NEW ORLEANS REPUBLICAN.

SINGLE COPIES: FIVE CENTS. OFFICIAL JOURNAL OF THE STATE OF LOUISIANA. TERMS: $12 PER ANNUM.

VOLUME X.—NO. 194. NEW ORLEANS, FRIDAY, NOVEMBER 24, 1876. WHOLE NUMBER 2969.

THE RETURNING BOARD

FOURTH DAY'S WORK

Parishes of Iberville, Madison, Natchitoches, Plaquemines and Union Canvassed.

The Board of Canvassers convened at 11:30 A. M. yesterday, and was called to order by President Wells, all the members being present.

The minutes of the previous meeting were read.

Messrs. Stoughton, Parker, Clarke, Farwell and Stevenson were present as the committee on the part of the Republican delegation. Messrs. Trumbull, Palmer, Smith, Bigler and Julian were present on the part of the Democratic delegation.

General Anderson—Mr. President, I arise to a question of privilege. I wish to read an article which appeared in the evening *Democrat* of November 22 not that I care particularly about it, but I wish the public to know what is the law, and that the *Democrat* may also know what is the law, as they appear not to be informed. Its editor has not probably read the act under which this board is acting—act No. 98, November 20, 1872.

General Anderson then read the article which, in effect, charged that in the Hoar investigation he had testified that he was disqualified from serving on the board in consequence of his being a candidate. He continued as follows: Now, for the information of the gentlemen present, and of the editor of the *Democrat*, I will state that the law under which I was acting—the law of 1870—is different from the law under which we are now acting. Act No. 98 of 1872 said that no candidate should be eligible to a seat on the board. Under that act I was a member of the board, and being a candidate in 1872, of course I did not attempt to act in the fall of 1872. I was not on the board that returned McEnery or Kellogg; but, under this act of November 20, 1872, which was signed by Warmoth, it was required by section two that five persons should be elected from both political parties to be the returning officers for all elections in the State, a majority of whom shall constitute a quorum. The act became a law on the twentieth of November, 1872 The Senate not being in session at the time, at the succeeding term of the Legislature, which commenced on the first Monday of January, 1873, the Senate elected the following officers: Messrs. Wells, General Longstreet, John Lynch, G Casanave and L M. Kenner. Mr. Lynch having resigned, T. C. Anderson was elected by the board That is the law upon this subject. Now, I am acting under this law, and there is nothing in this law saying anything about a man being disqualified in consequence of his being a candidate. If there was I certainly would not sit upon this board. And further, I acknowledge that my competitor was elected, and I have not sat with the board here when the parishes of Calcasieu and Cameron were canvassed, and I will not sit when the parishes of Lafayette and St. Landry are being canvassed. Therefore. I wish the public to understand that I am not acting under the same law that I acted under in 1870, when I testified that I was disqualified in consequence of being a candidate. I believe the explanation will be satisfactory to the editor of the *Democrat* if he will read the law of November 20. 1872.

President Wells—Are there any motions?

Judge Spofford—I desire to offer a motion with a statement of my reasons upon it.

President Wells—Is it very long?

Judge Spofford—No, sir; it is very short.

Judge Spofford then read a paper setting forth that he had been informed that the supervisors of fourteen parishes had not made any returns; that many of these returns were in the hands of Republican supervisors or of a Republican candidate for Congress; that, from the statement made by General Anderson before the board on Monday, the returns for St. Landry were in New Orleans on that day, though reported not filed yesterday.

General Anderson—Judge Spofford, you are mistaken. I said they would be here in a few days. I can tell you that the boat is on her way here. She was aground at Red river when last heard from. The supervisor is with her.

Judge Spofford—I was present, and understood you to say so

General Anderson—The supervisor and a good many Republicans and friends are on board, and the returns are with the supervisor.

Judge Spofford—That is a mistake, then.

Judge Spofford then continued his statement to the effect that there were other returns in the city which had not been reported to the board, and moved, on behalf of himself and other counsel, that the supervisors or other persons having the returns be ordered to bring them before the board forthwith. He asked the action of the board upon the matter, saying he may be permitted to suggest that this conduct on the part of partisan officers should, it seemed to him, receive some further notice as a breach of the law and the spirit of propriety.

President Wells—If you will accompany your statement with the facts, and point out who have the returns, we may be able to do something. We have no evidence. We will take steps to get the returns here, but we have no authority to act. We will, however, take the authority if we are convinced that the gentlemen are here with the returns. It is the duty of the officers to make their returns. There is no law by which we can force them to do so, but we will disregard that.

Judge Spofford—I will bring the facts before the board.

Judge Spofford also filed a motion to the effect that the returning officers prescribe a day and the order in which contested parishes will be taken up. He stated he did not care in what order they might be taken up, whether the parishes taken up were near or remote, but that it was important for counsel to know, in order that they might get their witnesses. He took it that the board was desirous of proof on both sides.

President Wells—You shall be notified whenever we take up any of the contested parishes.

Judge Spofford—Can you not prescribe the order so we may learn which will be taken up first?

General Anderson—I should suggest we commence with the parish of Baton Rouge.

Judge Spofford—Baton Rouge, East?

General Anderson—Yes, sir. I will recommend that.

