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THE RETURNING BOARD

THE EVIDENCE CLOSED

THE PAPERS ALL IN

ADJOURNED, SUBJECT TO CALL

The board was called to order at 10:55 A. M., President Wells in the chair, and all the members present.

The minutes of the previous meeting were read and approved.

The Hon. Senator Sherman, the Hon. Eugene Hale and Hon. J. B. Stevenson were in attendance on behalf of the Republican delegation. On the part of the Democratic delegation, Judge Trumbull, General Smith, Governor Palmer, Governor Bigler and Mr. Julian were present.

Mr. McGloin—I presume the time has arrived for offering testimony. We have the necessary receipts.

President Wells—Will you give us a list of the evidence?

Mr. McGloin—Yes, sir. We have receipts from the clerk for the number of witnesses in each case. In the matter of West Feliciana, we have the testimony of thirty-three witnesses. In the matter of the parish of Richland I offer the testimony of four witnesses. In the matter of the parish of East Feliciana, I offer the testimony of sixteen witnesses. In the matter of the parish of Grant, I offer the testimony of three witnesses. In the matter of the third ward of the parish of Orleans, I offer the testimony of eleven witnesses. In the matter of the fourth ward of the parish of Orleans, I offer the testimony of five witnesses. In the matter of the second ward of the parish of Orleans. I offer the testimony of five witnesses. In the matter of the parish of Morehouse, I offer the testimony of fourteen witnesses. In the matter of the parish of Ouachita, I offer the testimony of seventeen witnesses. I offer the testimony of the witnesses in relation to this matter of Mrs. Pinkston, and if you will be kind enough to permit it in this matter, I would like especially for the Northern gentlemen on the Republican side who are present here, to take the trouble to examine the testimony which we have. It is clear and overwhelming.

Governor Palmer—How many witnesses did you have in that matter?

Mr. McGloin—Seventeen.

General Anderson—Have the interrogatories all been crossed in accordance with the rule?

Mr. McGloin—Yes, sir; all cross-interrogatories have been served upon us; some of the interrogatories the Republicans did not cross, and we did not cross some of theirs, but they were regularly tendered; all that we offer have been regularly tendered. In the matter of the parish of East Baton Rouge I offer the testimony of forty witnesses; in the matter of the eleventh ward, parish of Orleans, I offer the testimony of nineteen witnesses; in the matter of parish of Franklin I offer the testimony of three witnesses; in the matter of the parish of Natchitoches I offer the testimony of seven witnesses; in the matter of the parish of Webster I offer the testimony of one witness; in the matter of the parish of DeSoto I offer the testimony of four witnesses; in the matter of the parish of Lincoln I offer the testimony of one witness. Mr. Chairman, here is the argument and the accompanying affidavit of Mr. Clegg, of the parish of Lafayette, made previous to his leaving here, asking to have it tendered to the board in connection with his parish.

President Wells—Who is that?

Mr. McGloin—James Clegg, a lawyer from the parish of Lafayette.

President Wells—What is the point of dispute which calls for that argument?

Mr. McGloin—It is in relation to the census, and all particular facts connected with his parish, going to show that the charges brought by the supervisor are not tenable, and also his affidavit, going to show that the supervisor had prepared a statement in his presence and sworn to it before the court, and that there was no protest upon it at the time that he executed it.

President Wells—Were the documents served upon the other party?

Mr. McGloin—Mr. Abell, will you be kind enough to tell me when the papers were filed in the parish of Lafayette?

Mr. Abell—On the twenty-ninth.

Mr. McGloin—The returns were only filed on the twenty-ninth, and it was impossible to connect it with the parish for that day, and by some fortunate circumstance he was here to make the affidavit. I will state in connection with this, while we filed the testimony, wish it to be distinctly understood that the testimony filed in large abundance is the testimony only of such parishes as were accessible to us, and we understood the character of the protest.

President Wells—Allow me. Were not all the parishes accessible to you? Did not the board rule that they had a right to all the papers that accompanied the report of the supervisor?

Mr. McGloin—If you will remember, our committee requested that you open all the parishes so we might see all the protests at as early a stage of the proceedings as possible. If you remember, that application was repeated several times, and refused, and that the papers were only opened not very many days ago; and I call attention to the fact that a large number of parishes are under general protest, and these are the least accessible, and we have been utterly unable to get the testimony from some of them. As to some of the parishes, we had to take the testimony of persons coming here not knowing that they were to be witnesses, and our committee desires to protest against the manner in which these matters are determined as to the testimony, and also the manner in which our committee has been treated in relation to the means of getting testimony. We have done the best we could under the circumstances.

General Anderson—I desire it understood that when the parish of Lafayette is before the board, I do not participate in the proceedings.

President Wells—I understand that.

Judge Dibble—I wish to say, on behalf of our side, that we object to any departure from the rule which the board has laid down under which ex parte affidavits will not be received. We have offered none and do not intend to offer any, and we have never seen these.

