SENATE.—Mr. Nye called up a bill for the relief of Paymaster Rittenhouse, of the Paeific Squadron, to indemnify him for the loss of government funds stolen from his

In the discussion of the above measure, Mr. Wilson, who opposed it, stated that the government had lost less than a quarter of a million of dollars through the negligence of paymasters since the commencement of the war. He thought it best to hold every one of them to a strict accountability, and not set a bad precedent at this time, when there were so many settlements with paymasters

being made. Pending discussion in the above, Mr. Fessenden rose and said, "I gave notice that on Monday I should ask the Senate to proceed to the consideration of the joint resolution for an amendment to the Constitution reported by the Committee on Reconstruction, and as I understand that the Senator from Massachusetts is prepared to speak on that measure, and other gentleman understand he is to do so to-day, I shall make a motion that all further consideration of the bill be postponed until Tuesday, and that we proceed to the consideration of the joint resolu-

Mr. Stuart spoke of the necessity of taking action on the bill for the admission of Colo

Several Senators replied that the bill for the admission of Colorado could be taken up The joint resolution was then read, pro-

posing the following amendment to the

Constitution: ARTICLE —. Representatives shall be apportioned among the several States which may be included within this Union accord ing to their respective numbers, counting the whole number of persons in each State. excluding Indians not taxed; Provided, that whenever the elective franchise shall be denied or abridged on account of race or color, all nersons of such race or color shall be excluded from the basis of representation.

Mr. Summer took the floor, and after a few

introductory remarks, called for the reading of the following proposition, offered by him as a substitute for the above joint resolution: "Whereas, It is provided that the Consti-tution of the United States shall guarantee to every State in the Union a republican

form of government; and,
Whereas, By reason of the failure of certain States to maintain governments which Congress can recognize, it has become the duty of the United States, standing in the place of guarantor, where the principal has made a lapse to secure such States, according to the requirement of the guar anty, governments, republican in form;

Whereas, further, It is provided in a recent constitutional amendment that Congress may enforce the prohibition of slavery by appropriate legislation, and it is important, to this end, that all relies of slavery should be removed, including all distinction of rights on account of color; now, there fore, to carry out the guaranty of a repub-can form of government and to enforce the

prohibition of slavery, be it

Resolved, by the Senate and House of
Representatives, &c, That in all the States
lately declared to be in rebellion there shall be no oligarchy, aristocracy, caste or mo-nopoly, invested with peculiar privileges and powers; and there shall be no denial of rights, civil or political, on account of color or race, but all persons shall be equal before the law, whether in the court room or at the ballot box; and this statute, made in pursuance of the Constitution shall be the upreme law of the land, anything in the Constitution or laws of any such State to the

contrary notwithstanding.

Mr. Sumner remarked that it was wrong to admit that man could hold property in man; and so also the kindred idea of inequality in race, and thus openly set at nought the first principles of the Declaration of Independence, and the guarantee of a republican form of government. Itself, an amendment, according to the dictionaries, is an improvement—a change for the better. Surely the present proposition is an amendment which, like the crab, goes backwards. There are four millions of citizens now robbed of all share in the Government of their country, while at the same time they are taxed directly or indirectly, for the support of the Government. And this tyranny of texation without representation it is now proposed to recognize are not inconsistent with constitutional rights and the guarantees of a republican govern-

Speaking with a sincere deference to those valued friends from whom he differed, he submitted that the time has come at last when all compromise of human rights should cease; especially there should be no thought of a three-handed compromise, which, after degrading the Constitution, re-nounces a beneficent power, and lastly, bor-rowing an example from Pontius Pilate, turns out a whole race to sacrifice. Mr. Sumner then proceeded to his argument on the power of Congress to procure equal the power of Congress to procure equal rights for all, and he began by expressing a heartfelt aspiration that the day may soon come when the States lately in rebellion may be received again into the co-partnership of political power and in the full fellowship of the Union. He saw full well that it is vain to expect this day, which is so much longed for, until we have obtained that remarks for the full we have obtained that security for the future which is found only in the equal rights of all, whether in the court room or ballot box.

