

By Telegraph.

AMERICAN.

COLUMBIA, S. C., 29.—The only matter of importance that transpired since noon is the missing member of the republican legislature who has been discovered and brought in, which gave that body their quorum of 59. Immediately afterwards the committee on privileges and elections, appointed yesterday by Speaker Mackey, submitted the report of seating the republican members, five in number, from Barnwell County. The democrats participating in the democratic House have certificates of election from the Secretary of State. There were no contests in the Senate, which seems to be recognized. Both Houses passed a resolution appointing Friday noon as the hour to commence canvassing the vote for Governor.

The following protest, signed by all the democratic Senators, was entered upon the records of the Senate in accordance with the notice given yesterday:

"We, the undersigned Senators of the State of South Carolina, beg leave to place on the record this, our solemn protest, against the proceedings of this body, which in any degree recognize, or propose to recognize, the legality of the body calling itself the House of Representatives of South Carolina, over which E. W. M. Mackey claims to preside as Speaker, which met on the 28th and claimed to organize in the Hall of Representatives. The constitution of South Carolina makes each house the judge of the election returns and the qualifications of its own members. The Supreme Court of the State has, by formal judgment, decided that the members from the counties of Edgefield and Laurens who received the highest number of votes, were entitled to seats. These members have been refused admission to the Hall and all participation in the organization by armed soldiers of the United States, who barred with bayonets the doors of the Hall of Representatives, and acted as judges of the election returns and qualification of its members. We have seen armed forces of the United States riding over the plain declaration of the constitution of the State. We have witnessed the solemn mockery of a corporal of guard reviewing the judgment of the highest court. We have seen a spectacle humiliating in the last degree to every right-minded American in the halls of legislation occupied at the hour of midnight and holding them against ingress of the law making powers, and this at a time of the profoundest peace, when not a single act of violence furnished the slightest pretext for usurpation. We have seen the still more humiliating spectacle of United States troops placed under the immediate control, and receiving orders from citizens with authority and a partisan power. We have seen this citizen assuming absolute control of the capitol of the commonwealth and admitting, through lines of armed sentinels of his own partisans, upon his own edict, or a written pass from one Jones, another citizen, who was selected by these partisans to organize the House of Representatives. We have seen this body of partisans thus admitted, claiming to organize without a quorum, in violation of law, in defiance of the Supreme Court, and under the protection of United States troops. We, therefore, enter this our protest against any recognition of said body, pretending to be the House of Representatives of the State of South Carolina, and for the following reasons: Said body having organized without the constitutional quorum, there being but fifty members present, as shown by its own journal, whereas a majority of the entire representation is requisite to a quorum, to wit, 63 members, as set forth in the journals of the House during the past eight years, and is confirmed by immemorial practice in legislative bodies in every American State. We do further allege, on our own responsibility as senators, that said body still is without a constitutional quorum, therefore wanting in the organic character of the House of Representatives of South Carolina, and ought not to be recognized as such."

NEW YORK, 29.—Suit will be begun against Tweed to compel him to transfer to the city certain property held by him in Putnam County. When Tweed was head of the public works, and there being

a scarcity of Croton water, he advised the board of aldermen to purchase certain tanks in Putnam County, which would give the right to certain water privileges arising out of lakes Carmel, Gilead and Makahac, and there being little in the city treasury at the time, Tweed offered to put up the money for the property on condition that he would be repaid by the city with interest thereon. He now refuses to make a transfer and may refuse to allow the water to be drawn off from those lakes.

NEW ORLEANS, 29

Sexton, in a game of billiards, last night, made a run of 341, the highest run on record.

CHICAGO, 29.—The *Times* St. Louis special says Carl Shurz' paper, the *Westliche Posten*, editorially says, "According to present accounts from South Carolina, we and all law abiding citizens must conclude that there is usurpation of power, which has no lawful ground to stand on, and unless a different state of affairs prevails than the dispatches indicate, the people will loudly protest against this overstepping all party boundaries."

