CLOSE OF YESTERDAY'S PROCEEDINGS.

SENATE,-Mr. Wilson (Mass.) introduced

SENATE.—Mr. Wilson (Mass.) introduced the following joint resolution to fix the rate of mileage for officers traveling on public daty, which was referred to the Committee on Military Affairs.

Resolved, That so much of the act entitled "An act to define the pay and emoluments of certain officers of the army and for other purposes," approved July 17th, 1862, as provides that the mileage of officers of the army traveling upon public duty should thereafter be six cents per mile be and the after be six cents per mile be and the same is hereby repealed, and the rate of mileage to be hereafter allowed to officers of the army traveling upon public duty shall be ten cents per mile, when transportation in kind is not furnished them by the govern-

Mr. Grimes (Iowa) introduced a bill to establish a hydrographic office in the Navy Department, designed to aid navigators by Supplying nautical charts, sailing directions and manuals of instruction, at the cost of printing. It was referred to the Naval Com-

The annual report of the Commissioner o Patents was laid before the Senate.

Mr. Conness (Cal.) presented the memorial of the California Legislature asking for certain amendments to the Pacific Railroad

bill, which was ordered to be printed.

Mr. Stewart (Nevada) presented the me morial of the Nevada Legislature against the the sale of the mineral lands. Also concurrent resolution of the Nevada Legislature asking the speedy trial of Jeff. Davis, which were ordered to be printed.

Mr. Conness called up a bill to grant public lands to aid in the construction of a rail-road from Humboldt Bay to San Francisco Bay, in California, which was passed.

motion of Mr. Brown (Mo.) the Senate took up a bill to grant public lands to aid in the construction of a railroad to the Pacific, through Missouri and Arkansas, by the southern route. If incorporates the Atlantic and Pacific railroad company, and authorizes it to construct a railroad from Springfield, Missouri, to the Pacific coast by a southern route, and grants every alternate section of land along the route to

aid in the work.

At the conclusion of the reading of the bill the morning hour expired, and the further consideration of it was postponed until to-

morrow.
Mr. Fessenden (Maine) from the Finance Committee, reported the Naval Appropria-tion Bill for the ensuing year with certain amendments, which was ordered to be

Mr. Johnson (Md.) presented the creden-tials of Benjamin F. Perry, Senator elect from South Carolina, which were ordered to lie upon the table.

The concurrent resolution that no Senator

er Representative from a lately seceded State shall be admitted until Congress shall have declared such State entitled to representa-

Mr. Nye (Nevada) took the floor, saying in the present crisis the best mode of action was a firm adherence to simple principles. He would not attempt to travel anew the battle fields where lovalty had combated treason. Duty requires us to act, not for indemnity for the past, but for security for the future. We ought not to fail to examine what was the cause of the conflict that has filled the land with widows and orphans, and with a vast accumulation of debt that will hang for years like an incubus on the toil and industry of the country. It is no time to gloss over or attempt to palliate the motives in which the rebellion originated. It is necessary that we should take these motives into strict account, in order fully to understand how to prevent a recurrence of

Mr. Nye sent to the desk and caused to b read a letter from Mr. Garnett (Va.) to Mr. Prescott (S. C.) written before the war commenced. He said that the spirit of democracy was inconsistent with slavery, and this was the cause of the rebellion. That this sentiment was echoed by the Southern press before the war, and re-echoed by the enemies of republican government in Europe, by the press and aristocracy of Great Britain, and by the Emperor of France. It was unfortunate, he said, that the country did not understand more fully the true nature of the issue. Had it been understood in the South that the struggle was between democracy and aristocracy nine-tenths of the people of that section would have remained true to the Union, and there would have been no sympathizers with the rebellion in the North. Speaking of the condition of the Southern States, Mr "Nve said it mattered little whether they were technically in or out of the Union. I was enough for him to know that the people se States had forsworn their allegianc to the Union government, and sworn alle giance to the opposition government. Without going further in specification, this was the attitude of the seceded States when the result of arms decided that these States or territories, and the people thereof, belonged to the United States, and were to be dealt with precisely as the exigencies of the case demanded. That these States had demol-ished and broken down their own State governments, and superseded the State fun-damental laws, is technically, theoretically and practically true; for it will not be con that State governments can exist within the boundaries of the United States opposition to the Constitution of the

No State government can exist that does not accord with the Constitution, and is not subordinate to the supreme law of the land. Neither the President nor Congress, nor any department of the Government, has ye assumed that these seceded States could reinstate State government under their old constitution. They have been told by the President that new constitutions must be made. They have been told the same by Congress. The people of these States are well aware that the old fundamental law was overthrown, that the pretended new governments, set up in place of the old, have been demolished, and that the condicitizenship has been immensely

United States.