The powers of Congress on the subject are as ample as they are beneficent. From four specific fountains they flow, each one sufficient for the purpose, all four swelling into one irresistible current, and tending to one conclusion—First, the necessity of the case by which, according to the analogies of the Territories, disloyal States, having no local government, lapse under the authority of Congress: secondly, the rights of war, which do not expire or lose their grasp except with the establishment of all needful guarantees; thirdly, the constitutional injunction to guarantee a republican form of government and, fourthly, to the constitutional amend-medts by which Congress, in words of peculiar energy, is empowered to enforce the abolition of slavery by appropriate legislation. According to the proverb of Catholic Europe, all roads lead to Rome; and so do all these powers lead to the jurisdiction of Congress over this whole subject. No matter which road you take, you arrive at the

same point. He proposed, with the permission of the Senate, to show the necessity and duty of exercising the jurisdiction of Congress so as to secure that essential condition publican government, the equal rights of all, and he put aside at the outset that metaphysical question, worthy of the schoolmen in the dark ages, whether certain States are in the Union or out of the Union. This is a question of n. This is a question of form, and not Union. This is a question of form, and not of substance; of words only, and not of facts—for the substance is clear and the facts are unanswerable. All are agreed, according to the authority of President Lincoln in his latest utterances before his latest utterances before his latest that those States have lamented death, that these States have ceased to be in practical relations with the Wnion, and this is thought to sustain the Enion, and this is thought to sustain the jurisdiction of Congress, even without the plain words of the Constitution in two separate texts. Necessity and duty commingling, if what is necessary is not always according to duty, surely duty is always a necessity. On the present occasion they unite in one voice for the great guarantee. It is at once a necessity. Glancing at the promises of the fathers, he should exhibit, first the overruling necessity of the times first the overruling necessity of the times

constitutional amendment authorizing Congress to enforce the abolition of slavery. The demand which he made stands on

necessity. The Senate must grant it or peril the peace of the republic, and postpone indefinitely the great day of security and reconstruction. Therefore, in the name of that national safety, which is the supreme law, he brgan his appeal. Whatever is required for the national safety is constitutional. Not only it may be done, but it must be done. Not to do it is to fail in our duty. This republic must be saved. Enfranchisement was defined by Mr. Sumner as the establishment of the equal rights of all, so that there will be no exclusion of any kind, civil or political, founded on color, but the promises of our fathers shall be fulfilled. Such an act will be, in the words of President Lincoln, an act of justice warranted by the Constitution, a military necessity. The national safety positively requires that the enfranchisement thus promised shall be performed.

The freedman, though forbearing and slow to anger, will not submit to outrage always. He will resist, resistance will be organized, and here will begin the terrible war of races foreseen by Jefferson, where God, in all his attributes, has none which can take part with the oppressors. The tragedy of St. Domingo will be renewed on a wiser theatre, with bloodier incidents, Be warned by this historic precedent. It was the denial of rights to colored people, after excessive promises; which caused that fearful insurrection. After various vicissitudes, during which the rights of citizenship were conferred on free people of color and then resumed, the slaves at last rose, and here the soul sickens at the recital.

Mr. Sumner proceeded to consider the guarantee of a republican form of government by the Constitution. Assuming that there has been a lapse of government in any State so as to impose upon the United States the duty of executing this guarantee, then would he insist that it is the bounden duty of the United States to see that each State has a republican form of government; and in the discharge of this bounden duty they must declare that a State which, in the foundation of its government, sets aside the con-sent of the governed, which imposes taxa-tion without representation, which discards the principle of equal rights, and which lodges power exclusively with an oligarchy, recognized as a republican government, according to the requirements of American institutions. Even if it may satisfy some definition handed down from antiquity, or invented in monarchical Europe, it canno satisfy the solemn injunction of our Constitution. For this question I now ask a hearing. Nothing in the present debate can equal it in importance. Its correct determination will be an epoch for our country

and for mankind. Mr. Sumner eloborately reviewed the principles asserted by James Otis, John Adams, Patrick Henry; by the colonial Assemblies of Massachusetts, Pennsylvania and Virginia, and finally by the Continental Congress. Conclusively demonstrated, he said, the issue of principles actually made in the controversy with the mother country, until at last the watchword, taxation without representation is tyranny, of our fathers, so obnoxious across the sea, gave way to that other defiant watchword, independ-

But in seeking independence they did not turn their backs upon the principles asserted ihroughout to the end. That end was nothing else than a republic, with liberty and equality as the animating principles, where the government should stand on the consent of the governed, as their representative, for here was the distinctive feature of American institutions.

