THE DAILY EVENING BULLETIN; PHYLADELPHIA, THURSDAY, APRIL 5, 1866.

XXXIXth CONGRESS -FIRST SESSION.

[CLOSE OF YESTERDAY'S PROCEEDINGS.]

SENATE .- The veto message being taken up, Mr. Trumbull spoke at length upon the President's objections against the Civil

Rights bill, reviewing each in detail. Mr. Trumbull said he should endeavor to show that the bill was not unjust nor un-constitutional. He quoted from Chief Jus-tice Marshall, that "a citizen of the United States residing in any State of the Union is a citizen of that State." and said that unless that high authority is to be disregarded, the President of the United States is mistaken in this law. He also quoted from Law-rence's Wheaton to show that there have been several cases of collective naturaliza-tion by annexation of territories. He said that if the eleven Southern States were unrepresented in Congress it was not the fault of the twenty-five loyal States.

of the twenty-five loyal States. Mr. Trumbull continued: Sir, this propo-sition. that no bill is to be passed because certain States are unrepresented, when it is their own fault that they are unrepresented, would be utterly destructive of the Govern ment. But then, the President tells us, that the bill in effect professes to discriminate against a large number of intelligent, vorthy, and patriotic foreigners, and in fawornly, and particle foreigners, and in fa-vor of the negro. Now, sir, is that true? What is the bill? Why, it declares that there shall be ne distinction in civil rights between any other race or color and the white race. It declares that there shall be no different punishment inflicted on a colored man in consequence of his color than that which is inflicted on a white man for the same offence. Is that a discrimination in favor of the negro and against the foreigner, in a bill, the only object of which is, to preserve equality of rights?

Mr. Trumbull, after discussing the ob-jections of the President to the second section, reviewed other portions of the veto message. In proof that conflicting legislation existed, and that danger was to be apprehended from conflicting legislation not yet effected. Mr. Trumbull cited official returns of military officers connected with the Freedmen's Bureau, of State laws recently enacted in prohibition of the right of the negro to lease or to own land, and other rights secured to them in this bill. He also referred to the military orders sanctioned by the President, showing the same thing among them; those of general sickness at Charleston, cautioning the law-making au-thorities against discriminating against any class of the population, declaring that all laws should affect alike all the inhabitants of the State, and that they should expressly secure in all respects equal justice to freedmen as to all other people. Mr. Trumbull said that the President

never indicated to him, nor so far as he knew, to any of its friends, the least objection to any of the provisions of the bill till after its passage. In conclusion, Mr. Trumbull said-Mr.

In conclusion, Mr. Trumbull said—Mr. President, I have now gone through this veto message, replying with what patience I could command to its various objections to the bill. Would that I could stop here; that there was no occasion to go farther; but justice to myself, justice to the State whose representative I am, justice to the people of the whole country, in legislating in whose behalf I am called to participate; justice to the Constitution I am sworn to justice to the Constitution I am sworn to support, justice to the rights of American citizenship it secures, and to human liberty, now imperiled, require me to go further. Gladly would I refrain from speaking of the spirit of this message, of the dangerous doc-trines it promulgates, of the inconsistencies and contradictions of its author, of his en-creachments upon the Constitutional rights of Congress, and his assumption of unwar-ranted powers, which, if persevered in, and not checked by the people, must eventually lead to the subversion of the Government

and the destruction of the Government and the destruction of liberty. Congress, in the passage of the bill under consideration, sought no controversy with the President. So far from it, the bill was proposed with a view to carry out what men supposed to be the views of the Presi-dent, and was submitted to him before its introduction into the South Law not below

same punishment. Each State, so it does not abridge the great fundamental rights belonging, under the Constitution, to all citizens, may grant or withhold such civil rights as it pleases. All that is required is that, in this respect, its laws shall be imwith the President's objections; and such objections! What are they? That "in all our history, in all our experience as a peo-ple, living under Federal and State lays, no such system as that contemplated by the de-tails of this bill has ever before been pro-

posed or adopted." Have I not already shown in the action of the President himself, through General Sickles, declaring that "all laws shall be Sickles, declaring that "all laws shall be applicable alike to all inhabitants," and in various acts of Congress a precedent for every provision of this bill. "The details of the bill," says the President, "establish for the security of the colored race safe-guards which go infinitely beyond any that the General Government has ever provided for the white race." With what truth this can be said of a bill which declares this can be said of a bill which declares that the civil rights and the punishment of all races, including, of course, the colored, shall be the same as those "of white per-sons," let an intelligent public judge. "They" (the details), says the President, "interfere with the municipal legislation of the States with the relations emisting er

