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THE RETURNING BOARD

THE WORK COMMENCED

Preliminaries, Protests and Plan of Procedure.

Electoral Vote of Ascension, Assumption and Avoyelles.

President Wells called the meeting to order at half past twelve o'clock.

The minutes of the previous meeting were read and there being no objection they were adopted.

On the part of the deputations from the North in the city there were present, by invitation of the Returning Board the following representatives of the Republicans: Senator John Sherman, of Ohio; E. W. Stoughton, Esq., of New York; General J. A. Garfield, of Ohio; C. Parker, Esq., of New Jersey; General Tuttle, of Iowa, and one reporter.

On the part of the Democrats there were present, General John M. Palmer and Hon. Lyman Trumbull, of Illinois; ex-Governor William Bigler, of Pennsylvania; George W. Smith, Esq., of Wisconsin; Hon. P. H. Watson, of Ohio, and two reporters.

President Wells stated that in an executive session of the board they had established certain rules by which they were to be governed, and to which the attorneys of the different parties would be required to strictly adhere.

Assistant Secretary William H. Green read the rules, which were as follows:

With a view to regularity and expedition in the discharge of the duties of returning officers of elections, the following rules are adopted for guidance:

1. The returning officers will meet at 11 A. M. each day (Sundays excepted), at the place designated for holding their sessions, unless a different hour or place be designated at the adjournment.

2. Upon meeting the presiding officer of the board shall order the roll of members called, and if a quorum be present he shall direct the secretary to read the minutes of the preceding meeting or meetings, unless the reading thereof be dispensed with.

3. The secretary shall keep daily an accurate account of the proceedings of the returning officers.

4. The returning officers will first take up, canvass and compile returns from the parishes where no objection is made to the canvass or compilation of the votes cast at any polling place in such parish or parishes, on account of fraud or intimidation, or other illegal practice; examining in this only to ascertain whether the legal formalities have been complied with in holding the election and making the returns to the returning officers.

5. That after disposing of the parishes as provided in the preceding rule, that then the returning officers take up the parishes in which objection is made to the vote of any or all the polls in such parish; that they shall first canvass and compile the votes at the polls in such parishes to which no objection is made, and then they shall take up the contested polls in such parish; provided, that if it become necessary to delay the investigation of any such polls on account of the absence of witnesses or other evidence, the same may be continued until a day to be fixed by the returning officers; that the returning officers shall decide at the time they are ready to proceed what parishes they will take up first.

6. That all motions made by candidates, or their attorneys, or by other persons authorized to appear before the returning officers, shall be in writing and signed. All arguments presented to the returning officers shall be in writing; no oral arguments to be allowed.

7. The returning officers, if they think it advisable, may go into secret session to consider any motion, argument or proposition which may be presented to them. Any member shall have the right to call for secret session for the above purpose.

8. When any candidate or his attorney, or other person authorized to do so, shall present witness before the returning officers, he shall present interrogatories to be propounded to such witness, which he shall have previously submitted to his opponent, to be crossed at least twenty-four hours, unless such time be named or the cross-interrogatories put before the expiration of that time. In the examination of witnesses the returning officers may interrogate witness beyond the interrogatories when they think it necessary, but neither the candidates nor their attorneys shall examine the witnesses before the returning officers except as above provided.

9. No *ex parte* affidavits or statements shall be received in evidence except as a basis to show that such fraud, intimidation or other illegal practice had at some poll, requires investigation; but the returns and affidavits authorized by law, made by officers of election or in verification of statements as required by law, shall be received in evidence as *prima facie*.

10. That the evidence for each contested poll in any parish, when concluded, shall be laid aside until all the evidence is in from all the contested polls in the several parishes where there may be contests, and after the evidence is all in the returning officers will decide the several contests in secret session, the parties, or their attorneys, to be allowed to submit briefs or written arguments up to the time fixed for the returning officers going into secret session, after which no additional argument to be received unless by special consent.

Judge Spofford offered the following amendment of rules, with the remarks appended:

On motion of Henry M. Spofford, of counsel for William A. Strong and others, candidates on the Democratic-Conservative ticket, it is ordered that all the proceedings of this board henceforward be had in open session, with leave to interested candidates to be present, by themselves or counsel, and that a reasonable number of press reporters for each political party be permitted to attend at all times.

Judge Spofford then offered the following:

Mr. President and Gentlemen—The grandeur of your responsibilities can not be overrated. The eyes of more than forty millions are turned to you. Many of them think that the destiny of the republic for an indefinite future trembles in the balance you hold. The crisis is so grave as to make a proclamation from the President that should there be any grounds of suspicion of fraudulent counting on either side it would be reported and denounced at once." Entire publicity is the only antidote to the poison of "suspicion." I can see no apology for secrecy in any part of your future proceedings. The statute from which you derive your powers makes no provision for private sessions. The habits and traditions of the American people are opposed to such sessions on such a subject. With one voice they ask that no part of this thing be done in a corner. You, Mr. President, remarked the other day that your functions were partly ministerial and partly judicial. The ministerial duties are few and simple. They consist only in the addition and tabulation of votes. There is no call for privacy in applying the rules of arithmetic. In performing all the rest of your duties, the judicial duties, publicity is imperatively demanded. It is essential at every stage of the investigation, in order to insure a just judgment.