TALLAHASSEE, 29.—The board of canvassers met at 10 o'clock. When Alachua county was called the democrats introduced objections to Archer precinct, in Alachua, reciting that the returns from that precinct had been raised 219 votes over the poll cast. They supported their claim by affidavits, one from Mr. Flemery who swore that he stood at the door and took the name of every voter as it was called; that only 319 votes were cast, whereas the returns sent up claimed that 538 were cast. Another from Mr. Tucker, who swore to the same effect. Affidavits were also presented from members of the county board. One swears that he was cognizant of this fraud, but felt bound to sign the return that it might go to the State board for final action. There is also the affidavit of the Circuit Judge, who swears that he saw the Archer ballot box opened by the proper officials and counted, and that only 319 votes were found therein. There were a number of other affidavits sustaining the above.

The *Journal's* reporter, in attempting to force an interview with General Sheridan, this morning, was guilty of indiscreet language, and was ordered out of the military headquarters by General Drum. Fred. Grant coming in at the moment and hearing the order, struck the reporter, for which the latter has caused the arrest of Grant, who was brought before the police court and held in \$400 bail.

CHEYENNE, 30.—Additional particulars of Gen. Mackenzie's fight with the Cheyennes was received at Fetterman to-night. The victory was most complete. The entire village, with all its winter store of subsistence and robes, fell into the hands of the troops, leaving the Cheyennes, the bravest and most warlike band of hostiles, wholly destitute in the face of a rigid winter, the contemplation of which fact caused them to fight with desperation. Their loss in killed is about twenty-five, and a large number wounded.

General Mackenzie's conduct is characterized as brilliant, entailing only the loss of one officer, Lieut. McKinney, of the Fourth Cavalry, of Memphis, Tenn., and five enlisted men were killed and twenty wounded. The Pawnee scouts rendered valuable service, and were richly rewarded in spoils.

General Mackenzie will join General Crook on Crazy Woman's Fork, and a combined attack will be made on Crazy Horse, who is reported to be on the Rosebud.

NEW ORLEANS, 30.—This morning the board heard a protest, signed by all the republican candidates for the city and parish offices in New Orleans, asking for a careful count of the city ballots before canvassing the official returns of the same. They allege that nearly all the tickets were so peculiarly colored and closely printed, that without particular attention given to each name thereon, alterations in the name of the candidates would escape observation, and without close inspection of the entire ticket they could not be discovered. They expressed a confident belief that the commissioners, in haste of writing, unintentionally failed to notice the alterations favorable to them. They also call attention to the great number of ballots cast by unnaturalized persons, or those naturalized within a few days of the election, and quote

article 98 of the State constitution, which provides for legal voting, and claim that these persons were not within the scope of this law. They quote also from the United States laws and precedents on the subject, and respectfully ask the rejection of such votes. They invite the special attention of the board to the irregularities in certain polls of New Orleans, and ask the board to throw them out if their discretion indicates that it is the proper course.

Governor Wells announced that the board would hear arguments an hour long from each side on this question.

James R. Walker opened for the republicans, followed by Zacharie for the democrats.

The East Baton Rouge case was called up, and seven boxes which had been locked up by error or design were produced. The supervisor had omitted the statement, and the board, after discussion, decided not to open the boxes or consider any statement as to the vote, except by the supervisors. A similar action was taken in the Tonguepaho case, where the vote in one poll is not returned. By this action the democrats lose 1,136 votes. In East Baton Rouge no more witnesses will be heard, and all interrogatories must be filed before four p.m. on Friday. Or Tuesday morning it is understood the electoral vote and also that of the State will be promulgated. The members of the board think that the same testimony applies to the State vote which applies to the electoral vote.

NEW YORK, 30.—The *Herald's* New Orleans special says Governor Palmer, upon being interviewed, said he was thoroughly satisfied that whilst the Pinkston murder was a great outrage, yet it had no political end, aim, or motive. His remarks yesterday were in denunciation of the crime itself, and because he thought the board ought to allow the fullest investigation instead of confining the defense to only two witnesses as proposed. He had told the republicans that he would be willing to stay here six months and investigate it with one of their number, which proposition they declined. He is now clearly satisfied the affair was worked and presented purely for sensational and dramatic effect, and that the woman had plainly overacted her part, as the developments of to-day plainly prove. He is perfectly satisfied that the white men charged in her affidavit had nothing to do with the murder. So far as that charge goes he regards her story as pure fiction.