Colonel Zacharie—As I understand it, the affidavit sets forth that Clegg comes from the parish after having filed with the supervisor the return and after remaining here a week, and the returns having been accepted in the originals in which they were, without a protest, he endeavored to prevail upon the supervisor to file them. The supervisor returned the next day and told him there was no protest in the case whatever, and that he could go home; that there was no trouble about Lafayette. Clegg, who represents the parish, went home. When these papers were opened on the twenty-ninth we discovered for the first time that there was a protest, and that the supervisor deceived Clegg. Clegg was telegraphed for and only arrived here last night, so that this is not in writing in regard to the protest, but it contains a statement showing—

President Wells—Let the statement go in; we will take it for what it is worth.

Mr. McGloin—This shows, and gives force to our claim, that the Democratic committee has been, in this matter, at a disadvantage that no one on earth could entirely overthrow, and that it has hindered them and prevented them from doing justice to the matter confided to them. In the matter of St. Charles, one of the commissioners, Charles Wise, made his affidavit that he arrived at the polling place at six o'clock, and waited for one hour, but the Republicans not coming, he swore in additional commissioners, and that after the election had proceeded for some time, the Republicans objected, and went into another portion of the ward and opened a polling place, and he asks you to disregard the return.

Judge Dibble—That is also ex parte testimony, to the reception of which I object.

President Wells—In order to facilitate our business we will take this in now and have as little discussion as possible. We will take them for what they are worth. We will examine the papers, and if found to be wholly ex parte, returned to the parties.

Mr. Gauthreaux—In the matter of affidavits, I would like to state that the chairman has authorized us to file these ex parte affidavits, and that the board would take them into consideration; but as the chairman remarked he would consider them for what they were worth, we claim the privilege. We don't claim you shall do one thing or another, but that they shall be filed.

Mr. McGloin—That statement is made without our authority. We don't consent to get in any ex parte affidavits of that sort in the nature of protests from citizens. The Republicans have had a large number of affidavits that were filed in that regard, and I for one do not consent to have them go in unless they give us at least one hour or so to cover ourselves.

President Wells—We can not change the order.

Judge Dibble—We have several thousands, if you will receive them.

Mr. McGloin—So have we.

President Wells—You must perceive the great quantity of matter that is to be read. We have had to employ a dozen persons to read the documents. It is impossible for us.

Mr. McGloin—Give us five or six minutes for consultation.

President Wells—Certainly, sir.

Mr. McGloin—In the parish of Claiborne I offer the testimony of two witnesses, J. S. Young and R. R. Morgan.

Colonel Zacharie—I desire to offer a brief on behalf of the Democratic counsel upon the general law points and the particular points in relation to the city of New Orleans, raised the day before yesterday. I also desire to call the attention of the board specially at this time to a letter, which is on file before the board, accompanying the protest in the Ouachita case. The protest, papers and returns in the Ouachita case are entered as having been received on the twenty-fourth. This letter, which we find in the record accompanying the protest, is to this effect:

NEW ORLEANS, November 23, 1876.

Mr. Abell, Secretary of the Returning Board:

DEAR SIR—Inclosed please find affidavit of Eliza Pinkston, which was received too late to file with my returns. Please say that it was brought in with the returns mentioned. Very respectfully,

M. GRADY.

I desire to call the attention of the board to the fact that all these papers purport to have been received on the twenty fourth; that here is the letter showing that they have been received previous to the twenty-second, and that some of the testimony filed after that time was put in.

President Wells—Where was that letter written?

Answer—In New Orleans. That was the Republican side; your side, Governor.

President Wells—You need not make any correction—I am a Republican.

Colonel Zacharie—I thought you were a judge.

President Wells—I am, but I am also a Republican.

Colonel Zacharie—When we come to inspect the paper we find that the returns have been filed, and another paper has been put into the record.

President Wells—We will make a note of it.

Judge Spofford—On behalf of Allen Burksdale, of Lincoln, I file a brief of two pages with reference to that parish. My argument made here day before yesterday has been printed in the morning paper. I leave a copy for each member of the board, and one for Judge Walker. As the rules of the board might perhaps require it, I would ask leave to file in writing an objection to the consideration by the board of any memorials, protests and papers filed by any other parties than the supervisors, and to all statements or protests of the supervisors themselves, that did conform to the act No. 98. I reserve the right to file it, and also desire to state that the missing box of Tangipahoa is here, and I ask that it be opened, to get out those returns.

President Wells—The box will be opened.

Mr. McGloin—We desire the privilege of filing protests as part of our objections to the manner of taking testimony and the manner of opening the returns, communicating them to us, and forcing us, as we think, to trial without having offered us previous facilities for trial.

President Wells—We can not extend the time longer than to-day. Try and get it to-day. Are the gentlemen through on this side?

Mr. McGloin—Yes, sir.