At three forty-five P. M., the Senate went into executive session, Mr. Sumner not having concluded his speech, and subsequently adjourned. House.—The House resumed the con-

sideration of the Senate bill to enlarge the powers of the Freedmen's bureau.

Mr. Trimble (Ky.) opposed the bill for reasons set forth at length, regarding it as striking down the very foundation on which liberty rests, and obliterating the rights of the citizens of all the States.

Mr. Grinnell (Iowa) while supporting the

bill, took occasion to reply to the gentleman who had just addressed the House, denouncing the wrong, oppression and crime which had been perpetrated in Kentucky, and which the gentleman had defended.

Mr. Trimble wished to know whether the

gentleman was personal in his remarks.

Mr. Grinnell replied, he applied them to
the State which the gentlemen had deended, and while proceeding with his
speech made use of the term, "your Presi-

Mr. Randall (Pa.) asked what the gentle-Mr. Raindan (Fa.) asket what the gente-men meant by saying your President? Mr. Grinnell replied, "The President, the great Union man who, at Nashville, said he would be the Moses to lead out the children of Israel."

Mr. Randall (Pa.) desired to say he esteemed the President as the President of the whole country. He supported his policy because it was calculated to restore

policy because it was calculated to restore the Union as of yore. While he had no agency in electing him, he required from the other side the respect and support which he himself accorded him.

Mr. Grinnell replied he had the honor of giving the President his vote, while the gentleman from Pennsylvania had voted for he knew not whom. He (Mr. Grinnell) and the president is the president of the president of the president is the president. said he was the President's friend, and then read from some remarks of the President in favor of protecting the negro, and securing him an honorable and useful employment. Not only the President, but Generals Grant and Howard and the Secretary of War, had asked that the freedmen be protected. He asked Mr. Randall whether he approved o

the Freedmen's Bureau. Mr. Randall (Pa.) replied he did not know what those gentlemen had said, but he endorsed the policy of the President; who was actuated by patriotic motives alone in his endeavor to restore the union of the States. The President did not recommend such a bill as this, which was in violation of the letter and spirit of the constitution and proposed to appropriate money without warrant of law.

Mr. Grinnell stated that the President does endorse the substance of this bill. Mr. Randall—Where is the proof?
Mr. Grinnell—In the language of the gentleman from Pennsylvania the other day, I cannot reveal secrets. He then spoke of the outrages committed upon freed persons, and alluded to the receipt of a memorial from friends in Maryland asking for pro-tection, and saying their school houses had been burned, near enough to Washington that the flames might light up the Capitol, and the school teachers driven away. It would be worse than barbarism to leave the

freedmen where they now are.

Mr. McKee (Ky.) said that those who oppose this bill are those who oppose every measure to crush out treason. They oppose the bill because it was against the course which they had so long pursued. They proposed to continue tyranny, oppression and wrong, while the nation desired to protect all people alike. When the President issued his proclamation calling for troops it was all people affice. When the Freshelt issued his proclamation calling for troops, it was denounced as a usurpation. As for himself, he only stood on one side in the contest, and that was on the side of his country, and against treason, oppression and wrong. General Grant said that both whites and blacks mutually require the covernment. This did whites and olars instantly require the protection of the government. This did not look like peace. Although Kentucky was not included in the proclamation declaring certain States in rebellion, she was the most repellious of the whole crew. He desired that the government shall be conand secondly, the positive mandate of the Constitution compelling us to guarantee a republican form of government, and thus to determine what is meant by this required to the constitution of the constitutio ment, all of which has been fortified by the failed as yet to bring down the chivalry as

ow as they ought to be, in erder that just rights might be given to their fellow men. The time had gone by when human beings could be treated as brutes by their former

masters.
Mr. Eliot, from the Committee on Freed men's Affairs, effered several amendments to the pending bill, so ass to provide that the act establishing the Bureau shall extend to refugees and freedmen in all parts of the United States, and authorizing the President to divide the section of country within the heavy side of the writ of within which the privilege of the writ of habeas corpus was suspended on the first day of February, 1866, containing such refugees and freedmen, into districts, each containing one or more States, not to exceed twelve in number. He said this amend-ment limited the jurisdiction of the Bureau, and confined it to States where the

writ is now suspended.

