous question was not seconded, the vote standing 61 yeas to 98 nays. This cannot be regarded as a fair test vote, as it is believed that many members did not vote in support of the previous question because they think that the bill should be fully discussed and amended to such a form that there will be little doubt of its safe passage; yet many who voted in the negative on the previous question will vote in favor of the bill. Messrs. Griswold and Raymond opposed the measure in its present form because it rendered the civil law subservient to the military, and as a number of the other republican members are of the same opinion with reference to some of the features of the bill, there is good reason to believe that it will not pass in its present shape, or if it does that it will be by a bare majority, and not sufficient to carry it over the President's veto. The indications are, however, that the bill will be so amended as to pass by a full two-thirds vote. A significant feature in the proceedings to-day was the position taken by General Banks, who opposed the previous question, and requested that action in the matter be suspended until to-morrow, when he wished to submit a substitute. He was desirous that a bill should be brought in that would, if possible, be acceptable to both the President and Congress. He desired apparently to place the President in such a position that he would be compelled to carry out the will of Congress or subject himself to the act of impeachment in such a way as to be be sustained by the united votes of the nation.

The Nebraska Bill.

The Nebraska bill was passed in the Senate to-day over the President's veto by a vote of thirty-one to nine.

Presidential Approval.

The President has approved the bill providing that alcohol made or manufactured from distilled spirits upon which the taxes imposed by law shall have been paid, and burning fluid made or manufactured from alcohol or spirits of turpentine or camphene, upon which the taxes imposed by law shall have been paid, shall be exempted from tax.

The Law Relating to Distilled Spirits.

So much of section ninety-six of the act of June 30, 1864, as relates to alcohol and burning fluid is repealed, and all products of distillation, by whatever name known, which contain distilled spirits or alcohol on which the tax imposed by law has not been paid, shall be considered and taxed as distilled spirits.

The Financial Measures Before Congress.

The Committee on Finance in the Senate have made no report as yet upon the subject of the four per cent loan certificates; but it is claimed that they will probably report in a few days in favor of the measure.

The Bankrupt Bill.

The Bankrupt bill will probably be amended so as to require the bankrupt to pay fifty cents on the dollar, in order to obtain the advantages under the bill. Its passage in any form is considered doubtful.

Jeff Davis.

A gentleman who has just returned from Fortress Monroe says, from personal knowledge, that the health of Jefferson Davis is much better than it has been for six months past; that he is allowed free intercourse with visitors, but avoids all conversation with reference to political affairs and to his own condition as a prisoner. He has full range of the grounds of the Fort, and lives as comfortably as any of the United States officers.

Secretary Welles' Reception.

The reception of Secretary and Mrs. Welles to-night was largely and fashionably attended, the company including Senators and Representatives, Cabinet officers, Foreign Ministers, and army and navy officers of distinction. It was one of the most brilliant entertainments of the season.

Resumption of Mail Communication with the South.

The Post Office Department yesterday afternoon despatched all mail matter which had accumulated in Washington city for the South by two steam tugs, which succeeded in forcing their way through the ice to Alexandria, there connecting with the Orange and Alexandria Railroad. No doubt is entertained that interruption to the mail transportation is at an end for the present winter.

The Tobacconists.

The Tobacconists' Convention, now in session here, have appointed a committee to wait on the Committee of Ways and Means to present the various resolutions adopted by them for the promotion of their material interests.

Customs Receipts.

Official returns show that the receipts for customs at the places named below from January 26 to January 31 were as follows:—At New York, $1,407,539; at Boston, $159,855; at Philadelphia, $65,532; at Baltimore, $50,888, and at New Orleans for the week ending January 26 $182,909. Total $1,866,725.

Confirmation and Rejection of Appointments by the Senate.

The Senate to-day confirmed the following nominations:—

Thomas J. McKenny, of Iowa, to be Superintendent of Indian Affairs for Washington Territory.

James D Martin, to be Direct Tax Commissioner for South Carolina.

C. Carroll Tevis, Third Maryland cavalry, to be Brigadier General by brevet.

James Wentworth, of Missouri, to be Consul at Moscow.

John Sargent, to be Assessor of Internal Revenue, Sixteenth District of Ohio.

Mathewson T. Patrick, of Nebraska, to be agent of the Upper Platte Indians.

Lafayette Carter, of Idaho, to be Surveyor General of the Territory of Idaho.

Joseph E. Webster, to be Assessor of Internal Revenue, Second district of Georgia.

General B. T. Kelley, to be Collector of Internal Revenue, First district of West Virginia.

The Senate rejected the following nominations:—

Surveyors of Customs—Thomas E. Durant, port of Quincy, Ill.; James Lowrey Key, port of Pittsburg, Pa.; Richard J. Howard, of St. Louis, Mo.

For United States Marshal—Russell Jarvis, for the district of New Hampshire.

