

By Telegraph.

CONGRESSIONAL.

SENATE.

WASHINGTON, 11.

Bayard offered the following:
Resolved, That the Attorney General be and he is hereby directed to communicate to the Senate the total number of deputy marshals employed throughout the United States in connection with the election held on November 7th, 1876, stating the number so employed in each State, and at each voting precinct respectively, and the length of time so employed.

Morton submitted a resolution providing that the various subcommittees of the election committee, authorized to inquire about certain southern elections, be known as the committee of the Senate, and that the chairman have power to administer oaths. Agreed to.

Boutwell was excused from these committees.

Sherman presented a petition from Gen. Jos. E. Johnson, asking the removal of his political disabilities; referred.

The unfinished business being Edmunds' constitutional amendment proposing that the Supreme Court count the electoral votes, and the judiciary committee's amendment, providing that the electors shall vote *viva voce* instead of by ballot, was taken up and agreed to.

Morton submitted a resolution fixing the per diem of witnesses before the Senate or any of its committees, at \$4 per diem and fifty cents mileage; referred. Also transferring \$5,000 from the Senate contingent fund to the use of the election committee, returnable when appropriations to defray the expenses of that committee are made. Agreed to.

The Chair announced Oglesby a member of the elections committee vice Boutwell excused.

WASHINGTON, 12.

Bayard's resolution, asking that the Attorney General inform the Senate as to the number of deputy United States marshals employed on election day, was agreed to, with Edmunds' amendment requesting also a full statement of the necessity for employing them, and the nature of their duties.

WASHINGTON, 12.—Mitchell said he did not intend to discuss the question of the electoral vote of Oregon.

WASHINGTON, 13.

Numerous religious and temperance petitions were presented, praying Congress to take steps prohibiting the manufacture and sale of alcoholic beverages in the district of Columbia and Territories. Referred.

WASHINGTON, 14.—The resolution for printing the President's Louisiana message was discussed in the morning hour, and a long debate ensued on the motion of Thurman to include the memorial of Boggy, Stevenson and McDonald, embracing the democratic committee's report.

The Senate, at 5 p.m., after a lengthy debate, passed the resolution to print 11,850 extra copies of the message of the President and accompanying documents in regard to the Louisiana elections.

HOUSE.

WASHINGTON, 11.

Cox offered a resolution for a committee of five to proceed to New York, Philadelphia, Brooklyn, and Jersey City, which was adopted.

Glover introduced a resolution for the protection of States against domestic violence. It provides that the President shall employ the army and navy for such purposes only after the legislature of the State has certified to him that the authority of the State is forcibly resisted, and is unable to overcome such resistance; or after the governor has certified to him that riot, insurrection or overt acts of rebellion have occurred, which such governor has endeavored and is unable to suppress, and that he has endeavored to convene the legislature and that it cannot be convened by reason of such domestic violence.

WASHINGTON, 12.—The judiciary committee, by a vote of 7 to 3, decided to admit J. B. Bedford as a member of Congress from Colorado. Hurd, Hunton and Ashe will present a minority report, taking the opposite view.

Blair introduced a constitutional

amendment forbidding the manufacture of distilled liquors as a beverage after 1900; referred.

WASHINGTON, 13.

The House then considered the bill to utilize the products of gold and silver mines.

The debate on the silver bill being closed, Poland's substitute of yesterday was agreed to without division. It is as follows: That silver dollars of the weight of 416½ grains shall be coined and be legal tender for all debts, public and private, except where the payment of gold coin is required by law. The House then passed the bill thus amended—yeas 167, nays 53.

WASHINGTON, 14.—Knott, chairman of the judiciary committee, reported a substitute for McCrary's resolution for counting the electoral vote, providing for a committee of seven, to act in conjunction with a similar Senate committee, and report forthwith a measure for the best accomplishment of the desired end; also another committee of seven to report what are the powers, privileges and duties of the House in the electoral count. The resolution was adopted without debate or division.