the States, with the relations existing ex-clusively between a State and its citizens, or between the inlabitants of the same State, an absorption and assumption of power of the General Government which power of the General Government which, acquiesced in, must sap and destroy our federative system of limited powers, and break down the barriers which preserve the rights of the States. It is another step, or rather stride, toward centralization and the concentration of all legislative powers in the National Government? all this is said by a President who by his

own fiat issued through General Howard, set aside an act of the Legislature of Mississippi, and by another order through General Terry, an act of the Virginia Legislature, and forbade any magistrate or civil officers from attempting to execute it, who, through General Canby, ordered the State courts to suspend all suits against persons charged with offences for which white persons were not punished, and we all know the penalty which would have been visited upon State judges or officials for a violation of any of these orders. A President who, after vetoing a provi-

sion of the Freedman's Bureau bill because it secured to the occupants of the land under Major-General Sherman's order, possession for the period of three years, himself issued an order within less than thirty days after-wards, through H. W. Smith, Assistant Adutant-General, declaring that grants of lands to the freed people, in compliance with General Sherman's Special Field Orders, No. 15, dated January 16th, 1865, will be regarded as good and valid! Well may we exclaim, in view of these acts of the President, in his own language, when discussing a veto of President Buchanan, "Oh, consistency, thou art a jewel much to be admired, but

rarely to be found !" In view of these facts, who is it that is breaking down the barriers of the States, and making strides toward centralization? Is it Congress, by the passing of this bill, or the President, who, without law, is arro-gating to himself far greater powers than any conferred by this bill? Let it not be said that the President exercises these vas powers by virtue of the war power. He told us in his annual message that the war was over, and whether over or not, no incidental powers are vested by the Constitution in the President, either as President or Com-mander-in-Chief of the army. The instru-ment gives Congress power to make all laws necessary and proper for carrying into exe-cution all powers vested by the Constitution in the Government of the United States, or in any department or officer thereof. The President is required, in carrying out his powers, to act in obedience to law, the very thing which he refuses to do. He says: "The tendency of this bill must be to re-suscitate the spirit of the rebellion."

Suscitate the spirit of the rebellion." What assumption in one who denies the authority to punish those who violate United States laws, under color of State au-thoriting a docting from heid to rebellion." thority, a doctrine from which the rebellion sprung, and in entire harmony with the declaration of Mr. Buchanan that "there was no power to coerce a State." But, sir, out of the mouth of Senator Andrew Johnson I will prove that President Andrew Johnson has violated the spirit of the Constitution in its letter in vetoing this bill. It will be remembered that the bill passed both Houses of Congress by more than a morrow. two-thirds majority, the vote in the Senate being yeas 33 to nays 12, and in the House yeas 111 to nays 38. I will read from the remarks of Senator Andrew Johnson on he veto of the Homestead Bill by Mr Buchanan. "The President of the United States preto the American people and to the two Houses of Congress, in violation of the spirit if not the letter of the Constitution, that this measure shall not hecome a law that this measure shall not become a law. Why do I say this? I ask, is there any dif-ference in the spirit of the Constitution whether a measurr is sanctioned by a twowhether a measure is sanchoned by a two-thirds vote before its passage or afterwards? When a measure has been vetoed by the President, the Constitution requires that it shall be reconsidered and passed by a twothirds vote in order to become a law; but bere, in the teeth of the Executive, there was a two-thirds vote in favor of this bill. The vote was 36 to 12 in this body. The two Houses have said that this measure is con-stitutional and right. In the other House, reflecting the popular sentiment of the na-tion, the vote was 112 to 51-ten more than the two-thirds majority which the Constitu-tion requires. And when there is a twothirds vote for a measure, I say it is against the spirit of the Constitution for the Executive to say, 'No! you shall not have this measure; I will take all the chances of vetoing it." Apply this language to the facts connected with this bill and then say who has violated the spirit of the Constitution? This bill in no manner interferes with the municipal regulations of any State, which protects all alike in their rights of person and property. It could have no operation in Massachusetts, New York, Illinois, or most of the States of the Union. How preposterous then to charge that unless some State can have and exercise the right to punish somebody or to deny somebody a civil right on account of his color, that its rights as a State shall be destroyed. It is manifest that unless this bill can be passed nothing can be done to protect the freedmen in their liberty and their rights. Whatever may have been the opinion of the President at one time as to "good faith requiring the security of the freedmen in their liberty and their property," it is now manifest, from the character of his objec-tions to this bill, that he will approve no measure that will accomplish this object. That the second clause of the Constitutional amendment gives this power there can be no question. Some have contended that it gives the rower even to confer the right of suffrage. I have not thought so, because I have never thought suffrage any more ne-cessary to the liberty of freedmen than of a cessary to the literty of freeumen than of a non-voting white, whether child or female. But his liberty, under the Constitution, he is entitled to, and whatever is necessary to him he is entitled to have, be it the ballot or the bayonet. If the bill now before us, and which goes no further than to secure civil rights to the freedom, cannot be passed, then the Constitutional amendment declaring freedmen to all the inhabitants of the land is a cheat and a delusion. and carefully avoiding conferring or inter-fering with political rights or privileges of any kind. The bill neither confers nor abridges the rights of any one, but simply declares that, in civil rights, there shall be an equality among all classes of citizens, and that all alike shall be subject to the I cannot better conclude what I have to say than, in the language of Mr. Johnson.

