41st CONGRESS.—SECOND SESSION.

CLOSE OF YESTERDAY'S PROCEEDINGS.

WASHINGTON, May 28, 1868.

Senate.

Mr. Ross introduced the following resolution:

Resolved, That the House of Representatives be requested to furnish to the Senate for the use of the Senate the papers in the case of Jefferson Davis, late President of the Confederate States, in connection with the trial of the charges of treason or the crime of misprision of treason against the United States which has been taken by the sanitary commission in the port of the House.

Mr. CONNESS said it was improper to make the request until all the testimony is taken, and the decision of the case is will be sent to the Senate.

Mr. SUMNER moved to amend the resolution went over.

ARKANSAS.

The special order, the bill to admit Arkansas, was then taken up. The pending question was on the amendment of Mr. DIXON, to add certain conditions.

Mr. DIXON said that his amendment should be in some manner distinct, that his amendment should be in some manner distinct, and the constitutional amendment known as article fourteen having made the adoption of that amendment by the states a condition precedent, or, otherwise, he would offer a substitute for the bill as an amendment when it was in order. It was not to exclude.

That upon the fundamental condition hereinafter expressed, the State of Arkansas, as under and with the Constitution thereof, adopted in the year 1868, the Constitution to be submitted to the people of the State for their approval or rejection on the first Monday in June next, is one of the States in the Union as soon as the amendment to the Constitution of the United States proposed by the Thirty-Ninth Congress, and known as article fourteen, shall have become a part of that Constitution, provided that the Legislature of said State, at the first session after the admission on behalf of said State, to the following amendment to the Constitution of the United States, never to be amended, to any State denial or abridgment of the right of any citizen of such State to any person by reason of or on account of any difference of race or color, and provided that any such denial or abridgment shall entail forfeiture of citizenship, while it exists, and shall be void from either House of Congress.

The amendment of Mr. FERRY was read.

Mr. SUMNER—I desire to say that the bill, if that amendment be adopted, will be killed on both sides.

Mr. FERRY replied—That it was the duty of Congress, in admitting States, to require of Congress, to require with the guarantee of the United States should be made to the previous question, but Mr. HOWARD raised the point of order that the proposition was illegal, and is contrary to the principles of the Constitution forbidding the imposition of test oaths at all time to alter or amend their constitutions.

Mr. DIXON repeated that one of the requirements of the act of March 2, 1867, was that the people should known as article 14 should have become a part of the Constitution.

Mr. FERRY said Arkansas had ratified that amendment.

Mr. DIXON reiterated that it had not become a part of the Constitution. He said the people of the country thought it was ratified when it was rejected by twenty-eight States have ratified it. The twenty-first State has already ratified it. The United States took into the place out of which they have pushed themselves, and the people perhaps forgot that. The republican party had existed without these States for seven years, and it had overcome them, and could do it without them.

Mr. MORTON inquired what was to be gained by keeping out Arkansas until all was done in framing a constitution to be submitted to the State government and proposed to the people, when it was impossible to be done now in the brief time remaining to the session? Why not admit the State as soon as they have forms? I think that would be the best course to take. The only legal amendment was, that it should have become a part of the Constitution of the United States before the admission of the State