I implore you, then, to let the sunlight in; let it shine through all your doings. Adopt this order, so that every whisper in your chamber may be heard to the uttermost extremity of the Union. Thus, and thus only, in my humble judgment, will it be possible for you to reassure a perturbed and anxious country and to establish, through all generations, the righteousness of your interlocutory rulings and final award.

President Wells—I would state that we have given to each party of invited guests places here with the reporters. They will remain with us during the whole of our session. They will see and examine for themselves the opening of all papers, and we have laid our rules down for the purpose of facilitating our count or our action in the matter. We have but a short space of time allowed us—only up to the sixth of next month—and we apprehend if we were surrounded with a multitude of people we shall be disturbed, and our proceedings will be extended beyond that time. We therefore can not accept the gentleman's amendment to our rules.

In reply to the protest filed with us at our last session, we have examined it, and we answer your protest.

The board has considered the protest or objections filed by counsel, and has arrived at the following conclusions:

To the first objection, that the act creating the board has the effect of "creating a government not republican in form or character," seems to us to be a political question that can only be decided by the Congress of the United States.

To the second objection, that this board is vested with judicial power, which is in violation of the constitution, this board is not a court, but a commission appointed by the Legislature with special and limited powers; it has no jurisdiction to decide constitutional questions, such as is presented in this protest. If this board be an unconstitutional body, the courts having jurisdiction to pass on this question are open to any person having the right to contest it.

To the third objection, that this board is not legally constituted: The act creating this board provides for the original organization, and it was originally organized as the law directed; all political parties at that time organized or recognized were represented on the board; at that time there was no party known as the Democratic-Conservative party; there was no provision in the law for a reorganization of the board; so it could not have been contemplated that the board should be changed to suit shifting political organizations that might subsequently be made.

To the fourth objection, that this board should not canvass or count the votes for Presidential electors, as there is no law giving this board jurisdiction. The law creating this board says:

"SEC. 2. That this board shall be the returning officers for all elections held in the State."

This seems to us to cover that for the Presidential electors so clearly that there is no room for doubt; the objection as to whether the "electors" are State or Federal officers, is not material.

To the fifth objection, that this board can not canvass or count the votes cast for Brewster or Levisee as candidate for Presidential electors, for the reason that on the day of the election they were holders of offices of trust or profit of the United States, and were consequently ineligible to the position of electors. This point will be reserved until the evidence shall be produced, merely suggesting that we have doubts as to whether this board can question the eligibility of candidates, our powers being confined to the canvass or compilation of the votes.

Colonel Zacharie—Will you permit me to file an additional protest in the case of members of Congress, whose protest was unintentionally omitted the other day; it covers the same ground?

President Wells—There is no objection to it.

Judge Spofford—Will you allow me to inquire if the board has been filled or is full?

President Wells—The board has not been filled.

Colonel Zacharie—Before proceeding further, perhaps, I should say that we desire—

President Wells—Let us have no discussion.

Colonel Zacharie—I desire no discussion; I give notice of a desire to file a protest to your ruling.

President Wells—When you get that ruling, bring it forward.

Colonel Zacharie—A protest against the adoption of the rules which have been read; will you see that we are supplied with a copy of them?

President Wells—You shall be supplied.

President Wells—The name of Mr. Hu. Kennedy has been submitted to the board to fill one of the vacancies in the board; now we know of but one vacancy, this implies there must be more, and we would be glad to have some information in regard to the question whether the gentlemen contemplate insisting upon another appointment after the appointment to fill this vacancy.

General Anderson—I call for the production of the letter of Louis Bush, vice president and chairman of the Democratic Executive Committee, in which the question was raised.

[The letter was read.]

President Wells—We have taken no action upon it as yet; it will go over subject to call.

Mr. Kenner—I move that it lie over.

Seconded by General Anderson. Carried.

President Wells—If there is nothing further we will proceed to take up some of the parishes.

Colonel Zacharie—I would like to make a protest on the ground that the board is incompetent.

President Wells—Write out your protest.

Colonel Zacharie—I simply ask now that I may reserve the point.

President Wells—I say that the board will proceed to business. It will not be fettered in its transactions by counsel. If you have any motions or any protests, write them out and bring them forward.

Colonel Zacharie—Will the board delay proceedings until I can put in the protest?

President Wells—We can not delay.

Colonel Zacharie—I wish to say that I consider the board incompetent.

President Wells—That is sufficient. We will take notice of it.