AMERICAN.

WASHINGTON, 10.

President Grant, in the course of conversation, to-day, with the representative of the Associated Press concerning political affairs, said that, recently, he received a dispatch from Governor Chamberlain, informing him that it was currently reported in Columbia, that the President had, in his interview with Representative Hewitt, of New York, a week ago, remarked that when the sixty-three members of the South Carolina House of Representatives, holding certificates from the Secretary of State, should convene, he would recognize them as the legal House. The President, in reply to Chamberlain, telegraphed him that if Hewitt had sent such a dispatch, it was untrue that he had so expressed himself. The President says he had a conversation with Hewitt, in which he said, that, in his judgment, not less than sixty-three members were eligible to organize the House and transact State business, including the determination of the qualification of its members. This was the view he then held, but it was merely a private opinion, and he might have been wrong. The President, on that occasion, further expressed his views with regard to the grounds on which each wing or member of the House of Representatives claimed their seats, and in this connection the President produced a note addressed to him by Hewitt, dated December 6th, as follows:

To the President.—I have received a reliable telegram from Columbia stating that the sixty-third member, holding a certificate from the Secretary of State, has been sworn into the house presided over by Speaker Wallace, which is therefore organized in accordance with the requirements of law as stated by you.

On the same day Hewitt sent him another note, as follows:

I have just received a later dispatch saying that the Supreme Court of South Carolina has pronounced its judgment and declared the house presided over by Wallace to be the legally constituted house of representatives, and that Mackey is a private person and not the speaker or in any respect an officer of the legislative body.

The President, said, with reference to these notes, that he did not think after his free conversation with Hewitt, that the latter would make use of what he said for the purpose of defeating the party which the President represented.

When Hewitt and Senator Randolph called upon him several days ago, he informed Hewitt of the contents of a dispatch he had received from Governor Chamberlain, and the reply he made to it, and intimated to Hewitt that he thought his confidence had been abused. Hewitt denied that he had sent to Columbia such a dispatch as that mentioned.

The President then repeated to Hewitt the substance of the dispatch in reply to Governor Chamberlain in regard to the report current in Columbia.

Senator Randolph then produced a dispatch from General Hampton, in which he said that if the President would recognize the Wallace house and withdraw the troops he would do everything possible to preserve peace.

The President remarked that he

looked upon this as a piece of impertinence on the part of General Hampton in telling him what to do; that the sending of troops to South Carolina was in obedience to the call of Governor Chamberlain, the danger there being too formidable for the authorities of the State to control; that the organized rifle clubs representing General Hampton were in the city of Columbia, and that if the federal troops should be withdrawn there would be peace, but it would be the peace of death.

Senator Randolph then explained that the President should not think that General Hampton sought to advise him what to do, and that the dispatch which was shown to the President was in reply to one Randolph had sent to Hampton in response to a question.

The President said that he had never instructed Gen. Ruger to place troops in the State House, but that was the way Gen. Ruger understood his order. The troops were in South Carolina, the President repeated, in obedience to the call of Gov. Chamberlain to suppress an insurrection too formidable for him to control, and had it not been for these troops Chamberlain would have been a refugee to-day, as Gov. Ames now is from Mississippi. The President said he looked upon the situation as embarrassing, to say the least. A good deal of bad temper had been shown on the democratic side, and many were acting unreasonably. They seem to fear that he was doing what was right, and were abusing everybody for not yielding to their views. This struck him as strange, considering the scenes through which we have passed. Gov. Hayes represented the party that carried, in the election, all but four of the States that furnished the means for the suppression of the rebellion, and Governor Tilden carried all but three of those which sought to destroy the Union. In allusion to frauds he said the majority for Tilden in the city of New York was larger than his total majority in the entire State, in which city much crime is perpetrated and where there is a large number of men who have very little interest in the state or the republic. In the same way frauds were committed in the States of New Jersey and Connecticut. While it was true that those Southern States which gave Governor Tilden a majority were voters many of whom voted more than once, but nobody claimed that Tilden did not carry such States. The party that perpetrated the frauds in the Southern States for Tilden complain of frauds of Florida, Louisiana and South Carolina; but if there had been no frauds in Mississippi and North Carolina, those States would have gone for Hayes and Wheeler.

