

BY TELEGRAPH.

THE VICKSBURG TROUBLE.

GOVERNOR AMES' STATEMENT.

AN EXTRA SESSION OF THE LEGISLATURE CALLED.

[Special to the New Orleans Republican.]

JACKSON, Miss., December 7. The horrible slaughter at Vicksburg...

At the request of Mr. Bennett, of the New York Herald, Governor Ames telegraphed to-night a full and lucid statement of the facts as to the origin and present status of Vicksburg affairs...

It is reported that unarmed negroes on cotton bales going to town were killed. Positive word comes that the first man killed was a Presbyterian preacher.

The Governor authenticates the statement that the rumor of his investigating the riot at Vicksburg is utterly without foundation.

He has issued the following proclamation: WHEREAS, The lawfully constituted authorities of Warren county are prevented from discharging their official duties...

Whereas, There has been no legislation to meet an emergency of this character: Now, therefore, I, Adelbert Ames, Governor of the State of Mississippi, do issue this my proclamation convening in extra session the Legislature of the State of Mississippi...

In testimony whereof I have hereunto set my hand and caused the great seal of the State of Mississippi to be affixed, this eighth day of December, 1874.

By the Governor: ADELBERT AMES, James Hill, Secretary of State.

Vicksburg and the Country Quiet.

THE QUESTION OF MILITIA ORGANIZATION.

Adjutant General Packer Interviewed.

NEW ELECTION ORDERED FOR SHERIFF.

[Special to the New Orleans Republican.]

Vicksburg, Miss., December 9, 1874. The latest advice from the country announces all quiet. A squad of cavalry just returned from Snyder's bluff report that three negro companies had been driven into the cane brakes...

Three hundred armed men are reported to be at Oakland Church, Hinds county, marching in this direction, but the cavalry failed to discover them.

The militia has been reorganized. Adjutant General Packer appears to be in a good place. The special train which he sent to Jackson returned yesterday.

A Times reporter interviewed General Packer this morning, and elicited his views on the situation. He said the object of his trip was to save the life of Sheriff Crosby and the other prisoners...

When asked if the Governor recognizes the militia as being organized and on duty in this city, General Packer said: "He does not. He has given them no order to assemble or organize."

He was then asked: "Did you officially authorize Colonel Beard to issue any military orders, with a view to the organization of the militia?"

To this General Packer replied: "I did not. I recognized Mr. Beard as being in possession of the courthouse and the county property, and told him to place a guard on the same to protect it."

Colonel John L. Beard makes a different statement. He claims that General Packer authorized him to organize the militia.

The statements made to and by the Times reporter created such comments on the street as to cause Packer to request the suppression of their publication.

The Chancery Court records, reported as stolen some weeks since, were found to day at the residence of Davenport, the clerk of the court. He had taken them a week ago and was supposed to be leading up arms to court Crosby.

The board of supervisors received the resignation of Sheriff Crosby, and have determined to have an election on the thirty-first instant to fill the vacancy.

Vaughn, who was shot at the federal yesterday, died to-day.

Young Miller has been making since the fight of last night.

William Miner, a colored broker, states that Crosby informed him that Governor Ames had instructed him Crosby to organize the militia, and that he had furnished 500 needle guns and 1000 rounds of ammunition, which had been sent late the country.

Business is at a standstill.

CONGRESS.

Senate.

WASHINGTON, December 7.—The type foundries of various cities protest against the reciprocity treaty, so far as regards type and type material.

A memorial of the Texas Pacific and Atlantic and Pacific railroads was presented, praying Congress to aid these companies in the construction of their roads.

In presenting the memorial, Senator Scott said it had been placed in his hands by a citizen of Pennsylvania who was president of the Texas Pacific road.

The memorial was accompanied by a bill [Continued on fourth page.]

COURT RECORD.

WEDNESDAY, DECEMBER 9, 1874.

United States Supreme Court.

The following cases were decided on the third instant: Haycraft vs. the United States.—Appeal from the Court of Claims. This was a suit to recover the value of certain cotton bales...

