[CLOSE OF YESTERDAY'S PROCEEDINGS.]

SENATE.—At one o'clock the Chair an nounced that the morning hour had expired and the bill under consideration was made the special order for Monday, at half-past twelve o'clock.

twelve o'clock.

The constitutional amendment on the subject of representation was then taken up.

Mr. Fessenden, taking the floor on the pending amendment, said he regretted as sincerely as the Senator from Massachusetts (Mr. Sumner) that he found, it necessary for him to say something again upon the question under consideration. He did not intend however to present again the not intend, however, to present again the argument he had already made. Something had been said, and some grounds taken by honorable Senators which, in his judgment, required a short reply. He had always believed it to be a matter of statesmanship, when an object that was valuable in itself when an object that was valuable in itself was unattainable, to come as near attaining it as possible. It was with views something like this, actuated by considerations of this description, that the committee, of which he had the honor to be a member, presented the resolution now under consideration. As I before stated, said Mr. Fessenden, it was not all that was wished. It was not insome narticulars exactly what they might have desired. So far as my own judgment was concerned, I considered the resolution de-fective. It was not defective in principle. I think the principle safe and wise. But I think it falls short of what ought to be attained, and I think, too, that as it is drawn it may be liable to evasion, and that it may not accomplish what upon its face it might be presumed to do.

The Senator from Indiana (Mr. Hendricks), in the address which he made upon this subject, commented severely upon an expres sion used by me on a former occasion, that as I could not accomplish directly what I wished to accomplish—which was to bring about a state of things that would allow the about a state of things that would allow the ballot to such colored men as were proper persons to exercise it—and since I could not accomplish it directly by abolishing all distinctions of color, I was willing to reach it by this resolution, which, in my judgment, would, after a series of years, greater or less, accomplish the same purpose indirectly. He asks me very distinctly whether it is proper to accomplish by indirection that which we could not accomplish by direction. I have yet to learn that where a legislator arows his purpose, states what he wishes

I have yet to learn that where a legislator ayows his purpose, states what he wishes to accomplish and the mode by which he wishes to accomplish it, that he is to be charged with indirection, which conveys the idea of contriving to do something by taking advantage of measures to do in a covert way what you cannot do openly. If I may be allowed to say so, when the Saviour of the world came upon earth he found of the world came upon earth he found abuses, many errors, many corruptions ex-isting, which he would gladly have terminated at once. He did not deem it wise o prudent to attempt to put them down by the strong arm, for as a mortal he had not the power to do it; but he laid down a set of principles, a set of instructions which, if they became acceptable to the people, and were finally taken as a rule of action, would inevitably, by the effect produced on the minds of men, tend to destroy all those cor-ruptions and make the world what it should be. The action of such legislation, if I may call it so, was not direct but indirect, and I have yet to learn that it was not only wise but well calculated to effect the object in

view, and that was the improvement of the

Mr. Fessenden then remarked that he had no more to say on this point. He wished simply to rid himself of the imputation which the Senator from Oregon (Mr. Hendricks) seemed to desire to cast upon him for using the expression to which he had referred. He adhered to the same position, and thought, in regard to the present ques-tion, that it was better to accomplish the object by indirection than by force. The question is a great one, involving the right of suffrage to a large number of people. Many of them may not be fit to exercise that right to-day, and many of them that may not be fit now, may become fit to exercise it in the of time, when they shall have enprocess of time, when they shall have enjoyed their freedom and received instruction. This proposition aims to accomplish its object kindly, mildly, and not at once by forcible means, against all the prejudices and habits of the people with whom the race sought to be enfranchised are connected. This would be better in my judgment, and tend more to the peace of the community and the safety of the pation. community and the safety of the nation. I yould say to the Senator from Indiana that if it can be accomplished by the indirect ac-tion of an amendment to the Constitution which appeals to the interest of those who have hitherto been and are now the ruling class among this large population, it will be far better than to run the risk of all the difficulties that may arise from forcible means, which would create bad feeling and general prejudice, perhaps undying ani-mosity. Mr. Fessenden next referred to the mostry. Mr. ressenden next referred to the assertion of Mr. Hendricks, that the proposed amendment was intended for party purposes. Mr. Hendricks, he said, had no right to attack the motives of a committee of this body, or of the gentlemen who support the amendment. It would as well become him (Mr. Fessenden) to say that Mr. Hendricks opposed it for none but party purposes as for Mr. Hendricks to say that

