

# By Telegraph.

## CONGRESSIONAL.

### SENATE.

WASHINGTON, 26.—The Senate, receiving notice of the resignation of Thurman, a member of the electoral commission, on account of physical disability, Kernan was unanimously chosen to fill the vacancy.

At 3.10 notification of the action of the House on the Pennsylvania case being received, the Senate proceeded thither.

Upon returning, Burnside submitted a resolution that the Slater vote be counted, notwithstanding the objections, which was unanimously agreed to after a brief debate—yeas 57.

WASHINGTON, 28.—At 10 o'clock Clifford's notification was read, and at 12.10 the senators proceeded to the House chamber, and at 12.35 returned.

Robertson submitted a resolution that the electoral commission's decision stand.

Merrimon submitted that it is competent to receive testimony to sustain the exceptions.

A discussion ensued on a point of order by Edmunds that the vote in sustaining must proceed. Finally Merrimon's resolution, by a vote of 43 to 15, was decided out of order.

Bogy moved that the reading of the testimony in the South Carolina case, proceed. Rejected—41 to 21.

According to yesterday's notice, McDonald called up the House resolutions regarding Speaker Kerr, and McDonald, Wallace, Wright, Bayard, Booth, and Morton delivered eulogies, and resolutions were unanimously agreed to.

Windom, from the public lands committee, reported favorably the Senate bill for the relief of settlers on public lands; passed. It allows homestead and pre-emption settlers, who suffered from grasshoppers, to leave their places until 1875.

Sargent called up the House bill to provide for the sale of desert lands in California, Oregon, Nevada, and territories of Washington, Idaho, Montana, Utah, Wyoming, Arizona, New Mexico and Dakota. Sargent submitted an amendment that no person shall be permitted either to reserve or acquire a title to more than one section of land under the act; agreed to.

Oglesby submitted an amendment providing that any person conducting water on or to any desert land for irrigation shall not acquire any exclusive right to the use of the water beyond what shall be actually necessary for redeeming and irrigating the same, but the water in all lakes, rivers, and other sources of water supply, shall be held for the use of the public for irrigating and mining purposes; agreed to.

Boutwell submitted an amendment providing that such desert lands shall be surveyed before reclamation.

Chaffee moved to postpone further consideration until the first Monday in December next; rejected—yeas 12, nays 13. The amendment of Boutwell was then adopted; also one requiring any person entering upon land to pay 25 cents per acre at the time of filing, with the receiver, his declaration that he intends to reclaim the land and one dollar per acre upon receiving a patent therefor. Several unimportant amendments were agreed to, and the bill passed.

Oglesby presented the credentials of David Davis, elected Senator from Illinois; filed.

The House bill to amend the revised statutes in respect to vacancies in the office of President and Vice-President was read by its title and referred to the committee on elections.

Gordon presented the credentials of J. T. Morgan, elected United States Senator from Alabama; filed.

### HOUSE.

WASHINGTON, 26.—In the course of the discussion on the illegibility of the Pennsylvania elector, Morrill, Hewitt again arraigned Hoar for bad faith, but appealed to the democrats to yield to the decision, and trust to the ballot box for the remedy. Members gathered around him in excited circles, and as he closed with an invocation for peace, he was asked by Cate why, if the decision was infamous, he advised yielding to it.

Hewitt's reply was that it was better to yield than precipitate

anarchy and revolution. That sentiment was characterized by Cate as cowardly, whereupon Yates, of North Carolina, upbraided the northern democrats with denouncing those who yielded as cowards, although they had, fifteen years ago, when the pinch came, turned upon them. There was great excitement and confusion, recalling some of the scenes of 1861.

At 3.15 the Senators entered the hall of the House.

Ferry called the meeting to order, and announced that the House had disagreed on the vote of Pennsylvania, and thus by regular routine, declared for Hayes.

Rhode Island being the next State, O'Brien and others objected to the vote of Wm. Slater, elector of that State, substitute for Geo. H. Corliss, who was the elected but ineligible elector, and the Senate then retired.

