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THE RETURNING BOARD

SECOND DAY'S SESSION.

Parishes of Calcasieu, Cameron, Pointe Coupee, St. Bernard, St. James and St. John Canvassed.

President Wells called the board to order at 11:30 A. M. There were present of the board Messrs. Wells, Anderson, Casanave and Kenner.

The minutes of the preceding meeting, excepting the report on rules and the protests, were read and approved.

There were present on the part of the Republican delegation Messrs. Stoughton, Hale, Parker, Van Alen and Beardsley; on the part of the Democratic delegation the same gentlemen were present as on the previous day, including also the Hon. George W. Julian.

Mr. Kenner moved that the board go into executive session.

General Anderson stated that there were no petitions or motions to come before the board.

President Wells stated that the board would wait a few minutes, and that if there was nothing presented to the board they would then go into executive session.

Colonel Zacharie asked permission to file two protests.

President Wells stated that the protests would be taken under consideration, and then announced that the board would go into executive session, and take up the parishes.

The following papers were handed in by Mr. Zacharie:

To the President and Members of the Returning Board of the State of Louisiana:

GENTLEMEN—The undersigned, of counsel for Democratic Conservative candidates, hereby formally object, protest and except to the rulings made this day, November 20, 1876, on the following points, and for the reasons hereinafter specified:

1. They object, except and protest to the ruling of the board by which they are excluded from attending the sessions of the board on the opening of the returns, and prevented from examining the returns in order to ascertain by comparison with the official duplicates in their possession if such returns are the originals returned by the officers of election, or whether the same have been altered or fraudulently changed in any respect; that by said ruling the candidates, represented by counsel, are prevented from challenging or objecting to any returns which may be fraudulent in their character, vitiating them as official returns, all of which ruling and its effects are contrary to law and in direct opposition to the rulings and practice of the present board in 1874.

2. They especially object protest and except to the ruling of the board by which the said board is proceeding to count and compile the returns when the board is incomplete, having a vacancy, because section two, act No. 98, 1872, under which the said board is organized and now assuming to act provides that: "In case of any vacancy by death, resignation or otherwise by either of the board, then the vacancy *shall be filled* by the residue of the board of returning officer;" thus making it mandatory upon said board to fill all vacancies which may from time to time occur, wherefore they object protest, and except that said action in not filling said vacancy and proceeding without so doing is illegal, informal and the proceedings of said board null and of no effect until said formality is complied with.

3. That they further protest, except and object to the rules this day adopted by said board, because said rules conflict with the interpretation and practice of said board in similar cases during its session of 1874, and counsel further especially object, protest and except to rule seven, this day adopted, whereby secret sessions may at any time be ordered, as contrary to and not provided for by law, and contrary to the construction and practice of said board during its sessions in 1874

F. C. ZACHARIE,
E. A. BURKE,
CHARLES CAVANAC,
F. McGLOIN,
J. R. ALCEE GAUTHREAUX,
H. C. BROWN,
Of Counsel.

To the President and Members of the Returning Board of the State of Louisiana:

GENTLEMEN—The undersigned, counsel for Democratic United States supervisors of election, duly appointed and qualified as such, do hereby, except, protest and except to any ruling made this twentieth day of November, 1876, or that hereafter may be made, whereby they are deprived or may be deprived of the right of being present during the entire canvass and compilation of the results of the election lately held in the State of Louisiana, wherein Electors for President and Vice President and members of the Forty-fifth Congress were balloted for, and the results of which said board is now canvassing.

That under the fifth section of the United States act of February 28, 1871, they are "to be and remain where the ballot boxes are kept at all times after the polls are open until each and every vote cast at said time and place shall be counted, and the canvass of all votes polled be wholly completed and the proper and requisite certificate or return made whether said certificate or return be required under any law of the United States or any State, territorial or municipal law."

That under said law United States District Attorney J R Beckwith, under date of October 30, 1872, gave his written official opinion for the instruction and guidance of persons holding the offices now held by protestants wherein said United States district attorney said, "It can not be doubted that the duty of the supervisors extends to the inspection of the entire election, from its commencement until the decision of its results. If the United States Statutes were less explicit there still could be no doubt of the duty and authority of the supervisor to inspect and canvass every vote cast for each and every candidate, State, parochial and Federal, as the law of the State neither provides nor allows any separation of the election for representatives in Congress, etc., from the election of State and parochial officers. The election is in law a single election, and the power of inspection vested by law in the supervisors appointed by the court extends to the entire election, a full knowledge of which may become necessary to defeat fraud." In which opinion the Attorney General of the State of Louisiana coincided.

Wherefore, protestants claim admittance to all sessions of the Returning Board, and protest against their exclusion as unwarranted by law, as informed by their attorneys has been done and is contemplated to be done hereafter in said proceedings of said board.

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The sergeant-at-arms was then ordered to clear the room of all except the invited guests and their reporters, and the business of executive session was proceeded with.

President Wells informed Judge Trumbull that he had the right to invite any of his friends who were present from other cities to remain in the room, and the same courtesy would be extended to the gentlemen on the other side.