it was only supported for party purposes.
Mr. Hendricks interrupted Mr. Fessenden to say that the was justified in saying the measure was urged on partisan grounds because the chairman of the committee in the House (Mr. Stevens) in urging its pas-sage, did so on partisan grounds, and admitted as much in his speech. He (Mr.Hen-dricks) had quoted Mr. Stevens's language, in which that gentleman said it was neces sary to pass the amendment to secure the perpetuity of the party of the Union. This, Mr. Hendricks said, was the language used by one class of gentlemen to designate

their own political party. Mr. Fessenden said he remembered very well that Mr. Hendricks had quoted Mr. wen that Mr. Hendricks had quoted Mr. Stevens's remarks. He could say that his gloss was entirely unjustifiable. The words "Party of the Union," were used in no party sense. Does not the Senator belong to it?

Mr. Hendricks-I think I do, but I do not belong to the political party that calls it-self, the Union party, which opposes the admission of the Southern States into the

Mr. Fessenden said he might have had

Bone doubt some time ago about Mr. Hen-diricks belonging to this Union party, but he could have none now, since he (Mr. Hendricks) said so. It was very strange how everything ran into party considera-tions in Mr. Hendricks's mind, though some Senators, could think of such matters without party.

Mr. Fessenden, after replying to Mr.

Hendrick's assertion that the amendment was intended as a punishment to the Southarn people, referred to the speech of Mr. Buckalew, eight, papes out of sixteen of which were devoted to abuse of New Engwhich were devoted to abuse of. New England—eight pages devoted to showing that New England has too much power in the Senate and in the country, and that this power and influence ought to be abridged. He would not say that there was anything He would not say that there was anything original in this charge against New Eng. land. Such views have been presented before quite as forcibly, and with about as much effect. Mr. Buckalew had been kind enough to say that he did not despise New England. New England was happy to know it, and he (Mr. Fessenden) fell at liberty to say that New England did not despise Mr. Buckalew. He thought all charges and remarks upon endeavors on the part of a party to keep power were com-

of any such State to The numerical power of New England in the Senate, amounting to twelve, might, with the aid of one or two, carry a measure, following proviso:

if all present, in a minimum quorum Judging from the patriotism of New England, there could be no great danger to the country if she should. The Secretary of State tells a story about "Mrs. Toodles" door plate marked Thompson being handy in the house. Such weather engested the process. in the house. Such was the repeated change in argument against the political power of New England. He did not expect the amendment could pass. The necessary votes could not be had, though the majority

of votes in the Senate must be in favor of it.

Mr. Fessenden referred to the quotations of Mr. Sumner from Coke, Locke and Otis, asking whether, when they uttered or wrote asking whether, when they uttered or wrote
the sentences he quoted from them to indicate universal suffrage, whether in Coke's
or Locke's time either, under the British
Constitution, Englishmen all voted, and
whether, spite of his remark, is not a class
exclusion in Massachusetts operating
against those who may not be able to read,
though they he twenty-one ways of egg in though they be twenty-one years of age, in conformity with the sole condition that had been specified in the quotation from Otis. Now, though by limitation attendant upon their own exclusiveness of act, the Southern States they have been appeared would be States, through this amendment, would be shorn of a part of its representation, they would be represented just as they might choose to be. The choice was with them and they would being so represented, be taxed to bear the burdens of the govern-ment's debts and expenditures. The charge of immorality and traffic had been made by the Senator from Massachusetts against the committee, against the majority of the House and the Senate—but no man stood upon the opiniion of a heated controversialist.