The government answered that the action was not brought within two years after the close of the war, as it was provided it should be by the act of 1862 giving the right of action.

The court held that no action would lie for captured and abandoned property, except under the act of 1863, and as the suit was not within the time prescribed by that act it could not be maintained, and the petition was dismissed.

Lane vs. the United States.—Appeal from the Court of Claims. This case presents the same question as that of No. 175, preceding, and the additional one, whether the right of those interested in the cotton depends in any way upon the status of their guardian, as they could have preferred their claim without using his name, stating their reason for the omission, and he not being the claimant.

The government submits that non-age in a claimant is no exception to the operation of the statute in this class of cases as it is in others.

Superior District Court. The commission of Mr. Samuel Blanc, assistant city attorney was ordered spread upon the minutes.

Superior Criminal Court. Carrying concealed weapons.—Henry C. Bull, now in New York; George Williams, dead.

State vs. Daniel Brown.—Assault and battery; \$5 fine.

State vs. Robert Jones.—Assault and battery; two charges; plea of guilty in one, not guilty in the other.

Successions of Corte Lombard and William E. Camp opened.

First District Court. Mary Louie vs. Charles Gellbach.—Petitioner, an unmarried woman, alleges herself the mother and natural tutor of minor child Charles; that defendant paid her maintenance, and her affections, promised marriage and was going into the grocery business with her when he gained his wishes the result being the junior Charles for whose support she asks \$25 per month alimony.

Statistics of Illiteracy. Democratic counsel in their argument in the Carroll case have alluded with a good deal of force to "ex parte affidavits, cross marked and otherwise."

There are other reasons that might have been urged for this pardon. St. Marc was technically guilty under the statute, but the intent to defraud was never proved.

Lawler, the prosecutor, recovered the greater portion of his flour, some by stoppage in transit and some in the store of Agnell, within ten days. By seizing it he prevented St. Marc from collecting from those to whom he had sold it.

There are other reasons that might have been urged for this pardon. St. Marc was technically guilty under the statute, but the intent to defraud was never proved.

Lawler, the prosecutor, recovered the greater portion of his flour, some by stoppage in transit and some in the store of Agnell, within ten days. By seizing it he prevented St. Marc from collecting from those to whom he had sold it.

There are other reasons that might have been urged for this pardon. St. Marc was technically guilty under the statute, but the intent to defraud was never proved.

Lawler, the prosecutor, recovered the greater portion of his flour, some by stoppage in transit and some in the store of Agnell, within ten days. By seizing it he prevented St. Marc from collecting from those to whom he had sold it.

There are other reasons that might have been urged for this pardon. St. Marc was technically guilty under the statute, but the intent to defraud was never proved.

Lawler, the prosecutor, recovered the greater portion of his flour, some by stoppage in transit and some in the store of Agnell, within ten days. By seizing it he prevented St. Marc from collecting from those to whom he had sold it.

There are other reasons that might have been urged for this pardon. St. Marc was technically guilty under the statute, but the intent to defraud was never proved.

Lawler, the prosecutor, recovered the greater portion of his flour, some by stoppage in transit and some in the store of Agnell, within ten days. By seizing it he prevented St. Marc from collecting from those to whom he had sold it.

There are other reasons that might have been urged for this pardon. St. Marc was technically guilty under the statute, but the intent to defraud was never proved.

Lawler, the prosecutor, recovered the greater portion of his flour, some by stoppage in transit and some in the store of Agnell, within ten days. By seizing it he prevented St. Marc from collecting from those to whom he had sold it.

There are other reasons that might have been urged for this pardon. St. Marc was technically guilty under the statute, but the intent to defraud was never proved.

Lawler, the prosecutor, recovered the greater portion of his flour, some by stoppage in transit and some in the store of Agnell, within ten days. By seizing it he prevented St. Marc from collecting from those to whom he had sold it.

There are other reasons that might have been urged for this pardon. St. Marc was technically guilty under the statute, but the intent to defraud was never proved.