Judge Trumbull—I am not aware there are any.

President Wells—Mr. Stoughton, if you have any friends, invite them to remain.

Mr. Stoughton—We are very much obliged to the board, but we have no gentlemen here.

Judge Trumbull—I believe there is nobody here except Mr. Julian. He is not on the committee.

President Wells then asked what parish should be taken up.

Judge Trumbull—I desire to ask for information. How near are all the parishes in?

The clerk—There are eight yet to be heard from.

General Anderson—The north Red river country is not in yet. Let us take up Catahoula. Is there any contest in that parish?

The clerk—No, sir.

President Wells—Bring it in. In Claiborne, I understand, there is a contest.

Judge Palmer—How do you determine whether there is a contest or not in a parish?

President Wells—It is filed and sent with the returns in some instances. They come in two packages sometimes.

Governor Palmer—Can you tell in every instance?

President Wells—Not unless the returns are accompanied by a protest.

Governor Palmer—You have not yet reached any parish where there is a contest.

President Wells—We are passing them over, as, for instance, East Baton Rouge.

Mr. Van Alen—How many parishes are there which have not come in? How many are there altogether?

General Anderson—There are eight parishes which have not got in. There are fifty-six altogether.

Mr. Van Alen—Have you any way of knowing when the returns will come in?

President Wells—No, sir; none.

General Anderson—Communication with the eight parishes that have not been heard from is by steamboat and by mail. Some go through from Shreveport to Galveston, and from Galveston here.

Mr. Van Alen—Have you copies of the returns of these parishes?

General Anderson—No, sir; but we can go over the parishes that are in.

General Anderson here read a letter accompanying a protest sent in by Messrs. Kennard, Howe & Prentiss.

Mr. Hale—What parish is that from?

General Anderson—They sent the letter in yesterday. I received it and filed it with the clerk.

Governor Palmer—Is this letter from a firm here in this city?

General Anderson—Yes, sir.

Mr. Smith—When a protest is on the part of a State officer, do you lay it over, or canvass for the presidential electors?

President Wells—Where there are frauds or irregularities we shall delay counting that vote in regard to the presidential electors; if there are no irregularities in the vote we shall proceed.

Mr. Smith—I see one gentleman here is a candidate for justice of the peace, and another for constable. They desire to be heard. I suppose they are only concerned in their own offices?

General Anderson—That is all.

Mr. Smith—Will you then withhold the canvass for the presidential electors?

President Wells—No sir, I can not.

Mr. Smith—If no protest is sent with the papers and no other evidence is offered of fraud except by letters, I desire to ask whether you will proceed to canvass for the electors and leave the canvass in regard to the State officers until the parties can be heard from?

President Wells—Generally the question comes up as to the legality of the votes. If that is the case, and it affects the electoral ticket, it must lay over.

Mr. Smith—Even though no specific objection is made?

President Wells—Yes, sir.

General Anderson—I now give notice that when the parishes composing my district are called up, I do not desire to be present, as I am ready to admit that my competitor has been elected.

President Wells—In case you withdraw you might go over the count.

President Wells here made the announcement that the electors of the districts in which there was a dispute must be excluded, but the electors at large could, at any time, be present when there was a dispute arising in any of the parishes.

Major Beardsley—I understand you, Mr. Chairman, that whenever there is a contest in relation to the electors that those at large, whether the contest is in any parish or in any district, may be present?

President Wells—Yes, sir.

Major Beardsley—But that where it is local there can only be present those who are electors of districts where there is a contest?

President Wells—Yes, sir.

President Wells—I call for the parish of Catahoula.

Judge Trumbull—The returns of this parish don't seem to have the supervisor's indorsement on them.

General Anderson—This says returns of the parish of Catahoula, Charles F. Bell, chief clerk, consolidated returns, statement of votes.

President Wells—It contains a statement of the votes, does it not?

General Anderson—Yes, sir, but it is not signed by the supervisor outside at all.

President Wells—You had better open it and see whether it is not inside.

Judge Turmbull—On the outside there would be nothing to show that it had not been opened?

General Anderson—Nothing, except the seal.

Judge Trumbull—Anybody can put that on.

General Anderson—But we can see inside, and see what it is. Let us look at Concordia parish; that is signed N. H. Nutt, supervisor.

President Wells—Who is the supervisor of Catahoula?

Judge Trumbull—Ought that not to have been receipted for?

President Wells—Bring us the receipt book to see on what day it was received, whether by mail or otherwise.

The Assistant Secretary—This package was received November 17.

President Wells—By whom does it say it was received?

The Assistant Secretary—It says "received from the State Registrar November 16; election returns of Catahoula parish."

Judge Trumbull—Received from the State Registrar? Is he the proper person to have custody of it?

General Anderson—The law says return to the State Registrar or to the board. I suppose the State Registrar sent it here.

Mr. Kenner—Very often the Registrar gets them and sends them to the board.

General Anderson—We may as well open the package and see what it is.

The returns from the parish of Catahoula were then opened. They were signed by C. C. Blackman, supervisor of registration of the parish, and sworn to and subscribed on the eleventh of November, 1876.

