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CONGRESSIONAL PROCEEDINGS.

WASHINGTON, July 7.

SENATE.—The Senate resumed the consideration of the bill providing for the improvement of navigation at the mouth of the Mississippi River, which was vetoed by the President.

Mr. Sillidell spoke in favor of the bill, showing the importance of the work, and answering the President's objections.

Mr. Cass said, in the remarks he proposed to make on this occasion, he should not so much advert to the particular improvement provided for in the bill before the Senate, the importance of which had been so ably and eloquently set forth by the two Senators from Louisiana, as to the improvements at St. Mary's and St. Clair Flats, in which his own constituents were more immediately interested, and which had also been vetoed by the President.

No man could fail to perceive that the views of the President had undergone a radical change relative to this subject since he sent in his veto message on the River and Harbor bill two years ago.

On that occasion the President declared while he could not sustain a general bill because it contained some objectionable items, yet there were some meritorious objects, and if separate bills making appropriations for them were sent to him he would approve and sign them.—This was precisely the course the Senate pursued.

If any objects were national and constitutional, certainly those in the bills which the President recently vetoed would come under that head.

Mr. Cass argued in favor of the constitutionality of these improvements, quoting the views of Jackson and Calhoun to sustain him in his positions.

The question was taken, shall the bill pass, the objections of the President to the contrary notwithstanding, and the vote resulted in Yeas 31, Nays 12, as follows:

YEAS.—Messrs. Allen, Bayard, Bell, of N. H., Bell, of Tenn., Benjamin, Bright, Brown, Cass, Collamer, Crittenden, Dodge, Douglas, Durkee, Fessenden, Foot, Foster, Geyer, Hale, James, Johnson, Jones of Iowa, Pearce, Pugh, Sebastian, Seward, Sillidell, Stuart, Thompson of Ky., Trumbull, Wade, Walker.—81.

NAYS.—Messrs. Briggs, Broadhead, Butler, Clay, Evans, Fitzpatrick, Hunter, Mason, Reid, Tombs, Toney, Yale.—12.

The Chair announced that two thirds of those present having voted for the bill it was passed.

Mr. Mason thought it required two thirds of all the members of the Senate, and appealed from the decision of the Chair.

A discussion ensued, in which Messrs. Seward, Benjamin, Thompson of Ky., Sillidell, Crittenden and others sustained the Chair, and Messrs. Butler, Clay, Tombs, Mason, and others opposed the decision.

A vote being taken, the Chair was sustained by 34 against 7.

The Senate then passed the St. Mary's River and St. Clair Flats Improvements bills, over the President's veto. The former by 28 against 10, and the latter by 23 against 8.

The House bill for the admission of Kansas was referred to the Committee on Territories.

JULY 8.—Mr. Douglas, from the Committee on Territories, to which was referred House bill to admit Kansas as a State into the Union, reported it back with an amendment, striking out the preamble and all after the enacting clause, and inserting the bill passed in the Senate on Thursday.

He asked its immediate consideration—agreed to—and proceeded to advocate the amendment. He said the proposition before the Senate was a plain one, namely, whether they would admit Kansas into the Union with the Topeka constitution, or whether they would substitute the proposition which had been modified to obviate the objections made against it, and adopted by the Senate after a full and thorough examination the other night.

There was no evidence whether the majority or minority of the people of Kansas voted for the Topeka constitution, but it was known that the constitution which had been presented here, and which it was now proposed to legalize, was a mutilated document. That fact was ascertained not only from general report and newspaper statements, but was proved by the report of the House Committee of Investigation. In commenting on that report Mr. Douglas characterized it as partial, unfair and unreliable. He argued the fairness and justice of the proposition submitted by him.