Judge Spofford—All I want to know is what will be the order so we can have our cases ready. It is a reasonable request.

President Wells—We will take up East Baton Rouge. We must be governed by the length of the evidence, however, that is to be introduced. If when we open a parish that is contested we see that the evidence is extended, then we will take up another parish, so as to get through with those which are least complicated. We prefer that we should not answer your request until we see what is the extent of the evidence of the parishes we may open.

Judge Spofford—Will your board do us the favor to say on what day Baton Rouge will be taken up?

President Wells—We can not say to-day or to-morrow; but if the evidence which you require is in the country we will pass it over for the day and take up another. If we find that that parish is in the same condition, we will pass on until you are satisfied, or rather, obtain your witnesses.

General Anderson—I would suggest that we issue a request to every supervisor in the State to file their returns immediately.

President Wells—That will be done. Mr. Secretary issue an order at once.

General Anderson—Instruct the supervisors to make their returns at once.

Colonel Zacharie presented a letter from Louis Bush, Esq., chairman of the Democratic Parish Committee, with reference to the vacancies on the board, and was proceeding to read the same, when President Wells interrupted him for the purpose of saying that he was in error when he spoke of there being vacancies on the board. There was but one vacancy. The communication also referred to the appointment of the clerical force of the board. President Wells stated that the clerical force was complete and that they could make no alteration in it.

Colonel Zacharie—I understand that when the returns of Lafourche parish were opened yesterday there was some objection in regard to poll No. 2 We have evidence in regard to the condition of affairs there, and we also have a certified copy of the official returns made to the clerk's office of that parish, both of which we will submit for the information of the board.

General Anderson—We have a copy of that poll.

President Wells—But if you desire them to go before the board, there is no objection.

Colonel Zacharie—Then in poll No. 10, on the compiled statement, is contained certain facts to the effect that the party coming with the box was in an intoxicated condition; that it was not sealed, etc., and the official copy and the statement of the gentleman delivering the box and the Republican constable who accompanied him. I would like to state verbally, for the justification of the gentleman, that he never indulges in drink.

President Wells—We have also statements that have just been received this morning with reference to that matter.

Colonel Zacharie—I have also the affidavits in regard to Lafourche, which allege fraudulent voting, not giving the Democratic commissioner certain polls, which, together with all the statements, show facts connected with the election, we would like the board to take under consideration.

Mr. McGloin offered a modification of the protest offered by him yesterday, and also a motion ordering that immediately upon all the returns in the possession of the board, copy of evidence and documents connected with the contested parishes in which he acted as counsel, should be furnished him.

He was directed to file it by the president.

He also stated that he thought that the board was in error as to the character and nature of the protest which he presented yesterday in relation to the adoption by the board of certain rules. The secretary had recorded that as a protest. It was not a protest; it was a demand that the board should modify its rules with reference to giving counsel an opportunity to prepare their evidence. He asked the board to act upon the demand that the rule be modified. He also stated that the rule which the counsel complained against most grieviously was the one giving prima facie force and effect to the report of the supervisors. This prima facie case which the rule established counsel could not overcome. All their opponents had to do was to introduce witnesses in opposition to the witnesses introduced by the contestants until the patience of the board was exhausted. The claim of counsel was that prima facie evidence belongs to the poll, and that persons attacking it must satisfy the board that the poll was not correct, otherwise it must stand.

Colonel Zacharie—I would like to ask for information whether the returns of the parish of Morehouse are filed here?

Mr. Green—No, sir.

Colonel Zacharie—Will the board please order the secretary to furnish counsel a report of what returns are not absolutely in the hands of the secretary, and what are still out—that is what have not been filed.

President Wells—We can not give you that statement now; the secretary has not time to prepare it.

Judge Spofford—You stated that the parish of East Baton Rouge was in. I ask now that the gentlemen be permitted to inspect all the papers, and have copies of all the papers raising questions of importance in that case.

President Wells—We have not examined the returns of that parish yet.

Judge Spofford—Pardon me for again interrupting. Did I understand you to say that the request we have made for the opening of all returns now in is granted or refused?

President Wells—We can not consent to the opening of any returns in public for some time. We must go on as usual. We had a great deal of difficulty in 1874 in this matter. A great many charges were brought against the board and its clerical force in consequence of having the papers opened and read for the inspection of the entire public.

Colonel Zacharie—May I ask how many days there are before you in which to complete your labors?

President Wells—The electoral vote must be canvassed by the sixth.

Mr. McGloin—With due respect to the board, allow me to suggest there are several parishes in which it will take six or seven days to get the witnesses here. If it takes four or five days to get these witnesses, how can we protect the interests of our clients, having only two or three days' notice? How will we have time to bring the witnesses down?

President Wells—In law you always have your witnesses in court. Why not have them here now, without any request on our part to furnish you with a statement where there is a contest? You know the nature of the contest.

Mr. McGloin—I beg leave to differ with you upon that question. We don't know that, and, so far as being counsel in the courts, we have the records open to us. We can tell the character of the demand against us, but we have not got that here.

President Wells—You know there is a contest.

Colonel Zacharie—We don't know the nature of the contest. We know there are contests. We suspect, but we don't know the grounds. There are intimidation, bribery, corruption, and a dozen more grounds upon which to contest, but we don't know what the grounds are here.