President Wells—Has it the seal of the clerk of the court?

General Anderson—I don't see the impression at all, but the signature is that of the clerk of the Twelfth District Court; I know that.

Judge Trumbull—That don't seem to be done like those of yesterday.

General Anderson—They generally fold them up.

Judge Trumbull—The practice is not uniform as to the manner of doing up the returns?

General Anderson—No, sir; it depends upon those who take charge of them and make them up.

Judge Trumbull—How many polling places are there in that district, do you know except by this return?

General Anderson—We only know by the returns and tally sheets. By examination there are fifteen here.

Judge Trumbull—I ask for information simply. Suppose the supervisor left out a poll, how would you know the true number?

General Anderson—We would not know it at all, unless there was a report from the parish.

President Wells—The local candidates attend to that.

Judge Trumbull—I was merely inquiring for information as to the check against such a proceeding.

President Wells—That is the check.

Protests were entered against the count of Catahoula parish by W. F. Miller and Edward B Spun.

General Anderson—It appears that J. Floyd King received fifty-seven votes for presidential elector in the fifth district, and there is no such candidate as J. Floyd King.

Judge Trumbull—Is there any such difference in the votes that you can account for these fifty-five ballots cast for him?

General Anderson—J. Floyd King receives 57 votes for presidential elector in the fifth district; McEnery 62, Wickliffe 62. St. Martin 88, and all the others 88.

Judge Trumbull—That would not account for the fifty-seven votes.

President Wells—To simplify the question, I will state they make a list of the votes. For instance, you see there are 600 votes, and you must see what disposition has been made of those 600 votes. So the supervisor goes over the whole thing and tells how these 600 votes have been distributed through the poll.

Judge Trumbull—It don't appear what the votes are for. Why should they be counted for presidential electors?

General Anderson—It is stated that the election is for presidential electors, and he is not a regular candidate, and the supervisor simply puts him down on the tally sheet and certifies to the votes and where he got them.

Mr. Kenner—Then his name was written on the ticket that was cast?

General Anderson—It is on the sheet here.

Judge Trumbull—That won't do, because here are lots of men on the sheet who are not presidential electors.

President Wells—The count of this parish goes over; it is contested. We can examine it now, and when it comes up we will be prepared to show how it is.

Some further examination was made of the returns from this parish, when it was passed over to be canvassed when the board gets through with the uncontested returns. It appears that the highest Democratic vote in the parish was 933, and the highest Republican 823. The lowest Republican was 817, and the lowest Democrat 872.

Judge Trumbull—When you take up that parish and pass upon it you will find that one man says one thing, and another another. All that comes before you, does it not?

President Wells—Yes, sir; and if there is nothing to change the report of the supervisor we pass upon it as correct.

Judge Trumbull—I notice the statements of the officers do not agree. You observe that?

President Wells—Yes, sir.

Judge Trumbull—I do not know what you do with these cases.

President Wells—We pass upon them.

The board then took up the parish of Concordia, and it appearing that there was a contest in that parish, also, it was passed over under rule four.

Governor Palmer—Do I understand that Claiborne and Caldwell are not in?

General Anderson—No, sir; I believe they are not.

President Wells—We know the condition of Grant parish. The supervisor was run off before the election was had. Here is Iberville.

The secretary—There is a contest there.

General Anderson—We would better take up Calcasieu and Cameron parishes, and I will withdraw.

President Wells—Bring Cameron parish up. General Anderson, you need not withdraw; you may remain in the room.

Judge Trumbull—I would suggest to the board that the gentleman become an eminent citizen.

The return of Calcasieu parish was then brought into the room and opened.

Judge Trumbull desired to know how many polls there were in that parish.

Mr. Casanave answered that there were seventeen.

The returns were examined and pronounced to be correct. The following was the vote of the parish as called off by Mr. Kenner:

McEnery	1298	Kellogg	84
Wickliffe	1288	Burch	84
St. Martin	1294	Joseph	84
Poche	1294	Sheldon	84
DeBlanc	1298	Marks	84
Seay	1292	Levisee	84
Cobb	1292	Brewster	84
Cross	1316	Joffrion	84

Cameron parish was next brought in and examined, and pronounced to be correct. The result was as follows:

Kellogg	52	McEnery	246
Burch	52	Wickliffe	246
Joseph	52	St. Martin	246
Sheldon	52	Poche	246
Marks	52	DeBlanc	246
Levisee	52	Seay	246
Brewster	52	Cobb	246
Joffrion	52	Cross	246

President Wells—Read the commissioner's remarks, Mr. Kenner.

Mr. Kenner—There are none. Walsh is the supervisor, and the return is signed by him.

President Wells—What is the vote on Governor.

Mr. Kenner—The vote stands: Stephen B. Packard 24 and S. B. Packard 28; Nicholls gets 246; Antoine, for Lieutenant Governor, 50; Wiltz 246.

President Wells—There is no informality in the returns; send them to the clerk.

Plaquemines parish was next called for, but, as there was stated to be a contest there, the canvass was not made.