Mr. Nye said he had heard it asserted that States could not commit treason. He de-nied this, and maintained that a State could commit treason, and that a majority of her people could, by acts of hostility, subject themselves to the penalty of death. He was proud of his citizenship of New York, but he was a citizen of that State before, under the auspices of modern Democracy, the Northern wing of the rebel army had appeared there to burn asylums, and by raising mobs, to insure the defeat of the Union armv.

Referring to the history of San Domingo, he said it might be profitable to contemplate the history of French atrocity in San Domingo, for we might yet live to see a similar policy undertaken in our country Though the blacks, as a race, are naturally peaceful, they are capable of being goaded into exasperation. Had the ruling powers of France been just to the blacks island, how much better it would have been for all parties. He did not deem it impossible that we might yet have something similar to the horrors of San Domingo in this country, for the spirit of slavery was the same everywhere. He did not deem i impossible, for it was said that men learn little except through the teachings of The blacks had been promised freedom; they had been taught the use of arms, and could point to honorable scars received in the Union armies.

Absolute impartiality was the only safe guide for the nation. If it was claimed that aniversal suffrage would lead to a war o races, he would advocate universal suffrage as a means of national defence. He would oppose the admission of the Southern Remesentatives and Senators until they came here in the persons of loyal men, represent-ing loyal constituencies, which they did not represent at present. He felt that he represented the sentiment of a majority in Con gress when he said he hoped to see the Southern States represented here at the earliest possible day consistent with the welfare of the whole country. He was not more a friend of the North than of the South, and no one would be more happy than he to see peace and prosperity resume their sway in the lately rabellious States. Mr. Johnson, at the close of Mr. Nye's remarks, moved that the further consideration of the subject be postponed till to

morrow. Mr. Fessenden deprecated the slow man-ner in which the debate progressed. He asked how many speeches were yet to be made on the other side, and gave notice that to-morrow he would ask the Senate to sit until it passed this resolution, however late that might be.

Mr. Hendricks said the proposition of

Mr. Fessenden was unfair, as several speeches were yet to be made on his (Mr. Hendricks) side of the House.

Mr. Johnson withdrew his motion to

Mr. Stewart addressed the Senate on the pending concurrent resolution. He did not believe the resolution very important in it-self, or at any other time, but in the present perturbed condition of the public mind it was of vast importance, considering the breach between the President and Congress. This resolution was like a rivulet trickling down the mountain side, capable of being turned aside with a spade, but which it was possible also to augment into a current of discord, dashing down into an ocean of tropble

Mr. Stewart proceeded to discuss the President's policy, reviewing it at length, and advocating it, preluding his remarks with the statement that, since dilatory resolutions had been agreed upon, speeches might as well be made upon the pending resolution as upon any other. He denied that eleven States had been declared in insurrection. Mr. Lincoln's proclamation declared the people to be in insurrection, and not the States. It was Mr. Lincoln's theory that the people might rebel, but the States could not. In conformity with the theory In conformity with the theory he went so far as to authorize one-tenth of the people of any rebel State to form a loyal State government. The war, said Mr. Stewart, was prosecuted for the maintenance of the laws and the integrity of the Union and the Constitution. He had made the campaign on that issue, and met copperheads on it, and did not propose to eat his words now. He denied the power of any

State to withdraw from the Union.
Mr. Conness asked Mr. Stewart how many loval men there were in South Carolina when Sumter was fired on? or how many when Sherman marched to the sea? Mr. Stewart said he had not taken the census of South Carolina—he was discussing general principles. If there was one loyal man in the State he had a right to the pro-

tection of the government.

At 5.10 P. M. Mr. Guthrie moved to adjourn.
Mr. Fessenden demanded the yeas and nays on this motion. Yeas 8, nays 15.

A quorum not voting, Mr. Clark moved that the Sergeant-at-arms request the attendance of absent members.

Mr. Hendricks moved that the Senate

adjourn, which was carried. House.—The House resumed the consideration of the proposed constitutional amend-

Mr. Davis spoke against the constitutional amendment. He believed that the Southern States were not out of the Union, and had not lost any of their rights as States.