Judge Dibble—On behalf of the Republican party, I offer the following testimony:

1. The evidence taken in answer to the interrogatories of E. Heath, C. F. Ladd and L. P. Henderson at poll No. 3, third ward, parish of Orleans.

2. Testimony of ten witnesses residing in the parish of Lafayette, taken in answer to interrogatories; also, testimony of Charles Gridley, parish of Lafayette, taken in answer to interrogatories.

3. Also, the testimony of John Turner, William Morris, Samuel Porter, Walter Wilson, M. Crawford and F. M. Porter, residents of St. Tammany, taken in response to interrogatories in reference to the conduct of the election in the parish of St. Tammany.

4. I offer the testimony of L. D. Simms, parish of Livingston, taken in response to interrogatories with reference to the conduct of the election in the parish of Livingston.

5. I next offer the other testimony taken in reference to the conduct of the election in the parish of Livingston—the evidence of Thomas H. Boley, also the testimony of Israel Rogers and John Tourtten, parish of Livingston; also the testimony of Henry Carter, parish of Livingston; also the testimony of W. B. McIntyre, parish of Livingston.

6. I next offer the testimony of witnesses taken in reference to interrogatories touching the conduct of the election in the parish of West Feliciana. The witnesses are Juba A. Glasford, Washington Schooner, A. Mitchell, L. B. Jenks, W. D. Postelthwaite, Riley Norfo, Cato Harris, Isaac Vessell and George A. Swasey.

7. I next offer the testimony of witnesses touching the conduct of the election in the parish of East Feliciana, taken in response to interrogatories. Witnesses—Lieutenant W. S. Davies, A. S. Ormy, Henry Smith, Willis Wisbert, E. A. Rigby, Thomas H. Jenks, Alonzo Brooks.

Governor Wickliffe—I call the attention of the board to the fact that Postelthwaite has not answered cross-interrogatories propounded. I crossed those interrogatories myself.

Judge Dibble—Were these served within the time?

Governor Wickliffe—Yes, sir. I was extremely anxious to get his answers down upon certain points, knowing very well what he had said as to the fairness of the election, and knowing that he himself was satisfied with it, he having made the declaration here and at home, and I was anxious to know what inducements caused him to make this affidavit.

Judge Dibble—I know nothing of the matter.

Governor Wickliffe—Of course we are in time. I object to the reception of that unless answered yesterday.

Judge Dibble—I don't know whether the cross interrogatories were served upon him in time.

Governor Wickliffe—They were; for I attended to it myself.

Judge Dibble—Upon whom?

Governor Wickliffe—The committee sent them immediately down to the Custom-house.

Mr. McGloin—In any of these matters where there are contests our committee has receipts from some of the officers.

Judge Dibble—I move that the subject be laid over for further consideration.

Mr. McGloin—I served statements of those crossed and those not crossed, and hope the board will consider it.

President Wells—The board will not deviate in its rulings.

Judge Dibble—I offer the testimony of witnesses touching the conduct of the elections in East Baton Rouge contained in the answer to cross-interrogatories under the rules of the board. The witnesses are L. E. Loshas ——

President Wells—Are the cross-interrogatories answered?

Judge Dibble—I can not state. These gentlemen did not even vouchsafe to give us a list of their witnesses, and they did not even call on us for the list of witnesses whose testimony they offered.

President Wells—The board will examine the matter.

Major Herron—I would suggest that there may be interrogatories propounded where no cross-interrogatories have been served. Of course we could not object to taking such testimony when they did not object to ours, provided service was had.

Judge Dibble—Certainly not. But the gentlemen don't give the names of their witnesses.

Colonel Zacharie—We would have done so if you had desired it.

Mr. McGloin—We did not know you were going to adopt that course.

President Wells—Will you go on?

Judge Dibble (to Mr. McGloin)—I don't wish my papers touched until I get through. We offer in East Baton Rouge the testimony of L. E. Loshas, Jackson Turkey, Peter Gains, Andrew Harrison, Wilson Spears, Samuel B. Wilson, W. G. Lane, William Wade, F. A. Clover, General John R. Brooke, United States army, Alex S. Gilbert, Alex Huntz. I now offer the testimony of witnesses taken in reference to the election in the parish of Natchitoches, in answer to interrogatories, as follows: A. H. Besto, Ed. Ezennoe, Florida Hibby, J. Ernest Bredoe, Raford Blunt, Shadnock Brown and John Henderson.

Mr. McGloin—Can I look at the Natchitoches papers?

President Wells—Let him get through with this first.

Mr. McGloin—I crossed those myself; that is the reason I want them.