Mr. Kenner—I move that we take up the canvass of the returns according to rule four.

Colonel Zacharie—I have a protest on another point. It is desired that counsel for the United States supervisors, with the supervisors, be allowed to be present, as the United States law so authorizes them.

President Wells—Whenever it is necessary to have them present we will call for them.

Colonel Zacharie—I have an opinion of Mr. Baker on that subject and will file it with the board.

President Wells—File it with the board.

Colonel Zacharie—I understand that the board refuses to admit them.

President Wells—You understand me to say so. You understand me to say that whenever the supervisor of any polling place or parish is required before the board that supervisor will be brought forward; or the supervisor asks me.

Colonel Zacharie—I am counsel for some of them, and make my request as such.

President Wells—What parish?

Colonel Zacharie—Orleans.

President Wells—That parish is not under consideration.

Colonel Zacharie—Whenever the parish is called will the privilege of appearing before the board be allowed me?

President Wells—If there is any contest in the parish the counsel for the parties in interest will be sent for. Of course, if there is any contest in any of the parishes that is to be decided.

Frank McGloin—I think the citizens of Louisiana, interested in this matter, ought to have some privileges equal to those of the gentlemen who have come here. I think some of us ought to be present as well as they. Our interest is more close and nearer.

President Wells—We have established a rule and we must observe it. Whenever there is a dispute involving any count in doubt, or any charges of informality, or any illegal proceedings had at the balloting, the gentlemen will be heard. I have stated to counsel that they shall have all necessary information, and we will try and secure them a room in the building for the purpose of facilitating the placing before them such information as is necessary to bring them before us.

Mr. McGloin—Will the board under other circumstances permit us to come in?

President Wells—No, sir. The board will go into executive session.

Mr. McGloin—Are we to see the returns of the parishes of Assumption and Ascension? I understood we were to see them. After we have looked at them we will retire until we are sent for.

President Wells—Do you attempt to make a contest now? There is a proper limit of time specified by law for contesting, and we believe that that time has expired. If there is no contest we shall go on to count; if there is a contest, we will then apprize you of it. We can not tell whether there is a contest until we examine the returns.

Mr. McGloin—It may be that the return is not genuine, and for that reason I believe that you will recognize that we ought to look before the canvass is made.

President Wells—Whenever we doubt the genuineness of a return you shall see it.

Mr. McGloin—You may not know it is not genuine. Our committee has taken the trouble to get duplicates of all the papers filed here, as they came from the boxes, and we have had duplicates of them so far as they affect our interests in the Senate. If we compare these papers with the certified copies we might detect things that would establish them.

General Anderson—Then you would be returning officers as well we are. You filed your returns and we have ours. We have ours under seal, and if they look as though they had been tampered with in any way we will inform you of it; but when they come here as official documents, authorized to be taken charge of by the proper officers, we take them as official documents. They are delivered and kept filed in the proper offices.

Mr. McGloin—The thing may be tampered with, and even an expert can not tell you what has been tampered with.

General Anderson—How do you know that the board has not been tampered with?

Mr. McGloin—We will introduce evidence to that effect.

General Anderson—Well, when the contest arises we will hear your evidence.

Mr. McGloin—I submit that we are estopped by the action of any of the supervisors between the time they have deposited the papers and the bringing of them here, and the will of the people will be defeated by anything they may do. It will not take more than fifteen minutes to make an examination.

General Anderson—We are authorized by law to do that, and when you submit your evidence the contest will be taken under consideration by the board, and it will give its opinion.

Colonel Zacharie—We desire to make our objections to the count of some of the parishes.

General Anderson—We don't want you to make objections where there are none. The presumption is that the papers are correct, if in proper form and under proper signatures.

Colonel Zacharie—We would like the opportunity to examine the papers. We desire to challenge the returns and offer testimony to show that they ought not to be considered by the board.

President Wells—I have this to say—it is only a repetition of what we have said—that you shall be apprised of anything that is even suspicious; but we will not consent to be hampered by attorneys. We must go on with our duties, and we can not consent that you shall come in and make a protest where there is none and we might suspect it was for delay. We want to get through just as quick as we can, with as little difficulty and trouble as possible. Therefore we must adhere to the ruling that we go into executive session and examine the papers, and the gentlemen from other States and their visitors will remain, and they will be invited to see us open the returns. If there is no dispute in the returns, then we take it that the thing is regular.

Judge Spofford—The history of this State is that the returns have been tampered with before, and these gentlemen, who know nothing of us, will be incompetent to detect anything of that kind. These other gentlemen, who have been perfectly familiar with every parish, interested counsel for candidates, it does seem to me, that they should be present to see papers and make their objections in time.

President Wells—You shall see the papers.

Judge Spofford—But we may be met with the statement that it is too late.

J. R. Alcee Gauthreaux—Will the result be announced when the counting is concluded by parishes and wards?

President Wells—Not until the board makes up its finding.