Pointe Coupee was brought in and opened. It appeared that Oscar Joffrion was signed to the return as a supervisor.

Judge Trumbull—Is that the man who is an elector?

President Wells—Yes, sir. It must be the same. It is the same name.

General Anderson—It is the same name. I don't know whether it is the same man or not. There are many persons of that name here. It is a very numerous family.

Judge Trumbull—Where does he live?

General Anderson—In Pointe Coupee.

Judge Trumbull—What is his statement?

General Anderson—There are no remarks at all. He makes returns in duplicate.

Mr. Smith—There is no contest at all, is there?

General Anderson—No contest at all.

The vote of Pointe Coupee was then declared, as follows:

Kellogg	1987	McEnery	1082
Burch	1984	Wickliffe	1083
Joseph	1987	St. Martin	1083
Sheldon	1986	Poche	1084
Marks	1987	De Blanc	1080
Levisee	1988	Seay	1081
Brewster	1986	Cobb	1082
Joffroin	2003	Cross	1067

For Governor—Packard 1943, Nicholls 1096.

Governor Palmer—That corresponds with our returns.

President Wells—I have received a letter from New York, in which you gentlemen are interested as well as myself. I think I would better have it read to the board. Mr. Green, read that communication.

Mr. Green—It is a letter addressed to Mr. Madison Wells, postmarked Hudson, New York, and is as follows:

NEW YORK, November 18, 1876.

Mr. Madison Wells:

Although a stranger to you, and, God knows, I wish I may always continue to be one, I wish to say a few words to you and give you a little advice. If by and through your means, and the Board of Returners, with which you are associated, Samuel J. Tilden should be cheated out of his legal election, "of which here in the North there is no earthly doubt," I would not give the value of a glass of whisky for your life, for five of us have taken as solemn an oath as can be taken, and we have sworn to have your heart's blood in case the farce of counting the votes are pursued in the manner we see by the paper, you and the rest of your Radical nigger tools of a drunken loafer. Like Grants is here, sir. Look to your life, and for fear you may thinks this is a mere scare-crow letter we five are not afraid to subscribe our name, and defy you to do your best, and what is more, we are all American born.

ELIHU GOODWIN.
SAM HEATH.
CHARLES HUNT.
JAMES KEEFE.
PHIL LISK.

Governor Bigler—I hope it will be understood that every person condemns in unmeasured terms that letter.

Governor Palmer—If those are genuine names they are the names of cowardly, lying blackguards, as cordially scorned in the North as here, and wherever there is an honorable man, North or South.

General Anderson—We don't regard these things at all. We received them two years ago every day, and they told us we would be hung to the lamp posts next morning.

President Wells then called for the returns from St. Bernard, St. Helena and St. Charles, but it being ascertained that there was a contest in St. Helena, it was laid over.

The returns from St. Bernard were then inspected and the following result declared:

Kellogg	691	McEnery	336
Burch	691	Wickliffe	336
Joseph	691	St. Martin	336
Sheldon	691	Poche	336
Marks	691	DeBlanc	336
Levisee	691	Seay	336
Brewster	691	Cobb	336
Joffroin	691	Cross	336

For Governor—Packard, 691; Nicholls, 335.

General Anderson—There is nothing wrong in the returns. There are no protests and they are all in form.

President Wells—Send them over to the clerk.

The returns of St. James parish was next taken up and inspected, and the result declared as follows:

Kellogg	1989	McEnery	979
Burch	1991	Wickliffe	979
Joseph	1991	St. Martin	942
Sheldon	1990	Poche	944
Marks	1985	DeBlanc	942
Levisee	1991	Seay	942
Brewster	1991	Cobb	941
Joffroin	1990	Cross	976

For Governor—Packard, 1984; Nicholls, 984.

General Anderson—There is no objection to this return; it is all in form.

President Wells—Send it over to the clerk.

Judge Trumbull—There are no notes by the supervisor, are there?

General Anderson—No, sir.

The returns of the parish of St. Charles were then produced for canvass.

General Anderson read the remarks of the supervisor—C. A. Bossier—showing that the returns had been sworn to before J. B. Martin, deputy clerk for the parish of St. Charles, and that there were two polling places selected and a division made in the commissioners, instead of one polling place as selected by him, and that C. Wise demanded that the polls should be opened at half-past five, and proceeded to swear in commissioners at the polls not appointed by him and before the hour; that the law directed that he should consider the polling places selected by these gentlemen as improper and their acts illegal. The registrar also reported that there were eight more votes in the box in the seventh poll than on the list.

General Anderson—This parish presents the question that we will have to settle, and I suppose we will have to lay it over until we have got through with the uncontested parishes.

The vote, however, was announced as follows:

Kellogg	1242	McEnery	264
Burch	1242	Wickliffe	264
Joseph	1242	St. Martin	264
Sheldon	1242	Poche	264
Marks	1240	DeBlanc	264
Levisee	1242	Seay	264
Brewster	1242	Cobb	264
Joffroin	1242	Cross	264

General Anderson—Now in that parish there were sixteen more ballots in the boxes than there were registered on the supervisor's polling list, and there is a difference of twenty-four votes in favor of the McEnery ticket.

