

By Telegraph.

AMERICAN.

NEW ORLEANS, 19.—The democratic counsel's statement to the Senate committee of their case contains the following points:

First—They received in the late Presidential election in Louisiana a majority of the legal votes of about 8,000.

Second—That the election, so far as the democrats were concerned, was fair and peaceable and free, and the democrats all attempted to secure such an election.

Third—On the contrary, the republicans and their leaders, having previously determined and conspired to carry the State unfairly, therefore did many unlawful acts.

Fourth—The republicans appointed only republican supervisors, and almost exclusively republican clerks of registration, refusing the democrats' repeated demands for representation, thus preventing the detection of frauds.

Fifth—They usually sent out corrupt men as supervisors in the country parishes, sometimes selecting United States officials living outside the counties in which they acted.

Sixth—These supervisors in several parishes impeded the democrats from registering, practically denying registration in some cases, yet affording the republicans every chance to register even fraudulent names, amounting in the State to 10,000.

Seventh—These supervisors often refused to strike off the names of colored republicans clearly proven in the revision to be fraudulent, and on election day, the greater part of such men voted, increasing the vote in the State fully 7,500.

Eighth—These supervisors communicated freely with the republican committees, receiving instructions to commit frauds, with promises of reward if successful.

Ninth—The republican leaders and voters devised means of intimidating the democratic voters by threats and corrupt practices, causing wholesale arrests of white voters just before the election, thus causing terror, and depriving the democrats of many votes.

Tenth—The leaders and supervisors conspired to present the casting of a full vote in several parishes.

Eleventh—They illegally appointed numerous deputy United States marshals, at great expense to the government; also deputy constables, who surrounded the polls, and intimidated the voters.

Twelfth—They spent government money for partisan purposes by commissioning many United States marshals, exclusively among the republicans, and employing clerks to write and copy affidavits for the returning board; also by summoning many republican witnesses, paying large mileage.

Thirteenth—They closed the courts against redress in an unheard-of manner.

Fourteenth—The republican leaders, before and after election, conspired to count fraudulently the votes cast, to reverse the large democratic majority on the face of the returns. Public declarations and subsequent actions revealed this conspiracy.

Fifteenth—The returning board was the instrument of this conspiracy. It was an illegal body, being wholly republican and acting with an unfilled vacancy. The law required the filling of all vacancies and a full board of five members.

Sixteenth—The said board usurped judicial functions contrary to the State constitution, which restricts that power to the judiciary.

Seventeenth—It attempted to escape effective scrutiny by excluding the democratic observers at the most important session, and by refusing to fill the vacancy with a democrat.

Eighteenth—The board conspired with the republican leaders to accomplish its purpose, violated the laws concerning it as to receiving and opening the returns, and canvassing the same as to the acceptance of protests, etc.

Nineteenth—The board altered its rules and modified its proceedings whenever necessary to promote its interests, opposing likewise democratic interests.

Twentieth—The board, as a climax, fraudulently rejected, say 13,000 democratic votes, sometimes rejecting a whole parish without justification, and in others the board, showing heavy democratic

majorities, thus violating the law and their own rules.

Twenty-first—That O. H. Brewster, whom they declared elected presidential elector, was, at the time of his election, ineligible, being United States Surveyor General of Louisiana. A. H. Levessee was also United States Commissioner, being, therefore, ineligible, yet the board declared them eligible despite written protests.

Twenty-second—There were throughout the State vast numbers of republican ballots bearing but three electors, yet the board did not consider this protest, signed by F. C. Zacharie, H. C. Brown, Charles Cavanac and four others.

Before the House committee Wm. Maynell, a colored democrat of New Orleans, testified to being maltreated because he was suspected of democracy by a republican negro, and was afraid to go out alone lately.

Jerry Hall, a colored democrat, canvassed several precincts. He told the same story of colored democrats fearing to vote the democratic ticket.

Radford Blount, a Baptist bishop, said he would refuse to perform the marriage ceremony for colored democrats, and would refuse to baptize them, would excommunicate them, and voting the democratic ticket would justify getting a divorce. He thought the change would protect the people, as the administration had failed to do it.

