XXXIXth CONGRESS.—FIRST SESSION [CLOSE OF YESTERDAY'S PROCEEDINGS.]

SENATE,-Mr. Sherman (Ohio) introduced a bill to incorporate the National Telegraph Company, which was referred to a Select Committee of Five, and is as follows:

SECTION 1. That George B. Senter, E. M. M. Keyes, George B. Walter, Frederick Prentice, Charles T. Sherman, Rush R. Sloane, A. H. Markland, J. R. Jones, Henry Sloane, A. H. Markland, J. R. Jones, Henry
L. Burnett, Edwin Cram, Benjamin E.
Smith, Robert Squires, E. S. Hainblin and
Jonathan S. Bull, and their associates and
successors, are hereby constituted and
created a body politic and corporate, by the
name of the National Telegraph Company,
with the usual powers and privileges incident to corporations, and with the right and
privilege to construct and operate lines of
telegraph over any and all of the post routes egraph over any and all of the post routes

that are or may hereafter be established within the United States on Territories.

SEC. 2. That the capital of the said company shall not exceed the sum of ten mil-lions of dollars, and such company shall manage its business with such officers and such regulations as its by-laws may pre-

SEC. 3. That the various Executive De partments of the Government may use the line of said company, at such rates and un-der such regulations as the Postmaster General may from time to time prescribe SEC. 4. That Congress may any time alter or amend this act.

The veto being under discussion, Mr Johnson (Md.) replied to Mr. Trumbull's address. He maintained that the exercis of the veto power of the President was perfectly proper in this case, and in others which Mr. Trumbull thought were uncon titutional. In speaking of the Civil Rights bill, he said:

This bill, in its first section, makes all who were born in the United States at any id who are now living, citizens of the United States, and as such citizens, also, of the States in which they may respectively reside, and confers upon them all the rights belonging to those who have heretofore heen considered citizens of the United States and of the States in which they may reside. Now, Mr. President, you are not to be told that the only express authority conferred upon the Congress of the United States in relation to citizenship-that is to say, in relation to the power of converting one who is not a citizen into a citizen—is the authority to be found in the delegation to Congress the power to pass uniform laws upon the subject of naturalization.

There is not a single word in the Constitution which gives to this department of the government, or to any other department, the power to declare who shall be a citizen, and what is the effect of the exercise of that power? What was the design of the power and what is the operation of the power, when it is executed. The design of the power is to remove disabilities arising from the fact of alienage, and nothing else. The operation of the power is to place the party whose disability arises from alienage, and is removed by virtue of the naturalization laws, in the same condition with anybody else; but whether he is to be considered as zen of the United States by virtue of the removal of the disabilities consequent upor his taking advantage of the naturalization laws, presents an entirely different inquiry, and perhaps I cannot make the view which I shall otherwise present in my own lan-guage more clearly to the country than by reading an opinion in the Dred Scott case; not that opinion pronounced by the majority which has been so often, and, as I think, s shamelessly perverted, to the disparagement not only of the majority of the Court who sanctioned that opinion, but of the very admirable lawyer by whom theopinion was pronounced; but the opinion of Mr. Justice Curtis, in which he differs from that of the majority—an opinion marked by learning to as great an extent as any opinion ever pronounced by any judge of that or any

The question which in that part of the opinion he was discussing was whether Dred Scott was a citizen, entitled to sue in the Courts of the United States. A maity of the Court decided that, in consequence of the blood which was supposed to run in his veins, by the plea that in the African blood descended from his African ancestors he came to the United States a slave, he could not become a citizen of the United States. Mr. Justice Curtis held that the Constitution of the United States assumed that citizenship may be acquired by nativity. That was the common law—that is, the law of the civilized world-that he who is born in a country, and not made a slave at the moment he is born by any municipal regulations, becomes by virtue of his birth a citizen, but he by no means held that the consequence of his being a citizen of the United States by virtue of his birth made him a citizen of any State of the United