O'Brien offered a resolution that the vote of Slater be not counted.

Eames offered a substituted resolution that it be counted.

After discussion, Eames substitute was agreed to without division.

The Senators, at 6 o'clock, reentered the chamber and the vote of Rhode Island was formally announced.

The next certificate was that of South Carolina, authenticated by Gov. Chamberlain, showing seven votes for Hayes and Wheeler. The second certificate showed seven for Tilden and Hendricks, with a statement by the electors showing the absence of the Governor's authentication.

Cochrane objected to the republican certificate and Patterson to the democratic certificate.

The objections were:

First—That there was no legal election in South Carolina for electors on account of the absence of proper registration.

Second—That there did not exist in South Carolina a republican form of government as guaranteed by the constitution to every State.

Third—That detachments of the United States army was sustained before and during the election in various parts of the States, thus preventing a full, free and legal election.

Fourth—That United States deputy marshals were at the polls, appointed under the provisions of sections 2021 and 2022 of the United States Revised Statutes, which provisions were unconstitutional, null and void. These marshals, over a thousand in number, were arbitrary and unlawful in obedience to improper and illegal instructions from the Department of Justice, and prevented a fair election.

Fifth—There was not, in 1876, up to December 10th, a State government in South Carolina, except a pretended government set up in violation of law and the federal constitution by federal authority, and sustained by federal troops.

The objections were signed by Senators Johnson and Barnum and by Representatives Cochrane and Southard, Wood, McMahon, Sparks, Poppleton, Rice, Cox, Eden, Jones, Knott and many others.

The objections to the democratic certificate are—

First—Because neither elector was duly appointed.

Second—Because the lists of votes have not attached the Governor's certificate as the law requires.

Third—That the papers have not annexed the list of names of the above-named individuals as electors.

Fourth—Because the republican electors were duly appointed and cast their votes, as the law prescribes, for Hayes and Wheeler, and with all proper and legal forms transmitted the result to the President of the Senate.

Fifth—Because the republican electors received the highest number of votes, and the proper State officers duly canvassed and certified to them, and delivered to them lists of the electors elected, showing the above state of facts.

Sixth—That the lists of votes cast by the republican electors have annexed the certificate of the governor of the State as the United States Revised Statutes require.

Seventh—That said lists have annexed the names of the electors chosen, and thereto the Secretary of State's seal and signature of the governor, according to the State law.

Signed by Senators Patterson, Cameron, and Christianity, and Representatives Lawrence, Lap-

ham, Banks, Small, Hoge and Raynor.

The presiding officer announced that the objections would go to the commission.

WASHINGTON, 28.—The Speaker presented Clifford's notification of the commission's decision on the electoral vote of South Carolina having been sent to the Senate.

The Clerk was directed to inform the Senate that the House was ready for joint convention.

The Senators having arrived, the South Carolina decision was read, and Phillips presented the objections to counting the votes in accordance therewith, for the reasons given in the objections before the commission, yesterday—intimidation by the U. S. troops and marshals, frauds and lack of republican government in the State, and because the commission had not inquired into the facts, and because of certain irregularities in the certificates. Six senators, including Kelly, and eight representatives signed the objections.

Southard presented exceptions to the decision, signed by Senators Jones, McDonald, Wallace, Merriam and Dennis, and a number of representatives, of the same general tenor.

The Senate here withdrew.

At 6.20 the senators entered, and in due form the State of South Carolina was counted for Hayes and Wheeler.

Jones, of Kentucky, raised a point, which was disregarded, that a quorum of the Senate was not present, only 28 having entered.

The vote of Tennessee, twelve, and Texas, eight, were counted for Tilden and Hendricks.

Vermont was objected to by Poppleton, who asked if duplicate returns were received from Vermont.

Terry—No.

Hewitt said he had a package, which was received by express about the middle of December, containing a letter stating that a similar package, purporting to contain the electoral votes of Vermont, had also been forwarded to the president of the Senate by mail. On learning, to-day, that a corresponding package had not been received by the president of the Senate, he had tendered him this package, the seal of which was still unbroken. The presiding officer declined to receive them. He now tendered the package to the presiding officer as purporting to contain the electoral votes of Vermont.