For Registers of Land Office—Edward S. Reed, Nebraska city, Nebraska, and T. W. Bedford, Brownsville, Nebraska.

For Receiver of Public Money—Albert Tuxbury, Nebraska city, Nebraska.

For Collectors of Internal Revenue—Samuel Lahm, Seventeenth district of Ohio; Jasper B. Stark, Twelfth district of Pennsylvania; James H. Anderson, Eighth district of Ohio; William E. Haynes, Ninth district of Ohio; W. C. Stanbury, Eleventh district of Iowa; Wm. Boardman, Seventh district of New York; W. R. Merritt, Fifth district of Iowa; Jacob W. Stewart, Second district of Iowa; James Gavin, Fourth district of Indiana; William C. Tullery, Seventh district of Pennsylvania; A. McConnell, Nineteenth district of Ohio; Martin Igoe, Sixteenth district of Indiana; J. G. Knight, Third district of Wisconsin; S. G. Hicks, Eleventh district of Illinois; H. A. McKelvy, Second district of Iowa; J. A. Farley, Eleventh district of Ohio; Archer M. Martin, Seventh district of Pennsylvania; W. R. Judson, Twenty-seventh district of New York; J. B. Smith, —— district of Wisconsin; J. F. Fawsett, Fourth district of Wisconsin; F. M. Kinter, Twenty-first district of Pennsylvania; Oliver H. P. Scott, First district of Iowa; A. Hyatt Smith, Second district of Wisconsin; C. A. Heckman, Third district of New Jersey.

THIRTY-NINTH CONGRESS.

Second Session.

SENATE.

WASHINGTON, Feb. 8, 1867.

CLAIMS OF NEW MEXICO.

The CHAIR laid before the Senate a memorial from the Legislature of the Territory of New Mexico asking for the appointment of a commission to investigate the claims of that Territory for property destroyed during the Texas invasion. It was referred to the Committee on Claims.

PETITIONS.

Petitions on various subjects were presented and appropriately referred.

TENNESSEE HOME GUARDS.

Mr. PATTERSON, (dem.) of Tenn., introduced a joint resolution for the payment of Tennessee home guards organized by order of General Burnside. Referred to the Military Committee.

CONGRESSIONAL DOCUMENTS.

Mr. LANE, (rep.) of Ind., offered a resolution that all documents ordered by the present Congress and printed between now and the 1st of December shall be distributed among the members of the present Congress. Adopted.

EVENING SESSION FOR MONDAY NEXT.

Mr. WILLIAMS, (rep.) of Oregon, offered a resolution for a night session on Monday next to consider the resolution giving twenty per cent extra compensation to civil employés of the government at Washington. Agreed to.

HARPER'S FERRY PROPERTY.

Mr. WILSON, (rep.) of Mass., from the Military Committee, reported favorably the House bill authorizing the Secretary of War to convey certain lots at Harper's Ferry, and asked immediate consideration of the same.

Mr. JOHNSON, (dem.) of Md., objected, and it goes over.

INCREASED SALARY OF A NON COMMISSIONED ARMY OFFICER.

Mr. WILSON, from the Military Committee, reported the House bill to increase the pay of the Quartermaster's sergeant of the Engineer Battalion to the same amount as that of the sergeant major—$36 per month.

Mr. TRUMBULL would like to know if that was one of the bills for "levelling up" soldiers? Every day or two a bill was brought in here to increase some salary. He must object to this practice.

Mr. WILSON said Mr. Trumbull was in the habit of lecturing Senators in a manner not worthy of the Senate. He was continually reading his lectures to Senators. Yesterday he brought in a bill to increase the pay of the Judge of the little State of Delaware to $4,000, and to-day he was objecting to an increase of a few dollars a month to a non-commissioned officer of the army.

Mr. SAULSBURY, (dem.) of Del., spoke of the high character and ability of Judge Holt, of Delaware, and of the patriotism and devotion to the Union of the little State of Delaware.

Mr. TRUMBULL replied to the remarks of Mr. Wilson, questioning his right to say what was worthy or unworthy of a Senator, and asserting his own right to make such comments as he had made upon this bill.

The bill was considered and passed.

DISPOSITION OF FINES AND FORFEITURES FOR FRAUDS ON THE REVENUE.

Mr. GRESWELL, (rep.) of Md., introduced a bill to regulate the disposition of the proceeds of fines, penalties and forfeitures incurred under the laws relating to the customs, which provides that there shall be deducted from the same, in addition to such charges as are now authorized by law on the forfeiture of goods, release of the, &c., an amount equivalent to the duties in coin upon such goods, which shall be credited in the accounts of the Collector as duties received, and the residue be paid into the Treasury, to be distributed by the Secretary as follows:—One half to the United States, one-fourth to the informer, or if no informer other than the Collector, Naval Officer or Surveyor, then to the United States, and the remainder equally divided among the three officers named above, or if there be only a Collector, then to such Collector; in cases when the detection is made by an officer of a revenue cutter, then one-fourth to the United States and one-fourth to the custom officers, and the remainder to the officers of the revenue cutter. The bill also details judicial proceedings in cases of certain frauds, and regulates the withholding of goods by collectors on liens for freighting, &c. It was referred to the Committee on Commerce.