Judge Trumbull—This question you reserve, then?

President Wells—Yes, sir. Lay the returns aside.

St. John the Baptist parish was next taken up, and the result declared, as follows:

Kellogg	1288	McEnery	743
Burch	1288	Wickliffe	743
Joseph	1288	St. Martin	743
Sheldon	1288	Poche	738
Marks	1288	De Blanc	743
Levisee	1288	Seay	743
Brewster	1288	Cobb	743
Jotforin	1288	Cross	743

For Governor—Packard, 1287; Nicholls, 757.

Governor Palmer—We have 743 votes for Poche; your returns give him but 738.

General Anderson—The additions in the returns are correct, giving him 738.

Governor Palmer—I see a very striking discrepancy between our report and the report from St. Charles of thirty-four.

Mr. Smith—The return and the explanation are all there.

President Wells—Are there any remarks on the paper.

General Anderson—There are no remarks; everything is in form.

President Wells—Send it over to the clerk.

General Anderson—How many parishes have we gone over to-day?

Mr. Kenner—We have got through with six—Calcasieu, Cameron, Pointe Coupee, St. Bernard, St. James and St. John the Baptist.

General Anderson—Gentlemen, are you satisfied with the work to-day? We have opened eleven parishes, but we have only gone over six. The balance are contested.

The board adjourned to meet to-day at eleven o'clock.

Rivers.

During the past week the Red, Savannah, Cumberland and Tennessee rivers have remained low and nearly stationary. The Missouri has fallen from four to seventeen inches between Omaha and Jefferson City. The Mississippi has risen seven inches at La Crosse, six at Dubuque, and sixteen at Vicksburg, but has fallen five inches at St. Paul, four at Davenport, ten at Keokuk, twenty at St. Louis, thirteen at Cairo, and six at Memphis and Helena. The Ohio has fallen slightly at Louisville and below, but has risen two feet feet at Pittsburg, and is now rising at Marietta.

Court Items.

The courts are gradually filling up their official corps of officers, regardless of the Returning Board. Yesterday Mr. Edward M. Hunt was sworn in as shorthand reporter of the Fifth District Court. There he will add to the excellent reputation he made last term in the same capacity in the Second District Court.

The Temperature.

The thermometer at Louis Frigerio's, No. 50 Chartres street, stood as follows November 21: At 8 A. M., 45°; at 2 P. M., 60°; at 6 P. M., 59°. Lowest point on the morning of November 21, 39°.

Appointment.

Governor Kellogg has appointed James W. Chapman, of Boston, Massachusetts, commissioner of deeds for Louisiana.

Do it yourself. Get rich.
Do it yourself. Get rich.
Do it yourself. Get rich.
Do it yourself. Get rich.
Buy a ticket in the
Buy a ticket in the
Buy a ticket in the
Grand Extra Drawing December 4.
Grand Extra Drawing December 4.
Grand Extra Drawing December 4.

How Thirteen Votes Were Lost.

The Eureka (Nevada) *Sentinel* says: A certain candidate has lost thirteen votes through making a rash promise to his wife. He had promised that in the event of his election he would buy her a seal-skin cloak and a pair of navy-blue stockings, and she couldn't rest till she told thirteen lady friends all about it. The ladies expressed themselves as "awful glad" to hear it, but threatened their husbands with a suit of divorce if they dared to vote for this particular candidate. "That old cat would look nice in a seal-skin cloak and navy-blue stockings, wouldn't she?" is the way they expressed themselves in speaking of the candidate's wife. Who says that women have no political influence?

POLITICAL NOTES.

"We have had a very exciting canvass and have done our best to beat him, but I freely admit that we have fully demonstrated that Mr. Packard is an honest and upright man. If the count should elect him, I believe Louisiana would get a first rate Governor, if only the people will help him to do right."

This was the utterance of a prominent Democrat and a leading New Orleans financier to a group of friends at the St. Charles last evening. It is indicative of the philosophic spirit with which our people generally are settling down to the conviction that it is far wiser to make the best that can be made out of the declared result than to again engage the commonwealth in revolutionary outbreaks, because certain wished for changes have failed of accomplishment.

In business circles the universal expression is for a speedy decision. Whatever conclusions the Returning Board shall deduce from the facts placed before it, it is hoped will be quickly rendered and every measure adopted that will expedite the the business in hand. The present unsettled state of public affairs is a virtual estoppal to business enterprise of all kinds, which only decision, one way or the other, can remove.

The Houston *Age*, with the same degree of calmness that it discusses the Turkish atrocities, declares that if "the Radical conspirators at Washington attempt to seat Hayes," and thereby "precipitate another bloody civil war"—

Let the carpet-bag Governors of South Carolina, Louisiana and Florida—who are evidently concerned in the deep laid plot—look out, for they will be the first to fall before the fury of an outraged people.