Mr. Callender, a member of the Committee on Territories, said the bill reported might appear very plausible, but the existing circumstances of the case rendered the adoption of that measure exceedingly improper. He believed the only true and sound mode for affording redress for existing evils was first to remove the cause of those evils. It would not do to say that those evils should be remedied, and at the same time declare that the causes which produced them should not be touched.—Such a course seemed to be inconsistent, unreasonable and paradoxical.

With reference to the provision allowing settlers to return to Kansas, he said there was a blockade of the Territory by men of violence, whose habitations were full of instruments of cruelty, and thus it was impossible for them to get back. The same power that drove them away was still in the ascendency, and no provision had been made for their security in the Territory.—Thus, it was but a mockery of justice to tell them if they would return they would be allowed to vote, while they have not the power to return. Hence they would derive no advantage from this bill, although its provisions appeared to be so fair and plausible.

Mr. Pearce spoke briefly in favor of the amendment.

Mr. Hale opposed it. He said the President came from some of the best stock of New Hampshire. His father was brave and patriotic, and he believed the son equal to his father. He said this when Mr. Pearce was at the height of his power and respect.

Mr. Crittenden vindicated the consistency of his course on the Kansas bill.

Mr. Wilson denied he had ever misrepresented the bill. The adoption of that bill would close the question, and make Kansas a slaveholding State. He had never at-

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VOL. II.

OREGON CITY, O. T., AUGUST 30, 1856.

No. 20.

ed to be a candidate at the next election, and he would say it now, when the President had fallen so low that the Senate could ride rough shod over his vetoes, and only eight or ten of its members found to stand by him.

Mr. Trumbull moved as an amendment, to repeal all the Territorial laws of Kansas and dismiss all the officers holding offices under them.

Rejected.—Yeas, 12; Nays, 32.

Mr. Callender offered an amendment in favor of prohibiting slavery in that part of the Louisiana purchase North of 36 deg. 30 min. not included within the Territory of Kansas.

Rejected.—Yeas, 12; Nays, 30.

The amendment, as reported by the Committee on Territories, was then agreed to, by Yeas 32; Nays 13,—and the bill thus amended passed.

WASHINGTON, Wednesday, July 9.

SENATE.—On motion of Mr. Benjamin resolutions were adopted directing the Secretary of the Senate to take the three bills, passed over the President's veto, to the Secretary of State, in order that they may be deposited in that Department.

Mr. Benjamin remarked, with reference to the question raised the other day, which is two thirds of the members present, or two thirds of all the members of the Senate, were requisite to pass a bill over the President's veto, that he had examined precedents, and found at the first session of the first Congress, composed in a great part of those who were members of the Convention which framed the Constitution, that eleven amendments to the Constitution passed both Houses of Congress, and in both were adopted by two-thirds of the members present and not two-thirds of the whole body of members.

Messrs. Mason and Toney expressed the opinion, after more deliberate reflection, that the decision of the Chair was correct.

Mr. Tombs said he would not vote for the bill as it was now framed. He said it was a person's favor they were called on; but when they were contrary to his opinions, they were disregarded.

Mr. Johnson, from the Committee on Printing, reported in favor of the motion to print twenty thousand extra copies of the Kansas bill, as passed in the Senate, but adversely to the motion to print the amendments proposed, and the yeas and nays thereon.

Mr. Trumbull thought if the Senate was going to send this forth as an electioneer document, the action taken on the various amendments ought to go with it so as to present a fair view of the subject.

Mr. Weller wished the report of the Committee concurred in. The positions held by a majority of the Senate had been very much misrepresented, and they desired that the public mind should be set right.

Mr. Wilson was willing to send to the country as many copies of the bill as the majority desired. He regarded the bill as intended to carry on the work which the border ruffians of Missouri commenced in 1855.

The people of the country so understand it. Why was not this bill brought in in the early part of the session, before Kansas was conquered? Since that time Kansas has been twice or thrice invaded. Houses have been burned, cities sacked, and some Free-State men murdered, while others have been driven out of the Territory, and those on their way thither arrested, disarmed, and sent back.