Lawler, the prosecutor, recovered the greater portion of his flour, some by stoppage in transit and some in the store of Agnell, within ten days. By seizing it he prevented St. Marc from collecting from those to whom he had sold it.

There are other reasons that might have been urged for this pardon. St. Marc was technically guilty under the statute, but the intent to defraud was never proved.

Lawler, the prosecutor, recovered the greater portion of his flour, some by stoppage in transit and some in the store of Agnell, within ten days. By seizing it he prevented St. Marc from collecting from those to whom he had sold it.

There are other reasons that might have been urged for this pardon. St. Marc was technically guilty under the statute, but the intent to defraud was never proved.

Lawler, the prosecutor, recovered the greater portion of his flour, some by stoppage in transit and some in the store of Agnell, within ten days. By seizing it he prevented St. Marc from collecting from those to whom he had sold it.

There are other reasons that might have been urged for this pardon. St. Marc was technically guilty under the statute, but the intent to defraud was never proved.

Lawler, the prosecutor, recovered the greater portion of his flour, some by stoppage in transit and some in the store of Agnell, within ten days. By seizing it he prevented St. Marc from collecting from those to whom he had sold it.

There are other reasons that might have been urged for this pardon. St. Marc was technically guilty under the statute, but the intent to defraud was never proved.

Lawler, the prosecutor, recovered the greater portion of his flour, some by stoppage in transit and some in the store of Agnell, within ten days. By seizing it he prevented St. Marc from collecting from those to whom he had sold it.

There are other reasons that might have been urged for this pardon. St. Marc was technically guilty under the statute, but the intent to defraud was never proved.

Lawler, the prosecutor, recovered the greater portion of his flour, some by stoppage in transit and some in the store of Agnell, within ten days. By seizing it he prevented St. Marc from collecting from those to whom he had sold it.

There are other reasons that might have been urged for this pardon. St. Marc was technically guilty under the statute, but the intent to defraud was never proved.

Lawler, the prosecutor, recovered the greater portion of his flour, some by stoppage in transit and some in the store of Agnell, within ten days. By seizing it he prevented St. Marc from collecting from those to whom he had sold it.

There are other reasons that might have been urged for this pardon. St. Marc was technically guilty under the statute, but the intent to defraud was never proved.

PUBLIC SCHOOL EXAMINATIONS.

The First District schools yesterday stood a thorough examination test, and they certainly are not the least of last on the list for praise.

Considerable attention was given the exercises by parents and relatives, who visited the school rooms with good motives.

MADISON—GIRLS. This ranks high, and has kept that position many years, and kept it on real merit. There are about 600 names on its rolls—quite a pretty little village in one building.

Attendance and discipline are nearly perfect, which may be placed to the credit of able teachers. Building, furniture and surroundings are above ordinary, and the children stand well on the books on the score of decorum.

Parents seldom visit the school, but occasionally give the teachers trouble about trilling matters. In the morning regular exercises were attended to as usual, after which an exhibition was given, largely attended by friends of the children.

One of the most entertaining features in the exhibition was a song by Rosie Decker, a mile, only seven years old. The song was "Birdy," and by her side was placed a caged canary, which seemed to understand its part in the performance.

Miss Kate Unalacke's "Ill Try," elicited a proper amount of praise. Eighteen girls expect to pass examination for promotion to the High School. The roll of honor is furnished by three from each room, namely: Misses Clara Moody, Estelle Sabater, Maggie Sheridan, Minnie Dalton, Virginia Boubled, Minnie Simpson, Mary Nagle, Lilly Roy, K. H. Iron, Cecelia Hagan, Lucy Coriese, Maudie Gilmore, Mollie Cavanagh, Virginia Hays, Louisa Young, Maggie Shaw, Louisa Beares, Boss Klein, Alice Hagan, Maria Korborg, Katie Sully, Maggie Reilly, Katie Unalacke, Rosa Lecler, Rosalie Conway, Lilly Ancelet, Lizzie Brown, Lizzie McPeak, Henrietta Oldenwald, Alicia Tate.