Judge Dibble—I now offer, Mr. President, the testimony of A. B. Levisee, taken in reference to the election in Caddo. I now offer the testimony of witnesses touching the election in Caddo, Sabine and De Soto; that includes Caddo as well as those named—Washington Fraser for Bienville, Claiborne, De Soto and Caddo; John F. Morrow, J. J. Johnston, J. M. Carter, C. L. Ferguson and Samuel Gardner; touching the election in Sabine, John Jones; touching the election in Grant, C. H. Hit and N. P. Goins; in the parish of Morehouse, George Peterkins, Andrew Ross, Dora Hundly, E. J. Sherman, Henry C. Wright, William Archer, W. L. Richmond, J. J. Schordt, Thomas H. Johnson and Randolph Randall; touching the election in Caldwell, Philip Robinson; in Franklin, Henry White, Gabriel Hill and Orange Gardner; in Richland, T. B. Gardner, J. N. Caldo, J. H. Nettles, David Fraizer, J. M. Jackson, Jeff Perkins, Archie Benson, William Morris, J. S. Kelly and S. C. Moore; in Franklin, the testimony of Henry White, Gabriel White, and the separate testimony of Orange Gardner.

Mr. Morey—We also offer, in behalf of the Republican party, testimony in regard to the election in the parish of Ouachita, consisting of the testimony of William L. Hunt, L. Devigno, George B. Hamlet, E. B. Gorham, Captain Clayton Hale, United States army, Lieutenant Henry M. McCauley, United States army, and of forty-eight other witnesses, the testimony of several of the witnesses bearing particularly upon and corroborating the evidence given before the board lately by Eliza Pinkston.

That concludes our case.

Mr. McGloin—There are two packages from the parish of Livingston which escaped our attention. They are William Dunoan, A. W. Kinchon, Levi Spiller and one or two others. I will give the names more particularly later in the day.

Mr. Morey—I will ask whether before that testimony was received it was filed with the clerk?

Mr. McGloin—Yes, sir.

Mr. Morey—I wish to know whether it was filed in time.

General Anderson (referring to a paper in Mr. McGloin's hands)—That is some of our testimony. It is package No. 9. You asked to look at it for a little while, and you have not returned it.

Mr. McGloin—I will ask if the gentleman has filed any testimony with the clerk.

Mr. Morey—I will answer that when I get an answer to my question.

President Wells (emphatically)—Answer the question. Let us get through with the matter.

Mr. McGloin—I will answer sir, that in this respect. I don't know that anything has been filed with the clerk. I have a receipt from the clerk for some packages. I want to know if the gentleman has got a receipt for any papers.

Governor Wickliffe—Just say that none of it is marked filed by the clerk.

Mr. Morey—My question is, was it filed with the clerk?

Mr. McGloin—Let me ask what he means by filing with the clerk?

Mr. Morey—Was it presented within the time prescribed by the board for the presentation of evidence?

Mr. McGloin—If you mean by ten o'clock to-day, I must say that it was not. Was yours, Mr. Morey?

Mr. Morey—If the gentleman will ask as to any specific portion of the testimony, I will answer.

President Wells—I will settle all this. The board adjourned to meet at ten o'clock, and anything offered up to that time will be received.

Judge Dibble—I object to his offering it.

General Anderson (to Mr. McGloin)—Give me that paper I handed you.

Mr. McGloin—I can not do two things at once. I am offering additional testimony in the parishes of East Feliciana and Livingston. Now, General Anderson, I will gratify you in the matter of the parish of Natchitoches. As to these interrogatories, I will call your attention to the fact that the cross interrogatories are not one-fifth answered, and what are answered are answered in a very insolent and insulting manner. I call your attention to this fact as detracting from the credibility of the witnesses. Now you have got it (handing paper over).

President Wells—Let us have the box from Tangipahoa opened.

Major Herron—I desire to state that it appears from the report of the supervisor, Mr. Clover, that there were five boxes that were brought before the board, though not opened, and that although his report mentions this box as illegally and insufficiently returned, the consolidated report not being signed in any one of these five boxes, although in his protest he says he has done so, I ask that the board receive the consolidated return as made to our State Central Committee by our Democratic supervisor and Democratic commission from these different wards where the box is received.

President Wells—We have no authority to receive anything from you.

Colonel Zacharie—I ask that the board give particular directions that the five polls be taken out and counted.

President Wells—You ought to have made that at an earlier period. We had the box here, and if the gentlemen had called our attention to that at the time, they might have had them opened.

Major Herron—I desire to state that yesterday it was understood that Mr. Clover would be here and would perhaps produce the missing papers.

President Wells—Let the box be brought in.

Major Herron—Are the votes to be counted?

President Wells—No, sir. We have no authority to count the votes.

Mr. McGloin introduced the additional testimony referred to by him above, stating that he had no receipt for the same and asking for one.

The box from the parish of Tangipahoa was then brought in by C. E. Horten, deputy clerk of the parish. The box was opened by General Anderson by means of a hatchet, no key having been brought with it. General Anderson removed from the box the statement of votes polled in the parish of Tangipahoa, list of voters, etc. He announced the total vote in poll No. 10, eighth ward, as being 59. The statement of votes was signed by the commissioners, Daniel E. Cooper, R. R. Denison and E. C. Bace, sworn to by J. B. Ellwell, clerk of election. For Tilden, 43, for Hayes 13. Kellogg had 16, Burch 13. Of the others some had 13, and others 16 votes on the Republican ticket.