Now, if it be true that whether birth is to give citizenship of the United States depends npon the fact whether the party born is, by the laws of the State in which he is born, a citizen of that State, I should like to know where is the authority to interfere over what a State has done in the past, is doing in the present, or may do in the future, or how it can be accomplished under the Constitutional amendment, which I will notice after a while. Now, the honorable member from Illinois (Mr. Trumbull) disposes of the President's objections to the first sections of the bill by saying it is merely declaratory. Well, I know it is not uncommon for a legislative body, where differences of opinregistative body, where differences of opinion exist it relation to any proposition, to remove them by declaratory legislation. But that is not the purpose of this section. It professes to be passed in the exercise of a positive and absolute power to change the law, not to declare what the law was—the rever to make a law. It assumes—crether power to make a law. It assumes—or other wise there would be no occasion for it—that birth alone does not confer citizenship, and consequence of birth alone, it: declares that birth alone, in spite of State Constitutions and State laws, shall confer citizenship.

Now, with all deference to the opinion of

the honorable Chairman of the Committee of the Judiciary (Mr. Trumbull), it seem to me to be a proposition as clearly errone ous as any proposition can be in relation to the Constitution. The States were sovereign before the Constitution was adopted, and the Constitution, not only according to its very terms, does not profess to confer upon the Government of the United States any such power, but, as far as Congress is concerned, professes only to confer on that department of the Government a particular delegated power; and so conscious were the framers of that instrument and the great men of that that instrument and the great men of that day to whom its subsequent, perfection was left that they all went upon the theory that no powers were conferred, except such as were expressly granted, as might reasonably be implied to carry out the powers expressly granted—so anxious were they that, not satisfied with relying upon a principle that only delegated power belonged to Congress, they, by the tenth amendment to the Constitution, declared that the powers not delegated by the Constitution. gress, they, by the tenth amendment to the Constitution, declared that the powers not delegated by the Constitution and not demied to the States were to be considered as reserved to the States respectively, or to the

Standing, therefore, as well upon the nature of the Government itself, as a Govern-ment of enumerated powers specially delegated; standing upon the express provisions that everything not granted was to be considered as remaining within the States, unless the Constitution contained some particular prohibition of any power, what doubt can there be that if the States preserved the power to declare who might be their citizens before the Constitution was adopted, that

proposes to change the whole theory of the Government. The President, therefore, as I think, is right in saying, and I go further than he does, he is right in expressing a doubt whether Congress has the right or power, and I affirm, with all deference to the better judgment of the Senators who voted for this bill, and the honorable chairman of the Judiciary Committee, that it is perfectly clear that no such power exists as is attempted to be exercised by the first sec-

I hold with Mr. Justice Curtis, and his pinion has never been questioned, that citizenship of the United States consequent upon birth in a State is to depend upon the act whether the Constitution and laws of the State make the party so born a citizen of the State. Now, what is the next section or what is the remaining provision of the first section? Not satisfied with declaring, or assuming that they had the power to de clare that all persons not subjects of any foreign power born in the United States, and having the right of such persons to depend upon the fact of their being citizens, the hill s on to provide what right shall belong to them. Now, what is that for? Is that declaratory to citizenship, which, says the Hon. member (Mr. Trumbull), carries with ti certain rights? What rights? He read to the Senate from the first of Kent, page 46, a passage which, he will pardon me for say-ing, has nothing in the world to do with the

particular question before us. The passage which he read merely stated that every nation was bound to protect its own citizens. Why, certainly it is, if it has the power. The Government of the United States has the authority and is bound to protect the rights of any citizens of the United States invaded by any other nation. Why? Because the States have no jurisdiction extra territorial—because with reference to foreign nations the States have no place at all. That relation subsists, and can only subsist, as between the foreign nations and the General Government, and cause that resolution can only in that way subsist, It is the duty of the United States, as it is the duty of every nation, to protect its own citizens. But how is that made to prove that a citizen of the United states who is entitled to the same pro-tection of the Government of the United States is to be considered a citizen of any

What are these rights? The bill converts bim into a citizen by virtue of his birth which I have endeavored to show the Senate could not be done unless the constitution of the State where he is born made him a citizen of that State; and it goes on further, and says that such citizens, that is, citizen by force of this Congressional legislation, of every race and color, without regard to previous condition of slavery, &c., shall have the same rights in every State and territory, to make and enforce contracts to sue, be parties and give evidence, to in herit, purchase, sell, hold and convey real and personal property, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white persons. Now, Mr. President, if there be anything that might be considered as true, that was true in the that over every one of these rights, or to speak more correctly, over every one of the subjects to which these rights are made to attach, the jurisdiction of the States were exclusive.