Mr. Raymond (N. Y.) rose to a personal explanation. He said he was not in the House when the debate closed (last Friday), and until he saw the Globe he was not aware that any remarks were made concerning bim at that time. He found that while siluding to the letter of General Sherman to the President, concerning the appropria-tion for negroes of the Sea Islands, his col-league (Mr. Chanler) said the letter should new be before the country, as it was in his (Mr. Raymond's) hands for presentation, and that it had been given to him for that purpose. He knew nothing about any such transaction, or that the letter was placed in the hands of his colleague, or of his having a claim to present such a letter. He never felt or dreamed of being a contestant of his colleague for the presentation of a letter or

anything else.

He was told in conversation by a gentleman from South Carolina that such a letter had been written, and he asked him whether he had any objection to giving a copy of it for publication in his (Mr. Raymond's) newspaper. The gentleman assented at once, and for that purpose it came into his hands. As to the bill under consideration, the original proposition seemed to be that Congress has no right to refuse to take some steps, in the way of duty, to protect those who have been set free. He had no apprehension as to the practical working of this measure. He found that this law, like most others would work well when well admin. others, would work well when well adminstered, and this would depend on the character of the agents in whose hands it was placed. He did not fear that agents would be appointed who would not use the power for the great object of harmony, conciliation and protection to all classes of citizens in the Southern States. He was quite sure it would work well.

Mr. Chanler wanted to set himself right, Mr. Eliot declined further to yield the floor, and then proceeded to defend the bill. The objection, he said, which had been urged, that this bill referred to the whole

country, was removed by his amendment, and the objection to the expense had been removed substantially by other amendments proposed by the Committee on Freedmen's Affairs. The objections applied to the Senate bill, and not to the substitute now pending. He then read from various official letters relating how freedmen had been persecuted, and as an argument for their protection, and from others to show how many white refugees had been relieved. In Atlanta three hundred families of white refugees, it was stated, would suffer greatly this winter unless they were assisted by government agents. To these the latter had given transportation and rations. He de

manded the previous question.

Mr. Stevens said the bill, as it stood, con templated the turning off of negroes at the end of three years from the land on which they had been located by the government. He moved to strike out this objectionable clause. The bill said that the rental shall be based upon a valuation of the land, and that the occupants thereof may purchase is upon paying therefor the ascertained valu-of the land. What advantage was that? There were no public lands except the everglades. He moved an amendment so as to give the lands now occupied on the princi ple of the Homestead law, forty acres teach occupant. The President, he said, was now ordering the confiscated lands to breturned to their former owners, and the freedmen were to be removed from them, notwithstanding their erection of churches and schoolhouses. The pardoning power could not restore these lands to the rebels. None but Congress could prescribe such disposition of them. The freedmen on the Sea Islands who had built their habitations, and schools and churches there, had a right

to retain the same forever. It would be a burning shame to turn away these poor creatures. Sixteen thousand freedmen, between Fortress Monroe and Williamsburg, Virginia, are occupying lands ceded to them by our government under the Confiscation act. Having been under the Connscation act. Having been taken as enemies' property and confiscated, it could not, he repeated, be reached by the pardoning power of the President. These sixteen thousand persons have built houses, churches and school-houses, and have over two hundred thousand dollars in savings banks. They were now to be turned out, and the receiver whell be to be the test. and the reeking rebels brought back to take their places. God forbid he should ever vote for a bill like this. The Emperor of Russia set a good example when the seris were proclaimed free. That monarch said they have earned the land and are entitled to it. And were they to sell the freedmen those lands at a price not less than the government price, or rent them at a price they could pay?