Teachers—Miss J. Jackson, principal; Miss C. Hubbard, Mrs. K. C. McCann, first assistant; Miss McCord, Miss K. Mulvey, second assistant; Misses S. Lytle, M. Dalrymple, B. E. Sullivan, M. K. Hamblet, L. M. Blyott, Hattie Kason, third assistants.

CLIO—BOYS AND GIRLS. This school is in a flourishing condition, and has 360 scholars, all anxious to obtain sufficient education to assist them when thrown on their own resources.

The teachers take pride in their work, which has a good effect on the pupils. The building is a good one, and the furniture passable. The scholars are making fair progress, and the leading classes excel in arithmetic, though they are not deficient in other branches.

Teachers—Mrs. S. E. Cooney, principal; Mrs. J. Reed, Mrs. M. H. Williams, first assistants; Mrs. E. McCoy, Miss Ludwick, second assistants; Mrs. M. Clark, Mrs. G. Hodgkins, Mrs. M. E. Penn, third assistants; Miss M. Girardeau, Miss M. A. Clavier, supernumeraries.

FRANKLIN—BOYS. A solid school, and one that has accomplished much good in years past, and still it holds its place proudly. Several prominent men of our city laid the foundation for their present habits in this building.

The roll contains 584 names, and the average attendance is excellent. Last year's progress has been satisfactory. At the exhibition Masters W. J. Nolson, Maurice Gaudin and C. A. Roxborough, made an impression on the visitors.

Teachers—Mrs. J. S. Beane, principal; Miss J. E. Morton, Mrs. M. A. Houghton, first assistants; Miss L. M. Wagner, Mrs. L. C. King, second assistants; Mrs. L. Hampton, Miss M. J. Dorman, Miss L. Pittfield, Miss M. E. Martin, Miss S. Bloomfield, third assistants.

Roll of honor—George C. Valrin, Charles A. Roxborough, J. D. Rimassa, W. J. Nolson, A. B. Kennedy, E. Murphy, C. Maier, C. Dolson, J. Duaneau, Paul Vendange, Charles Peter, James Ryan, James Stephens, F. Marshall, Albert Heibel, Jacob Meyer, J. Estebanet, Henry Wolf, James Phillips, Isaac Werthimer, Dennis D-Jay, A. Adolphe, J. Mihet, B. Collins, G. Briabi, Charles Springer, John Pengetrod, Maurice Gaudin, Charley Grice, George Dejan.

FRANKLIN—GIRLS. Few of our public schools excel this one in anything, and attendance and deportment are next to perfect. The scholars present as fine an appearance as can be desired, and yesterday they looked even better than usual.

Thirteen young ladies expect to pass an examination which will transfer them to the High School. An exhibition in the evening was witnessed by as many people as could find room. Four hundred and six names are enrolled.

Teachers—Mrs. E. J. Wharton, principal; Miss M. Woods, Miss M. G. Oliver, first assistants; Miss M. P. Hero, Miss M. Bridgins, second assistants; Mrs. L. Easworth, Mrs. E. Turner, third assistants; Miss Felonie Killen, Miss Mary Brown, supernumeraries.

MARSHALL—BOYS. Boys whose fortune send them to this school are certainly to be congratulated. Attendance lacks but a fraction of perfection, and there a dozen bright lads who will make an effort to find their way to the High School in a few days.

The list would have been larger had it not happened that six of the first class were compelled to leave school and go to work.

Eugene B. Lyons was admitted to the second class of the second department less than two years ago, hardly far enough advanced to gain admission. During the time since he has completed the studies of both classes of the second department and the first department, and now unquestionably stands at the head of the class prepared for the High School. No time was lost in preparing for an exhibition. The following list is taken, one from each of the six departments, as a roll of honor:

Eugene H. Lyons, Walter Mercier, Clinton Harrison, Thomas O'Conner, Solomon Cohen, George Hupfenstein, Jacob Berlin, Joseph Wirth, Louis Lemley, Joseph Berlin.