ADJUDICATION OF PRIVATE LAND CLAIMS.

Mr. HARRIS, (rep.) of N. Y., introduced a bill extending for three years the provisions of the act entitled "An act for the final adjudication of private land claims in the States of Florida, Louisiana and Missouri, and for other purposes," approved June 22, 1860. It was referred to the Committee on Judiciary.

AMENDMENTS TO THE POST OFFICE LAW.

Mr. DIXON, (rep.) of Conn., introduced a bill amendatory of the Post Office law which provides that, when any letter held for postage shall bear upon its face the name and residence of the writer of the same, the postmaster at the mailing office, if it be the place of residence of the writer of the letter, shall immediately place the letter in the box or depository for delivery to the said writer, instead of to the Dead Letter office; but if the place of mailing shall not be the residence of the writer the postmaster shall, after ten days, transmit the letter to the party and place inscribed thereon, charging ordinary postage. When any letter so inscribed shall from any cause be transmitted to the Dead Letter office, such inscription shall be considered a request for the return of the letter to the writer, and it shall be so returned at ordinary postage; but if the said letter is not called for by the writer within three calendar months, the same shall be returned to the Dead Letter office with a circular stating the fact. It was referred to the Committee on Post Offices and Post Roads.

PUBLICATION OF THE DEBATES OF CONGRESS.

Mr. ROSS, (rep.) of Kansas, introduced a resolution that, from and after the commencement of the next Congress, the publication of the debates of Congress shall be transferred from the *Globe* to the *Chronicle*.

Mr. McDOUGALL, (dem.) of Cal., objected to the introduction of the resolution, and it lies over until to-morrow.

EXECUTIVE, JUDICIAL AND LEGISLATIVE APPROPRIATION BILLS.

At one o'clock the bill making appropriation for the executive, judicial and legislative departments of the government was taken up. The question was on agreeing to the amendments made yesterday in Committee of the Whole. The first amendment upon which a separate vote was demanded was that increasing the salary of the District Judge of California to $5,000; of Massachusetts, New York, Pennsylvania, Northern Illinois, Oregon and Nevada to $4,500, and all others to $4,000; such salaries to be in full for all services, and no extra compensation or travelling expenses to be allowed. The amendment was agreed to.

A separate vote was asked on the amendment fixing the salary of the Judges of the Court of Claims at $5,000, and it was disagreed to.

Mr. WADE, (rep.) of Ohio, moved to strike out the words "in the *Daily Globe*" from the following paragraph:—"For reporting and printing the proceedings of Congress in the *Daily Globe* for the first session of the Fortieth Congress, $21,250."

Mr. TRUMBULL feared that if the contract with the *Globe* was suddenly terminated Congress might be left without any official organ.

Mr. WADE said his amendment would not prevent the carrying out of the *Globe's* contract. It only prevented Congress tying up its own hands in the matter. It might appear on investigation that the work could be done at the public printing office better and cheaper than it was now done at the *Globe* office.

Mr. SHERMAN, (rep.) of Ohio, favored the amendment of his colleague. If it was adopted he should offer a proposition instructing the Committee on Printing to inquire if the work could not be done at the government printing office, or if not, whether it would not be advisable to advertise for proposals, and let the contract to the lowest bidder.

Mr. FESSENDEN, (rep.) of Me., said that the late Superintendent of the printing office (Mr. Defrees) was of the opinion that the work could be done at the government printing office at a great saving of money. The present Superintendent was of the same opinion.

Mr. ANTHONY, (rep.) of R. I., said that the present and the late Superintendent of Printing had told that the proceedings of Congress could be more cheaply printed at the government office than under the *Globe* contract.

Mr. YATES, (rep.) of Ill., maintained that on the old political motto, "to the victors belong the spoils" the republican Union party ought to have a printer of their own choosing. The crumbs of patronage ought to go to men who were on their side. It would not do to say to him that a man was neutral or was not political. The President did not distribute patronage on that idea, and he (Mr. Yates) was for giving this work to some good radical republican.

Mr. WADE believed that sixty or seventy thousand dollars a year could be saved by having the work done at the government printing office. He endorsed what Mr. Yates had said as to the distribution of patronage. He felt constrained to maintain by all means the principles he advocated, and he would take advantage of all the patronage in his possession and give it to his friends.

Mr. CONNESS, (rep.) of Cal., said that an investigation would show that the men who did the most work got the least pay in this matter of Congressional reporting. He did not believe the *Globe* reporters were sufficiently paid.