Mr. Eliot said so far from that being the case, he had information from the head of the Bureau that all the rights of the colored themselves. That is all they ask and all

they want.
Mr. Stevens said if the freedmen were Mr. Stevens said it the freeding were turned out it would be robbery.

Mr. Smith moved an amendment that none of the provisions of this act shall exterd to or be enforced in the State of Kentucky.

The bill and the amendment will be voted

on to-morrow.

Mr. Stevens offered a resolution, which

was adopted, setting apart the evenings for the purpose of general debate, and in pursuance of this, the House took a recess till half-past seven o'clock for that purpose.

Evening Session.—Mr. Hubbell (Ohio) made a speech to show that Abraham Lincoln in his proglamation and other official. coln, in his proclamation and other official acts, contemplated the re-establishment of loyal State governments in the South at the loyal State governments in the South at the earliest possible moment. The path of duty of Andrew Johnson, his successor, was plain, supported by a unanimous Cabinet. The policy inaugurated had received the sanction of the American people in the most authoritative manner, and any departure from it would have been a betrayal of his party and the country.

of his party and the country. He referred to the proclamation of President Johnson with reference to the restoration of the State of North Carolina, arguing the timeliging for the state of North Carolina, arguing tion of the State of North Carolina, arguing that in all its features it was precisely the same plan as that inaugurated by President Lincoin, and to which the latter adhered until the day of his death. The President had acted wisely and done well, and his policy was magnanimous and conciliatory. He (Mr. Hubbell) maintained that it was the duty of Congress, by apprepriate losis. He (Mr. Hubbell) maintained that it was the duty of Congress, by appropriate legislation, to legalize the validity of what had been done, and to restore the States to their proper, political relations to the General Government. He desired an amendment to the Constitution changing the basis of representation from population to voters, or something equivalent, so as to conform to the new order of things, giving ample and complete protection to freedmen, which was demanded by every consideration of humanity, and by the unmistakable voice of the people of the country.

Mr. Samuel J. Randall (Pa.) affirmed that the rebel States have never been out of the Union, To say so is to admit the right.

of secession, which we have been at war to prevent. He sustained the President in his declaration that the States cannot commit treason, but individuals could. He instituted a comparision between the western insurrection and the late rebellion, except ing in the numbers engaged in the former. Gen. Washington having subdued the rebels gave the soil back to the owners, and to the people all their civil rights. He reviewed the entire history of the Republican party showing that they, as a party, by their acts and the legislation which they controlled, have deliberately established that these States have never been out of the Union,

and they have permitted them to exercise

the highest powers known to the Constitu-

He referred to various acts of the Executive, Legislative and Judicial Departments of the Government, admitting Tennessee, Virginia, Arkansas, Louisiana and other rebel States were in the Union, and that he Republican National and various State Conventions had endorsed Mr. Johnson's nomination as a citizen of the State of Tennessee. The Houses of Congress, in join convention, when assembled to count the electoral votes, declared Tennessee a State in the Union. He then cited the erection of Western Virginia into a State, and affirmed that the legislation with reference thereto proved that Virginia, after secession, remained what Virginia was before the act— a free State in the Union, competent to cede territory; that Congress recognized that right without limit Congress recognized that right without limitation when West Virginia was admitted into the Union. West Virginia therefore stands as all the States in the Union formed from the thirteen colonial States. Decisions of the Supreme Court were then cited to show that that judicial authority had assumed that these States were in the Union. In response to Mr. Spaulding's view of the States being in the Union as a portion of the Government, without taking a part in the governing power, he said it was the para-phrase of what South Carolina attempted o demand in her nullification Convention

of 1832.

He concluded by asserting:

1. That the Constitution of the United States was for a perpetual Union, without limitation as to time, and that the rebel States had no right to secede.

2. That the conventions of the rebel States

had no right to secede from and deny their allegiance to the Constitution.

3. That the individuals who thus secede and aid this secession are liable to the judicial and executive powers of the Govern-ment, who alone have the power to punish

or pardon.