He contended that the decision in the prize cases did not cover the principle which so many members attributed to it. The fact that the rebel States were declared enemies did not constitute every citizen in those States an alien enemy. If Tennessee were a territory, the President of the United States could not prosecute a claim in any ederal Court without running the risk of being non-suited on the plea of his being an alien enemy. He had no sympathy whatever for any man who voluntarily took up arms against the Federal government, and he would never consent that any such should take his seat in this hall as a Representative. But if loyal men came from these States to Congress he would be ready to vote for their admission. With the annihilation of slavery all real distinctions between the two sections were wiped away and there should be no further cause for embitterment, Two and a half years ago Horace Greeley and other radicals were willing to make peace, and say nothing at about the abolition of slavery. That aboli-tion has come, and has created a radical change in Southern society. Such changes never took place without leaving great dis content and dissatisfaction. natural, but the North should evince magna nimity to the conquered people of the South Mr. Lincoln's entire policy and that of Congress and of the country was that the pro-secution of the war was to bring back the seceded States—not to allow one of them to go out. The war was not prosecuted for subjugation. He might summon from their honored graves the countless thousand who, under the flag of the republic, fell in defence of freedom and the government; the thousands and tens of thousands who perished of cruelty and slow starvation in the prison yards of Libby and Anderson ville, and ask them for what they had died The answer would come from one and all we died for the Union, unbroken, andi vided and at peace; and yet to day the sacrifices for the Union and peace were apurned.

If even one loyal Representatives from a Southern district were admitted here, he would form a nucleus around which all the loyal citizens of that State would rally, and the process of restoration would go on until every State was restored to full communion with the general government, with all its rights under the Constitution, which should be acknowledged everywhere supreme and beneficent. But he did not believe that a cruel and proscriptive policy would ever restore the Southern States to a condition of loyalty. Loyalty would not grow on such a soil. It should be encouraged by kindness and conciliation.

Mr. Woodbridge obtained the floor. Mr. Stevens sent up to the desk and had read the despatch in reference to the caucus of the Pennsylvania Legislature, and aske unanimous consent to have it referred to the Joint Committee on Reconstruction. Mr. Randall (Pa.) the committee of destruction. [Laughter].

Mr. Chanler objected on the ground that the reference was useless, the despatch being already in the hands of the head of that committee.

Mr. Stevens—As there is a difficulty about it, I will withdraw the document. Mr. Woodbridge addressed the House in support of the proposed amendment to the constitution. He said grave responsibilities rest on members of this Congress. We are not writing history which is difficult, but are making history which is more difficult. The footprints of this Congress will be on the rocks of the mountains. Natural and political convulsions may ensue, republics may rise and fall, systems of government may be originated and then stroyed, but never, so long as the earth rolls will the footprints which this Congress makes be wiped from the history of the earth. There has not been a day since the foundation of this republic, when all the candor, the calmness, the deliberation, the foresight, the wisdom of Congress, have een so imperiously demanded as now. Our fathers transported on an unknown sea, in a ship of State made without a model, had doubtless anticipated that during the voyage tempests might arise which would test the strength of the ship and develop its weakness, if any existed, and that repairs hight be necessary. For many years pro-

pitious gales filled their sails. For many years she sped on her way in peace and safety. The breakers on her lee shorenever seriously fretted her. The waves had never beat upon that one false and rotten plank which covered her sides. But in the providence of God the tempest came. The rotter plank has been wrenched from its place. The old ship trembled from her rudder to her bowsprit; but thank God she has rolled out to the wind, and now she needs, in my judgment, some slight repairs. The plank of slavery is to be replaced by a plank of freedom, and we are told that now is not the time to make this species of legislation; that we are not calm enough to do it: that we are surrounded by influences which have excited our passions; that the disappointment which has come on the majority of the. House has unsettled the calmness of their reason, and rendered it impossible for them to give it that deliberation which the great ness of the subject demands.

Sir, the general in time of battle and dau-

ger is calmest and bravest. The sailor may rest in the calm, but when the winds roar and the breakers are ahead. every man must be at his post. The ship must be saved, although here and there a sailor may lose his life. To meet the new condition of things, many amendments have been proposed to the Constitution. Many of them are, in my judgment, utterly im-proper, and most of them are entirely

Mr. Woodbridge went on to argue that the proposed amendment was proper and necessary. The shackles had been knocked from millions of human chattles, and they had become in an hour, living, thinking, moving, responsible beings, and citizens o the United States. If Congress did not provide for protection to that people, their condition would be worse than it was before, because the accumulated prejudices of centuries with the unmitigated craft of those who had held them in bondage and would no longer hold them, would culminate on

In alluding to the position of the President, he said, I cast no imputation on the President of the United States. I believe him to be honest, faithful and patriotic, and I pray God that discord may be quieted and that the President and Congress, acting together firmly, manfully and for the right, may preserve the great party of free-dom, on which depends not only the liberties of this republic, but the existence o free principles and Christian civilization throughout the world. I believe this amendment not only justifiable but necessary. I approach a constitutional amend-ment with as much shrinking and hesitation as any man on this floor, but the age is an age of progress. If we meet the obligations which we owe to our country, we must pass an amendment of this or a similar character.