General Anderson—It appears that J. B. Ellwell was a candidate himself as well as supervisor.

President Wells—What the gentlemen want is that we shall take this copy of the statement of votes and all the necessary papers accompanying the count of that poll.

Mr. McGloin—I believe all the testimony is in if you will notice.

President Wells—Yes, sir.

Mr. McGloin—Will you allow me to ask if there is anything connected with the various polls concerning, which the board claims the right to take official cognizance of or notice without proof?

President Wells—We shall confine ourselves as nearly as possible to the reports of the supervisors. Whenever it is supplied with his testimony supporting his reports we shall act upon it. Where there is a contest and each of the parties has introduced evidence, we shall be governed by the weight of the testimony.

Mr. McGloin—I should like to ask whether you intend to decide it by putting the testimony in two scales and determine the case in favor of the side which pulls the beam down?

President Wells—We will take the case under consideration.

Mr. McGloin—You gave me the point to make the remark. What I should like to know is, are there any facts in contest that you will take, ex-officio, notice of?

President Wells—I think not, sir.

Mr. McGloin—That is the ruling, that you will abide by the testimony before the board?

President Wells—That is what we shall try to do.

Mr. McGloin—And not go beyond anything that is now before the board?

President Wells—No, sir.

Mr. Gauthreaux—Will you take into consideration section two of the act No. 98, which provides that the board shall compile the statements of votes made by the commissioners?

President Wells—Of course we will consider the statement of votes.

Mr. Gauthreaux—But the chair has just stated that it would be guided by the reports of the supervisors as nearly as possible. I would now like to know if the board intends to examine the statement of votes made by the commissioners at the time of the election?

President Wells—That is necessary for us to do. It is part of our duty.

Mr. McGloin—There is no proof before the board in any manner as to the naturalization question, whether there were any votes cast or any naturalizations or anything of that kind.

President Wells—The board will now adjourn and take the whole subject matter under deliberation, and make up their findings in regard to it.

General Smith—When does the court meet again?

President Wells—Not before Tuesday, sir. I don't think it will be possible for us to do so sooner.

General Anderson—I think we had better meet on Monday.

President Wells—Well, Monday or Tuesday.

Mr. Gauthreaux—I would like to ask whether the finding of the board will be read in a meeting here before its publication?

President Wells—That will depend upon the agreement of the board. I can not answer. The question is to come up before us for deliberation.

The board then adjourned over, subject to the call of the president.

The Old Hundredth.

This unique psalm tune first appeared in John Calvin's "French Psalter," published at Geneva in 1543, as the "proper tune" to the 134th psalm. Guilleaume Franc was musical editor of this work. He was a master in music, yet all that will be found in ordinary musical history regarding him is that he was an "obscure musician of Strasbourg in the sixteenth century." The church owes him not a few of her finest melodies. A melody in Luther's great psalter, published from 1524 to 1560, seems to have suggested the idea of this inimitable chorale. One of Luther's of eight unequal lines, which was set to a melody of the Moravian or Waldensin early church contains the elements of the Old Hundredth. But these were reset and remodeled by Franc, who left Strasbourg and became "centeur," or percentor to Theodore Beza, at Lausanne. He subsequently settled and died at Geneva, leaving as his imperishable monument the music of the "French Psalter." The music was afterward adapted to the hundredth Psalm, the first "English Psalter" ever published, edited by John Calvin, and printed for the use of the congregation of English speaking refugees at Geneva in 1556, of which at that time John Knox was minister. The musical editor of this psalter was Claude Goudimel, of Rome, who suffered martyrdom at Lyons at the time of the massacre of St. Bartholomew because he had set the English psalms to music. This Genevan-English psalter was reprinted in 1863-4 by "John Day, over the pump in Aldgate," and Andrew Hart, in Edinburg, and laid the foundation of the psalmody of the Protestant church of the world. The words of this psalter contained first thirty-seven psalms written by Sternhold and Hopkins, the remainder being written by ten of the refugees at Geneva. William Keith, from Aberdeen, wrote the hundredth psalm. This psalter, words and music, was for some time universally used by the Protestant churches of England and Scotland.

When Oliver Cromwell got the Westminster general assembly of divines to prepare a new version of the Psalms in common metre, for the use of the churches, the Parliament sanctioned it, the English Church at once adopted it, but the Scottish people rebelled on the ground that they had already a better psalter of their own. Cromwell had come to a compromise with the hardy Scots. (The only other compromise he ever made in his life was with Cameron of Lochiel, when he and his army got bewildered in the wilds of Lochadar). This compromise was that in Scotland a number of their favorite psalms from the old psalter might be published as a second edition. This was done, and the music is thus called "Old"—the Old First, Old Forty fourth, Old Hundredth, Old Hundred and Thirty-fourth, Old Hundred and Thirty-seventh, etc. These psalms are still sung in Scottish churches, and the music of them (which, with the exception of the Old Hundredth, had long fallen into disuse) has been recently revised. Dr. Mainzer, who characterized it as the finest psalmody of any age or any country, was one of the first who called attention to it, and now it is fast becoming the most appreciated and popular among the people. Many of the tunes will be found in the revised edition of the "Scottish Psalmody," all of them with the "old" words in Day's or Knox's old psalters.