President Wells—We must adhere to our ruling. If there are no more motions or petitions or protests, the board will go into executive session.

Judge Spofford—If I understand the ruling of the board, our committee is entitled to be present during the examination of the returns of a contested parish?

President Wells—When we take them up for final consideration we will let you know.

Colonel Zacharie offered a request on behalf of H. D. Moore, a candidate in the eighth district, asking to be present when the canvass in his district was made.

President Wells, in reply to Judge Spofford, stated that as soon as the parishes where there were contests had been opened and thoroughly examined, counsel would be permitted to come in and inspect them before any action was taken.

The following letter was received by the president of the board:

MAYORALTY OF NEW ORLEANS,
New Orleans, November 23, 1876.

Hon. J. Madison Wells President Returning Board of the State of Louisiana:

SIR—I am instructed by the City Council, sitting in committee of the whole, to respectfully invite your attention to the following considerations which lead it to hope that your honorable board will speedily canvass the vote of the city of New Orleans in the late election.

Section eighteen of the city charter of 1870 requires the City Council at the first regular meeting in December to impose the license tax, and once at a regular meeting in December, and not oftener, to lay an equal and uniform tax for the year 1877.

Section fourteen of act No. 73 of 1872 requires the City Council to adopt the budget of receipts and expenditures during the months of November and December, and also requires that the estimate of expenditure shall not be adopted until one week shall have elapsed after final adoption of the estimate of revenues.

In view of these laws early action in the month of December is necessarily required and in view of the impropriety of an outgoing Council binding a succeeding administration in such important matters, I am further instructed by the committee to request that your board will, by a prompt canvass of the city vote, relieve the present Council and enable the new Council, fresh from the people, to frame their own budget of receipts and expenditures in accordance with the policy they may conclude to adopt.

Very respectfully your obedient servant,
CHARLES J. LEEDS, Mayor.

The board then went into executive session, and the returns from the parish of Madison were brought in.

General Anderson—There are two packages of consolidated returns, signed by Philip Joseph, supervisor. The remarks are as follows: "The election was held at the different polls of the parish, and the returns made in accordance with the law, except poll No 8, from which there have been no returns made. A full statement made touching the protest of this poll will be found in the supplemental report which has been sworn to by the supervisor on the thirteenth of November, before P. J. Watson, clerk of the Thirteenth District Court for the parish of Madison.

Governor Smith—Was that attached to the consolidated report?

General Anderson—No, sir; to the supplemental report. The remarks say with reference to poll No. 8 that the election was held properly and in accordance with law up to the time the polls were closed, and the counting of the votes was about to commence, when a body of armed men appeared, presented their guns and pistols and took forcible possession of the box and took it away, since which day it has not been seen or heard of by the commissioners of elections Nothing is known of the vote cast at this poll, except from the sworn statement of the two commissioners of election at that poll. Their statement gives the following result: Kellogg 63, Packard 63.

General Anderson—Shall we go on with the count?

President Wells—We might go on with the count and not compile the eighth poll until we have decided on it.

The vote was announced by General Anderson, as follows, poll No. 8 not being considered:

Kellogg	2521	McEnery	332
Burch	2511	Wickliffe	315
Joseph	2516	St. Martin	331
Sheldon	2509	Poche	332
Marks	2506	DeBlanc	306
Levisee	2511	Seay	300
Brewster	2506	Cobb	331
Joffrion	2506	Cross	316

For Governor—Packard, 2510; Nicholls, 287.

It appeared in the case of Poche that his name was spelled in three different ways; but as the total vote opposite the three names amounted to the vote given to the Tilden ticket, President Wells directed that the vote should be given to Mr. Poche, as though his name had been properly spelled.

Governor Palmer—We have no returns from poll No. 9. What is the vote in poll No. 9, General Anderson?

General Anderson—It is 236 for the Hayes ticket, and 49 for McEnery.

Governor Palmer—I think it shows fully that our mistake is that we have placed poll No. 9 in the column of poll No. 8.

General Anderson—Governor, will you consider the supplemental report at present or not?

President Wells—Not for the present. It will require further evidence.

The returns from the parish of Natchitoches were next called for.

President Wells stated that Colonel Zacharie had given notice of a contest there. He stated the board would examine the papers, and it could then see whether it could be delayed while they were sending for Colonel Zacharie, if it should become necessary.

The returns for both Natchitoches and Union parishes were sent for.

A communication was handed in at this point of the proceedings from J. L. Richards, United States supervisor of the parish of Madison, demanding his admission, as authorized by the United States law, during the canvass of the parish of Madison, which he stated was then going on.

President Wells—It comes too late; the returns of the parish have been counted.

The returns from the parish of Union were then ordered to be brought in and placed on the table.

General Anderson—They were returned by mail November 10, directed to the Returning Board. There are two packages.

Governor Smith—How many polling places are there?

Mr. Casanave—I see here nine.