why a Senator or Representative who had acting understandingly should change his opinion. He said: "I hope the Senate and House of Representatives who have sanc-tioned this bill by more than a two-thirds majority will seconding to the Constitution majority, will, according to the Constitution exercise their privilege and power, and lei the bill become a law of the land, according to the high behest of the American people." The further consideration of the subject

was postponed till to-morrow, on motion of Mr. Johnson (Md.) who desires to address the Senate on it. On motion of Mr. Harris, the Senate took

up the bill to reorganize the Judiciary of the United States. After discussion, the bill was placed upon the third reading, and passed—yeas 23,

nays 6. The bill now goes to the House,

The Senate then adjourned. House.—The morning hour having expired, the House resumed the consideration of the contested election case of Dodgeagainst Brooks, from the Eighth Congressional Dis-

Michael Michae to the seat.

At the conclusion of Mr. Marshall's re marks, no other member seeking the floor, the Speaker announced that the ques-tion was on the resolution offered by the minority of the committee, declaring Mr Dodge not entitled to a seat in the House. Many members being at this time absent

from their seats, on motion of Mr. Morrill (Vt.) there was a call of the House. This brought in the members who were in the Senate Chamber and in com-mittee rooms, and 124 answered to their names, Mr. Garfield moved to amend the substi-

tute offered by the minority by inserting in lieu of it that the testimony taken as to Mr. Brooks be recommitted to the Committee on Elections, with instructions to report es-pecially the facts as to the custom, under the laws of New York, of appointing inspectors of the registry of the election not from per-sons residing in the election district. Also, the facts respecting the verification by Mr. Brooks of the votes given for him in the Fifteenth District of the Eighteenth Ward, with power to send for persons and pepers, &c.

Mr. Spaulding (Ohio) gave notice that he would offer as a substitute for the resolu-tion reported by the committee a resolution declaring that neither the sitting member nor the contestant were duly elected, and that the seat from the Eighth District of New York is vacant: Mr. Schenck (Obio) remarked that - the

same object would be reached by voting yea on the resolution that Mr. Brooks was not duly elected, and by voting no that Mr Dodge was.

Mr. Garfield spoke in support of his amendment. After carefully reading both reports, he was unwilling to vote either way, and he wanted more light thrown on the subject. He called attention to th that the committee entirely ignored one election precinct, in which it was asserted by the sitting member that fraudulent votes had been cast for the contestant, and did not make any examination into it or make any remark upon it. It seemed that the election was in the hands of the party favoring the election of the contestant, and yet it was proposed to unseat the sitting member on the allegation that the managing party was defrauded. That was certainly remarkable.