Artoine Olases, colored, canvassed the State for the democrats. There was talk of intimidation of colored democrats, but all was peaceable. Many republicans voted the democratic ticket.

General Anderson, of the returning board, was before the committee to-night, without bringing the document called for by the committee's subpoena. He submitted his reasons for refusing to bring it, which the committee declined to receive. They are in substance as follows: The officers constituting the board having received the command of the committee, had answered that the list of voters were part of the record with which the board were still busy canvassing the returns, which work must be completed by the first Monday in January next for presentation to the general assembly; therefore the original returns cannot be removed, being preserved for this purpose; moreover, the valuable records, entrusted by the board to the former congressional committee, have never been returned, for these and other reasons the officers refused to surrender the original returns. To avoid the appearance of wishing concealment, however, they gave eight clerks of the committee every facility for making correct copies of the originals. He understood that nearly one-third of this work was already done.

Gen. Anderson said, in answer to a question, that he did not know whether Tilden or Hayes had the most votes. He never heard any member of the board say. All the final discussion by the board was in secret, though counsel for the board was sometimes called in for information on questions of law, East Feliciana was rejected for great intimidation; Grant parish because no legal returns were received therefrom. He favored the counting of that parish, but was overruled. Any statement declaring that votes were thrown out in Orleans parish was false. It was possible that they received no votes from one or two city polls, but he did not remember.

It is claimed by the democrats that the vote at the three polls above alluded to were thrown out, or did not appear on the certified copy of the city vote filed with the Secretary of State by the returning board.

The republican members of the House committee were elated over the testimony of Gen. Anderson, claiming that it fully vindicates the board's action in rejecting the action of bulldozed parishes in the compilation of the votes. Should the returning board refuse to deliver the original returns to-morrow, the case of contempt will come up squarely, but the committee will probably await the action of the House before arresting anybody.

The republican counsel's replication to the Senate committee alleges its ability to prove—

First—That the late election was at certain polls and precincts nullified by violence and intimidation, consisting of secret conspiracies, leagues, and armed bands of brigands known as bull-dozers, who

whipped, shot, hung, burned, mutilated, and assassinated white and colored republicans, thus producing terrorism among republicans, lasting over a year prior to the election.

Second—The State election laws were enacted to meet such a condition of affairs. They declare an election thus held null and void and vest the returning board with power to examine into the facts where such a condition of affairs exists and if proven to declare void any such election by rejecting and refusing to count such pretended votes, and that this law is righteous and just.

Third—The returning officers accordingly examined and found in certain parishes that the election was nullified by such a state of affairs, and the returning officers, as the law commanded, declared the nullity and rejected the votes of districts thus terrorized.

Fourth—At the recent election 1,200 to 1,500 republican voters who wished and attempted to vote the republican ticket were put in fear of their lives and terrified systematically, and by outrages prevented from casting their ballot, and that 5,000 to 6,000 republican votes were thus forced to vote the democratic ticket.

Fifth—Thus was the right to vote of the 16,000 to 20,000 colored persons denied and abridged.

Sixth—Such an abridgment was in whole or part of the parish of East Baton Rouge, East and West Feliciana, Ouachita, Morehouse, Richland, Grant, Livingston, Franklin, Sabine, Claribone, Desoto, Jackson and Natchitoches. In the foregoing parishes not less than 16,000 to 20,000 voters were prevented from voting as they chose.

Seventh—This denial and abridgment was the result of a conspiracy for the violent suppression of enough republican votes to enable the conspirators to carry the State for the democrats. Armed bodies of men carried out the conspiracy. They were the bull-dozers. They used every known means—massacres, whipping, hanging, etc.

Eighth—This conspiracy and the resulting acts were committed by the white democrats.

Ninth—The purpose was to coerce sufficient republican voters to vote the democratic ticket, to secure an apparent democratic majority in the State.