Mr. Bingham approached the discussion of the question agare that it was utterly impossible for him to do justice to it in the time allowed. He thought the gentleman from Vermont (Mr. Woolbridge) had uttered words which ought to be considered and accepted by gentlemen, when he said that the action of this Congress on the future prosperity of the country will be fell by generations to come. He believed that people had entrusted to the present Cougress the care of the Republic, not only for the present but for all the hereafter. The Committee on Reconstruction would not bave recommended this proposition but for their confidence that its adoption and ratification were essential to the safety of all the people of every State present and to come. He repelled the suggestion, made in the heat of debate, that the committee, or any of its members, sought in any form to mar the Constitution, or to take from any State rights that belonged to it under the Constitution. This was simply a proposition to arm the Congress of the United States, by the consent of the people, with power to enforce the Bill of Rights as it stood to-day in the Constitution. It had that extent-

no more. Mr. Hale sought to ask a question. Mr. Bingham declined to yield, and said hat gentlemen who seemed to be very desirous of standing well with the President of the United States—recent converts— would, if they looked narrowly to his message at the opening of the session, find this very proposition vindicated and approved by him, for he there told Congress that it as the right of every man to be secure in was the right of every man to be secure in life, liberty and property, but that it rested on higher authority—on the authority of the people, speaking through their Constitution, when they declared that the citizens of each State should be entitled to all the privileges and immunities of citizens of the United and immunities of citizens of the United States in each State; and that no person should be deprived of life, liberty or pro-perty without due process of law. He argued that the proposed amendment

in any way interfere with the reserved rights of States

Messrs. Rogers and Hale each sought to sk a question. Mr. Bingham peremptorila refused to be interrupted, and referred to the statement of

the gentleman from New Jersey (Mr. Rogers) that he was opposed to it, because i came from a joint committee more tyrannical than any tyranny which disgraced the reign of Louis XIV. If the amendment was good e (Mr. Bingham) did not see that was any objection to it, though the gentleman seemed to think it was. He (Mr. Rogers must have spoken sportively and ironically Probably he would not have spoken at al but for the fact that somebody else at the other end of the avenue had so spoken. when he denounced in a speech to a party of the gentleman's choosing this Joint Com mittee on Reconstruction, raised by Houses, as being dictatorial, unconstitutional and unauthorized by law. If the gentleman (Mr. Rogers) was not speaking ironically one would have supposed he would have made haste to withdraw himelffrom all connection with such a mittee. It was a wonder he did not shake the dust from off his feet as a testimon against it, and lifting up his hands thank God that he was not made like other men and exclaim: "My soul be not thou united with them." The House had heard the other extraordinary argument made by the entleman from Pennsylvania (Mr. Randail) that however just the amendment might be it should not be passed in the absence of the representatives of the eleven States lately in insurrection.

Mr. Bingham referred in this connection to the reply of Mr. Madison, when asked, in regard to the adoption of the Federal Conregard to the adoption of the Federal Constitution by nine of the thirteen original States, by what right it should be made binding; the answer being, "The right of the people to self-preservation justifies it. It rests upon the transcendant law of nature and of nature's God." That right had gone with the people through all their struggles. If the argument of the gentleman from Pennsylvania were logical, Congress could not have passed a single bill during the past five years affecting in any sense the intefive years affecting in any sense the interests of the people of the eleven rebel States In that objection the gentleman had simply sen borrowing another argument from the President, who had set forth something very like it in his veto message to the Freedmen's Bureau bill. Then the House had heard the calmer and more deliberate utterances of the gentleman from New York (Mr. Hale) in opposition to the amend-ment, reiterating the old cry of State rights. He (Mr. Bingham) would like to know where he (Mr. Hale) derived the notion that any state had the right to deny to the citizens of any other State any of the privileges or immunities of citizens of the United States: If not, how could the right of the State he immained by civing the country of the citizens of the united by civing the citizens of th State he impaired by giving to Congress the power to enforce these provision? It look from the States no rights which they had; but if they conspired together to enact aws refusing protection to life, liberty or property, it aimed Congress with the power o held the recusant legislators to an account

before the bar, of the Federal Courts. He did not doubt that this very grant of power would have been in the Constitution originally, if it were not that it is incompatible with the existence of slavery in any State, for although slaves might not be admitted to be citizens, they must be admitted to be persons. That was the reason.