Mr. Fessenden was satisfied to stand with the press and the people and the majority of both Houses, under the denunciation of the

Senator from Massachusetts. Mr. Sumner said, there is a familiar story which Senators cannot have forgotten, of a shield suspended in the highway and two travelers coming to it from opposite quarters undertook to read the inscription upon it each read it differently, and each looking the other in the face, insisted he was right, and straightway there was a contest, which ended in a battle. But at last it was dis-covered that the shield had two different inscriptions on its two sides. That is the presise character of the measure before us. I is as a shield with two different expressions on its two different sides. The Senator from Maine sees on it only the limitation of the political power of the South. I approved it, and I see, sir, the disfranchisement of a race, and the recognition of caste in the Constitution of the country. The Senator defends what he sees; I oppose what I see. Now, sir, it is the misfortune of the present proposition that it has two sides with opposite inscriptions. At this moment of our country's history, at this transcendent period of solemn political ebligations, we are summoned above all things to be sincere, frank, truthful, loyal, to do nothing, in a double sense, especially on that most important act, the introduction into the Constitution of our country of any words that most interpreted in a double words that can be interpreted in a double sense. It is not necessary for me to say that the Senator from Maine is wrong, though I think he is wrong in his interpretation of the Constitution and of the amendment. I is enough that I say that the proposition that he defends is open to this, that is the shield with the two sides and different inscriptions on the two sides. I have papers

on my table from which I might illustrate this idea, but I have no right take the time; it is now three o'clock. But the question is as to the double sense. I shall not trespass long. The Senator from Maine sees the proposition one way to-day; I see it another way. But, sir, I have already, in this discussion, referred to a memorial offered by the editor of the Boston Recorder, in which he interpreted it as I do. He regarded it as a disfranchisement of a race, and inconsist-ent with the declared principles of the Dec-

laration of Independence.

I have in my hand another document, from a very different person, whom I cannot name without great respect—one of the original abolitionists of the land—one of the old guard which has done so much to ma ture that opposition to slavery which has at last triumphed—one who, from the firing upon Fort Sumter, has seen all things with clearness of vision unsurpassed-Mr. Geritt Smith, of New York.

Mr. Sumner then read at great length from the late publication of Gerritt Smith, regarding the amendment under consideration, and closed his remarks by a reiteration of the objections he had already stated in this discussion.

Mr. Wilson, at the conclusion of Mr. Sumner's remarks, said there was no man for whose motives he had more respect than for Gerritt-Smith, but he could not forget that that gentleman, holding to the theory that the Constitution of the United States did not permit the existence of slavery within the United States, when it was proposed to amend the Constitution, and make it for ever impossible that there should be a slave in America—that gentlemen, influenced by that theory that he himself and a few other gentlemen had held for years, publicly op-posed the amendment to the Constitution. Congress, however, not holding to that theory, proposed an amendment to the Con-stitution forbidding slavery, and the Ameri-can people sanctioned that amendment. It is in the Constitution of the country, and slavery has forever ceased to exist in America. Now when the authority of Gerritt Smith is brought into this Senate to guide our action, I remind the Senate and the country of his action on the constitutional amendment, and I ask the Senate and the country where in God's name would the slaves of the country be if the councils of Gerritt Smith had been followed?

Mr. Wilson then compared the party who with Mr. Sumner opposed the pending amendment, to the party who with Gerritt Smith opposed the constitutional amendment two years ago.

The question being called for, the Chair stated that it was upon the adoption of Mr. Henderson's amendment, which is to substitute for the pending amendment the fol-lowing: No State, in presenting the quali-fications requisite for elections therein, shall discriminate against any person on account

of color or race.

Mr. Henderson made a few remarks, in the course of which he said the Legislature of Missouri would ratify the above within twenty-four hours after its passage in Con-

Mr. Sumner—So will Massachusetts and every loyal State. [Laughter.]
Mr. Henderson's amendment was rejected—yeas 10, nays 37, YEAS—Messis, Brown, Clarke, Chandler,

Henderson, Howe, Pomeroy, Sumner, Wade and Yates—10. NAYS—Messrs. Anthony, Buckalew, Conness, Cowan, Cragin, Cresswell, Davis, Dixon, Doolittle, Fessenden, Foster, Grimes, Guthrie, Harris, Hendricks, Johnson, Kirk-

wood. Lane (Kansas), McDougall, Morgan, Morrill, Nesmith, Norton, Nye, Poland. Ramsey, Riddle, Saulsbury, Sherman, Sprague, Trumbull, Van Winkle, Willey and Williams-37. ABSENT-Messrs. Howard, Foot and