Mr. Gauthreaux—Our purpose in making this request is to give us an opportunity of objecting at the proper time. If, after the board has made its finding, we detect that something wrong has been done, all doors are closed to us, because, under the law which the gentleman quotes, the action of this board is final. No court can review it.

President Wells—I told Colonel Zacharie, I think, on Saturday, that there was no lawyer in court, and hence no snap judgment would be taken. You shall know everything that is done.

Mr. McGloin—I suppose when you get through, and before you come to your final conclusion, you will allow us to look at the papers, and if we detect any such error or rascality as there might be, that then you will allow us to offer our evidence, and if our claim is well sustained, you will review your action in such parish as irregularity is shown?

President Wells—Whenever there is a contest, I must adhere to what I have said. Before we submit our finding you shall see them.

The president then announced that the board would go into executive session, and counsel were expected to retire.

Mr. McGloin asked if he understood that the counsel for candidates were ordered to retire.

President Wells—If that means order to retire you can put your own construction on it, sir.

Judge Spofford, not hearing the request for retirement, asked that it be repeated. He then said: "I can not remain as counsel for my clients, candidates?"

President Wells—You must be governed by the rule.

Judge Spofford—And that excludes me?

President Wells—If you consider it exclusion, yes.

Judge Spofford—I will leave my protest in writing.

President Wells—Send it in.

Judge Spofford—Will there be a doorkeeper by whom I can send it in?

President Wells—Yes, sir.

EXECUTIVE SESSION.

General Anderson made the announcement that such gentlemen as were present from both parties, not citizens of the State, were invited to remain. Thereupon the doors were closed, and none but the Returning Board, invited guests, stenographers and officers of the board were permitted to remain.

Senator Sherman stated that there were five gentlemen on their committee, all of whom were present, and one reporter. They did not ask that the privilege be extended to others.

The returns of the parish of Ascension having been brought in, President Wells invited Governor Palmer to take a seat at the table with the board and see them open the returns.

Governor Palmer—I don't know anything about them.

President Wells—Anything in the way of information we will give you with pleasure.

Mr. Stoughton, on the part of the Republicans, was also asked to witness the opening of the papers.

President Wells then explained that the supervisor of the election puts his name and the name of the parish on the papers and sends them to the Returning Board either by mail or brings them himself. The board keep a book showing how they were received. The returns of the Ascension precinct were received from the returning officer himself.

Having concluded his explanation President Wells directed General Anderson to open the returns from Ascension parish.

General Anderson—Is there any protest against the parish of Ascension?

The clerk—No, sir.

Mr. Trumbull—Is there no date on the package? Does not the register date when the supervisor received it?

President Wells—That is done in the parish, where they get a certificate of the officers. We keep a minute of everything.

The polls of the twelve precincts in the parish of Ascension were then examined and found to be regular in form. Accompanying the returns was the consolidated statement of the votes of the entire parish, to which was attached the certificate of the supervisor, Louis Lafert, that the returns were correct, sworn to before H. O. Maher, parish judge, on the fourteenth of November, 1876, and certified to by the clerk.

Mr. Kenner called upon the clerk of the board to produce from the Secretary of State the record as to who was the supervisor of Ascension parish. This was done, and it was found that the names on the record and the returns corresponded.

Governor Palmer asked to be allowed to inspect the returns of the parish under canvass. The right was freely accorded, and after having apparently satisfied himself he returned them to the board, and the board began the count, Mr. Kenner reading the votes for the different candidates in the different precincts, and General Anderson comparing them with the consolidated statement above referred to. The result was as follows:

Kellogg	2071	McEnery	1197
Burch	2074	Wickliffe	1197
Joseph	2074	St. Martin	1198
Sheldon	2074	Poche	1200
Marks	2069	DeBlanc	1198
Levisee	2073	Seay	1197
Brewster	2073	Cobb	1197
Joffroin	2071	Cross	1197

It appearing that there was a duplicate copy of returns from the twelfth precinct of the parish under consideration, on the request of Governor Palmer for an explanation, General Anderson stated that it sometimes happened that the original return was sent to the clerk's office and the duplicate to the board.

In answer to General Garfield, General Anderson stated that the highest Republican elector in the parish of Ascension received 2074 votes; the highest Democratic elector 1200 votes. Also, that the lowest Republican elector received 2069 votes, and the lowest Democratic elector received 1197.

General Anderson also stated that when the returns were made under the seal of the court, and certified by the clerk of the court, the presumption was that they were correct, and as they verified the returns, and used proper care, the opportunity for fraudulent substitution was almost impossible. It was very easy to detect anything of the kind, because the people of the different parishes knew the results of their own parishes.

Governor Palmer, at this point, took the occasion to say that he deemed it his duty to state that the count of the parish just declared conformed in every particular to the returns held by his party.