Mr. HENDRICKS, (dem.) of Ind., contended that the publication of the debates ought to be kept where it was. He replied to the speech of Mr. Yates, denouncing the policy it advocated.

Mr. YATES said Mr. Hendricks seemed surprised at the doctrine expressed by him. He (Mr. Yates) had borrowed from the party with which Mr. Hendricks acted. The principal upon which he wished to act was that upon which any State Legislature acted. Every State Legislature elected a public printer of its own political creed. He proposed that the public printing of the United States should be in the hands of radical republicans.

Mr. FESSENDEN said he had examined the subject since this debate commenced, and he was satisfied that the existing contract with the *Globe* cannot be abrogated by either party to it without two years' notice.

Mr. JOHNSON concurred in the views expressed by Mr. Fessenden. Replying to Mr. Yates' speech, he said that he should regret exceedingly to see the publication of the debates of Congress transferred to a party newspaper.

The amendment of Mr. Wade was not agreed to.

Mr. FESSENDEN moved to amend the paragraph above quoted by striking out the words "for the first session of the Fortieth Congress." It was agreed to.

Mr. FESSENDEN offered an amendment giving the two years' notice of the abrogation of the contract with the *Globe* for publishing the debates of Congress.

Mr. MORRILL, (rep.) of Me., moved to reconsider the vote by which Mr. Wade's amendment to strike out the words "in the *Daily Globe*" was disagreed to.

Mr. SHERMAN resumed the floor in advocacy of the proposition to have the debates printed at the government office. He did not believe that two years' notice was required to terminate the contract with the *Globe*. The contract was an implied one only.

Mr. JOHNSON held that the existing law was in the nature of a contract, and that no change could be made without two years' notice.

Mr. SUMNER, (rep.) of Nevada, favored Mr. Wade's amendment. He was not prepared to pass upon the merits of the question as to whether the *Globe* should continue the publication or not; but he wished to leave the subject open, so far as future legislation was concerned.

The vote on Mr. Wade's amendment was reconsidered, and the amendment was adopted by the following vote:—

YEAS—Messrs. Buckalew, Cattell, Chandler, Creswell, Fessden, Frelinghuysen, Grimes, Harris, Howe, Kirkwood, Lane, Morgan, Morrill, Pomeroy, Rawson, Ross, Sherman, Sprague, Stewart, Sumner, Wade, Williams, Wilson and Yates—21.

NAYS—Messrs. Anthony, Cragin, Davis, Doolittle, Foster, Hendricks, Howard, Johnson, McDougall, Norton, Patterson, Poland, Trumbull and Van Winkle—14.

Mr. SHERMAN offered an amendment directing the Committee on Printing to receive proposals for printing the debates, and to report whether it would be more expedient to have the work done at the government printing office, to let it to the lowest bidder or to continue the present arrangement with the *Globe*. Mr. Sherman subsequently, by request, withdrew the above.

Mr. POLAND, (rep.) of Vt., offered an amendment increasing the salaries of the Judges of the Court of Claims to $4,500 per annum. Disagreed to.

The bill was then read a third time and passed. It goes back to the House for concurrence in amendments.

THE NEBRASKA BILL PASSED OVER THE PRESIDENT'S VETO.

Mr. WADE called up the bill to admit Nebraska, upon which the question was, "Shall the bill pass, the President's objections to the contrary notwithstanding?" Without debate the question was decided by a vote of yeas 31, nays 9, as follows:—

YEAS—Messrs. Anthony, Brown, Chandler, Cragin, Creswell, Fogg, Fowler, Frelinghuysen, Grimes, Harris, Henderson, Howard, Howe, Kirkwood, Lane, Morrill, Pomeroy, Poland, Ramsay, Ross, Sherman, Sprague, Stewart, Sumner, Trumbull, Van Winkle, Wade, Willey, Williams, Wilson and Yates—31.

NAYS—Messrs. Buckalew, Davis, Doolittle, Foster, Hendricks, Morgan, Norton, Patterson and Saulsbury—9.

So the bill was passed over the President's veto, and goes to the House.

Mr. WADE wanted to call up the Colorado bill, but subsequently withdrew the motion.

EXECUTIVE SESSION.

Mr. GRIMES, (rep.) of Iowa, called up the bill to locate the iron-clad depot at League Island, but without debate or action thereon the Senate went into executive session and soon thereafter adjourned.

HOUSE OF REPRESENTATIVES.

WASHINGTON, Feb. 8, 1867.

MUSTER ROLLS OF VOLUNTEER ORGANIZATIONS.

Mr. BLAINE, (rep.) of Me., from the Committee on Military Affairs, reported a joint resolution directing the Secretary of War to furnish, on application of the Adjutant General of any State, certified copies of the muster in and muster out roll of any volunteer organization of such State, on the representation of such Adjutant General that such rolls were not returned by the United States mustering officer to this department, which was passed.