Mr. Farnsworth spoke in support of Mr. Brooks's right to his seat. He said there was no question about the fact that the Eighth Congressional District of New York was a Democratic district—he feared hopelessly so. There was no proof in this case bringing home to Mr. Brooks any fraud of corruption. It was not shown that he used any money to carry the election, or had any knowledge or participation in any fraud His skirts were clear of any imputation of fraud or other corrupt practice, but, on the

The Colombian Commission. The Colombian Commission established under the treaty of 1857, and renewed by the treaty of 1864, met at Washington yesterday to hear discussed their most important cases. The questions involved were those O'clock any evening. mh29-ti O'clock any evening. mh29-ti CHOICE SEATS AND ADMISSION TICKETS THE PROGRAMME OFFICE, 431 CHESTNUT street, opposite the Post Office, for the ARCH, CHESTNUT, WALNUT and ACADEMY OF MUSIC, up to 6 o'clock every evening. se19-ti cases. The questions involved were those in which the commerce of New York and the world is interested. Colonel Thomas Biddle, for the United States, a soldier and a diplomatist, rep-resented the United States, General Sulgar, the Minister from Colombia, and an ac-complicated publicity represented the other

complished publicist, represented the other Republic. Between them sat Sir Frederick Bruce, lineal descendent of Sir Robert, and by hi

OF MUSIC, up to 6 o'clock every evening. sel9 ff A MERICAN ACADEMY OF MUSIC. Corner of BROAD and LOCUST Streets. Lessee and Manager.....WM. WHEATLEY Engagement of the far-famed RAVELS, who will make their fourth appearance in Philadelphia in three years, in a variety of sparking entertain-ments, embodying in happy profusion all those eleexperience, talents, and diplomacy one of the leading men of the time in diplomatic progress. He has been abroad in India, China, and South America, and by his pements, cance ments of GRACE, DEXTERITY and

culiar talents, added to unfailing good hu-mor, he has made himself, since his presence in Washington, not only popular but useful. He accepted this position of umpire in order to forward the great principles o conciliation between nations out of which these commissions have grown. The cases presented were those of the Panama Rail-road and Pacific Steamship Company and the United States Mail Steamship

Company. In all of them the question of damages involving millions of dollars, came up for settlement, the umpire being present. They involved the freedom of the Isthmus as a transit route, under treaties with the United States and by the law of nations; freedom for the railroad from mobs and disturb ances under the contract; freedom from passenger taxes; freedom from all kinds of taxes levied by New Grenada,

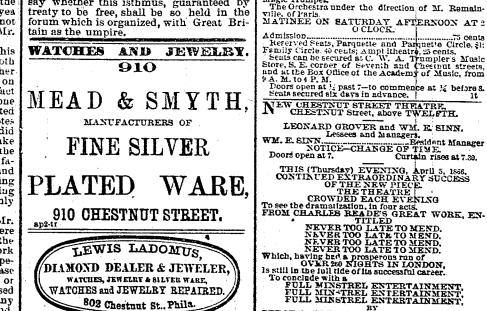
and freedom for the use of the capital and enterprise invested were all in controversy. Hon. S. S. Coxe appeared as counsel for

and a Full and Magnificent Corps de Ballet, The Evening's Entertainment will commence with the Child Wonder of the World, YOUNG AM ERICA, in his new and startling performance on the THREE FLYING TRAPEZE. First night of the very laughable comic Pantomime, entitled the the companies, and opened the case, occu-pying the day in presenting the questions growing out of the riots of 1856, by which the isthmus was disturbed, and all the in terests of railroad and steamship companies

follows Mr. Coxe to-morrow, Judge Dean of New York, on behalf of the United States

great highway of the commercial world, is at stake. The damages claimed by Colom bia, by reason of the obstruction of this highway by riots and unfriendly legisla

tain as the umpire.



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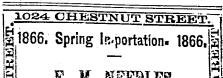
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tion, and illegal taxes, are immense. It re mains with the Minister of Great Britain t say whether this isthmus, guaranteed by treaty to be free, shall be so held in the

Steemship Company, will reply, and Mr. Coxe will close the discussion. No less a question than the peace, order and freedom of the Isthmus of Panama, the

First night of the very laughable comic Pantomime, entitled the MAGIO TRUMPET. ANTOINE RAVEL in his celebrated character of the CLOWN GAERIEL RAVEL as ROMEO', HE DANDY YOUNG AMERICA as HARLEQUIN Columbine HARTINETTIS in their classical Groupings of The new Grand Ballet, arranged by Mons. Von Hanme, entitled THE DEFIANCE. Madame MARZETTI and Mons. VON HAMME, who will execute the wonderful Terpsichorean Move-ment of Thre Complete Evolutions in the Air, per-formed by no other artiste. TO MOREOW (FRIDAY). The Trapeze, Milliners, New Divertissement and Magic Trumpet. To Choestra under the direction of M. Romain-ville, of Paris. MATINEE ON SATURDAY AFTERNOON AT 2 OCLOCK. To Consel were put in peril. Mr. James M. Carlisle, for New Grenada