President Wells called for the count of the returns from the parish of Assumption. The returns were accompanied by the certificate of the supervisor, sworn to on the seventeenth of November.

The poll of Assumption parish was compared with the consolidated statement of that parish, and found to be correct. It was declared by General Anderson, as follows:

Kellogg	1691	McEnery	1687
Burch	1691	Wickliffe	1686
Joseph	1692	St. Martin	1685
Sheldon	1692	Poche	1679
Marks	1692	DeBlanc	1680
Levisee	1692	Seay	1686
Brewster	1691	Cobb	1678
Joffroin	1691	Cross	1680

Mr. Smith, of Wisconsin, stated that the Democrats had in their possession a Democratic count, and it tallied exactly with the poll just counted by the board.

Governor Palmer desired to know how the board knew there was no contest without making an examination of the papers. Was it because it did not say so on the outside of the wrapper?

The assistant secretary of the board, Mr. Green, explained that the board of supervisors noted under the head of "remarks" in the consolidated statement, if there were any irregularities or anything of that kind that was the place where it appeared.

It appeared that the tally sheet of the parish was not in the sealed package of returns. It was announced, however, on the conclusion of the poll, that it was in the box.

The president then demanded to know whether there was a protest against the returns for Avoyelles parish. None was presented, and the poll of the parish then proceeded, as follows:

Kellogg	1504	McEnery	1470
Burch	1504	Wickliffe	1471
Joseph	1504	St. Martin	1471
Sheldon	1504	Poche	1471
Marks	1505	DeBlanc	1471
Levisee	1504	Seay	1471
Brewster	1505	Cobb	1470
Joffroin	1504	Cross	1470

Governor Palmer announced that the poll, as given above, differed from the poll in the possession of the Democrats in the case of DeBlanc, the latter giving him but 1469 instead of 1471, as in the above return.

Adjourned until eleven o'clock to-day.

To be Hanged.

Several days ago Allen Johnson murdered Joseph N. Galtney, an old man, in Tensas parish, which is his second bloody crime. He was convicted and sentenced last June for murder, but made his escape and while at large killed Galtney. He was then captured, and the people were so incensed that they intended to lynch him. The authorities of Tensas parish telegraphed to Attorney General Steele last Sunday, requesting Governor Kellogg to sign Johnson's death warrant and have it forwarded at once. Governor Kellogg yesterday morning signed the warrant, fixing next Friday for the day for execution. The document has been dispatched, and the murderer has but a short time to pray for forgiveness of his sins.

Personal.

Mr. Howard Carroll, of the New York *Times*, arrived in this city Sunday morning. He is an active correspondent, and has shown positive ability in getting at political facts. By his graphic letters from South Carolina and Florida Mr. Carroll has greatly aided the *Times* in the noble and fearless course which that popular paper has taken during the present campaign.

Now or never.
Now or never.
Fortune don't wait.
Fortune don't wait.
Tickets only $20 in the Extra Drawing
Tickets only $20 in the Extra Drawing
Tickets only $20 in the Extra Drawing
Can win $50,000.
Can win $50,000.
Can win $50,000.

The Temperature.

The thermometer at Louis Frigerio's, No. 50 Chartres street, for the past two days stood as follows:

November 19—At 8 A. M., 48°; at 2 P. M., 57°; at 6 P. M., 54°.

November 20—At 8 A. M., 42°; at 2 P. M., 58°; at 6 P. M., 55°.

Lowest point during the nights of November 18 and 19, 38°.

HISTORICAL REMINISCENCES

Jurisdiction of the Returning Board as Understood by Archie Mitchell.

Our Democratic friends will without doubt be grateful to us for giving them the views of any prominent man of their party upon the powers and duties of the Returning Board, and the causes for which said board may throw out votes. We append the following from Mr. Archie Mitchell's testimony before the Louisiana investigating committee. Mr. Mitchell places himself squarely upon record as to his views of the jurisdiction of the Returning Board. We quote page 397, Louisiana Investigation Report:

Question—Do you know anything about the parish of Iberville, of which we are talking.

Answer—I examined that parish personally, and *read the affidavits*.

Question—What was the reason, state generally, why they were thrown out?

Answer—The reason was *because of intimidation—apprehension for their lives*.

Question—On the part of the officers?

Answer—The officers. That is the *substance of the matter, as set forth in an affidavit*. I looked over that generally. The documents are here. * * * *

Question—Were these colored people who threatened this violence?

Answer—Yes, sir, it is my recollection that they were, *but we counted a large number of affidavits*, and I may have mixed them up some. * * * Page 398.

Question—Are you speaking from hearsay?

Answer—*I am one of the Returning Board.*

Question—You speak from reading the testimony?

Answer—I am speaking from my recollection of the testimony; my colleague did not examine it personally as I did.

As a member of the Fusion Returning Board Mr. Mitchell assumed the largest jurisdiction for the Returning Board in the matter of its judicial functions. As Republicans we are glad to have the concurrence of so eminent a Democrat as Mr. Mitchell in our views as to the duty of the Returning Board and its powers under the existing election law.