Presiding officer—The Chair has stated that he has received but one certificate from Vermont. The Chair also states that the law prohibits him from receiving any after the first Thursday in February. His duty is to receive, open, and have read all that have been received on that day.

Springer—I understand that the third return from the State of Florida was received on the 30th of January. Am I correct in that? (Correcting himself, but still stammering.) I mean February.

All the response which the presiding officer made was that January was not February, and he asked whether there was any objection to the vote of Vermont.

Springer—I offer a resolution.

The presiding officer—If it is any objection to the certificate from Vermont the Chair will entertain it, but if it is simply a resolution, the Chair will not entertain it.

Springer—After it is read it will be seen what it is.

The presiding officer—If the member from Illinois submits an objection to the certificate the Chair will entertain it, but he cannot entertain a resolution.

Springer persisted in his efforts to have the resolution read, but the presiding officer was unyielding. He intimated that if Springer would not come to order the services of the sergeant-at-arms would be called into requisition.

Finally Springer undertook to put his resolution in the shape of an objection, and the proceedings were generally suspended to give him time to do so.

After about a quarter of an hour's consultation with others the objection was sent up, signed by Senator Merriam and Representatives Springer and Hamilton, of Ind., declaring that the President of the Senate states he had received only one of two returns forwarded from Vermont. Objection is made to counting the vote of Vermont, and the duplicate return is herewith submitted for the consideration of the House and Senate.

A telegram accompanied the objection from the United States District

Clerk of Burlington to Speaker Randall, saying the Aldrich certificate was deposited there on December 13.

Poppleton then presented two objections to the vote of Sollace, to the effect that he was postmaster when elected, and that the law of Vermont did not authorize the filling of the vacancy.

Springer then demanded that Hewitt's resolution be read, but the Chair peremptorily ruled it out.

Springer—Then I ask that the Chair order that this certificate be submitted to the judgment of the electoral commission.

Presiding Officer—The Chair stated that he had not received the duplicate returns.

Springer—They are now before the Chair.

Presiding Officer, entirely ignoring the demand—Are there any further objections to the certificates from Vermont? After a pause—The Chair hears none.

Springer—Does the Chair decline to receive the returns submitted with my objection?

Presiding Officer—The Chair declines to receive any.

Waddell (jocosely)—He being aliunde.

Presiding Officer—In any form. (Laughter.) The Senate will now retire to its own chamber in order that the two houses may separate to consider and decide upon the objections.

As the Senators were withdrawing, Springer called out that he now made a point of order. There being duplicate returns the case had now to go to the electoral commission and would be considered by the two houses. No attention, however, was paid to it, nor to a resolution made immediately afterwards by Mills that the House proceed to elect a President.

The Speaker declared that under the terms of the compromise agreement the House now take a recess until to-morrow morning.

### AMERICAN.

WASHINGTON, 26.—Advises from Sidney, New South Wales, state that the steamship *Austria*, from San Francisco, having lost a passenger by small-pox, was placed in quarantine upon her arrival. A government proclamation has been issued declaring San Francisco an infected port, from which all ships may be subject to quarantine.

Frank W. Palmer has been nominated postmaster at Chicago vice McArthur.

Hoar was not present in the House during Hewitt's speech, but had the notes of it read to him, when he replied, saying it was a posthumous affair; that Hewitt, for three days previous, knew perfectly what his course would be on the commission, and that he opposed utterly any right to go into the facts as to who had been lawfully elected. If Hewitt was sane or ordinarily intelligent, it was incredible that he should have understood the matter as he confessed. He ventured to prophesy that the American people would consider it as a most gratifying event this constitutional association of limit between State and national authority. If the democratic party in its excitement condemned it, he would appeal from Philip drunk to Philip sober.

Pennsylvania has been counted by the two houses in joint convention for Hayes and Wheeler, and Rhode Island coming as next in the list was objected to.