Tenth—A preconcerted conspiracy is shown by Patton's confidential circular, issued by the chairman of the late democratic committee, by a selection of those parishes for bull-doing which skirt the States of Mississippi and Arkansas, and render violence easier. They were the strong republican parishes. By sudden and simultaneous outbreaks about election in these parishes, by encouragement received from this city, and by failure to attempt conviction by lack of condemnation of these facts by press and public meetings or clergy, while citizens who ventured to denounce outrages had been menaced with proscription and persecution and thus silenced. The democrats have denied these outrages, or attributed them to negligence of local officers, knowing local officers were powerless by the same terrorism.

Eleventh—Under the State law the returning officers alone can make returns of the election. Neither supervisors nor commissioners of registration can make and declare the returns.

Twelfth—The effect of such lawlessness spread into surrounding parishes.

Thirteenth—In East Feliciana the horrible murder of John Gair, ex-representative and sergeant-at-arms of the House of Representatives, under pretence that he killed a man who is now alive, and who was tied to a tree and shot to death, was a crime committed by the democrats for reasons growing out of political animosities and for political ends. It was the most dastardly act of the history of crime, yet its perpetrators go unpunished and unsought after.

Fourteenth—In Ouachita, Dinkgrave was assassinated for a similar reason.

Fifteenth—The assassination of Senator Twitchell in Red River parish was secretly contrived by the democrats for a political end.

Finally the counsel call attention to the parallel between the affairs of 1868 and 1876, remarking that few democrats now dare deny the outrages of 1868, which have passed into history. The protest is signed by Hugh J. Campbell, chairman of the committee.

WASHINGTON, 19.—To-day the

treaty commission called upon the President to present a pipe sent to him by White Ghost. The President said, "It is sometimes difficult to know the real facts of the condition of the Indian tribes by reason of conflicting reports from agents, bordermen and military officers, and, in that way, injustice might be done, but I always try to deal justly with the Indians. I believe that the favorable results of the peace policy justify the belief that it will be continued. I have always endeavored to so firmly establish this policy during my term of office that my successor may not think proper to change it."

LITTLE ROCK, 19.—Another fire has broken out in the block at the corner of Markham and Sherman streets, which threatens the whole eastern business part of the city. The utmost excitement prevails. At 9 o'clock four engines are playing on the fire. The block seems doomed. If it is destroyed the loss will be \$150,000.

11:15.—The brick walls of the largest wholesale house in Arkansas are in flames, and cannot be checked yet, and there is no telling what destruction will ensue.

The fire is believed to be the work of an incendiary.

At 11:30 the fire was under control, and confined to one block, although those adjoining were considerably damaged by fire and water.

Later.—The loss by the fire is estimated at \$160,000. The insurance is less than half. In the past six weeks the loss by fire in this city has been \$350,000.

TALLAHASSEE, 19.—The committees have been in session all day, the Senate committee sitting with closed doors.

The case of Manatee County, thrown out because there was no clerk in the county during the election, was called up. One witness appeared, Judge Grahams. He testified that the clerk resigned just before the election; that the governor did not fill his place in time for the democrats to register; that the republican county commissioners called the election, which was regularly held by the inspectors appointed by them; that no man was allowed to vote at said election without first subscribing to an oath, which recited that he was a regularly qualified voter, and was on the registry list of the year before. The inspectors made up the returns carefully and sent them to the county board, which canvassed them, signed the canvass, and forwarded them to the State board.

MEMPHIS, 19.—A young man, named Bond, having been ordered from the House by L. D. Hill, of Shelby depot, whose daughter he was visiting, returned with a pistol and shot Hill six times, causing his death. He then dragged Miss Hill over her father's dead body to the ministers and insisted on having the marriage ceremony performed. After other desperate deeds he escaped from a posse which followed him.

COLUMBIA, 19.—In the democratic House, to-day, 79 Senators and representatives were present. This being the legal quorum of the joint assembly, a ballot was taken for United States Senator, resulting in the election of M. C. Butler; he receiving 79 votes. Everything is very quiet.