The *World's* New Orleans special says yesterday several loads of arms were delivered to the metropolitan police at Jackson Street Station; also at the same time a demand was served on two military organizations in the city to return to the arsenal the arms which had been loaned to them by the State. The arms consist of two light field pieces lent to the Washington artillery for firing salutes, and small arms for a parade lent to the continentals. The State authorities are collecting a large stock of arms and ammunition at the arsenal.

COLUMBIA, 30.—The democratic and republican houses both entered the Hall of Representatives at noon to-day. Both speakers on the stand. Wallace, democrat, was in the chair, and Mackey, republican, at the clerk's desk. Hamilton and Meyers, republican members, denounce the republican house as illegal and unconstitutional. Everything is peaceable.

3 p.m.—The situation is unchanged. Both sides are in good humor, and a compromise is possible. Gen. Ruger sent his staff officers to the democratic speaker and notified him that the Edgefield members will not be permitted on the floor of the house to-morrow. The information elicited a letter from Senator Gordon, Wade Hampton and A. C. Haskell to Gen. Ruger, expressing unbounded surprise at the order in the face of his (Ruger's) pledges to them individually.

The writers denounce the action of the federal troops on Tuesday as contrary to the constitution, and call attention to Ruger's statement to them that the troops had misunderstood the orders; that he did not intend to decide upon the right to enter the hall. They refer to Dennis' command of the troops as an outrage. They continue, that when they represented these faults to Ruger, saying that this shame upon our free institutions could still be remedied without violence or bloodshed by the withdrawal of

the guard from the doors, and allowing the majority of the votes to decide all questions, he (Ruger) promised that the troops should be withdrawn and not interfere except the peace was seriously disturbed. This he had twice affirmed yesterday and once to-day; yet new this order is issued. They say there is no breach of the peace, or no prospective disturbance. He knew officially that absolute good humor prevailed in the hall. They express the fear that because the leading republicans take issue with the legality of the proceedings by the republican House, his views have changed as to his line of duty. They relied upon his honor as a man and character as a soldier to maintain his pledges in the position of non-intervention. The democrats from Edgefield and Laurens are entitled to seats by the judgment of the State supreme court, and the writers have advised them to remain until removed by the troops, that the issue may be made whether we have the Government of law as construed by the courts or a centralized despotism, whose only law is force. Let the American people behold the spectacle of a brigadier-general of the army, seated by the side of Governor Chamberlain in a room of the State House and issuing his orders to the legislative body peacefully assembled in one of the original commonwealths of this Union.

TALLAHASSEE, 30.—The board of canvassers met to-day. Alachua county was called and passed, and Baker county taken up. The democratic managers called attention to the fact that the second return from Baker, besides the points of illegality brought against it yesterday, was signed by a justice of the peace appointed since the election; that it was not certified to in the county clerk's office, and that the county clerk was not summoned to attend the canvass upon which it was based; that the official precinct returns were omitted from that return and a false result reached. The Alachua county testimony was listened to with interest. The democrats first offered testimony that the alleged affidavit from Green R. Moore, purporting to deny certain facts in another affidavit he made, was dated and executed on the 20th, while the affidavit he proposed to retract and correct was dated and executed on the 23rd. They then pronounced the affidavit purporting to be from Floyd Dukes a square forgery. They then introduced Moore and Dukes as witnesses. Moore specifically said that all the points in his affidavit of the 23rd were true; that he had stated the facts therein contained openly, time and again; that he was inspector at Archer, and that only 316 votes were cast or counted; that 535 votes were not cast; that he signed the election certificate in blank, not thinking that there could be any dispute; that he was approached the other day by Barnes, republican sheriff of the county, who offered \$100 if he would sign the paper. He asked if he had to swear to it. He was told he would not. He then signed it and received the money. This paper was one produced by the court and a counter affidavit.