There was a fetter on the feet of the nation.

Thank God that fetter had now been re-moved. It had been turned to dust before the breath of the people, speaking as the voice of God, declaring that slavery was forever prohibited within the republic. The people confided a great trust in this Congress, and God helping him he would not betray it, even though men in high places showed a disposition to do so. What utterances, he asked, are given out in these days? You have, in the first place, the utterances of the gentleman whom we elected President of the United States, and of whom I have been accustomed to speak heretofore in terms of deference and respect. The House and the country will remember that I declared at the opening of these troubles that if an issue were made between the President and the

representatives of the people, it must be made by him and not by us. It has been made by him. I trust in God he will retrace his steps; but whether he does or not, I trust the American people will not strike the word "forward" from their vocabulary, but will go right on to the consummation of the great work which Providence has committed to their keeping—that is the en-forcement of the Constitution in every State, n every Territory and on every sea where

our flag floats.

What says the President in his speech. which is received with laudations everywhich is received with inducations everywhere, and over which the gentleman from New Jersey (Mr. Rodgers) and his party seem to hold a general jubilee. He says, "Let all those lately in insurrection against the Government and laws of the United States who will now declare their allegiance and take the oath, be admitted into this Union, and by their representa-tives, into the councils of the nation.' Take the oath. What oath? Not the oath to the Constitution, which they have broken, but the oath prescribed by the President himself, and which, except in military tribunals, has no more force and effect than the paper on which it is printed. Ay, the oath! Swear him, and let him go. It would be about as intelligent as it would be to swear the emblem of South Carolina's treasonthe rattlesnake-and let it go among the representatives of the the people! Whom next have we touching this great issue before people? We have the venerable Secretary of State hieing to New this great

York, making another speech there, and entering on the high duties of a prophet. I have been accustomed to sustain and uphold that gentleman in the past, and I am accustomed now to speak of him most reverentially for the great services he has rendered the country by his supreme skill as a diplomatist, and by his undoubted fidelity to the interests of the country. What I say of him now I say in regret and sorrow, not in anger. I trust he will pardon me, and appreciate my utrances, when I say to him, in the language of one of England's most gifted sons "The man who speaks the truth is greater than a king." I speak the truth here this day when I warn the people of this country that he is no prophet. I remember that when the foundations of the republic were rocking beneath the mustering tread of the armed hosts which had struck at the nation life, he utis oracular sayings that the war would last for only sixty days.

Mr. Hale raised the question of order that the gentleman's remarks were not pertinent to the subject before the House.

Mr. Bingham, excitedly—We' will see

about that.

Mr. Hale—The speech of Mr. Seward has nothing to do with the constitutional amend-

Mr. Bingham-I am arguing against the The Speaker-The Chair, his attention be ing called to it, will notice particularly the remarks of the gentleman from Ohio, and arrest them if out of order.

Mr. Bingham-I was only saving that these prophecies uttered against taking security for the future will not do for the Ame rican people to base their action upon, be cause the same gentleman who uttered them uttered prophecies before, which miserably failed in their fulfillment. He told the people in that same city in December, 1860-Mr. Hale-I now renew my point o The Speaker-The Chair sustains the point

of order. The Chair stated yesterday that the debate must be confined to the constitutional amendment if a point of order wer-raised. The Chair thinks that the gentle man from Ohio is going beyond the range Mr. Banks-If the Chair will allow me

e Speaker-The Chair will be very glad to hear the suggestions of the gentlemar from Massachusetts, who formerly occupies his chair. Mr. Banks-I suggest that the ruling o

the Chair, if insisted upon, limits the debate much too closely, and, as I understand the speech of the Secretary of State, he asserts that there is no trouble-that there is perfect national safety.

Mr. Bingham-That is what I am at. Mr. Banks—The gentleman from Ohio thinks a little different from the Secretary of State, and brings a constitutional amend ment to correct that trouble and to save the nation from the trouble which he thinks ex ists. I am certain he must be permitted t discuss opinions so important as those of the Secretary of State.