General Anderson—The returns are sworn to by John M. Lee, supervisor, before J. E. Trimble, judge of the Eleventh District Court of the parish. The remarks state the disposition of a number of scattering votes. The aggregate vote is as follows:

Kellogg	94	McEnery	1465
Burch	94	Wickliffe	1492
Joseph	94	St. Martin	1493
Sheldon	94	Poche	1493
Marks	94	DeBlanc	1493
Levisee	94	Seay	1493
Brewster	94	Cobb	1492
Joffrion	94	Cross	1493

For Governor—Packard, 87; Nicholls, 1505.

Several of the polls of the parish were examined by the board. It appeared in poll No 3 that the McEnery ticket received 130 votes, while the Kellogg ticket got nothing. The returns were found to be correct and were sent to the clerk.

The returns from the parish of Natchitoches were then called for and brought in.

General Anderson—There are three packages here. One was sent to the Secretary of State and the others to us. One of the packages is the tally sheets. The packages are sealed, but not signed on the outside. The compiled statement is sworn to by E. K. Rose, supervisor of the parish of Natchitoches, sworn to by John Barlow, deputy clerk of the Seventeenth District court of the parish. The remarks give a list of scattering votes cast for certain persons. Everything is in form. The result is as follows:

Kellogg	2099	McEnery	1761
Burch	2099	Wickliffe	1761
Joseph	1558	St. Martin	1588
Sheldon	1558	Poche	1588
Marks	1558	DeBlanc	1588
Levisee	2092	Seay	1761
Brewster	1550	Cobb	1588
Joffrion	1558	Cross	1588

For Governor—Packard, 2084; Nicholls, 1776.

General Anderson—I suppose what Colonel Zacharie alluded to in his protest is here—the falling behind of some of the electors. In some of the wards they have left off a portion of the electors on both sides, a few more on the Republican side than on the Democratic side. The Democrats are ahead about 30 votes.

President Wells—Compare some of the polls, General, with the consolidated statement.

Judge Trumbull—What is that bundle of papers on the table?

General Anderson—It is a part of the returns. We are comparing the returns received by the Secretary of State. The bundle you refer to is the list of persons who voted in the parish. It does not amount to anything.

In the comparison of poll No. 7 with the consolidated statement it appeared that Kellogg, Burch and Levisee were the only persons voted for, the first two receiving 541 votes and the last 542 McEnery, Wickliffe and Seay were the only electors voted for on the Democratic ticket, they receiving 173 each.

Governor Smith—What is Colonel Zacharie's objection to this parish?

General Anderson—He does not want the votes counted for those electors who have run behind, because he says they are not voted for. They are not returned by the supervisor.

Governor Smith—How does that arise?

General Anderson—There are only three names on the tickets, the two electors at large and one for the district returned. Both sides made the same mistake.

Governor Smith—They seem to be a couple of fools. It makes no difference.

General Anderson—It makes a difference of 301 against the Republicans.

Governor Smith—I don't mean that. I mean it is a stand-off. It makes that difference of course. I am glad of it. I wish they had not been printed on any list.

Mr. Stevenson—You ought not to wish that. You ought to go according to e-quity.

President Wells—Send the returns over to the clerk to be compiled.

The returns from the parish of Iberville were next produced.

General Anderson—The superscription on the paper is: "Tally sheets and statement of votes, parish of Iberville. F. V. Deslonde supervisor." There is no address on the package. There are no remarks on the consolidated statement of votes. They are sworn to by F. V. Deslonde, before James Crowell, clerk of the Fifth Judicial District Court.

General Anderson stated that there were a number of scattering votes, and read the same He announced the vote as follows:

Kellogg	2297	McEnery	954
Burch	2297	Wickliffe	954
Joseph	1849	St Martin	951
Sheldon	1848	Poche	950
Marks	22 0	D-Blanc	957
Levisee	1843	Seay	955
Brewster	1878	Cobb	949
Joffrion	1848	Cross	949

It appeared that in this parish several of the electors ran behind their ticket as shown by the consolidated statement. The board then took up the statement of votes in several of the polls, and compared them with the consolidated returns.

Poll No. 10 gave Joseph, Sheldon, Levisee, Brewster and Joffrion nine votes only. In poll No. 11 they received 170, the balance of the ticket receiving 207 votes.

President Wells—Send the returns over to be compiled by the clerk.

The returns from Plaquemines were then called for by President Wells.

It was suggested that there was a protest in Plaquemines.

General Anderson—There was a protest in the returns from the last parish (Iberville), but we have found that it amounted to nothing. What is claimed on behalf of parties protesting should be looked after and attended to, appears in the consolidated statement just as they asked it should be. Therefore there can be no objection to compiling the statement.

The returns from Plaquemines were then brought in.

General Anderson—There is but one package, and that is sealed. There are no remarks. The returns are sworn to by R. B. Edgeworth, supervisor of registration, before D. A or L A. Tiebault.

President Wells—Are there any protests against Plaquemines?

Mr. Green—Yes, sir; there is one protest on file.

General Anderson then announced the vote, as follows:

Kellogg	1754	McEnery	712
Burch	1753	Wickliffe	712
Joseph	1754	St. Martin	710
Sheldon	1753	Poche	711
Marks	1753	De Blanc	712
Levisee	1753	Seay	712
Brewster	1753	Cobb	711
Joffrion	1752	Cross	712

For Governor—Packard, 1732; Nicholls, 727.

Antoine is ten ahead of Packard, and Wiltz runs ten behind Nicholls.