Senator Roscoe Conkling.

Hon. Thomas Murphy, ex collector of the port of New York, has been stopping at the Arlington for several days. He recently visited Senator Conkling, and says that during his illness the New York Senator has lost a good deal of his vitality. He stoops, and one of his eyes is nearly closed. Mr. Murphy does not think that Senator Conkling's condition will allow him to take as prominent a part in public affairs this winter as heretofore.—*Washington Republican.*

CAUTION!

A TIMES-SERVER ASTRAY

HE PLAYS HAVOC WITH THE TRUTH

His Bogus Interview with Gov. Hayes

The following dispatch was received yesterday by Governor Kellogg, from a well known gentleman of Cincinnati, who deemed it proper that the good people of New Orleans should be put on their guard against a malicious imposition:

CINCINNATI, December 2, 1876.

To Governor W. P. Kellogg, New Orleans:

To-day's *Enquirer*, of this city, has a pretended interview of W. H. Roberts with Governor Hayes, which is false in every essential particular. Not a word was said about compromise, or in disparagement of Southern Republicans or Grantism, nor anything of the sort. An authorized denial appears in our paper to-day.

J. H. BARRETT,
Editor Cincinnati *Times*.

Amusements.

The full houses Mr. Sothern has drawn at the Varieties Theatre every night during the week, and the crowded matinee yesterday, speak best for his popularity in this city. In his line he certainly stands at the head of his profession. People laugh at the nothings of *Dundreary* without knowing exactly why; they need not know why so long as they laugh. Mr. Sothern has probably played the part over 5000 times; he played it two years at his London theatre, and the people did not grow weary of it; the best of it is the fact that the actor himself enjoys the performance. Each new audience brings him new desires to please, and he always does his best. His friends wished for him to be known in other characters, and several playwrights have tried to make characters for him worthy of his genius. For a serious character, with a comedy element, Robertson wrote "David Garrick" for him. It was a wonderful success, and we shall see Mr. Sothern in that play before he leaves the city. Mr. H. J. Byron, the witty author of "Our Boys" and other comedies, fitted Mr. Sothern with still another part in a rollicking comedy called "A Hornet's Nest, in Three Buzzes and a Stinger." That comedy will be played for the first time in this city on Monday evening. The hero is called *Spoonbill*. He is a wealthy young man who is not such a fool as he looks. He is surrounded by all sorts of people who would live upon his generosity, counting on his having a weak mind. *Spoonbill* plays the fool until he proves the intentions of those about him, and then he makes a hornet's nest for them. The comedy is full of wit and fun, and will be welcome. This Sunday night "Our American Cousin" will be repeated.

Professor Miguel Hartz, the renowned illusionist, will commence a series of performances at Grunewald Hall on Monday evening, in which he will be assisted by Madam Hartz, a pianist of more than usual ability. Professor Hartz will perform entirely new tricks of his own invention, and is likely to create a sensation. To the uninitiated some of his performances can not be explained or described. Out of a silk handkerchief, and standing away from table or curtain, he produces a large cage full of birds, yard-long plumes and several bowls filled with water and gold fishes, and as mysteriously makes them disappear. He is a man who will bear watching.

A new programme has been prepared for the variety company at the St. Charles Theatre. All of the specialty performers will appear in new acts, and the living art statue company in new pictures. A week from to-night an entirely new troupe will appear.

Departure of the Republican Committee.

Hon. John Sherman, Hon. Eugene Hale, General J. A. Garfield, E. W. Stoughton, Esq., Hon. Mr. Van Alen and Hon. Courtlandt Parker, the last of the committee of representative gentlemen who have visited us at the request of President Grant, departed last night for Washington.

They have been in daily attendance on the Returning Board, have mingled freely among all classes of citizens, heard all sides and all shades of opinion, and are now better qualified by their experience and unprejudiced disposition to give an opinion on affairs here than any other men in the country, and they will probably be heard from before long on the subject.

The Engineer's Report on the Jetties.

A Washington special, November 29, to the New York *Graphic*, says:

Some time ago the Secretary of War appointed a committee of army engineers to examine the work of Captain Eads, who has a contract with the government to improve the navigation of the mouth of the Mississippi river by the celebrated jetty system. The committee consisted of Generals Alexander, Barnard and Wright, and for some weeks past they have been examining the work as far as Captain Eads had completed it. They have returned to Washington and will complete their report at once. The character of the report is not known, but it is unofficially stated that it will not be very enthusiastic over the work of Captain Eads. It is said that the board did not find it to be of a permanent character, and that the depth of water in the channel has not been increased to an extent warranting the outlay of money that has been spent. The conditions of the contract prevent the Secretary of War from paying Captain Eads for his work unless it is approved by a board of experts; but the friends of the scheme claim that another board will be demanded in case the present report is unfavorable.