The Speaker-The gentleman from Massa chusetts having once occupied this Chair, is familiar with the rule that debate on the President's Message in Committee of the Whole is unlimited, but that bills in the House, special orders, or resolutions for amendment of the Constitution, when point of order is raised, the debate must be confined to the pending question. The Chair supposed that the gentleman from Ohio was indulging in a line of deba was notentially cognate to the matter before the House. The gentleman from Massa chusetts understands and the House understands that there must be some limit to debate. It must be relevant to some extent

to the matter pending before the Heuse.

Mr. Banks—I did not refer to the ruling as existing in the House of Representatives at an earlier period, but only to the general rule affecting the question. The constitu-tional amendment opens up to the fullest extent debate on the condition of the country.

Mr. Hale—I make the point of order that the question is not debatable, and the gen-tleman from Massachusetts has no right to

e heard. Mr. Banks-Then I appealed from the decision of the Chair only for the purpose of saying what I desired to say. If the gentleman from Ohio was discussing the official acts of the Secretary of State, he would not be introduced. be in order. I have heard with pain allusions made in the house to the official acts of chief officers of the government. I do not think that he described in the chief officers of the government. think that is admissible in debate. If we have anything to complain of in the official conduct of any officer of the government, notice should be given, and some measure introduced for the correction of that act. But here this has reference to an opinion of great importance, given to the country by the Secretary of State, unofficially and informally, affecting its condition and the safety of the people. When we have under consideration the subject of the condition of the country in reference to a proposed the country in reference to a proposed amendment of the Constitution, we co must be allowed to discuss the condition o the country, and incidentally the opinion of the Secretary of State in reference thereto, nnofficially and informally expressed.

at all to the distinction very properly made by the Chair between the rules as they stand at present and the rules as they stood at an earlier period. It is not my wish to make an issue with the Chair, and, there-fore, having had an opportunity of explain-ing this subject, I withdraw my appeal. Mr. Bingham—I renew the appeal, I was

Mr. Bingham—I renew the appeal. I was not allowed to make the statement by which it would have been made plain that I was in order, I wished to show that distinguished as the Secretary of State is, his utterances about there being no danger for the future of the country were not be relied on, in view of the fact that he had made similar utterances before which had utterly and now it must come to this that a high official of the country may go outside of his official position to assail the action of the people's representatives, and they cannot answer him on this floor. I do therefore respectfully appeal from the decision of the Chair.

The Speaker-The Chair will state, as the gentleman intends to press his appeal to a vote, the grounds of his decision. The gentleman from Ohio is, of course, aware how painful it is to the Chair to rule that his remarks are out of order, but he was compelled, from a determination to decide impartially, to do so.

Mr. Bingham—I would be sorry to ques-

in Bingnam—I would be sorry to question the impartiality of the Chair.

The Speaker—The gentleman states that a member of the House under this decision would not be privileged to reply to remarks of the Secretary of State. Members are always privileged to reply to any remarks, for there is the very largest liberty of defor there is the very largest liberty of de-bate in Committee of the Whole. The fiftyseventh rule requires that a member shall confine himself to the question under debate, and avoid personality, but in Committee of the Whole he is not bound to so confine himself. This is a proposed consututional amendment, and the Chair thinks that the discussion of the previous prophecies of the Secretary of State is not confining the debate to the pending question. confine himself. This is a proposed consti If it is, the Chair does not know rule he has quoted is ever to be applied. The question now is, shall the decision of the Chair stand as the judgment of the House?

Mr. Eldridge moved to lay the appeal on the table The Speaker intimated that he preferred a vote to be taken directly on the appeal, and Mr. Eldridge thereupon withdrew his mo-

Mr. Raymond (N. Y.) inquired whether the question of order was not debatable. The Speaker answered that it was to imited extent.

Mr. Raymond—I do not desire to debate the original proposition, or this, but I desire to ask the gentleman from Ohio-Mr. Bingham-To relieve the gentleman and withdraw my appeal.

Mr. Raymond—I have the floor, and can-

not be interrupted for that purpose.

Mr. Bingham—I thought I might be pernitted to relieve the gentleman. Mr. Raymond-It would be quite proper. if I wanted relief; but I do not want relief thrust upon me. I wish to ask the gentle-man from Ohio whether he thinks it quite proper and right to introduce entirely new matter into this discussion, whether he proposes to allow a reply to his remarks, or

whether he proposes to call the previous question and cut off all reply? That will cide my vote on his question of order. Mr. Bingham—In order to relieve the gentleman, I propose to withdraw my ap-

Mr. Raymond-Will the gentleman be kind enough to reply to my question? Mr. Bingham—I decline to answer it. Mr. Raymond-Is it because the question

s discourteous or improper?
Mr. Bingham—I have no reply to make o the gentleman.
The Speaker—The gentleman has with-

drawn the appeal.