The proposition brought forward this time took positions precisely contrary to those assumed six months ago, holding out the appearance of fairness and justice, but keeping the word of promise to the ear and breaking it to the hope.

Mr. Wade took grounds similar to those of Mr. Wilson. He was willing to scatter the bill broadcast over the country, for it showed that the doctrine of popular sovereignty was renounced and entirely given up by the Democratic Party.

The bill also virtually admitted that the Territorial Legislature was a fraud, for it legislated right over their heads, and annulled many of its acts.

Mr. Douglas vindicated the Senate bill, and said the Republicans did not want peace until after the election, for it was all the same to them whether the bill passed or not. Their capital for the coming Presidential election was blood, and an angel from heaven could not frame a bill to settle the Kansas difficulties with which the Black Republicans would be satisfied previous to the Presidential election.

Applause from the galleries, which the Chair checked by calling for order.

Mr. Douglas resumed. The bill presented was fair, just and equitable. They could not deny it. Yet they were not satisfied with it. He thought it a little remarkable that nine-tenths of the bona fide inhabitants of Kansas were Free-State men up to the hour when Mr. Tombs presented his proposition, should suddenly turn right about and cry that all the Free-State men had been driven out of the Territory.

Mr. Hale opposed the bill, drawing a vivid picture of being buildings, mourning widows, and weeping orphans in Kansas—all resulting from the devastation and suffering there to the removal of all landmarks by the repeal of the Missouri restriction.

Mr. Fessenden argued that the design of the repeal of the Missouri compromise was to make Kansas a Slave State.

Mr. Tombs denied that the measure introduced by him had any other object than appeared on its face. It was to protect the inhabitants of Kansas and restore peace. There was no design to make it a Slave State unless the inhabitants should so desire.

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Mr. Wilson denied he had ever misrepresented the bill. The adoption of that bill would close the question, and make Kansas a slaveholding State. He had never at-

tered a sentiment calculated to excite violence in Kansas. The Free State men would gain nothing by violence. They only desired peace, order, security and protection in their rights. It was not true that the Emigrant Aid Society caused these troubles. That was a peaceful and lawful organization, and had spent eighty thousand dollars in erecting hotels and saw-mills in Kansas. He had heard so much about chivalry, that with him it was another name for scoundrelism.

During the debate Mr. Bigler, in reply to allusions in regard to Mr. Buchanan's political orthodoxy, denied that he ever said if there was a particle of Democratic blood in his veins he would let it out. If Mr. Buchanan had tried the experiment he would have bled to death, for he was a Democrat all over. Mr. Bigler insisted that Mr. Wilson misrepresented the Kansas bill, which warranted no conclusion that it intended making Kansas a slaveholding State.

Mr. Stuart said the discussion of slavery in Congress had vastly magnified the existing evils. Secret societies had organized on both sides to violate the principles of the Kansas act. Though fear and fraudulent speculation in Indian lands, Gov. Reeder complicated the difficulties, yet he had not come in for one word of censure from those advocating the admission of Kansas with the Topeka Constitution.

Mr. Trumbull spoke against the extension of slavery and Squatter Sovereignty, charging that the Democrats had abandoned the latter, and it was therefore meant that the people should know it by giving official publicity to the recently passed Kansas bill.

Mr. Pugh said he voted for that bill as a compromise. The assertion that, hereby it was intended to make Kansas a Slave State, was so far as he was concerned, utterly and unqualifiedly false.

Mr. Foster gave his reasons why he thought the passage of the bill would produce little good, and perhaps, much evil.—He did not believe as far as opinion of the people of Kansas could again be had as in the adoption of the Topeka Constitution.

The resolution to print was adopted, and at 9 o'clock P. M. the Senate adjourned.

July 9.—Mr. Campbell of Ohio called up the report of the Select Committee relative to the assault on Mr. Sumner by Mr. Brooks, which concludes with resolutions to expel Mr. Brooks, and expresses disapprobation of the conduct of Messrs. Edmundson and Keitt in the affair.