How vividly this brings to mind the martyrs of 1861 who fell victims to "the fury of an outraged" Democracy for believing that Abraham Lincoln ought to be President because he had been elected. But there is a vast difference between then and now, as such promoters of treason as the *Age* and its sort may realize. The nation is thoroughly aroused to the designs of the Democracy to seize the reins of government through the coerced vote of a solid South; and there is no weak and faltering Democrat at the helm of the ship of State.

About all the Republican votes cast in Franklin parish were at a poll on the borders of Tensas, where a moral support was given to the colored people, and the bulldozers were few. The principal polling place was Winnsboro, and here the boys just had oceans of fun. The amusing cusses just called it a "coon" hunt, and enjoyed it better than a circus. There were two Democratic tickets—the "independents" and the "straight outs"—in the field; and both sides agreed that they had no use for Republican votes in Franklin parish. So "niggers" were fair game, and activity must decide. Scouts were sent in all directions, the colored voter was snatched on sight, taken to the headquarters of his captors, supplied with his Democratic ticket, and led up to the polling booth to deposit it. Of course the colored man did not remonstrate. He did not claim that he was an American citizen who was answerable only to his own conscience for the ballot he cast. He knew that would be negro insurrection which "the people" of Franklin would promptly suppress. So failing to escape voting at all, he did simply what he was told to do by his masters.

The Returning Board will have a large number of affidavits, and some twenty-five witnesses to substantiate this brief description of the free, fair and full election in Franklin parish.

Commenting on the shotgun overthrow of the forty thousand Republican majority in Mississippi, and the monumental fraud which its present declared Democratic majority of 60,000 constitutes, the Jackson (Mississippi) *Southern Republican* asks:

Is there an intelligent man in America who believes that the voice of the people of Mississippi, guaranteed (!) by the constitution, has been expressed in their selection of a chief magistrate of the nation? Does any man of ordinary intelligence believe that Samuel J. Tilden believes that *he* is the choice of the voters of Mississippi for President of the United States? And yet he is content to occupy the chair in which sat Washington and Lincoln, with a full knowledge that only by the most stupendous frauds that ever disgraced a civilized country could that end have been compassed.

The solution of our troubles will perhaps lie in the treatment of the Mississippi case by Congress. A prompt and emphatic rejection of the claims of Mr. Lamar to a seat in the Senate, and the declaration that our sorely afflicted sister State is without a government such as is contemplated by the constitution, may result in her temporary remission to a territorial condition; but even this additional reconstruction is better than the successful consummation of a fraud which would threaten the liberties of the whole nation.

The unsophisticated country Democratic editors are still harping upon the "concessions" made to the Republicans by the Wheeler compromise. Their more observant city brethren are sagely silent on this subject since the election returns have come in. These incontestable figures show that the Returning Board was right; that the Democratic claim to majorities in Rapides, Lafourche, St. Martin, Iberia, Assumption, Terrebonne and Avoyelles parishes were fraudulent, and that the seats in the Legislature representing these districts conferred upon them by the Wheeler adjustment was a great wrong to the lawful Republican claimants. Each of these parishes has vindicated the Returning Board and repudiated the terms of the compromise by sending this year Republican delegations to the Legislature.

Is it intended as a hint for the assassin to begin his work? The Vicksburg *Herald* intimates that if death should snatch away a Louisiana Hayes elector before he cast his vote, the statutes provide no way to fill the vacancy, and hence Tilden would benefit. The *Herald* is wrong regarding the legal point, but the significant suggestiveness of its paragraph is not diminished by this ignorance of the law.

Lincoln parish sounds the tocsin for war. Its Democratic organ, the Vienna *Sentinel*—an earnest and able organ, too—declares that the Returning Board intends to throw out the "Democratic gains" with which the ballot-boxes have been stuffed, and it is too "high spirited" to submit. Regarding the remainder of the people it asks:

Will they submit to this and allow the chains forged by the miscreants who have so long held us down to be riveted? Or will they rise in their might and wrath, and hurling defiance in the teeth of the national government which has so long fostered and upheld their oppressors, assert their rights, and defend to the last extremity those liberties so dear to the hearts of Louisiana? This is the alternative that will in all probability be presented to our people. Either one is dreadful to contemplate, but for our part we prefer extermination to a cowardly surrender of what our fathers so nobly gave their lives for.

We put on record, thus timely, these evidences of a Democratic determination to inaugurate a new rebellion, that none need be surprised by its development, and that the authorities will have no excuse for not summarily crushing it out.

The Democratic town council of New Iberia hired a large constabulary force at $2 50 a day to aid in bulldozing Republican voters during the election. This has failed to excite any Democratic ire that we have heard of.

A Democrat in Error.