Mr. Bingham—There is one further remark which I desire to make here, and I trust it will not be considered out of order. It has been announced by those in high places that there is no danger to be appre-hended from that million of men lately in arms against the republic; that those States may be admitted at once without any sort of condition: that the loval people who have saved their government from overthrow by wager of battle have no right to take any security for the future; that nothing re mains for them to do but kill the fatted cal and welcome back the returning prodiga traitors. I have no doubt that at no dis tant day testimony will be adduced to satisf every honest man who wishes well to the country and the Constitution, that there conspiracy existing in every State lately in insurrection, and perchance beyond their limits, under this invitation to kill the atted calf. Swear them all and let them go to take possession of the legislative power of the country, and accomplish by false and corrupt legislation what they failed to accomplish by arms.

In support of this view Mr. Bingham senso the Clerk's desk and had read an article copied from the Norfolk, Virginia Post-beaded "Great victory for the South," and stating "that since the morning of the day when the news of the great Southern victory of Bull run was received, carrying joy and jubilation to every Southern house hold, there had been no such glorious news received by the Southern people as that of the veto of the Freedmen's Bureau bill. That it was the greatest victory achieved during the war, greater than any of the feats of Stonewall Jackson's army, &c." Mr. Rogers asked what paper the Clerk

Mr. Bingham-The article is from a Virginia paper, an organ of rebellion and se-

Mr. Rogers—(Having obtained a look at it)—It is from the Washington Chronicle, a radical paper.

Mr. Chanler—I make it a point of order that it is out of order for the gentleman to quote a document of a revolutionary and bellious character in his speech. The Speaker decided that that was not

Mr. Bingham-Yes, I discover that it is not in order in the judgment of some gen themen to warn the people of the designs impending over them. That article has been copied all over the country. I quote it in support of what I have already intimated, that the fatted calf is to be killed north to vector the country. welcome back the returning prodigal traitors red with the blood of murder and assassination. They are ready to kill the fatted calf if Andrew Johnson will only forget his former utterances, wherein h said that treason was a crime which should be made odious and punished, and that traitors were no longer citizens but enemies of the country, and should not be permitted to participate in the reorganization states, and if he would lend himself to that black andinfamous suggestion which found a place in the columns of the Chicago Times, a paper which I believe was formerly suppressed for treasonable utterances by order of General Grant, "that the President would do well to drive the representatives of the people by an armed posse from the

the Chicago Times was not pertinent to the question under debate. The Speaker—The Chair doubts whether it is. The Chair decides that the Chicago

Mr. Chandler made the point of order that

representation

Trancs is not pertinent, [Laughter.]
Mr. Bingham—I have accomplished my purpose, notwithstanding the objections o gentlemen, of letting the country know that there are utterances of that sort affoat.

Mr. Latham (W. Va.) inquired whether it was the purpose to make the adoption of the constitutional amendment by a consti-tutional majority of the States a condition precedent to the representation of any of the

eleven States now unrepresented. Mr. Bingham replied that it was not for referred, therefore, to the general rule gov him to propose any such thing. He would erning parliamentary discussion, and not state here at the suggestion of the venerable

Chairman of the Reconstruction Committee on the part of the House (Mr. Stevens), that overy endeavor had been made to present, without regard to this amendment, the case of Tennessee, so that, by the sovereign act of the American people through the actions of Congress, the constitutional relations of Tennessee as a State might be restored. would not say that the committee would not yet, and soon, act upon it. The matter was still before them; but even in Tennessee the ratio of rebels to loyal people was three to one, and Tennessee was in that respect the best of the eleven seceded States. He un-dertook to say that no report which might be made by that committee would fail to disclose the fact that a large majority of the people of Tennessee had declared themselves sworn enemies of the State and of the na-

Mr. Grider (Ky.)-Does not the gentleman know that the committee will report to the contrary of that,

Mr. Bingham—No, sir, I know no such thing. I believe that it will turn out that rebels will be found in a majority of three or four to one in every one of the rebel

States.
Mr. Bingham's hour having expired, his time was extended. He devoted it mainly the support of the proposed to arguments in support of the proposed amendment, ending up with a disquisition with Hale in regard to the difference in con-

with figure in regard to the difference in constitutional protection between real estate and personal property.