Teachers—Mr. F. A. Golden, principal; Mr. V. Mielly, first assistant; Miss A. Mayer, Miss S. E. Redwood, second assistants; Miss H. A. Porter, Miss F. Collayanni, third assistants; Mrs. M. T. Cochran, Mrs. Annie Cotton, supernumeraries.

WESTER—GIRLS. The past record of this school is the very best and bids fair to retain its good name. Of the 47 children very few are below the regular standard of their classes. Twenty young ladies in the first class will strive hard to go to the High School. In music the girls in the principal's room are certainly remarkable.

Although Miss Armstrong did not give an exhibition, she permitted some of her pupils to rehearse a few good pieces for casual visitors. Miss Julia Clavier sang a song so exquisitely that a professional would certainly envy her. She has an extraordinary voice. A recitation by Miss May Wall pleased all, and her declamation is far above the ordinary.

Miss Edie Leahy is at the head of her class, and all efforts for months past to dislodge her have been in vain. This school was never in better condition than it is to-day.

Teachers—M. A. Armstrong, principal; Mrs. A. L. Howard, Miss N. H. Watson, first assistants; Miss S. Harris, Miss G. I. Lambourne, Miss M. O'Brien, second assistants; Miss G. McCorren, Mrs. J. D. Clayton, Miss J. Rice, third assistants.

JEFFERSON—BOYS. Mr. Clark glories in presiding over a school which will compete with any other of its grade in either branch. He has a roll of 406 as bright boys as can be found in the city. There are fourteen candidates for the High School, and it is quite certain twelve of them will pass. Nathaniel S. Abrams and Julius F. Bachus have foremost places as the best scholars. The teachers are all competent for their tasks.

Teachers—Mr. S. C. Clark, principal; Mrs. C. A. Curtis, Miss Nettie Fair, first assistants; Mrs. M. Moore, Miss E. Todd, second assistants; Miss R. Herbert, Mrs. L. C. Gallup, Miss C. Labatt, Miss S. Bel, Mrs. A. Castill, third assistants.

HAMILTON—BOYS AND GIRLS. This school was established to lessen the burden on the Webster and Jefferson, and is in a flourishing condition. The children are ready to learn and have made fair progress. There are over 100 scholars, who attend quite regularly.

Teachers—Miss Alice Watson, principal; Miss C. A. Warner, first assistant; Mrs. G. McKnight, third assistant; Miss Ada Mitchell, supernumerary.

JACKSON—BOYS. This is one of the large schools, having some 225 pupils. It is well conducted by the following teachers: Mr. George H. Gordon, principal; Mrs. J. C. Robinson, Miss R. T. Murphy, first assistants; Miss M. L. Dulan, second assistant; Miss E. B. Brown, third assistant, and Mrs. S. Mather, also third assistant. The Jackson will send six bright lads to the next term of High School.

JACKSON—GIRLS. An exhibition was given at this school yesterday, which was largely attended by parents and friends. The reporter was unable to witness the entire entertainment, but concluded the school to be full of bright and good girls, if the Misses Luda Durbridge and Clara Chapman, who were giving recitations, may be mentioned as representative scholars. This school is one of the best of our public schools, and has 360 pupils on the roll, twenty-eight of whom are booked for the High School.

The teachers are: Mrs. M. E. Mallan, principal; Mrs. F. T. Combes and Miss M. Calder, first assistants; Miss M. O. Carter, second assistant, and Misses L. P. Green and M. Wilson, third assistants. At the close of the exhibition a handsome tea set was presented to the principal by a few of her pupils.

PAULDING—BOYS AND GIRLS. The Paulding is also a flourishing school, having 182 girls and 170 boys attending. It has a well arranged school building, and is admirably conducted by the following teachers: Miss Mary Mills, principal; Miss Delia Moore and Miss Mary Nugent, first assistants; Miss T. M. Elliott and Mrs. H. Wells, second assistants; Miss Flora Snodgrass, Miss Ida Patton, Mrs. E. Tomlin and Miss E. Kearns, third assistants.