Wright-3. The next question was in the following joint resolution of Mr. Sumner, offered as a joint resolution of Mr. Sumner, offered as a substitute for the proposition of the committee: That in all the States lately declared to be in rebellion there shall be no oligarcharistocracy, caste or monopoly 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 laws, whether in the court room or at the ballot-box; and this statute, made in pursuance of the Constitution, shall be the supreme law of the land, anything in the Constitution or laws of any such State to the contrary notwithof any such State to the contrary notwith-standing.

Mr. Clark moved to amend by adding the

And 141 DOOK STREET,

Provided, That whenever the elective franchise shall be abridged in any State in the election of representatives of Congress or other officers, State or National, on account of race, color, descent, or previous condition of servitude, or by any provision of law not equally applicable to all races and descents, all persons of such race, color, descent or condition, shall be excluded from the heart of programment and a prescribed in the basis of representation as prescribed in the section second of the first article of the Constitution.

The question was then taken upon the proposition of the Committee, Mr. Clark having withdrawn his amendment, given The joint resolution, as it came from the

House, is as follows:

Resolved, by the Senate and House of Representatives of the United States of America, in Congress assembled, two-thirds of both Houses concurring, That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which when ratified by three-fourths of said Le-gislatures, shall be valid as part of said Constitution, viz.:

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

The vote on the above was as follows: YEAS—Messrs, Anthony, Chandler, Clark, Conness, Cragin, Cresswell, Fessenden, Fos-ter, Grimes, Harris, Howe, Kirkwood, Lane ter, Grimes, Harris, Howe, Kirkwood, Lane (Ind.), McDougall, Morgan, Morrill (N.Y.), Poland, Ramsey, Sherman, Sprague, Trum-bull, Wade, Williams and Wilson—25, NAYS—Messrs, Brown, Buckalew, Cowan,

Davis, Dixon, Doolittle, Guthrie, Henderson, Hendricks, Johnson, Lane (Kansas) Nesmith, Norton, Pomeroy, Riddle, Saulsbury, Stewart, Stockton, Sumner, Van Winkle, Willey and Yates—22. The Chair announced that the joint reso-

lution, having received less than a two-thirds vote, had failed. Mr. Henderson moved a reconsideration of the above vote, which motion prevailed

This brought the joint resolution again before the Senate, and Mr. Doolittle offered the following amendment: That the following articles be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three fourths of said Legislatures, shall be valid as part of said Constitution, viz.:
"After the census to be taken in the year eighteen hundred and seventy, and each succeding census, representatives shall apportioned among the several States which may be included within this Union according to the number in each State of male electors over twenty-one years of age, qual ified by the laws thereof to choose member of the most numerous branch of its Legis lature, and direct taxes shall be apportione among the several States, according to the value of the real and personal and taxable property situated in each State not belong ing to the State or to the United States.

At six o'clock, on motion of Mr.

Fessenden, the further consideration of the question was postponed to Thursday.

The Senate then adjourned to Monday. House.-The House continued the dis cussion on the Senate bill to protect all per sons in the United States in their civi rights, and furnish the means of their vindication, on which the main question ordered yesterday. After a long debate the bill was recommitted, by a vote of 82