Jurisdiction of the Returning Board, as Understood by Benjamin R. Forman.

Benjamin R. Forman was a member of the Fusion Returning Board of 1872. The returns of that year were canvassed under identically the same law in force this year. Mr. Forman's views as to the powers of the Returning Board are clearly set forth in his testimony before the Senate investigating committee. We copy from their report, page 77, as follows:

Question—In making your count of the vote, did you reject any of these returns?

Answer—Yes, sir; we rejected a few. Here are those we rejected. * * * The whole vote of the parish of Iberia, *in consequence of violence and intimidation established by the affidavits of a large number of citizens.* The whole vote of the parish of St. James, *because the returns were incomplete, and because the ballot boxes were taken possession of by armed men not authorized to do so.* The whole vote of the parish of St. Martin, *on account of violence and intimidation at the polls by United States troops and armed bands of colored men styling themselves deputy United States marshals. There were the affidavits of a great number of citizens, which was the evidence required by the law for us to act upon.*

Mr. Forman evidently had no doubt as to the *power* of the board of which he was a member to *throw out* votes for proper cause. The Republican board, acting under the same law, will discharge its duties as fearlessly as the "Forman board" of 1872 did theirs. As the Fusionists in that year justified the action of their board, they will of course see the justice of the present Returning Board, acting under the same law, doing precisely the same thing.

Amusements.

The great drama of "Rose Michel," which was played at here once by amateurs was acted at the Varieties Theatre last night by the new stock company for the first time in this city. The story hinges upon a murder committed by the keeper of a wineshop near Paris. The wife of the murderer is an innocent witness of the tragedy, which was enacted for the purpose of robbing the victim. The wife's mouth is sealed that the prospects of her daughter, who is about to be married, may not be blighted by family disgrace. Suspicion falls upon an innocent nobleman, whose mother had greatly befriended the murderer's wife, *Rose Michel.* Upon *Rose* falls the burden of the piece. She struggles with the conflicting desires to vindicate justice, to denounce a criminal, to save a friend and benefactor, to protect the heart and hopes of her child. Miss Rosa Rand makes the most of this strong emotional part. The only moral defect in the play is put in the form of an honest woman shielding crime, not because she loves the criminal, but because a mistaken and perhaps selfish affection for her child makes her cowardly in the face of duty and justice. In the pathetic and powerful acting of Miss Rand this is over looked, and at last the heroine makes partial atonement by forcing her husband to assist at the escape of the innocent prisoner. The husband is shot and killed while so engaged, and so comes retribution and the truth of the mysterious murder. Mr. Wheelock plays the sullen and ungrateful part of *Pierre* with skill and ability. A fine audience witnessed the performance last night, and was visibly affected by the absorbing story and realistic acting. Mr. Dressel's scenery was excellent. That for the fifth act, showing the prison at Chatlet, with a view of the Seine and Paris by moonlight in the distance, was in his best style of art. The drama will be repeated until further notice.

Mr. DeVivo, manager for Mlle. Ilma De Murska, has engaged the Opera House for a season of Italian opera in this city, to commence about the middle of December. He is negotiating for the appearance of Castelmary and Palmeiri, the new prima donna, and promises to give performances worthy of the patronage of the lovers of opera.

Appointment.

Governor Kellogg has appointed John W. Washington commissioner of deeds for St. Louis, Missouri.

Be warned in time.
Be warned in time.
Be warned in time.
December 4 is the lucky day.
December 4 is the lucky day.
December 4 is the lucky day.
Grand Extra Drawing
Grand Extra Drawing
Louisiana State Lottery Company.
Louisiana State Lottery Company.

BY TELEGRAPH

WASHINGTON.

Barr on Army Movements.

WASHINGTON, November 20.—Several companies of soldiers have arrived here and others are coming. This is made the basis for sensational paragraphs about massing the army in the District. There are assurances that these troops are merely en route, and their movements have no strategic or political significance. It is likely, however, as the District has no local government, that the army will police the ten mile square until after the fourth of March.

The movement of troops, so far as regards concentration here, has no political significance. Three members of the Cabinet, including the Secretary of War, had no knowledge that they were coming.

The War and Navy Departments were to-day the special objects of attraction to many persons seeking information about the various rumors which have been circulating here and elsewhere, all of which tended to occasion excitement. They referred principally to the movements of troops in this direction and naval maneuvers and other acts of similar import to direct questions to the meaning of the congregation of troops in this city.

Secretary Cameron unhesitatingly responded that there was no significance whatever in the presence of troops here. They belong to this military department, and this is a convenient and economical point for stationing them. The Secretary of War further remarked that no additional forces of troops would be ordered to this point.