The President justified the exclusion of Laurens and Edgefield counties from the returns on the ground that Georgians voted in them frequently and cast more votes than were the voters for the democrats. Much had been said about the use of troops, but considering the number of lives sacrificed and the many political murders in the south, it was necessary to afford the required protection. Though all was quiet now in the south, so far as he could he would protect every one from violence. All steps taken to this end had been duly considered.

In reply to the remark that it seemed that the democrats had abandoned the idea of impeaching him, the President said he would advise them not to attempt it, for it might bring out evidence which they would not wish to see spread on the records. He would rather trust the rebels than their northern allies, and tried to say as much in his annual message.

He did not receive all the reports from the departments in time, and therefore he was obliged to leave out of his message many subjects to which otherwise he would have alluded. He says in response to a question that he would answer the house resolution and inform them why he sent troops to the south.

Among other things, the President said there were now six or eight hundred troops in Washington. If there should be any need for more he would order them forthwith. We should have peace if we had to fight for it. Some days he received five or six letters threatening assassination, but he paid no attention to them. A crazy man once followed him for six months, threatening to take his life, and this person he believed was placed in the insane asylum. When he first came to the executive

mansion he found a military guard there, but he immediately caused it to be withdrawn and sent into barracks. Referring to the political complications he said he had an abiding faith in the people. As we have had one rebellion, he did not believe the people were anxious for another, and thought there would be some way out of our present difficulties.

CHICAGO, 11.—The papers this morning publish the address of Palmer, Trumbull and others of the Democratic Visiting Committee to New Orleans. It is addressed to the Hon. A. S. Hewitt, Chairman of the National Democratic Committee. They say that the facts connected with the election and the returns show that the action of the returning board, in proclaiming the election of the Hayes electors is arbitrary, unfair and without warrant of law, and adopt, as applicable to this canvass, the language of the report made to the United States House of Representatives in 1875, by George F. Hoar, W. A. Wheeler and William P. Frye, in regard to the canvass of 1872, in which they say the so-called canvass made by the returning board in the interest of Kellogg, seems to us to have no validity, and is entitled to no respect whatever. We also adopt the language of this report upon the condition of Louisiana in 1875. In the State of Louisiana there is a Governor in office who owes his seat to the interference of the national power, which has recognized his title to his office, not by reason of any ascertainment of the facts by legal process, but has based its action solely on the illegal order of a Judge. In the same State there is a legislature, one branch of which derives its authority partly from the same order, the other being organized by a majority who have been established in power by another interference of the national government, and which majority derives its title, not from any legal ascertainment of the facts, but from the certificates of a returning board which has misconceived and exceeded its legal authority. November 18, 1876, before the returning board commenced the canvass of the electoral vote, the candidates for electors on the democratic ticket presented a protest against its jurisdiction over this subject, or its canvass of the vote relating to the same. This protest was summarily overruled by the board without affording an opportunity for argument. No legal proposition, in our opinion, is clearer than that the board was mistaken as to its powers, and that it had nothing whatever to do with the electoral vote.