Mr. Green—There is one protest on file.

General Anderson—What is the protest?

President Wells—Intimidation and refusal of officers to perform duties.

General Anderson—Who is intimidated?

President Wells—A couple of candidates. The names are attached to the protest. They are Joseph Cosse and Joseph Fontenelle.

The following is the affidavit filed:

Joseph Cosse, Pierre Hingle and Joseph Fontenelle, being each duly sworn, do depose and say: That they are citizens and residents of the parish of Plaquemines, and duly qualified electors of said parish; that by threats of violence, intimidation and corrupt influences which were practiced throughout the parish, a free, fair and peaceable vote of all qualified electors entitled to vote in this parish was prevented and materially interfered with; that said threats of violence, intimidation and corrupt influences did materially interfere with the purity and freedom of the election held at Beaurejour schoolhouse, third ward poll, Promised Land plantation, where armed men surrounded the ballot-box; at the fourth ward poll, Pointe-at-la-Hache, at the courthouse, where affiant, Joseph Cosse, was acting as commissioner of election, at the sixth ward poll, quarantine station; at the seventh ward poll, Rockville, or Rockport; at the eighth ward poll, at Emile Fredericks', and at the ninth ward poll, at Pointe Celeste plantation, on the seventh day of November, 1876; that said threats of violence, intimidation and corrupt influences did prevent a sufficient number of the qualified electors from voting as they desired as to materially change the result of the said election held on the seventh day of November instant, 1876; that by the failure, neglect or refusal of R. B. Edgeworth, supervisor of registration for the parish of Plaquemines, to faithfully and impartially discharge his duties, at least 300 citizens of the parish of Plaquemines, entitled to register and vote, were denied registration and prevented from voting at said election held in this parish on the seventh day of November, 1876; that at the third ward poll at Beaurejour schoolhouse no Democratic commissioner of election was appointed, and no one representing the Democratic party acted or was permitted to act as commissioner of election; that at the sixth ward poll at Quarantine Station, at the seventh ward poll at Rockville or Rockport, at the eighth ward poll at Oakville, no Democratic commissioners of election were appointed, and no one representing the Democratic party acted or were permitted to act at either of said polls. Wherefore affiants protest against and object to the canvass or compilation of the votes from the above named voting places, and pray the Board of Returning Officers not to canvass or compile the statements of the votes from the said voting places in the parish of Plaquemines, but to exclude them from their returns.

All to the best of their knowledge, information and belief, so help them God.

JOSEPH COSSE.
JOSEPH FONTENELLE,
PIERRE HINGLE.

Sworn to and subscribed to before me in my office, this seventeenth day of November, 1876 FRANCIS S. CARO,
Fourth Justice of the Peace in and for the parish of Plaquemines.

General Anderson—It does not seem to me there has been much intimidation because it is a pretty full vote.

President Wells—Give us the poll list, and let us see the number of votes in the parish.

Judge Trumbull—Does that protest come up with the returns?

President Wells—No, sir; it did not. It was filed after the returns reached here.

General Anderson—There are no remarks on the consolidated return of the supervisor of registration at all.

President Wells—When was the protest received?

Mr. Green—It was filed on the twenty-first.

Judge Trumbull—Is it allowable under your mode of proceeding to receive the protest in that way afterward?

President Wells—We receive them within ten days after the filing of the returns.

General Anderson—This was not within the time.

President Wells—On what day was it filed?

Mr. Green—It is document No. 19 on the records of the board, and was received on the twenty-first of November.

President Wells—But we always take them under consideration and look into them.

General Anderson—Let us see if the protesting gentlemen are candidates or not. I find here on looking into the papers Cyrille Cosse is a candidate.

Governor Palmer—I would like to state a matter to the board that troubles me a good deal. I received this package which I have in my hand for the purpose of presenting it to the board. I feel that to present it, except as the medium of communication, is improper, and yet, when the gentlemen send them to me, I do not know what to do with them, and without knowing the contents, I would like to present it to the board.

President Wells—We will take it and examine it.

Governor Palmer—I desire to be the mere medium of communication. I do not know the contents of the box.

General Anderson—So it is not some infernal machine, we are perfectly willing to receive it.

Judge Stoughton—I was going to say that you ought to open it because there might be some powder in it.

Governor Palmer—I am willing to take that risk, but I do not want to be responsible except as the medium of communication. I will take the chances of the powder.

Judge Stoughton—But you will let the board take the chances when the box is opened.

General Anderson (opening the box)—The first thing in the box is a newspaper article, headed "The Outlook in Louisiana—the People Hopeful of Reform—Packard & Co.'s Last Resort." Here is also an election poll published by authority, accompanying which is a statement with reference to the number of polls mentioned in the list. It says that two polls not mentioned in this list were established by the registrar on the day of election.

President Wells—The law gave him the right to do that.

General Anderson—In the town of Opelousas they established two polls on the morning of the election. They were Democratic polls. Here are eighteen affidavits, which were enclosed in the package I will read one of them, that of Louis Gaspard.