The honorable member from Illinois (Mr. Trumbull) seems to forget, as I think, what is the real character of our Government and our institution. This bill, in my opinion, strikes at all the reserved rights of the States. You may look in the statute books and I am sure the honorable member from Illinois will agree that such is the fact. You may look in the statute books of the United States in vain for the purpose of finding that any time from 1792 up to the breaking out of this rebellion, anybody ever proposed in Congress by legislation, to regulate, by securing or otherwise, the rights which are referred to in this section.

After dwelling further on this section, Mr. Johnson passed to the provisions of the bill which define the punishment for the enforcement of distinctions on account of color, by State Judges and others. It would abolish all State laws, he said; and what is the case in which this clause jurisdiction is vested in the Courts of the United States. Of all cases, civil or criminal, affecting persons who are denied their rights in a State Court, and any such person against whom a suit may be brought for any cause whatever, may appeal to the United States Courts. Any of these agents or sub-agents, for there are hosts of them provided for by the bill; who may kill a freedman who is endeavoring to protect what he considers his rights, is not to be tried in a State Court, but in a United States Court. Here the bill goes upon the theory that there is but one Government. Murder, robbery, and many other offences which no one ever dreamed of trying in any but a State Court, are to be ransferred to the United State Courts.

The honorable member refers to the act of 1790, which has nothing at all to do with this, The punishment provided for by that act related to suits and offences against the foreign ministers who were accredited to the Government, and an offence against them was an offence against the Government. That law was based upon the same princi ple as we provide for the punishment of those who utterfalse coins, &c. It is incidental entirely. It is a part of the law of nations, and not derived from any municipal power whatever. My honorable friend asks whose fault is it that eleven States are not represented here? He certainly does not ask this in an ad cantandum style, as he animadverted upon that as restyle, as he animadverted upon that as referring to the President. He says their hands are reeking with the blood of our fathers. What have they done? They have abolished slavery. Some of them have even gone further than the honorable member himself, and though some of them have fought on the field of battle, they can take that bath as conscientiously as the honorable member or myself. Congressional legislation is necessary, it is said. Well, they applied here in the month of December, and it is now April, and it may be until July or t is now April, and it may be until July o December. As rumor has it—they are dis

I can go into the State of the honorable member himself and find hundreds of men just as disloyal as any in those States—that is disloyal in the modern acceptation of the term. A short time ago it was disloyal to oppose the President; now it is disloyal to support him. It is only loyal to uphold Congress.

The Supreme Court has recognized thes

States as being in the Union. It has for weeks being trying cases from them. It is apprehended that mischief will result in they are admitted here. Mischief of wha kind—of a party character? That is the only mischief that I am aware of that can

What is the occasion of this fire? Does any one suppose that the rights of the black man are not as safe in these States as in any in the loyal States. Go into Missouri, the State of my friend on my right (Mr. Henderson). What do you find there? That men cannot pray in public without taking an oath; where ministers are taken out of the pulpit. Certainly that is an invasion of private rights, and I invite my friend to draft a bill to protect the citizens of Missouris Murder and robberies—brutal atrocious and unheard of—are constantly occurring in the loyal States of the East, but my friend does not think it necessary to in-terfere with the authority of Congress there. I have but one word more, Mr. President. My friend adverts in rather severe terms to the President. The President states that in his opinion the bill is unconstitutional, and, thinking so, it was his duty to interpose his objections. If he had not done so he would have been sold the had not done so he would that power remains now as applicable and have been false to his plighted faith. As to as exclusive as it was before the Constituing any suspicion of disloyalty against him, his tion was adopted; and the bill, therefore, whole political course disproves that. In whole political course disproves that. In

1861 I was here, but not a member of the Senate, and I heard him, standing in the midst of those who were plotting to destroy the Union, in words that burned, denounce their attempts at rebellion. After a colloquy between Mr. Johnson

and several senators,
Mr. Cowan said as it seemed no arrange ment could be made, he proposed to say a few words. He looked upon the question as a purely legal one. This bill was a very dangerous one, but it could not effect all the purposes which its friends desired. The rights conferred by the first section of the bill are without reservation or restriction whatever. It does not confer rights as upon white citizens, but confers them absolutely, They have the right to make and enforce contracts. In some of the States a married woman has not the right to make a contract and in all of them her rights are limited Now I ask Senators who have the care of States, whether they wish to put it in power of the district courts to set aside all State laws in regard to contracts.