There is nothing so remote from vanity as true genius. It is almost as natural for those who are endowed with the highest powers of art, as for other men to breathe or move. Corraggio, who is said to have produced some of the most divine works, almost without having seen a picture, probably did not know that he had done anything extraordinary.—*Hazlitt.*

You can train the eye to see all the bright places in your life, and so slip over the hard ones with surprising ease. You can also train the eye to rest on the gloomy spots, in utter forgetfulness of all that is bright and beautiful. Life is too short to nurse one's misery. Hurry across the lowlands that you may linger longer on the mountain tops.

The Irish salmon fishery has been an unprecedented success in all rivers this year. In one of them 1117 salmon were caught with one shot of net.

LOUISIANA JOCKEY CLUB.

Fall Meeting—First Day.

The spirit and perseverance of the members of the Louisiana Jockey Club is commendable. Many adverse circumstances combined to discourage the fall meeting. There was the burning of the grand stand, but a few weeks since; that drawback has been overcome by building a new members and visitors' stand, which answers every purpose as to viewing the track and promoting comfort. Then came the political troubles which engage the attention of all and detract interest from horse-racing. The day set for the first races, yesterday, proved cold and uncomfortable. That worked against a large attendance, and there were comparatively but few people present when the bell rung for the first bout.

The first contest was a hurdle race, which brought out Colonel Nelligan, Red Cloud, Redding, Port Leonard and one of Lloyd's colts. In the pooling Colonel Nelligan sold for $40; Redding $34; the field $10. The horses were sent on their journey at the first attempt. Red Cloud was the first to take the timber, attended by Nelligan, with Port Leonard and Redding together. Rounding the turn Redding went to the fore and led two lengths over the second hurdle; Red Cloud scoring one length ahead of Nelligan. Up the back stretch Redding opened a gap of five lengths, and led over the third hurdle in safety, with Nelligan second, four lengths clear of Port Leonard. As they ran around the club house turn, Redding maintained his lead, taking the fourth hurdle in fine style. Passing the stand, Redding had six lengths the best of it, Nelligan second, Port third. Entering the second mile, Redding seemed to have it all his own way. The jumps were all taken without accident. There was no change until the last hurdle was taken, then Nelligan put on steam, and looked all over a winner as he commenced closing on the leader. An exciting struggle under whip and spur took place to finish, Redding landing a winner by a short head, Colonel Nelligan second, Port Leonard third, ten lengths away, Red Cloud fourth, with the Phaeton colt beaten by one quarter of a mile. Time—3:56½.

The second race, for a mile dash, brought to the score Hattie P., Madge Duke, Eva Shirley and Cora Lin. After a little maneuvering in front of the stand they got away nearly together, Madge leading, Shirley second, Cora Lin third and Hattie fourth. On the first turn Shirley took the first position and struggled gallantly. At the third quarter Madge, Shirley and Cora Lin were bunched so that a big blanket might have covered the lot. These three came down the home quarter under whip, Madge Duke getting under the string by half a length, and winning the dash. Hattie P. had dropped out of the race, and it was found that she had cut her leg at the fetlock quite badly, which accident will probably keep her in stables for awhile.

The last race on the programme was the favorite mile heats. It engaged Bob Woolley, Donaugh, Whipsaw, Woodland, Fair Play and Lloyd's Sundown colt. Woolley was the favorite by odds. At the start on the first heat he got off third, Donaugh and Fair Play, nearly together, leading. The Sundown spurted out and took the lead at the first quarter, and at the half-mile stake was running neck and neck with Donaugh. Then Woolley commenced his best paces and galloped to the fore. He showed himself the best horse as he came down the last quarter, and he proved his claim by a neck, winning the heat in 1:48. The cooling for the second heat was quickly done. Few doubted with money that Woolley would win the heat and end the race. The cold people wished it so, and they were not disappointed. At the start the Sundown colt took the lead and kept it for half a mile, closely pressed by Donaugh. Then the Woolley horse pressed to the fore and run to win, just saving himself, though it was evident he could have done better. The time of the second and last heat was 1:47. Thus ended the first day's sport of the fall meeting.

SUMMARY.

First Race—Hurdle race, two miles over eight hurdles; club purse $400; first horse $300; second horse $75; third horse $25.

A. Keene Richards, ch. g. Redding, 4 y. o., by Harry of the West, dam by Joe Stoner; 129 pounds 1
W. Cottrill, b. h. Colonel Nelligan, 5 y. o., by Harry of the West, dam Ernestine; 138 pounds 2
F. Lloyd, b. g. Port Leonard, aged, by Voucher, dam Prunella; 140 pounds 3
F. O. Minor, ch. g. Red Cloud, 5 y. o., by Tom Reddy, dam unknown; 138 pounds 0
F. Lloyd, ch. c. ——, 3 y. o., by imp. Phaeton, dam by Vandal; 118 pounds 0

Time—3:56½.