CENTRAL PACIFIC RAILROAD.

On motion of Mr. WENTWORTH, (rep.) of Ill., the Secretary of the Treasury was directed to communicate the amount of bonds issued to the Central Pacific Railroad Company and the Union Pacific Railroad Company, the date of such issue, and the number of miles of road completed.

PROHIBITION OF TRANSPORTATION OF FOREIGN CRIMINALS TO THE UNITED STATES.

Mr. RAYMOND, (rep.) of N. Y., introduced a bill to prohibit the transportation from foreign countries to the United States, of persons convicted of or charged with crime, and prescribing punishment thereof, which was referred to the Judiciary Committee.

THE SOUTHERN RAILROADS.

On motion of Mr. SPALDING, (rep.) of Ohio, the Secretary of War was directed to report what railroad companies in the rebellious States had purchased rolling stock or other property of the United States government, the amount thus purchased, and the amount of purchase remaining unpaid, and also the nature of the securities held therefor, &c.

ASSAY OF GOLD AND SILVER.

Mr. KASSON, (rep.) of Iowa, introduced a bill to establish certain offices for the assay of gold and silver, which was referred to the Committee on Coinage, Weights and Measures. The bill proposes to establish assay offices at Denver, Colorado Territory; at Charlotte, North Carolina, and at Dahlonega, Georgia, and to appropropriate $5,000 each for apparatus and repairs of buildings at Charlotte and at Dahlonega; the business of these offices to be under the general control and direction of the Director of the Mint at Philadelphia.

THE TEXAS CATTLE DISEASE.

On motion of Mr. CLARKE, (rep.) of Kansas, the Committee on Agriculture was instructed to inquire into the expediency of providing for the appointment of a commissioner to investigate the nature, causes and results of what is commonly known as Spanish fever, or Texas cattle disease.

PROPOSED AMENDMENT OF THE RULES.

Mr. BALDWIN, (rep.) of Mass., asked leave to offer a resolution instructing the Committee on Rules to inquire into the expediency of so amending the rules as to provide that when on a call of the House after eight o'clock in the evening it is found that a quorum is not present, the House shall immediately adjourn, to meet the next day at twelve o'clock. Objection was made.

MILITARY GOVERNMENTS FOR THE INSURRECTIONARY STATES.

The House then resumed the debate on the bill reported by Mr. Stevens from the Reconstruction Committee, to provide for the more efficient government of the insurrectionary States.

Mr. SHANKLIN, (rep.) of Ky., addressed the House in defence of the constitution and of the republican principles of the government. This bill was more dangerous to the civil rights of the people than any measure that had ever been presented to any deliberative body in a republican form of government. If such enormous outrages on the people as are provided for in this bill, in the Freedmen's Bureau and in the Civil Rights' bill were persisted in, it would not be long before the people would hurl from their places of power the advocates of such measures, and put in their places those who would appreciate more highly the rights of citizens.

Mr. THAYER, (rep.) of Pa., followed in a speech in support of the bill. He hailed it as establishing an initial point from which the nation could safely start in the adjustment of this great and momentous question. He regarded it as a bill which laid on that question the grasp which was to hold it until its final settlement. The people who were triumphant in the late struggle would never submit to be placed on an equality in the negotiation and settlement of the terms and conditions of restoration with those who had endeavored to destroy the government. The people would vindicate the right and power of settling for themselves those terms and conditions, in spite of the efforts of their late enemies, and in spite of the machinations of those who had betrayed them. The attitude of the President had undergone a startling change from the position which he had taken down at the close of the war, and he now arrogated to himself the right of negotiating with the Governors and leading men of the late rebel States the terms of accommodation between the people of these States and the people of the loyal States. The President was not trying to carry out the wishes of the people as declared at the late elections, but to concert some new scheme such as would square with his own prejudices—he would not say with his own pledges. The people had passed upon the legislation of Congress, had given it their sanction, and expressed their determination to sustain and enforce it. That was the answer to the President's charge of unconstitutional legislation against Congress. Let the President show when he received authority to enter into conferences, open or secret, with the leaders of the late rebellion, the public armed enemies of the country. He was in favor of this measure because it was calculated to raise this great question out of the sluggish slough into which it had fallen on account of the machinations of the President. If the question were ever to be settled it must start in its settlement from the representatives of the people. The people, who did not appreciate fine metaphysical distinction as to States in and States out of the Union, would insist that this great question should be settled, not by the President, but by their own representatives, and on such terms and conditions as should be imposed upon their defeated and beaten enemies, not on such terms as they might wring from or beg of the President of the United States. It was of no consequence what the President of the United States might think on this question; he had nothing to do with it. It was above and beyond him. It was a question to be settled, not by the President, but by the immediate representatives of the people. The bill proposed to erect in the South an appelate power to which the downtrodden Union men of the South might appeal from the outrages of their oppressors. It proposed to establish the paramount authority of the government in that section of country, and to protect there the rights of all American citizens. That was the only oppression this bill contemplated. The bill, he doubted not, when enforced, would be followed by terms of reconstruction which would recognize the perfectly equal rights of all citizens, secure uniform liberty, uniform happiness and uniform prosperity throughout the length and breadth of the whole country.