The bill confers upon married, women

upon minors, upon lunatics, upon any one born here, the right to make contracts, and there is no power in the State Courts to pro-hibit it. The power granted is absolute. Now in many of the States certain contracts are prohibited; some for reasons of policy, some for reasons of morality, and for dif-ferent reasons. In my State (Pennsylvania) a contract made on the Sabbath day is no valid, but this bill steps in and enforces it. Now, Mr. President, I wish to show the artistic manner in which bills are drawn up and rushed through here. It is enough in this nineteenth century, to make a ma tremble for the fate of constitutional Go States Judge, actuated by avarice, party feeling, or other motives, may draw in and monopolize all the business of the State Courts. Whoever heard of citizens of the States going into the United States Courts to settle their differences, when the State Courts were open to them? If I have a controversy with my friend from Maryland (Mr. Johnson) I do not go into a United States Court, but I take him per hoc vice into the State of Pennsylvania.

The great powers conferred by the bill were described by Mr. Cowan. It tended to centralization, and would inevitably pro luce a conflict between the State and tional Government. No one could tel where it would stop. Let no one deludehim self, that in revolutionary times it would stop at any point. If this was intended as a remedy for the wrongs of the emancipated African, it was no reinedy at all; and to hold it up to the world as such was a delusion and a snare. They were to go into the State Courts, and if they did not get justice they were to go to the District Courts. We all know that these poor Africans are not likely to have any cases over the value of \$50 or \$100, and by the time they get through with litigation and lawyers' fees, how much of it will be left? Some say, "But the State Judge who denies him his rights will be indicted and punished." Does that do the African any good? Mr. President, such a law cannot b enforced. It is not suited to our machinery of Government. Whoever heard of punish ing a State Judge for deciding against the constitutionality of a law of the United

In the free blaze of the nineteenth century it is proposed to substitute an indictmen for a writ of error. Mr. President, the slavery amendment must be of a most potent character when it elevates a negro t same position as an ambassador extraordinary from Great Britain or from all th Russias. I have no other word for this bil than an atrocity. It is an atrocity, and it will be stigmatized and handed down to the last generations if we pass it. As to the power to pass the bill, nothing that has been said here is worthy of the least attention

There was certainly nothing in the old Constitution to warrant it. It was claimed that the power came from the amendment under it we as sume to legislate for all the free negroes and mulattoes. There were nearly half a million free negroes at the time that amendment dopted, and under this amendmen abolishing slavery it was attempted to legis-late for this immense number of people. This of itself must-be a sufficient objection to the constitutionality of the bill, if there were no other. Mr. President, I have another objection to this bill. It establishes the officers of public prosecutors, who are to be appointed by the President, and paid out of the people's money for acting as spie against them. What is the character of this officer? He is so nearly allied to a thief that t is difficult to distinguish between them. There is scarcely an attorney in the United States who would be guilty of acting as a spy and informer to bring business to him-

Mr. President, the Senator from Illinois charged the President with inconsistencies and read from former speeches of the Executive. It is well, Mr. President, to know that to excite laughter is not the depth of reason. No one argument in the message has been answered. There it stands, calm, cool, and collected, and will remain unanswerable. Mr. Stewart (Nevada) said he had

voted for this bill, and he intended to do so Mr. Wade (Ohio) opposed any postpone ment. If this was an ordinary question he would have no objection. It was a matter of the authority of Congress. The President had no right to veto their acts, and assuming to do so he was playing the part of a dictator. So far from its being any reason because members were sick who desired to uphold the despotic assumptions of President that a postponement should be agreed to, he (Mr. Wade) was for taking every advantage which the Almighty has put into our hands. The President had picked this quarrel with Congress, and for the sole reason he wanted the rabels back he sole reason he wanted the the sole reason he wanted the rebels back here occupying their seats. If he (Mr. Wade) did not oppose this usurpation, and take every advantage which the Almighty offered, he would be censured by the people whose representative he was. He was willing to sit here all night and all to-morrow