The Secretary of the Navy, responding to inquiries as to the concentration of naval forces hereabout, denies emphatically every rumor to that effect. The vessels of the navy are, he said, pursuing the usual routine avocations, without extraordinary orders or movements whatever, and there is nothing in any recent suggestion or direction from the Navy Department to the commanders of naval vessels which can be construed into an act which ought to occasion the slightest sensation or excitement.

Cabinet officials freely talk upon the question of the significance attending the movements of troops northward, denying, as is herein mentioned, that it has any extraordinary meaning. But upon the subject of several extra Cabinet sessions during Friday and Saturday of last week, which are reported to have been held not only at the executive mansion, but at the Department of Justice, and assertions are also made at the private residence of a very prominent member of the Cabinet, there is abolute reticence, and no information can be obtained.

There are indications that the usual Cabinet session of last Friday, at the close of which the members repaired to the office of the Attorney General, and were engaged for some time in consulting statutes, was a session of very deep interest, and was followed by several other consultations, in addition to which it was noticeable that one or two very prominent members were actively visiting other departments, and while there is no positive official knowledge, it is generally believed that impressions have met prominent government officials that it is well to be prepared for any contingency, however remote it may be, that can arise in the future, and out of the present complications. Even this statement is not made by the Cabinet officers, but other officials and persons who hold intimate political relations with members readily so express themselves.

Among the reports which have had currency is one to the effect that at a meeting Friday night ex-Governor Dennison, of Ohio, with one of the commissioners of this District, was present, and that on Saturday Chief Supervisor Davenport, of New York, and Governor Dennison were together in consultation with the Attorney General. There are several other rumors afloat of less interest, but generally there is no confirmation of them authorized by any high authority.

In addition to what has been said by the General of the Army, Secretary Cameron and Secretary Robeson, Secretary Chandler said to-day that this military movement was not a formal act of the administration, but an ordinary army movement. He himself did not know that any companies had been ordered here, and is not aware that any more are coming. He thinks it just as well to have them stationed here as elsewhere, and in fact better, because it is a cheaper place to feed them than most other places.

Marshal of Kentucky.

The commission of Weden O'Neil as marshal for Kentucky has been signed.

Second Artillery.

General Barry, commanding at Fortress Monroe, has been ordered here. Most of the troops here belong to his regiment.

POLITICAL.

North Carolina Legislature.

RALEIGH, November 20.—The Legislature of this State, more than two-thirds Democratic, met to-day and organized. It elects Senator Ransom.

Tilden's Majority in Alabama.

MONTGOMERY, November 20.—Tilden's majority in Alabama is 34,384.

FOREIGN.

A Polish Plot.

LONDON, November 20.—The *Standard's* dispatch from Berlin says the Russian police profess that they have discovered a plot in Poland. The Roman Catholic Bishop of Zytomierz, in the province of Volhynia, has been arrested and imprisoned at Moscount. Several Polish curates have been thrown into prison at Warsaw.

All dealers in arms are subjected to stringent regulations.

Tchernayeff in Disgrace.

A telegram has been received in Vienna stating that General Tchernayeff has been superseded in the chief command of the Servian army by General Semeka, formerly commander of the Russian military district of Odessa.

The Winchester Spinners.

The Operative Spinners' Association held a meeting at Winchester, and, while justifying the Blackburn strike, directed the men to return to work. This action averts a lockout which would have affected 80,000 Lancashire operatives.

Applying for Letters of Marque.

The Berlin *Post* asserts that several Americans have applied to the Russian government for letters of marque to be used against English shipping in the event of war.

Loss of Life—A Contingent for Egypt.

Official returns at Calcutta give the loss of life by the cyclone at 215,000.

The Calcutta *Pioneer* says the Indian government is preparing a strong contingent for Egypt in case of war.

The Russians.

The *Daily News'* Vienna correspondence says positively neither Germany nor Austria would oppose Russia's entrance into Roumania.

The strength of the Russian army now in process of mobilization is 250,000. The ships of the Russian Black Sea Navigation Company have been impressed.

Serrano Determines to Retire.

The Madrid *Imperial* says: Marshal Serrano has determined to retire to private life.

A Hopeful View.

Sunday papers generally take a more hopeful view of the situation. The *Times* says this morning matters open so fairly that we are, perhaps, led to be too sanguine in holding that peace is assured.

It is hard to believe that when ten persons, all representing powers deeply interested in keeping the peace, meet in council, they will not maintain peace unbroken.

Turkey's Rights.

Turkey has sent a note to Bucharest asserting her right to send troops to Wallachia in the event of Russian invasion.

A Special Ambassador.

The Marquis of Salisbury, special ambassador, to act at the coming conference, left for Constantinople with his family. He will stop at Paris, Berlin and Vienna, presumably for consultation with the respective foreign ministers.

A Denial from Rothschilds.

The *Pall Mall Gazette* publishes a letter from Rothschilds, completely denying the story published in the Cologne *Gazette* on Saturday, that they have promised to advance Russia money.