Mr. HARDING, (rep.) of Ill., expressed his hearty accord and agreement with the sentiments expressing the objects and purposes of the bill. He represented a constituency which was determined at any cost to protect the citizens of the United States against lawlessness and crime. That was the main object of this bill. Its practical effect would be to place the country where it was at the departure from the policy of President Lincoln, when the national government controlled the Southern States by military power. This bill contemplated nothing more, nothing less; and if military occupation was not fatal to the rights of the people then, how could it be so fatal now?

Mr. SHELLABARGER, (rep.) of Ohio, next took the floor to explain the reasons why he should vote for this measure. It he agreed with the other side of the House as to the state of facts and as to the state of law resulting therefrom in which the country found itself, he would agree with them that this bill was a monstrous proposition. Their state of facts was that the country was at peace, and that civil laws were in operation all over it. If that were the case then he would say to his friends on his own side of the House that they should not pass this law. The constitution indicates what their rights and duty in the circumstances are; for it required that when the public safety demanded that the writ of habeas corpus should be suspended because the laws could not be enforced, the privileges of that writ should be suspended. That state of things, he held, was now upon the country—a state of war *minus*, in which, although the rebellion was crushed, the spirit of rebellion was still rampant and interfering with the regular execution of the laws; and that was what this bill did. It recognized the country as being in a state of war *minus*, and therefore it suspended the privileges of the writ of habeas corpus. He denied that this bill was an improper or unusual interference with the rights of the President as commander-in-chief of the army and navy, and referred to acts of legislation in the past history of the country in which the President was directed by Congress to detail portions of the army and navy for special purposes. If these instances were not encroachments on the jurisdiction of the President as commander-in-chief, neither was this an encroachment upon it. Suppose the President did order upon other duties the officers who were to be assigned to duties under this bill, he would do so on his responsibility for the consequences, and if he did so wantonly the constitution provided a remedy. The law making power of the country controlled not only the President, but the objects and purposes of war. This measure, standing alone, could not receive his support. If it were not to be followed by measures to establish civil governments based upon loyal suffrages he would not vote for a military measure of this kind.

Mr. DAWES, (rep.) of Mass., understood that this bill was framed because of the confidence which Congress reposed in the General of the army. But, he asked, what was there in the bill to hinder the President of the United States from removing the officer who might be selected by the General commanding the army and appoint in his place another officer who might defeat the very objects of the bill?

Mr. SHELLABARGER admitted that the President could do so; but he called attention to the fact that Congress again and again had passed such legislation, and to the fact that if the President wantonly abused his power he would be liable to impeachment.

Mr. HOTCHKISS, (rep.) of N. Y., complained that this Congress had taken no step in advance in relation to the protection of the people of the Southern States, nor had it obeyed the mandates of the people at least; and if Congress adjourned without doing so, all should be gone. He advocated placing the Southern territory under military control; but he thought the law sufficiently covered that matter at present, if the President had not, by his construction of the law, defeated it.

Mr. GRISWOLD, (rep.) of N. Y., said that, as he should feel constrained to vote against the bill, he felt it his duty to state the reasons which occurred to his mind for that action. He should regret because he would be differing with those who, he believed, had at heart the best interests of the whole country. He fully sympathized with the objects aimed at by the bill and appreciated the condition of things at the South; but it seemed to him that the provisions of this bill led to greater dangers than were justified by the evils sought to be corrected. This was a tremendous stride. It subjected ten millions of the people who had once been a part of this common country, and who were again to be united in controlling its destinies, to having all their rights of life, liberty and property placed under the exclusive and unqualified control of a mere military captain. He regarded that as a terrible danger which nothing could justify except a state of absolute and unqualified war. With all due deference to the learned gentlemen who had discussed the question, he submitted that the practical sense of the civilized world would not bear out the idea that the country was to-day in a state of war. This bill ignored all the civil tribunals in that section. Even the Chief Justice of the United States would not under this bill have the right to interfere, except with the consent of a lieutenant of the army. This was progressing in the wrong direction. For more than two years they had been endeavoring to provide civil governments for that territory, and now they turned their backs on that policy and at one stride proposed to place the ten millions of people in the South under an exclusively military government. He preferred to stand by the overtures which Congress had made in the constitutional amendment.