SUMNER—BOYS. This school is now located in the new building, at the corner of Perdido and Bertrand, and has an average attendance of 318 pupils. The scholars have made commendable progress under the following named teachers: Mr. A. P. Williams, principal; Miss M. A. Cumberland, first assistant; Miss G. A. Henderson and Miss L. V. Miller, second assistants; and Miss T. Hammett, Miss Isabella Todd, Miss A. Francis and Miss G. M. Donovan, third assistants. During the exhibition exercises yesterday a large number of visitors were present, including Superintendents W. G. Brown, Boothby and Williams. The exhibition was made attractive by the excellent music rendered under the direction of Professor Williams.

EDMONDA—GIRLS. The Edmonda School is conducted by Miss E. E. Vigers, principal; Miss B. Hunt, first assistant; Mrs. E. Dobie and Miss F. Dunn, second assistants; Miss E. C. Carolan, Miss Amanda Perkins, Miss Annie Crooks, and Miss C. Kennedy, third assistants. The school has ample room in the building No. 34 Common street, and has an attendance of 317 pupils.

MAISON—BOYS AND GIRLS. The Maison School is a small one, averaging only about eighty-five pupils. It is well conducted by Mrs. E. C. Williams, principal, and Miss K. A. Nugent and Miss Celeste Gates, assistants.

JERSEY SCHOOL. In the hurry of examination, many points of interest must be neglected in referring to each school. Special reference is now made to the Jersey School of the Sixth District. This branch of our public school administration is most ably managed by Mrs. Davis. Indeed, to this lady, may be accorded the high praise of maintaining a very large school most creditably, under adverse circumstances.

The Jersey School this year sends twelve aspirants for examination as pupils of the High School. Of this number over two-thirds will probably be admitted. This, of itself, speaks most highly for the care the teachers have taken, and for their ability in the profession which they have chosen.

The exercises last Monday were most pleasing. The recitation, "Family Greeting," by Master J. Williams, was well given, as well also the poem, "Sunny South," by Master Frank Neill. This last was capital, and in view of the youth of the declaimer, was conceived to be the event of the day. Master T. Cranmer recited the piece "Guilty or Not Guilty" in faultless style.

Little Jack Neill gave the audience "Hail to the Girls," which was appreciated by all, giving perhaps the young ladies. The distinctive, however, did not appear to care for this, but retired amidst such applause.

The Remaining Board.

The board yesterday was called to order at eleven o'clock by President Wells, and proceeded to canvass the returns from the parish of St. Tammany.

The supervisor of registration for this parish protested against the returns from poll three on the ground that the tally sheet and other returns thereof were made up by one Thompson, who was not a commissioner of election and not authorized to make out returns; and in addition, being a candidate, was an interested party, and should not have been permitted to handle the returns; furthermore, that the returns made up by him and before the board were not made at the proper place.

It is asserted that Thompson was a candidate for parish judge, and that the returns from poll three were prepared at Covington by him, some twenty miles from the polling place. Protests have also been filed against the returns from other polls in this parish.

The result of the canvass of the St. Tammany returns by the board show that Monsieur, for State Treasurer, received 607 votes and Dubuclet 531; Monsieur's majority 19. These figures show that the contest in the parish has been very close, and this fact, some persons might be uncharitable enough to think, accounts for the necessity of the returns from poll three being prepared in Covington by Mr. Thompson, a Democratic candidate for parish judge, instead of being made out at the poll where the votes were cast by the proper returning officers.

The returns from the parish of St. Helena were next taken up and canvassed. The figures in the returns give the Democratic ticket a small majority, with the exception of the candidate on that ticket for the Legislature. For State Treasurer Monsieur received 622 votes and Dubuclet 538. The Republican candidate for the Legislature is returned elected in this parish.

Messrs. Whitaker and Zachary, of Democratic Conservative council, charge, however, that the figures in the returns have been changed so as to effect this result, and upon the ground of fraud have entered their protest against the complement of the returns in so far as the election of a member of the Legislature from that parish is concerned.