The General read the affidavit, which was as follows:

State of Louisiana—Parish of Plaquemines. Before me, the undersigned, personally came and appeared Louis Gaspard, who being duly sworn, doth depose and say: My name is Louis Gaspard; I reside at Pointe-a-la-Hache, fourth ward, parish of Plaquemines; I was born in this parish and have resided here all my life; am about fifty-five years of age; my occupation is that of laborer, cultivating rice at Pointe-a-la Hache; I was duly registered as a voter in this parish in 1874, but did not vote at the last election; after the election several colored Republican politicians above Pointe-a-la-Hache, at Louisiana store, threatened to hang me, and some of them to burn me, on last Sunday, because I did not vote at the last election; they cursed me for a damned Democrat, and said that was the reason I did not vote; my intention was to vote the Democratic ticket; the real reason why I did not vote was because I had lost by registration paper. On election day I saw a crowd of five or six men around the courthouse, all colored, who were threatening and intimidating the colored voters who came there to cast their votes. They said that we would be put back into slavery again if we voted the Democratic ticket. They intimidated a large number of colored voters and prevented them from voting as they desired for the Democratic ticket. I am a colored man, and I want to live at peace with everybody, white and black, respecting the rights of them, and expecting them to respect my rights.

his
LOUIS X GASPARD.
mark.

Witness:
B. M. TURNBULL,
PIERRE B DRAGON.

Sworn to and subscribed before me this seventeenth day of November, 1876
FRANCIS S. CARO,
Fourth Justice of the Peace, Parish of Plaquemines.

General Anderson stated that there were 3516 voters registered in the parish, and that there were about 2500 votes cast. The population of the parish in 1874 was 2689, of which 1920 were colored people and 769 white. The colored population had been increased largely in that parish, owing to additional plantations there having increased the cultivation of sugar and rice. On the consolidated return, he continued, we have a vote of 1754 Republican and 712 Democratic.

Governor Smith—What is the aggregate vote of this year compared with that of last year or 1874? I ask for information.

General Anderson—It has increased about ten per cent There has been an increase in the vote of 145,000 during the last year.

Governor Smith—The law requires the protest to be attached to the papers, does it not?

President Wells—No, sir.

General Anderson—That was the ruling of the congressional committee of last year, that it was a matter of equity. They thought it should be permitted to file the protests afterward. They reversed the decision of the board in some five or six of the parishes, but the people have sustained the board this year in returning Republicans where they returned Republicans in 1874, and the committee substituted Democrats.

President Wells—Take a list of the evidence furnished in the package presented by Governor Palmer, Mr. Abell.

President Wells—We will lay over the returns of this parish.

General Anderson—It is just as well to order them to be compiled, and when we come to the evidence we can decide whether to compile the return or not. That is my idea about it to facilitate the work.

President Wells—There are no returns in now but what are contested. We stated to the gentlemen we would take up Baton Rouge, but it is too late to proceed further. We had better adjourn.

Adjourned until eleven o'clock this morning.

The Temperature.

The thermometer at Louis Frigerio's, No. 50 Chartres street, stood as follows November 23: At 8 A. M., 53°; at 2 P. M., 52°; at 6 P. M., 53°. Lowest point during the night of November 22, 52°.

Appointment.

Governor Kellogg has appointed John Weber sheriff of the parish of St. John the Baptist, vice Lucien Cambre, deceased.

The Advantages of Good Legislation.

The unfortunate condition of poor, helpless, humiliated and bulldozed Mississippi. as compared with Louisiana, is thus set forth in the Cincinnati *Commercial* of the twenty-first:

It would not be business to talk much about Mississippi, because the vote of that State will be legally returned for Tilden, and we must stick to the letter of the law, or we shall be overwhelmed in troubles. There is no safety but in legality. The Republican voters have been intimidated in Mississippi, and there is no legal cure for it. There is a method of correcting returns in Louisiana. It is provided by law. It was prepared to cure the evil of intimidation, the worst evil of Southern politics.

One more chance.
One more chance.
One more chance.
Grand extra drawing December 4.
Grand extra drawing December 4.
Grand extra drawing December 4.
Grand extra drawing December 4.
A fortune to be won.
A fortune to be won.
A fortune to be won.

Wickliffe as an Ineligible.

The New York *Post's* Washington special says that a dispatch from New Orleans states that ex-Governor Wickliffe, one of the Democratic electors at large for Louisiana, is found to be ineligible, Congress not having removed his disabilities for participation in the rebellion. Mr Wickliffe asserts, however, that he is eligible on the ground that he took the oath of allegiance when Banks was in command of New Orleans, before the close of the war. The Republicans claim that taking the oath of allegiance does not come within the requirements of the constitution, and that before any person who participated in the rebellion can be an elector his disabilities must be removed by Congress.

POLITICAL NOTES.

A number of influential Democrats accuse the REPUBLICAN of unfairness in holding their party responsible for the vagaries of the *Times*. They even deny that it is a Democratic organ at all, and try to saddle it off upon us as a Republican paper. Not being able to say what it is, we took it for a worker in the "Tilden and reform" weed patch. It may or may not be an organ, but it certainly is not Republican. Perhaps it does not matter much one way or another what it is. People think it is an honest, outspoken, Democratic-Conservative-Independent, moral family paper, with the largest circulation in the Southwest, for it tells them so about every day. And it needs to do it.