The following funny story appears in the New York *Graphic*, from a Washington correspondent:

A remarkable case of mistaken identity comes to my knowledge through the commissioner of internal revenue, General Raum. It seems that during the few days preceding the adjournment of Congress Oscar Holt was appointed collector of internal revenue for the northern district of Louisiana, on the recommendation of Senator West and the members from that State, and confirmed by the Senate. No official notice was given to Holt of his appointment, as Senator West did not know his address at the time, and the commission was to remain in the department until Holt could be heard from. It was telegraphed to the newspapers, however, as all appointments are. In a few days after the publication Commissioner Raum received a letter from Oscar Holt, who stated that he saw he had been appointed, and was very gratified, etc. He was in Murray, Kentucky, and desired the official notice sent there. This was in accordance with Senator West's request, and was complied with. The usual notification was sent to Murray, Kentucky, and the instructions in regard to the bond to be given by the new collector. The summer passed and there was considerable correspondence between the bureau and Holt, as he was unable to give a satisfactory bond. The matter was delayed, however, for the return of the commissioner, who was in Illinois during election time, and when he returned there came a note from a prominent Federal official in Kentucky begging to know on whose recommendation Oscar Holt was appointed collector of Louisiana. The letter stated that he was a resident of Murray, Kentucky, and had never been to Louisiana in his life, that he was a Democrat and had always been, was in the Confederate army, and was a man of bad character wherever he was known.

This somewhat surprised Commissioner Raum, and although Holt was ready to give his bond, the commissioner thought he would delay accepting it till he could see Senator West, who was expected every day.

Finally the Senator came, and one of the first things he did was to complain at the commissioner's office that Holt had never heard anything officially in reference to his appointment.

The commissioner stated that the department had carried on considerable correspondence with him, but had delayed final action until he (Senator West) could be seen, as Holt was represented to be a Democrat, a resident of Kentucky, and a man of bad character.

"Who says that?" asked the Senator.

The commissioner gave the name of his informant, when West pronounced the whole statement a lie. He said that Holt was a native of Louisiana, was a Unionist during the war, and was a man of excellent reputation, and besides, the Senator added, "he writes me that he has not heard a single word from this department in reference to his appointment."

The Senator fumbled in his pocket till he found the letter. The commissioner examined it and found that the manuscript was altogether different from any he had seen before. Further explanation and inquiry showed that it was a case of mistaken identity, and that the Oscar Holt of Kentucky was the wrong man in the right place.

Who Will Count the Electoral Vote?

Justice Kent, discussing this question, now of so universal interest in this country, answers it in his Commentaries as follows:

"The constitution does not expressly declare by whom the votes are to be counted and the result declared. In the case of questionable votes and a closely contested election this power may be all-important; and, I presume, in the absence of legislative provision on the subect, that the President of the Senate counts the votes and determines the result, and that the houses are present only as spectators, to witness the fairness and accuracy of the transaction, and to act only if no choice be made by the electors."

This is the judgment of one of the great lights of American law.

Hon. James M. Mason, of Virginia, Democratic President of the Senate in 1857, opened the joint session of the two branches of Congress, which met February 11 to witness the counting of the electoral votes cast for Fremont, Fillmore and Buchanan, in these words, in accordance with the opinion of Justice Kent: "Pursuant to law, and in obedience to the concurrent order of the two houses, the President of the Senate will now proceed *to open and count* the votes which have been given for President and Vice President of the United States." Humphrey Marshall, of Kentucky, Representative from the Louisville district, protested against counting the vote of Wisconsin, but Mr Mason ruled him out of order. Mr. Marshall and Mr. Toombs vainly tried to have resolutions passed asserting the right of Congress to count the vote, and Mr. Mason's ruling that the count belonged to the President of the Senate only, according to Kent's opinion, was sustained.

Following Judge Kent's opinion and Mr. Mason's precedent, the distinguished Republican statesmen and jurists now in New Orleans have foreshadowed the determination of the Republican members of both branches of Congress to pursue the following line of procedure in counting the electoral vote next winter—"as in the case of any officer charged by law with the duty of verifying and declaring the result of any election and investigating, with no discretion, as when the President of the Senate counts the votes of the electors of the several States in the election of President and Vice President under the Constitution of the United States."

The withdrawal of the Democratic members from the Senate and House, or their absence from sickness or other causes, will not hinder the counting of the electoral votes from proceeding all the same.—*Louisville Commercial.*

Personal.

Hon. George L. Smith, United States Congressman elect from the fourth district, returned to New Orleans yesterday in excellent health and spirits. It is certain that his constituents have appreciated his services, for they have re-elected him by a respectable majority. They could not have made a better selection. He has worked hard for the Republican ticket during the canvass, and has gained it thousands of votes, but he will work still harder for his district and State in the national councils.

BY TELEGRAPH.

THE SITUATION.

Chandler Telegraphs from Florida.

WASHINGTON, November 21.—William E. Chandler, telegraphing from Florida, claims the State for Hayes, but says it is close.

The Situation in South Carolina.

The *Herald* special says regarding South Carolina: The result of the election may be briefly summed up on the Democratic side as follows: The election of Governor and Lieutenant Governor, a gain of seven State Senators and thirty-one Representatives, which gives a majority and secures the return of a Democrat to the United State Senate; a gain of two Congressmen; a gain of five solicitors out of eight. The election of the Comptroller General and probably of the Attorney General and Superintendent of Education.

Matters in Florida.