if necessary.
Mr. McDougall said the Senator was very fond of talking about his God and appealing to him. Who and what was his God? In the one of love and beauty, and one of darkness. The devils of the God of darkness would not plant a tree or dig a well, and that was their offering to their God. This was the God of the Senator from Ohio (Mr. Wade): but when he came to approach the Wade); but when he came to approach the crystal gate he would find that his God would not help him much. It is strange that when two Senators are here in the city of Washington, and will be able to appear here on the day succeeding this and vote on a great question, that a Senator, who should be a gentleman to be a Senator, should rise in his seat and thank his God that he had afflicted them. Such a piece of declamation

was unworthy of an honorable Senator, and merited repuise.

Mr. Guthrie said he did not wish to interpose between the Senator from Ohio and his constituents; but there were no people he would sooner appeal on such a subject than the people of Ohio. He (Mr. Guthrie) had been a Union man from the beginning; he had advocated the Union in his place in Congress and he has advocated it before the people, and he was not to be driven from his position by the cry of one man power. He position by the cry of one-man power. He had seen more of the one-man power in this Senate than anywhere else, and thought there was more danger to be apprehended to the liberties of the country from a combined Congress than from the President. He would not like it to go out to the country that the Senator from N. I. (Mr. country that the Senator from N.J. (Mr. Stockton) had been deprived of his seat be-cause his vote was wanted, or that a measure was pressed to a vote to take advantage of the absence of members.

After some further discussion Mr. Hendricks moved to adjourn.

Mr. Wade demanded the yeas and nays

The call being sustained, resulted as The call being sustained, resulted as follows:

YEAS-Messis, Anthony, Brown, Buckalew, Clark, Cowan, Cragin, Davis, Doolitie, Edmonds, Fessenden, Foster, Githrie, Harris, Henderson, Hendricks, Howe, Johnson, Lane (Kansan, McDougall, Morgan, Morrill, Nesmith, Norton, Eddie, Saulsbury, Sherman, Sprague, Trumbull, Van Winkle, Willey and Williams—34.

nd Williamis—34.
NAYS—Messrs, Chandler, Conness, Cresswell, Howd, Lane (Ind.), Nye, Poland, Pomeroy, Ramsey,
ewart, Wade and Yates—12.
So the Senate adjourned. HOUSE.—Mr. Ashley (Ohio) introduced a bill to aid in the construction of a railroad and telegraph line from Great Salt Lake to the Colorado river. Read twice

The regular order of business being the call of committees for reports, commencing with the Committee on Military Affairs Mr. Schenck, from that committee, re-ported back the memorial relative to the National Guard of the State of New York as affected by act of Congress. Referred to the Committee on the Militia.

and referred to the Committee on Public

Also, the memorial of the Minnesota Legislature in reference to the establishment of military posts, and asking the reimbursement to soldiers of meney taken from them by the rebels in the late war, The committee was discharged from the further consideration of the subject. Also, memorials for compensation for damages to churches, &c., by the Union army in West Virginia. Laid on the table. Also, a resolution in reference to making

appropriations to complete the work of dis interring and gathering into national come-teries the bodies of Federal soldiers who died in the war. Referred to the Committee

on Appropriations.

Also, the Senate bill to grant the right of way to the Cascade Railroad Company, through a military reservation in Washington territory, with an amendment in the shape of a proviso that the act should not snape of a proviso that the act should not be construed as giving the company the right to occupy more than sixty feet in width, on the line of the road at any point where the space between the river and bluff is so narrow as not to admit of the construction of another parallel railroad, turnpike road, canal, or other public work.

The amendment was agreed to, and the bill, as amended, passed. He also reported a bill construing section our of the Army Appropriation bill of March 3, 1865, so es to entitle to the three months' pay proper provided for therein, all officers of volunteers below the rank of

brigadier general, who were in service continuously, either as enlisted men or as commissioned officers at least two years prior to April 19th, 1865, whose resignations were presented and accepted, or who were mustered out at their own request, or otherwise honorably discharged from the service after that date.