Mr. Cobb of Georgia moved a substitute declaring that the House had no jurisdiction over the subject, and, therefore, deemed it improper to express any opinion thereon.

Mr. Campbell of Ohio said the resolutions were predicated on a complaint to the House from the Senate, charging that the privileges of the Senate had been violated by a member of this body, in his assault on the person of a Senator of Massachusetts.

The testimony on the subject is full, and the facts, as stated in the report of the majority of the Committee, are not controverted by the minority. That a violent assault was committed, is established beyond a doubt. He claimed that the House has full power to protect its purity and dignity, as recommended by the majority of the Committee.

Mr. Clingman said this matter had produced great excitement in the country.—He had not been here many years, and yet he had seen much stronger cases than this, of fights when the House was in session. He recapitulated these personal encounters, remarking that the House did not take action on any of them. His object was to show that the occurrence now under consideration was sought to be magnified with a view to make political capital.

A certain party, thinking their sands of life were running low, want to get up a great excitement. There was nothing to justify it. He thought the argument of the minority of the Committee took the proper ground. He contended that no breach of privilege had been committed by Mr. Brooks. Were he to speak of Mr. Sumner's speech as his character deserved, he would have to adopt a collection of coarse and offensive expressions.

No man has a right to indulge in vituperation, as Franklin says, without subjecting himself to be called to account. Men of courage are rarely abusive, but those who falsely are generally cowards.

He believed that Mr. Sumner was closely identified with the Garrison and Phillips school and was for disunion. If that Senator wanted to degrade the country and the Senate he might well indulge in such things. In conclusion, Mr. Clingman said there was nothing in the assault to justify the indignation of the country. It was not a matter for the House to interfere with, and ought to be left to the judicial tribunal.

Mr. Bingham submitted to the House that while Mr. Clingman lectured members as to the propriety of their conduct, he indulged in the most gross and outrageous personal abuse which could fall from the lips of any man. Who constituted Mr. Clingman a censor of the distinguished gentleman of Massachusetts? Freedom of speech and security of person under every representative system of Government, and on the maintenance of this great principle depends the life of a State.

Without its observance there could be no free State and no free people. This case involved more than an assault and battery. It involved a guilty violation of the representative privilege, and contempt and crime against the great principle of free speech.

No civil tribunal has jurisdiction over this House. Justice Story, when speaking of the privileges of the two Houses, says:—"These privileges are the rights and immunities of their constituents." Yet gentlemen here represent this as an ordinary case of assault and battery. Mr. Brooks violated that Constitution he had sworn to support; that Constitution which protects a Senator in the freedom of speech and debate—the Senator being beaten and left dripping in blood for having denounced tyranny and slavery, the sum of all villainies, which makes merchandise of mortality; he was felled and made to bleed.

A bludgeon was used,—the weapon of a barbarous age. The instrument was in perfect keeping with the act.

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Mr. Bingham—That consideration never entered into my mind.

Mr. Brooks replied—Altogether satisfactory.

Mr. Orr said that Mr. Bingham, after indulging in a beautiful parody, asserted that Mr. Sumner was stricken down in consequence of the pleading set up in behalf of the injured people of Kansas. It was attempted to produce such an impression on the public mind, but it was not true in point of fact. Mr. Sumner was punished for a libel on South Carolina, and slander on Mr. Butler, the absent relative of Mr. Brooks. Mr. Brooks so informed Mr. Sumner. Franklin was right when he said that "freedom of speech was freedom of the tongue." This was no more against a Senator than against a newspaper editor, whose foul slanders against private individuals are often punished by blows, there being no remedy at law. It was not true that Mr. Sumner was struck down with a bludgeon. The testimony showed that it was an ordinary walking case, one witness testifying that it was one inch thickness above, and five eighths of an inch below. Fair play is a jewel. The design of the misrepresentation that is going on is to operate on the Presidential election. Who ever heard before of a personal difficulty being magnified such as this has been? Mr. Orr alluded to gentlemen voting today to print 100,000 copies of the report of the assault on Mr. Sumner, saying it was an electioneering document. Mr. Orr quoted the testimony of Mr. Boyle, to show that the physical condition of Mr. Sumner had been misrepresented for political effect, and concluded by arguing that the pending case was not a question of privilege.