The envoy, extraordinary and minister plenipotentiary of that great potentate, the New York *Herald*, makes a demand in curt diplomatic phrases to be admitted to the deliberations of the Returning Board. The "just resentment" of that great journal, "through which the most powerful governments" and all the servant girls of Gotham "have been accustomed to address the public" is presented as the dire consequence of refusal! This demand exceeds in impudence anything yet suggested by the local agents of our provisional government. They certainly represent candidates who have a personal interest in the election, while the *Herald* stands exactly on a level with every other newspaper in the land. The proceedings of the board are given to the public every day through the columns of the REPUBLICAN and *Picayune*, and if the subscribers of the *Herald* can't wait till it has time to copy our reports, they had better subscribe for our paper. If the high commissioner of the *Herald* is admitted, it will not be long before other curious people will claim the right to follow in the wake of the great craft. We think the "just resentment" which is threatened will be the lesser evil, and it is likely it will be chosen.

Though the election is over the diabolical mischief of the Democratic bulldozers in Ouachita has not ceased. The jolly hum of the bullet is still music to the ear of the Democratic ruffians, and the bayous and swamps are disclosing almost daily new evidences of their crimes. A business letter from Monroe dated the twenty-second, and signed by a perfectly responsible party, concludes with the following items of news:

We have some more wounded parties here.

That woman whom the bulldozers shot and cut her throat is here.

There is another old gentleman here that has been beaten.

The body of Ferd Bynum was found yesterday in the Ouachita river, near the Flournoy place, at the mouth of the D'Arbonne, with eight buckshot in his back. An inquest was held yesterday by the coroner.

The body of Merimon Rhodes, brother to Alex Rhodes, was found in Mill bayou, shot and split open.

A very funny "nigger" show, with an ex-editor and ex-politician of all parties, as usher-in-chief and general manager, has been going on in the St. Charles Hotel for several days, and must have greatly amused "our distinguished visitors." One sage darkey tells, under this coaching, why he became a Democrat:

I have tried the Republican party for the sum of eight years. The Republican party of Ouachita parish always has had enemies to punish and no friends to reward.

Very clearly leaving the inference that his new political allies had found a reward which "sized him up" very neatly. Another yet more bluntly comes to the point: "I told them I was not a politician," but they took his name, and called upon him, and he then "desired to do all the good I could for them."

The strenuous efforts the Democrats are making to establish that they proselyted a large number of colored voters, with the results obtained, show only in grand relief the fealty of the colored people to the Republican party. Their few hired and drilled witnesses are but the exceptions to the general rule.

Democratic denunciation goes for naught. Even Ward and Flowers, and all the fellows and felons of their sort, find honor and emolument immediately upon professing Democratic principles—if principles be the proper expression.

Moses and Whipper and the other Supreme Judges of South Carolina have been especial objects of hate and all uncharitableness, until ten days ago it dawned upon the Democratic vision that they might be induced to warp the law for Democratic advantage because of their quarrel with Governor Chamberlain, hence none are now so softly and tenderly treated by Democratic editors as Moses and Whipper.

If these judges will consent to feed Democratic hopes by assuming the power to revitalize a body *functus officio* under the law which gave it being, and would undertake to reverse a decision which is final and conclusive, they may enjoy the silk glove treatment until "their services are no longer required;" but should they wisely conclude that the law and not Democratic desires must be their guide, we may expect to see them denounced, before the week is out, as "usurpers" and "corrupt Radical tools."

Ah, well! allowance must be made for severe disappointment.

Even the bulging brow of the *Democrat* man gets rattled as disaster comes yet faster to its cause. Grant is seriously set down as an "idiot" who "may find himself, sooner than he expects, inside the walls of a lunatic asylum," while in the very next article he is described as a fierce and muscular tyrant amusing himself by "throwing his steel gauntlet in the face of the country." If it has not got so far as snakes, a course of *bitterwasser* is a mild yet effective remedy for this sort of troubles.

A little hop o'my thumb stipendiary of the Democratic clerk of the lower house of Congress telegraphs to the *Democrat* that—

Six Republican Senators have determined to vote with the Democrats against counting the vote of Louisiana, if the Returning Board gives it to Hayes.

It is not the cheek of the sender that we protest against, nor the lack of decent discrimination in its publication; but, as *amicus humani* Democratic, we do enter a protest against asking a reader to believe that any six, or one, or the body servant of one Republican Senator, has told the *Democrat's* dispatcher what he intends to do in an undetermined contingency. Let us have sense.

BY TELEGRAPH.

THE SITUATION.

Matters in South Carolina.

COLUMBIA, November 23.—Considerable excitement is reported throughout the State, but there has been no demonstration of lawlessness or violence. The action of the Board of State Canvassers is considered final by the Republicans, while the Democrats claim it has no effect, because the whole question was in the hands of the Supreme Court, and the board is guilty of contempt. They express a determination to continue in the courts and bring matters to a conclusion there.

Last night the Democratic counsel served the writ of mandamus issued yesterday by the court on the officials composing the board.

The Supreme Court meet to-morrow to hear the return of the board.

H. W. Purvis, adjutant and inspector general, and member of the Board of Canvassers, says he has resigned his office.

Opinions of the New York Press.