Mr. RAYMOND, (rep.) of N. Y., opposed the bill. He admitted that there was no sentiment more deeply rooted in the public mind at this time than that of the duty and the necessity of extending full, ample and just protection to those men in the South who had stood by the flag when it was in peril, whatever their race or color. He feared that it was all lamentably true that there existed a necessity for some interposition on the part of the general government to secure to the loyal people of the South the protection to which they had a rightful claim. It was clear that life, liberty and property were not safe throughout the Southern States; they were not properly protected by the courts and tribunals of those States or by the civil authorities there. Much of that was traceable directly to the prevalence of a temper in the South not friendly to the government of the United States. It was undoubtedly true that there was a lingering of the rebellious temper in the South, and out of that temper grew the necessity for protection, which the House was now called upon to consider. Admitting that necessity, the next question was how such protection could be best afforded. If this bill were a proper measure for such an emergency, did the bill provide the means for protecting those classes in the South most in harmony with the spirit of our institutions, and best calculated to attain the object sought, and whether it was wise for Congress to adopt it? The bill was a simple abnegation of all attempts to protect the people of the South by the ordinary exercise of civil authority. It handed over all authority in those States to officers of the army, clothing them with complete, absolute, unrestricted power to administer the affairs of those states at their sovereign will and pleasure. What laws were those officers to enforce? Not the laws of the Southern States, for those States were discarded and their authority to make laws expressly repudiated. Not the laws of the United States, for those laws did not touch the subject concerning which the inhabitants of those States needed protection. There was no law of the United States to punish larceny, felony, burglary or such crimes, to enforce contracts or to regulate the relations of individuals to the community or to society. What laws, then, were these officers to enforce? Simply such laws as they themselves might deem proper to enact in the States over which their jurisdiction was made sovereign. The third section of the bill makes it the duty of the officers to protect all persons in the rights of person and property, to suppress disorder, insurrection and violence, and to punish or cause to be punished all disturbers of the public peace and criminals, according to their own judgment. The latter words were not in the law, but they were the necessary inference from it. A brigadier general was to be sent into each of these military districts to be the absolute sovereign arbiter in all disputes, and to prescribe law for the government of the people. All gentlemen would admit that that was an extreme measure—the most extreme measure that could possibly be enacted by Congress, and by any legislative body. No legislative body could act in the exercise of a higher sovereignty than to clothe an individual with absolute power, authority and control over millions of men, and to give him an army to enforce that will and that authority. He asked the House whether there was a necessity for this measure? Was the emergency so absolute that Congress must enact such a law? The able and learned gentleman from Ohio (Mr. Shellabarger) had insisted that it was the duty of Congress, by the constitution, to suspend the writ of habeas corpus, and had said that that was all the law contemplated. He did not think it was all that this law contemplated. It extended much beyond that. The gentleman (Mr. Shellabarger) had referred to the clause of the constitution, reciting it as if it read that the government should suspend the habeas corpus in case of invasion or rebellion. It was with great reluctance that he attempted to correct so learned a gentleman and so able a lawyer; but certainly, in a matter of plain quotation, he might venture on it. The constitution imposed on Congress the duty of suspending the habeas corpus. It forbade the suspension of the habeas corpus except in a certain contingency, when it might be suspended. That was a very different thing from imposing an absolute duty to suspend it. And what was that contingency? The gentleman (Mr. Shellabarger) said it was when war prevailed, and had insisted that war did now prevail—not flagrant war, but war in the legal sense of the word. He (Mr. Raymond) held that war, in every legal sense of the word—in the sense of the constitution, in the sense of the law, in the sense in which it was used by every writer on law—had ceased in the South. It had ceased by proclamation authorized by law, and a state of peace had succeeded to it. It could not, therefore, be on the ground that war existed there that Congress had a right to suspend the habeas corpus. The case was made specific by the language of the constitution. "The writ of habeas corpus may be suspended when, in cases of rebellion or invasion, the public safety may require it." There was here no invasion of the South, no rebellion in the South in the sense which threatened the public safety. Private rights were jeopardized at the South, and the safety of life and property was at hazard; but it would have to be by a strained and forced construction that it could be said that the public safety was so far endangered as either to constitute a state of war or to authorize the suspension of the writ of habeas corpus. He mentioned this to show that he did not think there had occurred an emergency justifying a resort to that extreme remedy of the constitution. The gentleman from Pennsylvania (Mr. Thayer) had said that the people had decided that the government of the Southern States was to be regulated by the representatives of the people. He admitted that, but he asked whether army officers were the proper representatives of the people in that sense? Was there no other way in which the people of the country represented in Congress could enforce their will except by delegating absolute and unrestricted power to an officer of the army? Certainly it had never been thought so until quite recently. The army had not been considered the fountain and origin of authority. Until quite recently in our history the army had been considered the army of the government—its right hand—the executive power emanating from the civil power. Was there a necessity for reversing that state of things now? He knew of no obstacle to the establishment of civil authority in the Southern States on such basis as Congress deemed wise and just. That civil authority would be entitled, in case of resistance to it, to the aid of the army to execute its decrees.