Mr. Conkling next got the floor. He said he had not sought it for the purpose of discussing the merits of the amendment. As one of the committee, he had agreed to its being reported but he did not expens in the being reported, but he did not concur in the report. A number of memberson each side wished to debate it further, and he therefore intended, without any hostility to the government who had it in charge, but rather he thought with his consent, to submit a motion to postpone, but before doing so he

motion to postpone, but before doing so ne would yield the floor to his colleague.

Mr. Hotchkiss (N. Y.) explained why he should vote in a manner that might be regarded as inconsistent with his usual vote. He did not regard the proposed amendment as permanently securing the rights and privileges of every citizen, and was there-fore in favor of its postponement until there could be a further conference with the friends of the measure, and some means devised by which these rights could be secured beyond question.

Mr. Conkling (N. Y.) said he should vote for the postponement of the measure on grounds very different from, if not entirely opposite to those of his colleague. He thought that no objection could be made to he amendment because it did not go far enough, or was not sufficiently radical submitted the motion that the whole subject be postponed till the second Tuesday in

April next.
Mr. Eldridge moved to laythe whole sub-April dext.

Mr. Eldridge moved to lay the whole subject on the table, which was lost by a vote of 41 to 101, 2s follows:

YEAS-Messr. Ancona, Bergen, Brooks, Chan'er, Coffroh, Davis, Dawson, Dennison, Edridge, Finck' Glessbring (Ey.) Hegan, Hubbe 1 (X. Y.), Kerr, Knykendall, Marshel Marvin, McCullough, Niblack, Nicolson, Noeil Phelps, Rendail (Pa.), Ritter, Rogers, Ross, Rousseau, Stanklin, Sitgreaves, Strouse, Taber, Tayfor Thorntou, Trimble, Winfield and Wright.

NAYS-Messrs, Alley, Ahlison, Ames, Anderson, Ashey (Aevada), Ashley (Ohio), Baker, Baldwin, Banks, Barker Baxter, Benja Lin, Bidwell, Bingham, Blaine, Blow, Beutwell, Brandegre, Broomall, Buckland, Bundy, Clarke (Ohio), Clarke (Kañsas), Cobb, Conking, Cook, Cullom; Darling, Defrees, Delano, Demiler, Dennelly, Dumont, Eckley, Eggleston, Eliot, Farnsworth Farquhar, Ferry, Garfield, Grinnell, Hadding (Ill.), Hart Hayes, Higby, Holmes, Hooper, Hotc'ki s, H-bbard (N:Y.), Hubbard (Conn.) Hubbell (Ohio), Hulburd, Humphrey, Ingresoll, Jenckes, Julian, Relley, Kelso, Ketchum, Lafiin, Latham, Lawrence (Pa.), Lawrence (Ohio), Loan, Longveau, Lawrence (Pa.), Lawrence (Ohio), Loan, Longveau, Lawrence (Pa.), Lawrence (Ohio), Loan, Horcokes, Julian, Relley, Kelso, Ketchum, Lafiin, Latham, Lawrence (Pa.), Lawrence (Ohio), Loan, Hongeau, Lawrence (Pa.), Lawrence (Ph.), Sawyer, Schenck, Shelladarger, Sioan, Spandding, tevens, Thayer, Francis Thomas, John L. Thomas, Jr., Trownridge, Van Aernam, Van Horn (N. Y.), Warner, Washburne (Ill.), Washburn (Mass.), Weiker, Wentworth, Williams (Iowa), Wilson (Pa.), Windom and Woodbridge, Mr. Conkling's motion was then adopted — yeas 113, nays 36.

-veas 113, navs 36. The House then went into Committee of the Whole on the Miscellaneous Appropria-tion bill, Mr. Ashley in the chair, and made some progress. After the committee rose The Speaker presented a communication from the Commissioner of Patents, transmit-

ing the annual report of 1865. Mr. Grinnell moved to print tenthousand extra copies. Referred to the Committee on

Printing.
Mr. John L. Thomas (Md.) presented petition from two thousand six hundred workingmen of Washington, praying that the eight hour system may be adopted in the government workshops. Referred to the udiciary Committee.

Mr. Laflin presented four resolutions of the New York Legislature relative to a ship canal from Portage Lake to Lake Su-

The House then adjourned. Note.—By a transposition in the report Monday's proceedings the vote by yeas and navs taken on referring Mr. McClurg's preamble and resolution to the Reconstrucion Committee appears as if taken on another and unimportant matter.]

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