4. That the citizens and inhabitants of the rebel States who remain faithful to the Union retain their rights, which cannot be interfered withor taken from them by any power and the States remain at the end as before the rebellion commenced. That the rebel States all stand upon the same footing in their relations to the Union, excepting as t

dates of acts of secession. Entertaining these sentiments, he should vote for the admission of the representatives, they having complied with all the re-commendations of President Johnson, and against any act which would delay this na

tional blessing. Mr.Lawrence (Ohio) vindicated the policy of the government relative to the punish ment of traitors. That policy was that som of the great conspirators who inaugurated the rebellion, and were most guilty in con ducting it, should be tried in the civil courts for treason, but military officers, as thos who assassinated military officers and mur dered Union prisoners of war, should be tried and punished by military tribunals. Four objections have been urged to protect raitors. First, that secession is constitu-tional. Second, the belligerent rights of the rebels. Third, that the Constitution required treason to be tried in the State where committed (and there is no legal loyal State where the rebellion existed), and fourth, that a jury trial is impracticable He deemed it unnecessary to discuss th right of secession, since it was denied by all

he loval mer He argued that the belligerent rights of the rebels did not protect them from trial for treason, because the nation retained no only belligerent but sovereign rights, in cluding the right to try and condemn trai-tors, and this he supported by citations from Vattel, Wheaton, Bell, Bishop, and other authorities. The Constitution, in de-claring that treason should be tried in the State where committed, only had reference to the geographical State. Treason, as such, can only be tried in civil tribunals, and this has been decided by the Attorney General; but military offences may be tried by mili tary tribunals.

He had confidence in the Courts to condemn treason. A failure in a civil court wa no more probable than in a military one, and in neither case could it impair the verdict of war. He might prefer a military rial of Davis first, but that was for the President to decide. The President invited our attention to this subject in his message. A civil trial is practicable; the marshal selects the jury, and there were now thousands of oyal men in Virginia whom he could and would select. An act of Congress excludes traitors for juries, since it was not deemed just that traitors should try treason. The President will execute the sentence of the Court. Jeff. Davis is the colossal traitor of the age, and if he is to go unpunished, then in the name of humanity and God let us abolish the gallows forever. With restored

loyalty he was ready for conciliation.

Mr. Stillwell (lnd.) said that from the 14th of April, 1861, when the American flag was fired upon at Fort Sumter, until Lee's surrender, on the 9th of April 1866, eleven States were in armed rebellion. It was proclaimed, when they were about to cut the thread of national life, and sever the bonds of Union, that it was the duty of the govern-ment to maintain its rights, execute the laws and protect its flag over our extended territory, and to make and punish rebellion as a flagrant crime. In order that the public mind might be clearly informed of the issue involved, Congress, on the 23d of July, 1861, passed a resolution declaring that the object of the war was to preserve the Union, to preserve the rights of the States unimpaired, and that when these objects were attained

he contest ought to cease. This was a binding pledge of the national feith to every one in arms, and that the war was not for subjugation, but was waged to preserve, not to destroy the government. The system inaugurated by Mr. Lincoln for the restoration of the Southern States was perfect in all its details, and its practical productions of the southern states was perfect in all its details, and its practical productions are supported by the southern states. able application was about to be made when the head of the nation, the conscientious, wise defender, and the friend of State government, was stricken down by the hand of an assassin.

That the plan of Mr. Lincoln, as carried out by Mr. Johnson, would ultimately meet the approval of the people, was his earnest hope. The doctrine that States could secede from the Union was not a new one. It was proclaimed by John C. Calhoun, and cul-minated in 1861. The doctrine had been proclaimed here that those who had been engaged in the rebellion had forfeited their political rights; but we will soon have to meet this great question. His position was known from the resolution which he introduced here on the 19th of December, namely: "He would be ready to admit to seats all loyal men who can come here and take the prescribed oath, that they had never assisted in rebellion."

If one man's rights cannot be taken away, we certainly cannot deprive Union men of representation. He believed with the President that any areas. dent that suffrage belongs to the States, and that Congress has no right to interfere with it, He expressed himself hopeful for the future, and that all portions of our country would soon be in harmony and united to carry out the great purposes for which the

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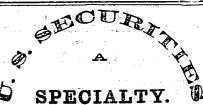
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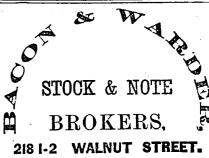
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