Mr. Schenck (Ohio) explained the object of the bill, and the debate upon it was par-ticipated in by Messrs. Rasson and Farns-

Mr. Farnsworth (Ill.) remarked that in contemplation of common sense the war ended with the cessation of all organized hostility to the United States but the honorablemen who then resigned were cut of by the War Department from the three months' pay which was given to the lazy drones who hung around, and would not resign until they were mustered out.

Mr. Cook (Ill.) called attention to the fact that the President's recent proclamation of peace did not include Texas.

Some members suggested that it also omitted the District of Columbia. [Laugh-Mr. Stevens (Pa.) remarked that as he understood the proclamation, the war had only ceased ten-elevenths, and one-eleventh of the war remained

Mr. Farnsworth (Ill.) thought that even if it were so, those officers should have ten-elevenths of their three months' pay.

The bill was amended by striking out the vords "either as enlisted men or commisioned officers at least two years," &c., and "who were in service on the 3d of March, 1865." The bill was then

Mr. Schenck also reported a joint resolution giving construction to the law in relation to bountles payable to soldiers dis-charged for wounds. It provides that the law shall be construed so as to apply to any enlisted man or other person entitled to bounty who has been or may be discharged by reason of a wound received while actually in service under military orders, not at the time on furlough or leave of absence, nor engaged in any unlawful or unauthorized act or pursuit. The joint resolution was

passed.

Mr. Stevens made a report from the Con-erence Committee on the Deficiency bill, which was agreed to. The only matter of public interest in it is that in reference to the engraving of the face of the Superintendent of Currency Printing on the five cent currency stamps. The Committee agreed upon the following proviso: Provided no portrait or likeness of any living person hereafter engraved shall be placed on any of the bonds, securities, notes or fractional or postal currency of the United States Mr. Thayer (Pa.) asked whether that pro-

viso was agreed upon so as to avoid the expense of having new plates engraved?

Mr. Stevens replied that if there was to be but one plate engraved, the Conference committee would probably have agreed to that; but the engraving of new plates for all the fractional currency would cost \$60,000 and require a delay of three months. Mr. Thayer thought the action of the committee entirely proper under the circumstances. He wished the country to understand the reason of the modification. Agreed to.

Mr. Wilson (Iowa) asked leave to offer the Whereas, the President of the United States did, on the 3d day of May, 1865, by proclamation, declare and make know proclamation, declare and make known that it did then appear, from evidence in the Bureau of Military Justice, that the atrocious murder of the late President; Abraham Lincoln, and the attempted assassination of Hon. Wm. H. Seward, Secretary of State, was incited, concerted and procured by and between Jefferson Davis, late of Richmond. Virginia and Jacob procured by and between Jenesson Davis, late of Richmond, Virginia, and Jaoob Thompson, Clement C. Clay, Beverly Tucker, George N. Sanders, Wm. C. Cleary, and other rebels and traitors to the government of the United States;

And whereas, Said Jefferson Davis, in said month of May, was arrested by the military forces of the United States, and has since been held in the custody thereof, under the authority of the President of the United States, therefore he if United States; therefore, be it

Resolved, That the Committee on the Judiciary be instructed to inquire whether there is probable cause to believe that any of the persons named in said proclamation are guilty as alleged, and, if so, whether any legislation is necessary in order to bring such persons to a speedy and impar-tial trial, and that said committee have power to send for persons and papers.

And be it further resolved, That the said Committee be in like manner empowered to inquire whether there is probable cause to believe that said persons, or any of them, are guilty of treason against the United States, and whether any legislation is necessary in order to bring such persons to a speedy and impartial trial in the district where such crime may have been committed.

Mr. Ancona (Pa.) objected to the resolutions being offered.
Mr. Moorhead (Pa.) asked leave to introduce a joint resolution to increase tempora-rily the duties on imports fifty per cent.

Mr. Ross (Ill.) objected.

The House then resumed the considera-

against Brooks, from the Eighth Congressional district of New York.