Floyd Dukes, colored, swore that he was inspector at Archer precinct, and only 316 votes were cast. He cannot read or write; he never signed the paper saying 535 votes were cast. Upon a counter affidavit alleged to have been signed by him being read, he swore that he did not sign it; that ex-congressman Wales and Justice Belton came to his house to get him to sign it, and offered him \$25 if he would sign it, but he refused to do so.

The democrats then called attention to the fact that in the affidavits from several hundred negroes, swearing they voted at Archer precinct, eleven names appear in two places, two names in three places, two names of men long since dead, and two names of men proven to have voted elsewhere.

The republicans submitted objections to two precincts in Columbia County, alleging that the democratic inspector industriously changed the ballots when they were handed him, and that negroes were taken by three democrats into a swamp a week before the election, and after various outrages, were made to swear on their knees that they would vote the democratic ticket. Pending the preparation of the papers in other cases, the board adjourned.

CHICAGO, 30.

The *Tribune's* Washington spe-

cial says in Columbia, to-day, the experiment of running two legislatures in one room was unsuccessful, and by mutual agreement, an adjournment was had till to-morrow, while eleven Edgefield members will be excluded. What the conclusion of expelling them will be is unknown. Means of violence are at hand in Columbia. Probably ten thousand rifle clubs of men are within ten minutes walk of the State House. It is understood that she cabinet firmly believe that Tilden instigated a plot to capture the South Carolina electoral vote by means of a democratic legislature, which will appoint a new returning board. It is believed Ruger has been ordered to eject the eleven members to-morrow, if the sergeant-at-arms is unable to do so. The democratic congressmen talk strongly of impeaching the President, Secretary of War, and every cabinet officer who advised the use of the troops. It is said that such proceedings will be instituted the first week of the session. The democrats now strenuously claim that the 22nd joint rule is still in force. Morrison announces his candidacy for the speakership to-night, which chagrins most of the democrats who think it is a blind to make Randall's victory certain.

NEW YORK, 1.—The *Herald* has a double-leaded editorial this morning under the head—"What is President Grant at?"—of which the following are extracts: "It seems probable that the Senate will claim that Mr. Hayes is elected, and the House that Mr. Tilden is elected, and that with two claimants for the office the excuse may be found for cutting the knot with the sword. If the dispute comes to that pass the man who wields the sword will be master of the situation. We have too much confidence in the good sense and self-command of the American people to believe that there will be any resort to force unless there should be a deliberate shaping of events to that end by the commander-in-chief of the army. The main source of anxiety in this conjuncture is the fact that the country has no confidence that Grant will refrain from employing the army in violation of the constitution. What was done at Columbia on Tuesday shows too plainly that he has no scruples as to the employment of troops. If events should reach such a pass in Washington, in the latter part of February, that Hayes is dependent upon Grant for his inauguration, how can we have any assurance that he will not attempt to put aside Hayes and his competitor, and make that final stride to Caesarism which would then be in his power? If he holds over on such a pretext, we shall never have another presidential election. If there should be a pretence of one Caesar at Washington, he would manage to have the present difficulties come up again to afford him him the same excuse for not releasing his grasp. If he tramples the Constitution in the dust for such a creature as Chamberlain, what assurances can we have that he will not go to a greater length for himself?"

The *World's* New Orleans special says the board will probably deduct a few thousand votes from the democratic majority. On this pretext the ward republican supervisors have neglected or refused to send in the returns from three city polls, which give Tilden 2,170 and Hayes 531. In the same way they have omitted the returns from two democratic polls in Lafayette and one in Longpaho. Other democratic polls in other parishes were similarly excluded. By this process they take a few thousand from the democratic majority. The republicans in caucus are, to-night, engaged in making up figures for the retiring board. The compilation made by the caucus will be promulgated by the board. It has transpired that they intend to have at least a portion of their city ticket, though it was beaten by majorities ranging from 7,000 to 10,000. The democratic visitors no longer have any hope of justice at the hands of the board.

The *Herald's* New Orleans special says the republicans, to-night, are despondent, as it is rumored that one of the returning board has been converted.

The *Herald* announces that Tweed has determined to dismiss all his counsel and let the law take its course.

Chief Justice Johnston, of the Circuit Court, to-day, rendered an opinion in the great suits of the United States against H. B. Claflin