against 70. The following is the vote in detail:
YEAS.—Meesrs. Ancona, Anderson. Baker, Bingham, Blow, Boyer. Brooks, Buckland, Bundy, Chairer, Coffroth, Conkillag, Darling, Daviso, Dawson. Deler, Coffroth, Cobkling, Darling, Davis, Dawson, Derees, Delano, Deming, Denison, Dumon, Eldridge, Farqubar, Glessbrenner, Goodyear, Grider, Harstin, Kry.) Hays, Hill. Boran, Huoband (W. V.a.), Hubbard (Onn), Hubbell (N. V.) Hulburd, James, Humphriy, Ingersoll, Jenckes, Kerr, Kelchum, Knykendell, Latham, Lawrence (Pa.), Lawrence (Ohio), Lee Bienol, Marshall, Marston, Marchin, Mercer, Miller Morrill, Myers, Newell, Niblack, Nichols m. Noel, O'Nell, Orth, Phelps, Plants, Radford, Raymond, Riter, Rogers, Rousseau, Schenck, Scholied, Shanklin, Shellabarger, Spaulding, Stillwell Taber, Taylor, John L. Thomas, Thornton, Trumbul, Van Horn (Mo.), Warner, Washburne (Ind.), Welker, Whaley, Wilson (Pa.), Winfield.

Warner, Washburne (Ind.), Welker, Whaley, Wilson (Pa.), Winfield

NAYS—Hessis, Alley, Al'ison, Ames, Ashley (Nevada), Ashley (Ohlo), Baldwin, Banks, Baxter, Benman, Bidwell, Blaine, Boutwell, Broomsil, Clark (Ransas), Cobb. Cook, Cullom, Dixon, Donnelly Lriggs, Ellot, Farnsworth, Ferry, Garfield, Grinnell, Harding (Ill.), Harris, Hart Henderson, Higby, Holmes, Hooper, Hubbard (Iowa), Hubbard, Jr. (N. Y.), Julian, Kelley, Keison, Loan, Longyear, Lynch, McClurg, McKee, McRuer Moorhead, Myrris, Moulton, Paine, Perham, Pike, Price, Rice (Mass.), Michael, Ross, Sawyer, Sloan, Starr, Stevens, Thayer, Thomas (Md.), Trowbridge, Upson, Van Aernam, Ward, Ward, Warburne (Ill.), Washburn (Mass.), Wentworth, Williams, Wilson (Iowa), Windom, Woodbridge.

Mr. Siewens, fram the Committee on Ap-

Mr. Sievens, fram the Committee on Appropriation, reports back the Senate bill to reimburse the State of Missouri for moneys expended for the United States in enrolling equipping and provisioning militia force to aid in the suppression of the rebellion. Referred to the Committee of the Whole on the State of the Union, and postponed ill this day fortnight. The House then went into Committee of

the Whole on the Reciprocity bill. Various amendments increasing the

duties were adopted.

The Committee then rose, when the Speaker presented a letter from the Secretary of State, transmitting the report of the Commissioners of Emigration since the establishment of the Bureau, which was referred to the Committee on Commerce. It was agreed that on Saturday the House should sit as if in Committee of the Whole for general debate on the President's mes

Mr. Stevens gave not'ce that after this week he would ask to have evening sessions for business. Adjourned.

THE SHAD FISHERIES. - Shad have once nore appeared in our markets and on our tables—or, at least, on the tables of those who can afford to pay for them. Very inferior fish, small and watery in flavor, are sold for fifty cents each, while those of good size bring one dollar. The fish now in market are said to come from the rivers and counds of North Caroling. As yet they are sounds of North Carolina. As yet, they are very far from plentiful, and are by no means fine flavored. Before the war, our market the flavored. Before the war, our market was far better supplied with this dainty fish than at present. Within a few days, however, the first arrival of Delawareshad may be expected, to be followed by the North and Connecticut river fish, which are much larger and fuller flavored than those coming from the Southern coast

from the Southern coast.

The principal shad fisheries are in the Connecticut, Hudson, Delaware, Potomac and Chesepeake rivers. At the commence ment of spring the fish ascend the rivers to deposit their spawn, and it is after this pro-cess has been completed that the fishing season commences. Those that cannot be brought fresh to market are salted to the great detriment of their flavor. The shad, (closa,) is supposed to be of the same species as the herring, and, like that fish, is remarkably shy; unlike it, however, it as cends rivers and deposits its spawn in fresh water. The shad is usually caught in seines, and is found up the North River as far as Albany. It is estimated that \$100,000 worth are annually taken below the Highlands The fishermen, however, complain that steam navigation has greatly injured, their trade, the fish being scared away by the noise of the paddles, and that the catch is annually decreasing.—N. Y. Times.

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