GRACE, DEXTERITY and COURAGE, which have given to these brilliant Artists MR. WHEATLEY is gratified in again presenting to the Philadelphia Public these old-time favorites. whose genius has maintained through all the changes of their marvelous career, both in this country and in France, pre-emineut and plorlous renown as the most versatile, accomplished and graceful exponents of the charms of the Pantomime known to any stage. The Ravels retain, in a really wonderful degree of freshness, the singular power to attract and to divert which has ever distinguished them, and Mr. Wheatley trusts that the engagement which he has now great pleasure in announcing, may renew in effect the hap-plest triumphs associated with their fame. The peculiar attractions of the Ravel's repertoire-comprising several entirely new to the public of Philadelphia-will be produced in a style of elegance and completeness which Mr. Wheatley will endeavor to render worthy of his own reputation and of their high renown. MNTOINE RAVET. ANTO A TROUPE OF ARTISTS NUMBERIOA. AND A TROUPE OF ARTISTS NUMBERING, SIGNORITA PEPITA, PREMIST, NUMBER,) SIGNORITA PEPITA, PREMIST, and the master M. VONLANIME, dirst male dancer, and ballet master SIGNORITA PEPILA, FIGHER Samear, Opera at Paris, M. VON HAMME first male dancer, and ballet master from Hamburg, Miles. Vandris, Marzetti, Desiree, Julia Lehman Mons. Vandris, Garcia, Schmidt, Artel C, Lehman

introduction into the Senate. I am not able to relate private declarations of the President, but it is right that the American peo-ple should know that the controversy which exists between him and Congress, in refer-ence to this measure, is of his own seeking. Soon after Congress met it became apparent that there was a difference of opinion be-tween the President and some members of Congress in regard to the condition of the rebellious States and the rights to be secured to freedmen.

The President in his annual message had denied the censtitutional power of the General Government to extend the elective franchise to negroes, but he was equally decided in the assertion of the right of every man to "life, liberty and the pursuit of happiness." This was his language:—"But while I have no doubt that now, after the close of the war, it is not competent for the General Government to extend the elective franchise in the several States, it is equally clear that good faith requires the security of the freedmen in their liberty and in their property."

There were some members of Congress who expressed the opinion that in the reor-ganization of the rebellious States the right of suffrage should be extended to the colored man. Though this was not the prevailing a reorganization of the rebellious States and their admission to full participation in the Federal Government as soon as the rela-tions could be restored with safely to all concerned.

Feeling the importance of harmonious action between the different Departments of the Government, and an anxious desire to sustain the President, for whom I had always entertained the highest respect, I had frequent interviews with him during the early part of the session. Without men-tioning anything said by him, I may, with perefct safety, state that, acting from the considerations I have stated, and believing that the passage of a law by Congress se curing equality in civil rights when denied by State authorities to freedmen and all other inhabitants of the United States, would do much to relieve anxiety in the Nerth, and induce the Southern States to secure those rights by their own action, and thereby remove many of the obstacles to an early reconstruction, I prepared the DIII substantially as it is now returned with the President's objections, After the bill was introduced and a printed

After the bill was introduced and a printed copy was furnished him, and at a subse-quent period, when it was reported that he was hesitating about signing the Freed-men's Bureau bill, he was informed of the condition of the Civil Rights bill, then pend-ing in the House, and a hope expressed that if he had objections to any of its provisions he would make them known to its friends, that they might be remedied if not destruc-tive of the measure; that there was helieved that they might be remedied if not destruc-tive of the measure; that there was believed to be no disposition on the part of Congress, and certainly none on my part to have bills presented to him which he could not ap-prove. He never indicated to me, nor, so far as I know, to any of his friends, the least objection to any of the provisions of the bill till after its passage. And how could he, consistently with himself? The bill was framed, as was supposed, in entire harmony with his views, and certainly in harmony with what he was then and has since been doing in proteoting freedman in their civil rights all through the rebellious States. States, It was strictly limited to the protection of

the dvil rights belonging to every freedmen —the birthright of every American citizen— and carefully avoiding conferring or inter-