Mr. Shellabarger (Ohio) made an argu ment, in which he maintained that the evidence was in favor of the contestant, and that the contestant was entitled to the seat. Mr. Paine (Wis.) a member of the Committee on Elections, raised the question particularly in reference to the informal regis-

try of Mackerelville. He regarded the whole question as hing-ing on that; he held that the registry was worthless, but did not think that decisive of the invalidity of the votes cast in the dis trict. It still devolved on the contestant to how that there were illegal votes cast there for the sitting member. He had not done so. If the returns of that district were not se aside, Mr. Brooks would retain his seat. He (Mr. Paine) should vote for his retaining it, He gave notice that if he opportunity he would offer the following resolutions

Resolvid, That the invelidity of the registry of the Fifteenth Election District of the Eighteenth Ward of the city of New York would not of itself justify the rejection of the official returns of the canvassers of that

Resolved, That this ease be recommitted to the Committee of Elections, to report upon supplementary proof, to be made as provided in the next resolution. Resolved, That either party be author ized to take supplementary testimony be-fore the 10th of May next, complying with the statutory regulations applicable to the case, provided that five days notice of any

ed examination of witnesses shall be ufficient. Mr. Garfield (Ohio) said that, as those resolutions covered the ground which he sought to cover in the resolution offered by him yesterday, he would accept them instead of his own.

Mr. Spaulding (Ohio) next addressed the House. He was entirely satisfied that the election was wholly irregular, and that numerous frauds were practised on both sides but they had no right to reject the sitting member in consequence of irregularity in the returns of two districts which had given him large majorities, and to admit the re-turns of precincts which had given large majorities for the contestant, and where similar objections applied.

He believed that the House could only do justice here by sending the matter back to the people of the district, to elect a member in conformity with the laws. That would give the people of New York no right to complain, and would satisfy the dictates f the conscience of members.

Mr. Brooks (N. Y.) next addressed the House, declaring that he strove not so much for the honor of the seat as to vindicate the right of two hundred thousand people, in one of the largest representative districts of the United States, in the choice of their own representative. That district was the welthiest in the United States, only approached by one of the Boston District.

He was sorry to say that the wealth and

property of the District located in Fifth Avenue and surrounding districts gave its support generally to the contestant, but in the river districts, where the hard-fisted, honest, industrious mechanics live, large majorities were given for him (Mr. Brooks). He had not supposed that the contestant, enjoying a recorded income of \$384,415, and a real income of \$500,000 a year, would have been content with the declared and certified result of a fair election, and not have en-deavored to have the will of the people set

He analyzed the testimony by which the case of the contestant was sought to be made out, and showed it to be entirely unworthy of credit. Having spoken for over an hour. Mr. Brooks yielded the floor, with the understanding that he should conclude his argument to-morrow.

On motion of Mr. Wilson (Iowa), the Senate bills to previde for reports of the decisions of the Supreme Court of the United States, to define more clearly the jurisdiction, and powers of the Supreme Court of he District of Columbia to reorganize the judiciary of the United States, and to prescribe the mode of settling the accounts of the Clerk of the Supreme Court of the Dis-trict of Cclumbia, were taken from the Speaker's table, read thice, and referred to the Committee on the Judiciary. On motion of Mr. Rice (Mass.) the Senate joint resolution to empower Rear Admiral

Paulding to accept a decoration from the King of Italy, and the Senate bill to estab ish a hydrographic office in the Navy Department, were taken from the Speaker's able, read twice, and referred the former to the Committee on Foreign Affairs, and the latter to the Committee on Naval Affairs.

Mr. Bundy (Ohio), by unanimous consent, Mr. Bundy (Onio), by diaminous consum, offered a resolution reciting that claim agents in the city of Washington professing to have special facilities for the collection of soldiers' claims, had in their possession or under their controla large number of claims belonging to soldiers and sailors, and that some of them had collected claims and re-fused to pay the same to the rightful owners; and instructing the Committee on the Judiciary to report a bill more effectually to protect the soldiers and sailors from being cheated in such manner, by providing that all defaulting agents and attorneys shall be leclared guilty of embezzlement, and shall be punished in the same manner as is pro-vided for the punishment of embezzlement

and grand larceny.