The election law of 1872 and the amendments under which the returning board is created and acts, makes no provision as to the manner of appointing electors of President and Vice-President, whether by the legislature or by a vote of the people, nor whether by the State at large or by Congressional districts; nor does it contain any provisions as to the qualification of electors, the place where they are to meet, nor for filling vacancies. After quoting the State law governing the returning board, they say it is immaterial, so far as affects the jurisdiction of the returning board, whether the act of 1870, relating to the appointment of Presidential electors, is repealed; if repealed there is no law in Louisiana for the appointment of Presidential electors; if not repealed, then the canvass of the returns for such election must be made by the Governor in presence of the Secretary of State, Attorney General, a Judge of the district in which the seat of government may be established, or any two of them, as required by the act of 1870; and in making such canvass, they would be confined to an ascertainment of the persons elected according to the returns, with authority to reject the votes. In no event can the returning board have jurisdiction over the returns of electors of President and Vice President, and their canvass of the same is, therefore, a nullity, and entitled to no respect from any one. The election law declares that five persons, elected by the Senate from all political parties, shall be the returning officers for the election in the State, a majority of whom shall constitute a quorum, and have the power to make the returns of all elections. In case of any vacancy by death, resignation or otherwise by either of the board, then the vacancy shall be filled by the residue of the board of returning officers. The present board con-

sists of only four members, to wit: J. Madison Wells, T. C. Anderson, G. Casanave and Louis M. Kenner, one of whom, T. C. Anderson, was a candidate for the State at the recent election of the republican tickets. All are members of the republican party. They are the same persons who constituted the returning board in 1874 and canvassed the election returns of that year, and of whom a committee of the House of Representatives of the United States, composed of Messrs. Hoar, Wheeler, Frye, Foster, Phelps, Marshall and Potter, after careful investigation of its action, said, we are constrained to decide that the action of the returning board, on the whole, was arbitrary, unjust, and in our opinion illegal. The vacancy in the board, occasioned by the resignation of Oscar Arroyo, in December, 1874, has never been filled, although repeated applications by the representatives of the democratic conservative party of the State and its candidates have been to the board to file the same.

It is appalling to think that statements, thus made contrary to law, after the result of the election through the states was known with approximate accuracy, made as an after-thought, by disappointed candidates and their friends with an evident intention to cast a drag-net of suspicion over parishes enough to reverse the emphatic verdict of the people, made to at so late a day and so great a distance from many of the parishes struck out, that it is impossible to have any fair investigation, should receive any consideration.

Commenting upon the foregoing provisions of the Louisiana statutes, Messrs. Geo. A. Hoar, W. A. Wheeler and W. P. Frye, in their report, made February 23rd, 1875, said, "Upon this statute we are all clearly of the opinion that the returning board has no right to do anything except to canvass and compute the returns which were lawfully made to them by the local officers, except in case where they are accompanied by the certificate of the supervisor and commissioner, provided in the third section. In such cases the last sentence of that section shows that it was expected that they would ordinarily exercise the grave and delicate duty of investigating the charges of riot, tumult, bribery or corruption on a hearing of parties interested in the office. It never could have been meant that this board, of its own motion, sitting in New Orleans, at a distance from the place of voting and without notice, could decide the right of persons claiming to be elected. There is no more dangerous form of self delusion than that which induces men in high places of public trust, to violate law, to redress or prevent what they deem public wrongs."

These references to the report of the congressional committee upon the action of this same returning board in 1874, and its construction of the statute are made that the public may know how this board and its rulings were regarded by prominent gentlemen, one of them a candidate for Vice-President at the recent election, at a time when its decision did not affect a Presidential election; we regard it as indisputable that the returning board has no jurisdiction to inquire into and reject the returns from any voting place in the State on account of intimidation, acts of violence, or other course mentioned in the statute unless the foundation for such inquiry and rejection is laid at the time and in the manner provided by the statute.

The proceedings of the board, in executive session, to which we were admitted, consisted in opening the returns from each parish and examining the votes for Presidential electors. No protest or objection appeared among the papers, and there was no outside protest from any one. The returns were sent to a private room to be tabulated by the clerks, all of whom were republicans, who kept their action secret. If any protest was found among the papers or from outside parties the returns were laid aside to be afterwards considered by the board in secret. In the few cases in which there were charges of fraud, intimidation or other illegal acts, the candidates or their attorneys were permitted to take copies of the charges, and the testimony, taken on written interrogatories, were submitted in regard to such parishes, December second. After all the returns had been opened,