TALLAHASSEE, November 21.—There is nothing new in the situation in Florida. Everything awaits the coming of returns. Official returns have been received from all but nine counties. The count will hardly be commenced this week.

The circuit court to-day issued an injunction against the Governor and a mandamus to the Returning Board. The order would make two columns of the REPUBLICAN.

Trying to Tie a Legal Knot.

The attorneys of the Democratic managers yesterday applied to Judge White, of the Circuit Court, for two orders, one restraining the Governor from canvassing the returns of the electoral vote, or issuing his certificate to any elector or electors unless by order of the regular appointed board of canvassers; another in the shape of a mandamus to the Returning Board, ordering them to proceed at once to the canvass of the votes. The judge granted the injunction prayed for temporarily, and ordered the Governor to show cause on Thursday next why the injunction should not issue permanently. He also issued an order commanding the members of the Returning Board to show cause, on next Thursday, when this mandamus ordering them to proceed to a canvass at once, should not be issued. The papers were served this evening.

There is an appeal from the circuit judge to the Supreme Court subject, however, to this possible difficulty. The Supreme Court is not now in session, and will not convene in regular session until next January. If it does not of its own volition convene an extra session before the sixth of December, when the electors' certificates are obliged to issue, there can be no appeal from Judge White's decision, as there will be no court in session to which the appeal can be made.

The South Carolina Case.

COLUMBIA, S. C., November 21.—The Board of Canvassers made their report to the Supreme Court to-day on the electors and State officers. The court now permits the Board of Canvassers to decide only Congressmen and legislators as indicated by the returns. This action will decide the question of Governor. The court will act to-morrow regarding the report of the board on electors and State officers. Ex United States Attorney General Ackerman, United States District Attorney Corbin, and ex-Congressman Elliott appeared as attorneys for the Republican candidates.

Official Vote of Pennsylvania.

HARRISBURG, November 21.—The official vote of Pennsylvania is: Hayes 384,148, Tilden 366,204, Cooper 7204.

The Odd Elector in Vermont.

MONTPELIER, November 21.—An elaborate argument is progressing before the county counting board, on a motion that they return Postmaster Sollace to the Governor as ineligible. No decision has been reached.

The Board of County Clerks reassembled, and John B. Hale, county clerk for Bennington county, offered the following resolution:

Resolved, That this Board of Canvassers are of opinion that their powers are simply ministerial, and that their duties are already defined by the statutes of this State, and they, therefore, decline to hear or receive evidence outside of the certificate of votes by the proper authorities.

Adopted.

The course for the contesting electors will be to apply to the Supreme Court of the State for an injunction.

WASHINGTON.

Troops at the Capital.

WASHINGTON, November 21.—Full Cabinet. Only routine business. No allusion made to ordering troops to Washington. It may be added, on the authority of two members of the Cabinet, this subject has never been discussed or acted upon by that body.

Counting all arms, with the marines, the military force here is about 1200. There is no excitement about the matter. The District government is a very feeble affair, and there have already been signs of turbulence.

Marine.

Consul Salters, at Nassau, reports to the State Department the wreck of the American schooner Thomas H. Sweeney, from Philadelphia to New Orleans, with coal and gunpowder.

The loss of the schooner Annie Vorden, from Philadelphia for Galveston, is reported.

A Slight Sensation.

The engagement of rooms at the Riggs House by the Maryland and Virginia Boundary Commission has given rise to the sensation of a meeting of prominent Southern men to consider the political situation.

NEW YORK.

Clearing Up.

NEW YORK, November 21.—The storm raging in this vicinity since Sunday morning is clearing away.

Kelly Married.

Hon. John Kelly was married this morning to Miss Festa Mullen, niece of Cardinal McCloskey. The wedding was very quiet. The ceremony was performed by the Cardinal.

Billiards.

The billiard tournament, four cash prizes amounting to $1500 and a billiard table worth $500, commenced last night, the table going to the highest average score in all the games. Players entered—Cyrille and Joseph Dion, Rudolphe, Slosson, Garnier, M. Daly and Jacob Schaffer. The tournament will last nine days. The first game was between Cyrille and Joseph Dion, and was won by Joseph in twenty-eight innings, while Cyrille only made 140. The second game, between Rudolphe and Slosson, was won by Rudolphe. Slosson stood, 297.

FOREIGN.

The Porte Objects to Foreign Occupation.

LONDON, November 21.—Representatives of the Porte abroad have been instructed to make known its resolution that the Sultan neither could nor would, under any circumstances, consent to the occupation of Turkish territory, even by the most friendly power.

An After-Dinner Talk.

Mr. Cross, Home Secretary, at a banquet, spoke hopefully of the aspect of Eastern affairs. He thought the conference would meet before the end of the week.

War Preparations.

Russia and Turkey continue war preparations.

A special from Pesth says Russia is determined on war.

Death of a Portuguese Minister.

Duke Saldonha, Portuguese minister at London, is dead.

An Audience with the Czar.

The Foreign Office publishes a dispatch in which Lord Loftus, the British ambassador to Russia, reports in detail what

[CONTINUED ON FOURTH PAGE.]