Second Race—The Slocomb stakes, for colts and fillies then two years old; $25 entrance, p. p., with $400 added, second horse to receive $75; one mile dash.

Williams & Owings' b. f. Madge Duke, by Bayonet, dam Tick by Monte; 97 pounds 1
J. W. Guest's b. f. Eva Shirley, by imp. Glenelg, dam Edeney, by Lexington; 97 pounds 2
J. W. Green's b. f. Cora Lin, by Beacon, dam Sarah McDonald, by Hunter's Glencoe; 97 pounds 3
Minor & Pierson's s. f. Hattie P, by Tom Green, dam Regret; 97 pounds 0

Time—1:50¾.

Third Race—Club purse, $400, for all ages; second horse $75. Mile heats.

Joseph Murphy, br. h. Bob Woolley, 4 y. o., by imp. Leamington, dam Item by Lexington; 104 pounds 1 1
W. Cottrill, ch. c. Donaugh, 3 y. o., by Bleamersone, dam Lilly Ward; 90 pounds 2 4
Groves & Rhodes, br. c. Whipsaw, 4 y. o., by Hiawatha, dam Bouquet, 104 pounds 4 6
G. B. Morris, b. c. Woodland, 4 y. o., by Veto, dam Sympathetic; 104 pounds 3 5
Williams & Owings, b. h. Fair Play, 5 y. o., by Virgil, dam Crucifix, by Lexington; 110 pounds 6 3
F. Lloyd, b. c. ——, 3 y. o., by Sundown, dam Mollie Ford; 90 pounds 5 2

Time—1:48, 1:47.

The next race of the fall meeting will occur on Tuesday.

At Staub's.

Since the enterprising Staub has changed his place of business to Exchange alley, near Canal street, he seems to have increased his facilities for placing choice literature before the public. He has on his counters all that one can reasonably expect to find. He has a large supply of the current number of Harper's Weekly, containing a picture of the Louisiana Returning Board at work.

Only a few days.
Only a few days.
Only a few days.
Fortune rains favors next Monday.
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Get in the ring.
Get in the ring.
Get in the ring.

BY TELEGRAPH.

THE SITUATION.

How the South Carolina Question is Regarded at the Capital.

WASHINGTON, December 2.—The Democrats this morning consider the situation more encouraging. It seems certain that South Carolina will be allowed to solve her domestic problem without further interference from the military than may be necessary to preserve the peace. This state of affairs has been brought about by the action of Mr. Fish and other more moderate leaders.

The following letter from Hampton to the President, dated November 30, was published this morning:

"The Democratic members of the lower house, sixty-five in number, met quietly in the hall to-day, with their Speaker in the chair. The Republicans, fifty-nine in number, also assembled there and placed their Speaker on the desk.

"General Ruger proposes to take out of the House eight members, duly elected, holding certificates from the Supreme Court.

"The House is the sole judge of the qualifications of its members. We propose to leave the question to the House. These members will remain until expelled by force, but we earnestly desire a peaceful solution.

"The Legislature will not interfere with the presidential electoral vote. We ask only a constitutional Legislature, peaceably assembled for the good of the State."

Mr. Lamar received the following to-day from Generals Gordon and Hampton:

"Have the President, Secretary of War and the Cabinet waited on immediately by our friends. Let them state that absolute peace prevails here and in the House, where both bodies are in session. If General Ruger interferes it will be without the shadow of any excuse. Republicans are expressing on the floor of the House their disgust with the revolutionary proceedings of their party and joining us. Press these points and let the country know the real situation."

Upon receipt of the dispatch Mr. Lamar showed it to Secretary Fish, who informed him that orders to that effect had already been sent.

In publishing the above dispatches the *Republican* says, in double leads: "The President, in conversation yesterday evening with a representative of the *Republican*, referring to the statement made by Senator Gordon and Wade Hampton wherein the charge that General Ruger had made pledges to them in regard to non-interference of the military with the meeting of the South Carolina Legislature, which he had failed to keep, said he was satisfied General Ruger had done no such thing. He knew the General well. He was a gallant soldier, a high-toned, honorable man, and would scorn to do a mean act under any circumstances. In regard to the oft-repeated charge that the administration had used the military to interfere in the affairs of the Southern States to an extent unwarranted by law, the President said the charge was not sustained by the facts.

"The commanding officers at all military posts at the South were at times instructed simply to sustain the legally constituted authorities and preserve the peace. Where they had gone further, it had been clearly shown to be a misconception of orders, and the act had been promptly disavowed by superior authority.

"In regard to interference in elections, there is not a single instance on record where the presence of the military had intimidated a single voter. On the contrary, it had been clearly shown that in South Carolina