NEW YORK, November 23.—The *Post* says: The best thing the South Carolina Board of Canvassers can do is to reassemble. The country will not be satisfied with proceedings which look like sharp practice. We admit that the Supreme Court itself is not free from a suspicion of sharp practice. No appearance of judicial sharp practice, however, can excuse the sharp practice of the canvassers. In the first place the conservative opinion of the country demands respect for the judgments of the constituted tribunals. It is better that a decision which is wrong shall be obeyed, than that it shall be disobeyed even to secure a right end. The proceedings of yesterday in South Carolina will not convince the country that the canvass is honest and fair.

The *Times* says that the South Carolina Board of Canvassers recognized somewhat late the mistake in submitting their action to the review and control of the Supreme Court.. In issuing its orders to a judicial body of entirely independent jurisdiction, that court was guilty of manifest usurpation. In consenting to argue the case before the court, the Board of Canvassers gave these orders an appearance of validity which could not otherwise have been claimed for them. The clear intention of a majority of the Supreme Court was to do the work of the Democrats at whatever sacrifice of constitutional right and common justice.

The *World* says: The Board of Canvassers yesterday stole the electotal vote of that State openly from the Supreme Court, with the avowed object of offering it to Hayes. The robbery was brazen and shameless. It rests with the American people to decide whether they will surrender control of their government to such hands, or maintain their liberties, self-respect and prosperity by enforcing remedies of law against a lawless conspiracy without parallel in our annals.

The *Herald* says: This is very sharp practice. If the Supreme Court can not support its authority, which the board has defied, the State must be counted for Hayes. The audacity of this act betrays great desperation, and if not undone in the course of justice, it will stand as a monumental infamy.

In the Courts of Florida.

TALLAHASSEE, November 23.—The courtroom was crowded. The Governor presented, through counsel, an affidavit that he had never made up his mind to canvass the vote, and up to the present writing had not decided that he was impowered to canvass votes. Democratic counsel, disregarding affidavits, argued the Governor had no right to canvass the electoral vote, but such a right resided in the Canvassing Board, and that the court had power to restrain the Governor from performing an act which he had no right to perform under law.

The counsel for the Governor denied the jurisdiction of the court. He adjured the judge carefully to consider the risk he run in issuing a writ of injunction that could not be enforced by legitimate procedure. A decision has not yet been reached. There is some excitement in the city. It is generally believed the Governor will not obey the injunction even if issued to-morrow.

Dade, Brevard and Lafayette counties have yet to be heard from.

The Oregon Elector.

SAN FRANCISCO, November 23.—Senator Kelly, of Oregon, left here Tuesday ostensibly for Washington. It now appears he left the train at Sacramento and took the rail and stage for Oregon. It is reported he returned on the summons by telegraph to assist in obtaining an injunction from the court restraining the State board of canvassers from issuing a certificate of election to Postmaster Watts, elector on the Republican ticket.

The Republicans here sent United States District Attorney Coghlan to Portland by the steamer yesterday to attend to the interests of their party.

The Contested Elector in Vermont.

MONTPELIER, November 23.—Aldrich, Democrat, the contesting elector, has served a protest upon the Governor against issuing a certificate to Sollace.

WASHINGTON.

Supervising Inspector of Steamboats.

WASHINGTON, November 23.—James H. Dupont was appointed supervising inspector of steamboats, vice Barnett.

The Texas Border Troubles.

General Sherman, in his annual report, says on the Texas frontier, especially the Mexican border, there has long existed an unsatisfactory condition of affairs. Civil war has existed in the border Mexican States, and each faction has at times sought an asylum on this side of the Rio Grande. But from General Ord's letters and reports there seems to be and organized system of robbery by small bands of Mexicans and Indians, who cross to the Texas side, commit murders, steal cattle, horses, etc., and escape back with their stolen property to the other side, where they are comparatively safe from pursuit by our troops, who rarely hear of a raid until it is too late to intercept it. I believe no one supposes the authorities of the general government of Mexico can be privy to this nefarious business, and it is probably carried on in spite of the better class of people on both sides of the border.

The are now in Texas two regiments of cavalry, the Eighth and Tenth, which will be filled up as rapidly as possible to the maximum standard. Also three regiments of infantry, the Tenth, Twenty-fourth and Twenty fifth, which are necessarily very small under the existing laws. Still, I hope with increased activity these troops will suffice to protect the border from the incursions which discourage settlement, and are otherwise irritating and demoralizing.

NEW YORK.

Arrival of Tweed.

NEW YORK, November 23.—Tweed landed to-day from the tug Catolpa at pier No. 4, North river. Tweed was taken by Sheriff Connor to Ludlow street jail. Tweed was taken to jail through the gate, and not by the office, as usual. All he remarked on being placed in his cell by the warden, Watson, was: "I thought I would come and see you again." No one will be allowed to see him to-night, and no one but the watchman will be permitted to enter the corridor. Experience of his escape has made the officials of Ludlow street jail very watchful. He will be treated precisely as other prisoners, and allowed no privileges. His rooms are much smaller than those previously occupied. The windows open on the courtyard, and no access can be had to the apartment except through the warden's room, while in the corridor a watchman is continually on guard.

Billiards.

The billiard tournament was continued

CONTINUED ON EIGHTH PAGE.