Colonel Lowell gave notice that if a protest was entered against the election of Mr. Floyd to the Legislature from St. Helena, he would ask that the ballot boxes of the polls where returns are sent be subjected to contest be sent for and brought before the board. Council on the other side did not object to this.

The returns from Union parish were next taken up and canvassed. There were some formalities in these returns, but Republican council did not deem them of sufficient importance to cause a protest to be entered against them; and as the parish went Democratic by a handsome majority, Democratic council could hardly be expected to do so. Monsieur's vote in this parish was 1162, Dubuclet's 432; Monsieur's majority 730.

The returns from Venon parish were next canvassed, and the result showed that Monsieur had received 712 votes, Dubuclet none.

Mr. Ray, counsel for Republican side, gave notice that he would enter a protest against the complement of these returns.

Mr. Whitaker asked upon what ground.

Mr. Ray replied upon the ground of "intimidation."

The board next canvassed the returns from Vermilion parish. The result shows that Monsieur received 692 votes and Dubuclet 228. Monsieur's majority 464.

Mr. Ray gave notice that he would file a protest against compelling the returns from this parish.

The board on motion adjourned until ten o'clock this morning.

Mr. Ray yesterday filed the following answer of Republican counsel to the objection of the Democratic counsel to the powers of the returning officers:

It is contained in the brief of the Democratic counsel that the returning officers are not required into any "riot, tumult, acts of violence, intimidation, armed disturbance, bribery or corrupt influences which prevented, or tended to prevent, a fair, free and peaceable vote of the electors, or entailed to vote," unless the facts are presented on the certificate of the supervisor of registration or commissioners of election, verified by the affidavits of three voters.

These learned and astute attorneys attempt to draw a distinction between the effect of the above provisions, and the effect of the provisions of the same law which prohibit the form of proceedings in conducting elections; for instance, they contend that the omission to keep a list of the voters, and sign and swear to it, the making a statement of the persons voted for and the number of votes received by each, and signing and swearing to it, and tally sheets of the count of the votes, are not essential to the validity of an election, although expressly required by law in such terms as that "it shall be the duty, etc.," they have satisfied this board that the failure to comply with some of these provisions, which there is no suspicion of fraud, and where there has been sufficient of the forms complied with to show a substantial compliance with the law, that the board will not consider a literal compliance absolutely essential, as had they done otherwise there would have been a failure of our election in this State.

Now, these provisions are not willing to apply, the principles contended for above to the ascertaining of the facts of intimidation, etc.

We contend that the law on this point goes to this extent, and that such was the intention of the law makers, that the returning officers were vested with the general power of inquiring into any "riot, tumult, acts of violence, intimidation, armed disturbance, bribery or corrupt influences which prevented or tended to prevent a fair, free and peaceable vote." Let it come to the board as a supervisor of registration or a commissioner of election who may have been party to such acts, or who may have been instrumental in doing so, fails to perform a duty required of him by law, but which he is bound to perform, and for which he is liable to be punished, and that it is his duty, whether they desire to or not, to investigate such charges, and provide the evidence upon which they may decide without calling for further testimony, unless they think it necessary.

It would be a strange law to prohibit the returning officers from inquiring into such acts, as destroy the fairness of an election which they may personally be cognizant of or which may be brought to their knowledge by good evidence, because a commissioner of election or a commissioner of election who may have been party to such acts, or who may have been instrumental in doing so, fails to perform a duty required of him by law, but which he is bound to perform, and for which he is liable to be punished, and that it is his duty, whether they desire to or not, to investigate such charges, and provide the evidence upon which they may decide without calling for further testimony, unless they think it necessary.

It would be a strange law to prohibit the returning officers from inquiring into such acts, as destroy the fairness of an election which they may personally be cognizant of or which may be brought to their knowledge by good evidence, because a commissioner of election or a commissioner of election who may have been party to such acts, or who may have been instrumental in doing so, fails to perform a duty required of him by law, but which he is bound to perform, and for which he is liable to be punished, and that it is his duty, whether they desire to or not, to investigate such charges, and provide the evidence upon