The outlook of the political situation is, to-night, somewhat more perplexing than yesterday, for although the avowed filibusters were again voted down by a majority of two to one on Poppleton's motion for a recess, the majority of the House, in ordering the evidence to be heard concerning Pennsylvania, re-established a precedent which, if followed in the case of South Carolina, will almost certainly defeat the completion of the count under the electoral obstructionists. The programme is now to await the reception of the commission's decision in this case, and then to demand the reading of 5,000 pages of manuscript testimony taken by the investigating committee as part of their objections against sustaining it. The delay thus secured, in connection with the time which can be consumed on objections to the certificates of Vermont and Wisconsin would, they calculate, use up the whole week without resort to open filibustering; and, aside from this consideration, it is perceived, that should Speaker Randall, by any parliamentary ratiocination, reverse

his Saturday's decision, and rule some subtle species of dilatory motions to be in order, then the result would at once become a question of great apprehension. It is scarcely too much to say that he now holds in his own hands the power to allow or prevent a temporary reign of anarchy and confusion; and meanwhile, the revolutionists are slowly but perceptibly gaining strength. It is noticeable, also, that all efforts of the moderate democrats to restrain or convert their excited brethren have utterly failed, and an intense bitterness of feeling of one faction against the other was, to-day, manifested several times without any attempt at concealment, especially in the passage between Cate, of Wisconsin, and Yeates, of North Carolina, when the latter replied to the taunts of Cate and the other filibusters, by exclaiming, "You who call us scoundrels deserted and turned against us when the pinch came fifteen years ago."

A public meeting was held to-night to take measures for the proper observance of the inauguration of the President of the United States. The meeting was divided between having a suitable reception and a ball. The subject was left to the executive committee for determination.

The President has approved the consular and diplomatic appropriation bill.

At 6.30 the electoral commission met. All the members were present and the South Carolina case was taken up.

Hurd and Cochrane were announced as the democratic objectors.

Lawrence and Christianity were announced as the republican objectors.

Christianity said the republican objectors would not occupy the whole time allotted them.

Matthews and Shellabarger will be the republican counsel.

The democratic counsel was not announced.

The Supreme Court, to-day, adjourned till March 1st.

DEADWOOD, D.T., 26.—A courier, who arrived from the military camp forty miles north of this city, to-day, reports that Lieut. Cummings, with Company C, attacked a small Indian camp on the 23rd. The Indians fled into the ravines, leaving seven ponies and all their property. Lieut. Cummings captured a large herd of sheep, a small number of cattle, sixteen ponies, and Indian robes and blankets. After the soldiers had gone into camp, at night, the Indians returned and made an attack, which was promptly repulsed. One Indian was killed, twenty whites were injured. Indian signal fires were seen in all directions. The command is moving southward to-day, to meet the supply of rations which has been sent from here. The other two companies ordered from Camp Robinson have not yet arrived.

ST. LOUIS, Mo., 26.—A petition addressed to the democratic members of the lower house of Congress, earnestly praying that they offer no factious opposition to the electoral count, was numerous signed on Change, to-day, by men of all parties.

CHICAGO, 26.—The failure and defalcation of Postmaster John McArthur is the subject of much comment and universal regret. McArthur held a high business and social standing in the community, and has hitherto been considered one of the staunchest and most reliable of Chicago's citizens. He first became involved to the amount of about \$40,000 by the failure of the Cook County National Bank, two years ago, and though government assumed half the responsibility, which amount it was supposed would be covered by the assets of the bank, McArthur has never been able to replace the sum. Besides this, he became involved in unsuccessful operations in his large iron foundry, and took money from the post office department to tide matters over until a loan could be negotiated from some capitalists. He expected also to be enabled to dispose favorably of a portion of his foundry, but in all his schemes for replacing the money he was unsuccessful, and consequently filed his petition in bankruptcy on Saturday afternoon. His petition shows his total liabilities to be about \$167,000 and his assets \$200,000; of the debts \$56,000 are due to the United States Government, \$2,500 to the Illinois Soldiers' Home, of which he was first cashier. The secured debts are \$12,000. It is believed that the government will