This point having been called in question. Mr. Farnsworth read from the testimony of Dodge, Legrande, Cannon, Elliott and Cowding, to show that this sum was paid for that purpose, and that the bargain with

Berr was made on a Sunday. Mr.Shellabarger (Ohio) obtained the floor and the Brooks case went over till to

On motion of Mr. Hayes, the Senate bill to provide for the transfer of the custody of Congress was taken from the Speaker's table.

considered and passed. On motion of Mr. Hogan, the Senate bill making a grant of land, in alternate sec-tions, to aid in the construction and extension of the Iron Mountain Railroad, from Pilot Knob, in the State of Missouri, to Helena, in Arkansas, was taken from Speaker's table, read twice, and referred to the Committee on Public Lands.

On motion of Mr. Trowbridge, leave was given to report back from the Committee on Commerce the Senate bill to establish the collection district of Port Huron and the collection district of Michigan, and to ex-tend the district of Puget's Sound.

Mr. Washburne (Ill.) reported an amend-ment to strike out second section of the bill and insert in lieu of it "that the territory of Montana and Idaho be, and the same are hereby made, a new collection district, to be called the District of Montana and Idaho, and that a collector, with the same salary as that provided for the Collector at Lake Huron, be appointed to reside at a point to be designated by the Secretary of the

Treasury." Also, to add the following as a new sec-tion: The Collection District of Penobscot, in the State of Maine, shall hereafter be called the District of Castine."

The amended mass agreed to, and the bill, as amended, passed. The title was amended so as to read, "Act

to establish the Collection District of Port Huron, the Collection District of Michigan, the Collection District of Montana Idaho, and to change the name of the Colloction District of Penobscot."

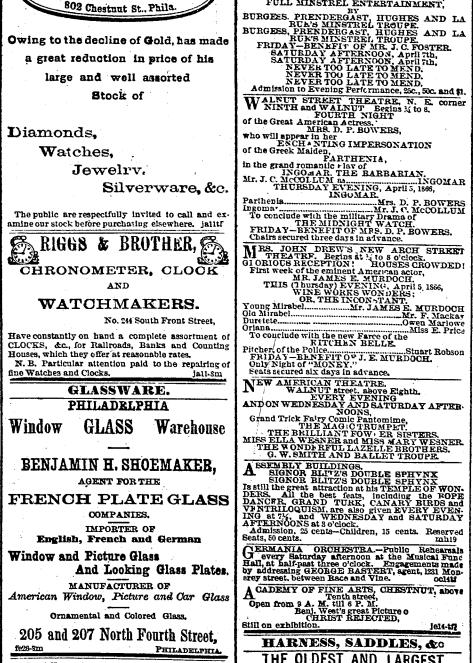
Mr. Conkling (N. Y.) presented the petition of citizens of Bridgewater, New York praying protection to American wool. Referred to the Committee on Ways and Means Mr. Donnelly (Minn.) presented petitions of citizens of the State of Minnesota in favor of an increase of the pational banking capi-tal in the said State; also, in favor of action by Congress for the better regulation of insurance companies in the United States,

Insurance companies in the United States, Mr. O'Neill presented a memorial of the presidents of several saving fund societies of Philadelphia, asking that those institutions, having no capital stock, and whose business is confined to deposits and loaning the same for the benefit of depositors only, may be relieved from the tax on deposits and tax on interest paid depositors. Referred to the Committee on Ways and Means, On motion of Mr. Morrill (Var) the So

On motion of Mr. Morrill (Ver.), the Se-nate bill to facilitate the settlement of the accounts of the Treasurer of the United States, and to secure certain moneys to the people of the United States, or to persons to whom they are due, and who are entitled to whom they are due, and who are entitled to receive the same, was taken from the Speaker's table, read twice, and referred to the Committee on Ways and Means. . The Speaker presented the message re-ceived this day from the President of the

ceived this day from the Fresident of the United States transmitting a communica-tion from the Secretary of the Treasury dated the 22d of March, together with a letter addressed by him to the Governor of Alabama in reference to the payment by the State of the direct tax.

On motion of Mr. Washburne (Ill.) the message and accompanying documents were referred to the Committee on Ways and Means, and then, at four o'clock, the House adjourned.





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