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The House ordered to be engrossed for a third reading the bill providing for a settlement of the claims of the officers of the Revolutionary army, and the widows and orphans of those that died in service.

Mr. Houston moved a suspension of the rules, in order to act on the Senate's resolution fixing a day for the adjournment of Congress. Negatively, by 74 against 98.

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An account of the Senate's proceedings and President's objections accompanied the message.

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the vote by which the bill annulling the laws of Kansas was referred to the Committee of the Whole on the State of the Union.

The House then resumed the consideration of the report of the Sumner assault.

Messrs. Tyson, Oliver of N. Y., Kunkel, Hall of Massachusetts, Danrell, Durfee, Purviance, Letter, and Campbell of Pennsylvania, took opposite ground. The last said—"If a monument is to be erected to Mr. Brooks, let it be erected on Southern soil, bearing the inscription, 'Freedom of speech with freedom of cudgel.'"

During the debate, Mr. Edmundson said he wished to be heard before the debate closed.

BROOKS RESIGNS.

July 14.—Mr. Campbell of Ohio asked for a further consideration of the report on the Sumner case until Wednesday, 16th, for the reason that the majority of the Committee have had developed to them some facts affecting one of the parties implicated, and they want to consider the propriety of offering an amendment to the pending resolutions.

To this objection was made.

Mr. Mescham moved the previous question. Agreed to.

Mr. Edmundson then by general consent made a statement affecting himself. He said he did not complain of the conclusions of the Committee as to the effect of his testimony, but objected to the grounds on which they proposed to censure him.—While he had been interrogated on all points concerning his knowledge of the affair, was it not singular that the Committee did not serve a notice on him to appear in his own behalf? The Committee sought to censure him because, having been informed of the contemplated assault, he did not take the means to prevent it. Now, he thought if any one was in danger at that time it was Mr. Brooks, who had only a walking stick, while a report had gone out that Mr. Sumner was armed. He would have degraded himself had he revealed what had been privately said to him by Mr. Brooks. The condemnation of the House could produce no change in his mind on that point. If he was to be punished for not turning traitor to a friend—if he was to be degraded for this—then he was ready for his sentence. He had no idea of taking any part in the occurrence, unless some third party should attempt foul play on either side. In that event he would have adopted the Kentucky and Virginia doctrine, and insisted upon fair play. He was there to do justice, and nothing more. This was the only ground on which he was invited to be present, nor would he have been there on any other terms. The Committee in their report say his conduct was "reprehensible." That was an unjust word, and wounded his sensibilities. He said, in response to a question by Mr. Dunn, that the first intimation he had that the Committee designed censuring him, was from the correspondence of a newspaper—and further, he could have satisfied the Committee, had he had an opportunity, that he would have interfered only in the case of foul play.

Mr. Pennington said, so far as he was concerned, he was anxious that Mr. Edmundson should be heard before the Committee; but the gentleman made no such request, and he (Pennington) came to the conclusion that he (Edmundson) had abandoned the desire to be so heard.

Mr. Edmundson replied that it was too late for him to avail himself of that courtesy after the character of the report had been determined. As justice had been denied him in the first place, he preferred appealing to the House.

Mr. Orr desired to know whether Mr. Sumner's testimony was, on the evening of the same day that it was taken, furnished to the press by the authority or connivance of the Committee.

Mr. Campbell of Ohio gave this an emphatic and unequivocal denial.