Activity at Woolwich.

Careful official contradictions are published this morning of recent reports of activity at Woolwich arsenal, where, the *Post* stated on Saturday, an order had been received for 40,000,000 cartridges, and 40,000 ammunition boxes in which to pack the cartridges for transportation. The incessant demand for cartridges is solely in consequence of the adoption of the Martini-Henry rifle in the Indian army.

Mail Steamer Wrecked.

The mail steamer Windsor Castle, plying between Great Britain and the Cape of Good Hope, has been lost. The crew and passengers are saved.

The British gunboat Lapwing is reported lost in a gale off Chafoo.

The Captured Steamer Moctezuma.

HAVANA, November 20.—It is reported that the steamer Moctezuma was seen near Tortugas island, off the Venezuela coast, making for Laguayra. A Spanish war ship has gone in pursuit. An eye witness of the seizure of the Moctezuma says: Eighteen passengers, including four women, came aboard at Puerto Plato. The men demanded the surrender of the steamer in the name of the republic of Cuba. The female passengers on the Moctezuma were apparently accomplices, having made various demonstrations after the capture of the steamer in favor of the captors. The cargo of the vessel consisted of fifty cattle, some 2000 bags of coffee, 1500 bags of corn and numerous packages of dry goods from St. Thomas.

The Italian Parliament.

ROME, November 20.—The Italian Parliament opened to-day. The King, in his speech from the throne, referring to threatening events transpiring at the present time, expressed confidence in the success of the counsels of moderation to which his government had given effectual support.

The Question of Church and State.

The King, in a speech from the throne regarding the relations between the Church and State, said that the extensive liberties granted the Church ought not to impair public liberties. The government would therefore propose bills for rendering efficient the reservation in the laws respecting the Papal Church.

MISCELLANEOUS.

An Easterly Storm.

NEW YORK, November 20.—An easterly storm prevailed here since Saturday night. Considerable damage in this city. Weather reported very rough outside of Sandy Hook.

A Murderer Disposed Of.

MEMPHIS, November 20.—Joe Chase, who waylaid and killed Leon Cohoupe, a French dairyman, on Hernando road, near this city, last November, was to-day sentenced to twenty years' imprisonment at hard labor.

Convention of Railroad Men.

A large number of general ticket and passenger agents of leading Southwestern railroads are in this city to attend a convention to-morrow for the adjustment of passenger rates over their respective roads.

A Pilotboat Wrecked.

SAVANNAH, November 20.—The pilotboat Meta capsized off Tybee at 6 P. M., November 17. Captain M. P. Ursina and two colored boys were on her. One of the boys was washed off, and the others were rescued by the steamship Rapidan at 5 A. M. to-day.

Baltimore and Ohio Railroad.

BALTIMORE, November 20.—At the regular annual meeting of the stockholders of the Baltimore and Ohio Railroad Company John W. Garrett, president, submitted the fiftieth annual report of the president and directors to the stockholders. Total revenues of the road, branches and connections for the fiscal year ending September 30, 1876, $15,031,235. The expenses of working and keeping the roads and machinery in repair amounted to $9,609,856, being 56.18 per cent upon the earnings, showing a decrease of 2.56 per cent compared with the previous year's earnings. Steam and branches in comparison with 1875 have decreased $881,817, and working expenses have decreased $765,165, making a comparative decrease in the net profits of $116,652.

The surplus fund, representing capital derived from net earnings invested in branch and connecting roads and other improvements, $36,022,365; entire mortgage indebtedness in currency and sterling, $28,163,929; showing an excess of surplus fund above the entire mortgage indebtedness of $7,853,435. Eight hundred and forty-two thousand six hundred and forty-three barrels of flour and 17,517,946 bushels of grain were brought to Baltimore during the fiscal year. Of this aggregate of grain 15,948,107 bushels were corn.

Probabilities.

WAR DEPARTMENT,
Office Chief Signal Officer,
Washington, November 20, 1876—4:30 P. M.

For the South Atlantic States, cool westerly winds, backing to warmer southwest, with stationary or higher pressure, and clear weather will prevail.

For the Gulf States, Tennessee and the Ohio valley, warmer southerly winds, falling barometer and partly cloudy or clear weather.

For the Middle Atlantic States, northeast backing to cooler northwest winds, falling followed by rising barometer, cloudy and rainy weather, clearing away at Southern stations.

Cautionary signals continue from Cape May to Eastport, Maine.

River and Marine News.

SOUTHWEST PASS, November 20.—Wind northwest. Arrived—Steamship Lone Star, Forbes, master, from New York, to Charles A. Whitney. Sailed—Steamship Texas, for Liverpool; ship Ajax, previously reported below, for Galveston.

VICKSBURG, November 20.—Weather cold and cloudy. Down—Alice, at 9 A. M.; Grand Republic, at 6 P. M. Up—