Mr. HOTCHKISS inquired of Mr. Raymond whether it was not the universal testimony of loyal men of the South that if the army were withdrawn their lives would be sacrificed.

Mr. RAYMOND replied that the question would be more pertinent if he had said one word in favor of withdrawing any portion of the army now there. He was in favor of having sufficient force in every Southern State to enforce such laws as might be made by the civil authority for the protection of life and property. What he objected to was not the presence of the army, not to the protection to be extended by the army over loyal citizens, black and white, but to clothing a solitary officer of that army with powers to make laws as he pleases and make his own definition of what his duties were.

Mr. HOTCHKISS asked Mr. Raymond whether the loyal people of the South did not now say that the military protection there was not insufficient?

Mr. RAYMOND replied that that question had no more pertinency than the other one. The bill did not propose simply to increase the army there.

Mr. SHELLABARGER thought there was some misapprehension in Mr. Raymond's mind as to what he (Mr. Shellabarger) had said touching the duty of the government to suspend the habeas corpus. The constitution provided that the privilege of the writ of habeas corpus should not be suspended except in cases of rebellion or invasion, when the public safety required it. This was equivalent to saying that when the public safety did require it it was the duty of the government to suspend it. He asked his friend from New York what the military could do in the way of securing the safety of the citizens, if they had not the right to interfere.

Mr. RAYMOND thought it needless to remind such an intelligent and well read gentleman as the gentleman from Ohio that the functions of the army had always hitherto been considered to be the execution of the decrees, laws and statutes of the civil authority. He held, therefore, that the proper functions of the military authority in the South was to execute the authority of the civil tribunals of the civil government, and also to aid, when called upon in conformity to law, the tribunals created by the United States government under the Freedmen's Bureau bill and the Civil Rights bill. He believed that under these laws the military might be called upon to protect life, liberty and property in the South. It might be answered to him that the civil authorities there did not want to protect life and property of loyal men and freedmen. If that were so then the proper remedy was for Congress to create such a government there as would protect those classes of citizens. The military had been used during the Kansas trouble in enforcing the civil law, and without the suspension of the writ of habeas corpus. He would prefer to have territorial governments established in the South, although he should have doubts as to the propriety of that measure, and as to the power of Congress to resort to it, but it would be preferable to that now proposed. He should prefer that Congress would appoint civil commissioners for each State, assuming them in the [illegible] but if it was not willing to trust [illegible] their selection to the President; and let those commissioners organize a government of some sort, and let the military support their decrees. Unless they were to abandon all pretence of self-government and republican institutions. He insisted that they should not clothe a subaltern officer of the army with absolute authority over the lives, liberty and property of their fellow citizens. The bill was not in harmony with their institutions. It was not such a precedent as would secure respect for the nation as for its government anywhere on the face of the earth. Would it aid the cause of democratic government to say that this model democratic republic was abandoning all the principles of civil government, abrogating all civil authority over one-third of its domain and one-third of its people, and that it was from mere imbecility and inability to agree on any measure handing over the control of the government to the absolute and sovereign will of a brigadier general in the army? It was the last resort of a decayed and dying republic, and if it was adopted they might as well do at once what this seemed but a preliminary step towards doing—invite the regular army to take control of the whole country and administer the law as it saw fit. The measure would do more evil than good. There was nothing in it tending in the slightest degree to the restoration of peace and harmony, or to the strengthening of public confidence among the people that they shall ever again have a quiet, peaceable, liberty loving and liberty protecting government. He ran no hazard in saying that the enactment of such a law and the establishment of such a military government would disturb business confidence everywhere—the confidence of men who were looking forward to engage in the ordinary pursuits. It would keep capital and emigration from the Southern States. Where there was occasion for difference and dispension now a dozen would then arise. Congress seems determined, under its absolute inability to do anything, to fly to the most absolute measures that the ingenuity of man could invent. That had been the history of popular governments everywhere and the reason of their downfall, their decadence, their decay and their death. Referring to the remarks of Mr. Thayer in reference to the President having secret negotiations with public men of the South, Mr. Raymond said that he was quite aware the President had attempted nothing in the form of a negotiation—nothing more than the use of his personal influence with men of the Southern States in favor of a programme which was substantially the constitutional amendment, except that the disabling clause was to be omitted and impartial suffrage substituted.

Mr. THAYER asked Mr. Raymond whether he thought the President had any constitutional authority to interpose his official influence to prevent the effective operation of the legislation of Congress?

Mr. RAYMOND—Certainly not.

Mr. THAYER then said that Mr. Raymond must agree with him that in so doing the President would violate his official duty.

Mr. RAYMOND said that before pronouncing a dec