Mr. Farnsworth (Ill.) desired in that connection to say that he was in the receipt of numerous letters from soldiers in Illinois, stating that claim agents in Washington were writing letters promising them fabulous sums in bounty and land warrants some of his correspondents wanted to know whether he would not get these bounties and land warrants for them. These claim agents were sending circulars all over the country, in anticipation of a law of Congress, granting land warrants to soldiers or of a law equalizing bounties. He desired to give notice to soldiers all over the country, and he hoped the Associated Press reporters would enable him to do so, that these claim agents at Washington were a set of infernal rascals and cheats, and were not to be

A member—"Not all of them." Mr. Farnsworth(Ill.)—I would not say all.
The Speaker also desired to state that a claim agent, named George S. Lemon, had asked authority to refer to him, which authority he had positively refused to give, but that, notwithstanding, circulars had been sent all over the country by that agent naming the Speaker of the House as one of his references. He was now daily answer ing letters of inquiry from soldiers in relation to that agent, stating that he had never given authority to refer to him. Mr. Grinnell (Iowa) stated that the same agent referred to him without ever asking

or receiving authority to do so. Mr. Morrill (Me) stated that one of his constituents having inquired of him whether there was such a ciaim agent in Washington he had made inquiries, and could find no such person, but he had found a person of that name recorded in the Pension Bureau as a licensed claim agent.

The resolution was unanimously ageed to, On motion of Mr. Ingersoll (Ill.) several Senate bills, affecting the District of Columbia, were taken from the Speaker's table, read twice, and referred to the Committee for the District.
On motion of Mr. Banks (Mass.) the Senate bill to authorize the President of the

United States to transfer a gunboat to the government of the republic of Liberia was taken from the Speaker's table, read twice, and referred to the Committee on Foreign Affairs. Mr. Stevens (Pa.) from the Committee on

Appropriations, reported back the Senate amendments to the Naval Appropriation bill, and the House proceeded to consider Mr. Ross (Ill.) objected.

The House then resumed the consideration of the contested election case of Dodge

furniture to be purchased under the act shall be of domestic manufacture: In the amendment making the pay of the clerk of the yard and first clerk to Naval Store-keeper at the Navy Yards at Portsmouth, New Hampshire, and Philadelphia, \$1,200 per annum, and appropriating \$7,000 for the construction of a levee at Mound City, Illinois, with an amendment, reported by the committee, appropriating \$5,000 for the purpose of testing the use of petroleum as a fuel under marine boilers: In the amendment in reference to Seavy's Island, at Portsmouth (N. H.) Navy Yard, instructing the Secretary of the Navy, in case the owners of property there do not sell it to the government at the price named, to discon-tinue the public use of the bridge and thorough fare leading from the island to the Navy Yard: In the amendment for the purchase of the government house and grounds at Annapolis, and to the purchase fother grounds, and erection of buildings for the use of the Naval Academy there, and in the Senate amendment adding as new sections a section repealing all acts authorizing the appointment of navy agents, amended by prohibiting any allowance to naval officers for rent of quarters, furniture, lights, fuel or transporting baggage; a section declaring that averaging the section declaring the section repealing all acts and the section repealing all acts are section repealing all acts and the section repealing all acts and t hights, their or transporting baggage, and tion declaring that examinations for admission to the Naval Academy shall be held at such stated times as the Secretary of the highest them. Navy may direct; a section abolishing the office of assistant in the Bureau of Ordonice of assistant in the bureau of Oru-nance, amended by adding the words."If approved by the Secretary of the Navy;" a section declaring that hereafter no vacancy in the grade of Professor of Mathematics in the Navy shall be filled; a section directing the resumption of surveys and reconnois-sances in the Pacific Ocean; and a section authorizing the transfer of a fund from the appropriation for the pay of the navy to the

appropriation for contingent expenses. committee also recommended as an amendment to the last amendment of the Senate the following, as a new section: The House refused to concur with the Senate in the amendment appropriating \$135,000 for the purchase of Oakman & Eldridge's wharf at the Boston Navy Yard; in the amendment apprepriating \$200,000 for the quay wall extension and the new machine and boiler house at the New York Navy Yard; in the amendment appropriating \$91,000 for the ship joiner's shop, timber shed and storehouse at the Norfolk Navy Yard; in he amendment increasing the tion for the Pensacola Navy Yard from \$20,000 to \$50,000, and in the amendment reducing the appropriation for publishing the American National Almanac from \$25,000 to \$15,600.

A Committee of Conference on the disagreeing vote of the two houses was appointed, and then, at five o'clock, the House adiourned.

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