SAN FRANCISCO, 19.—Captain Douglas, of the steamer *Montana*, telegraphs that the *Montana*, which left this port on the 3rd instant, arrived at Guaymas on the 14th, and left at 10 30 p. m. An hour after fire was discovered coming up the midship ventilator. In five minutes the ship was ablaze. The captain ran her ashore two miles inside of Cape Haro, to save the passengers and crew. No lives were lost. Nothing on board was saved. Among the passengers were Lieut. King, United States army, and a number of recruits for military posts in Arizona. Quarters had been arranged for them at Guaymas. The authorities tender every assistance. The American consul has provided for the passengers and crew. The ship was burned to the water's edge, and will be sold at auction.

The *Montana* is a wooden screw steamer, 1,000 tons, built at Bath, Maine, in 1865, and valued at \$70,000. Insured \$60,000, divided among a number of companies. The cargo, at the time of the disaster, consisted of some goods for the Gulf and Colorado river ports, about \$47,000 worth of commissary stores, and \$8,000 worth of quartermaster's stores for the military

posts in Arizona. The government had no insurance.

NEW YORK, 20.—Interesting experiments were made at Wallack's Theatre yesterday, in the presence of the city officers. The fireproof scenery was submitted to fierce flames for several minutes without igniting. Dion Boucicault conducted the experiments. The materials used for rendering the scenery fireproof were the solution of tungstate of soda, and afterwards silicate of soda. The entire theatre can be made fireproof for \$100. More experiments follow.

The *Herald's* Washington special says the President, in conversation said that the progress of the population and the occupation of the territories were so rapid that it is necessary to adopt a different policy. So far as the geographical location of the Indian tribes is concerned, he thought that the useful occupation of the public domain, for purposes of agriculture more important than that they should be kept as hunting grounds for savages. He said it is better for the Indians, and certainly more economical for the government, to gather all the Indian nations and tribes, as rapidly as possible, within the limits of one designated territory, where they may be protected from encroachments by the whites, and be more effectually prevented from further wars and devastations upon the settlements.

The *Herald's* Tallahassee special says the democrats carried the city election, to-day, electing their mayor by twelve votes. The election was perfectly quiet. The republicans had about two to one on the registry list. A great many colored people and many white republicans voted the democratic ticket. This is the first time the city has been carried by the democrats since the war.

Manton Marble writes to all the democratic journals his views of the Florida election, claiming that Tilden had a clear majority.

The *Herald's* New Orleans special says the labor of the senatorial committee is to be hurried up. It is said they have received word from Washington to return as soon as possible, it being feared that some political emergency may occur in which their presence and votes may be wanted.

The tug boat *Jacob L. Neechie*, while off the shore about ten miles, this morning, blew up, killing the captain and deck hands. The steward, engineer and fireman were rescued.

SAN FRANCISCO, 20.—A number of prominent business men of Virginia City have signed an address to the Nevada senators, Sharon and Jones, asking their co-operation in obtaining the passage, by Congress, of a bill providing for the issue of legal tender silver notes, with the view of restoring the value of silver as a circulating medium.

NEW ORLEANS, 20.—The House committee took the testimony of Geo. A. Brandorff, colored, who said he voted the democratic ticket and was afterwards knocked down and beaten, and arrested and sent to prison. He named the parties who attacked him, and made complaint to the police, but they refused to protect him. The women went around telling the colored men that they would be returned to slavery if the democrats succeeded.

Cross-examined—After being attacked he made complaint to the police; they arrested him for disturbing the peace; he was tried by a justice's court, and condemned to pay a fine of \$5 or ten days in prison; was sent to prison.

Chas. Casanave testified that he had been a member of the returning board since 1872. All the members of the board belonged to the republican party. There was a recommendation to fill the vacancy, but the board could not agree. Never heard any of the members say who had the majority; knew they threw out two parishes and polls in other parishes; thinks the votes thrown out aggregated seven thousands; could not say how many; thinks probably four or five thousand; did not recollect the number of parishes in which the votes were thrown out, but thinks 14 or 15.

Louis Kenner, a colored member of the returning board and a saloon keeper, said he did not know who the polls excluded; he believed there were none in Orleans Parish had no interview with Kellogg; other republicans; did not know who had a majority on the face of the returns or who got the vote until it was promulgated.