

GEORGE W. DUPRE & CO. PROPRIETORS.

GEORGE W. DUPRE, JOHN AUGUSTIN, H. J. HEARSEY, ALBERT G. JANIN, H. J. HEARSEY, EDITOR.

RATES OF SUBSCRIPTION. The Daily Democrat. One Year \$10.00, Six Months \$6.00, Three Months \$3.50, One Month \$1.00.

The Weekly Democrat. The Weekly Democrat, a large ten-page paper, will be furnished to subscribers at the following rates: One Year \$3.00, Six Months \$1.50, Three Months \$1.00.

NOTICE—Wants, for Rent and for Sale advertisements inserted in the Democrat at 25¢ per line (50¢ per square, each insertion).

Monday Morning, February 5, 1877.

The office of the New Orleans DEMOCRAT has been removed from 74 Camp street to 109 Gravier street.

AMUSEMENTS THIS EVENING.

VAUDEVILLE THEATRE.—Mr. Charles Pope as "BARDON." ACADEMY OF MUSIC.—Soldene Opera Company. ST. CHARLES THEATRE.—Furbish Fifth Avenue Company. "Clouds."

Our subscribers will confer a favor upon us by reporting at this office every failure in the delivery of their address of the DEMOCRAT, as we are particularly desirous of achieving absolute exactitude and punctuality.

GOING AHEAD.

Hereafter the DEMOCRAT will appear every morning as an eight page paper, Mondays excepted, on which day, owing to the usual dearth of news on Sundays, it will appear as a four page paper as heretofore.

We are thus impelled to enlarge the DEMOCRAT by the demand for space of our steadily increasing advertising patronage, thus avoiding impinging on the space we have hitherto allotted to our editorial, telegraphic and news columns.

Having perfected the very best arrangements for all the freshest news from Washington and elsewhere, we will henceforth issue an EVENING EDITION in the early noon of each day.

THE LEVEE COMPANY AND ITS CLAIMS.

Mr. P. J. Kennedy, of Jefferson, gave notice on Friday, in the House, that he would introduce a bill to fund the debt of the State to the Louisiana Levee Company, and also a bill to repeal the charter of that company.

We think there should be little delay in passing the latter bill. But we trust the Legislature will thoroughly investigate the affairs and operations of this company before acting affirmatively upon the proposition to fund the debt which, it is claimed, is due by the State.

There is no fact more conspicuous in Louisiana affairs than that the Louisiana Levee Company has utterly failed in carrying out any practical and useful purpose for which it may have been organized. It is true that the property holders have paid the tax imposed, under the pleasing fiction that the Levee Company was a real and practical institution, and that the money was to be used for constructing and keeping the levees in repair.

How the levees have been built and kept in repair it is needless for us to tell in detail here. A large portion of our richest and most valuable river lands are without protection and liable to be again desolated by the spring floods. In some localities the planters are making desperate efforts, with their own resources, to protect their property and interests, and we know of a number who have paid their levee tax for years, and who, during the whole time, have kept up their own levees. But we hear of little effort on the part of the company to fulfill its mission, and if it can now get its claim against the State funded, it will, we doubt not, cheerfully submit to annihilation as a corporation.

That the charter of the company should be promptly repealed, we believe is the general opinion of the public; but before the Legislature takes any step looking to the funding of the claim of that institution against the State, it should see that the claim is submitted to the fullest and most rigid legal investigation, in order that the people may learn whether or not the company has complied with the obligations of its charter and the conditions of its creation.

Let the Legislature repeal the charter of this company and then see if some more efficient means may not be found to preserve and protect the largest and most valuable interest in the State.

If we may judge from the interview with President Grant, which we reproduce to-day from the Chicago Times, the hopes of the Republican party have indeed flown away. The man who "represents" that party virtually acknowledges that it is dead, and for a new lease of life must depend upon a miracle, a metempsychosis, and more proper ideas of an idea of re-

THE FLORIDA CASE.

The vote in Florida at the late Presidential election was so close that, making due allowance for such sporadic cases of fraud and irregularity as seem to attend even the fairest elections held under our glorious dispensation of universal suffrage, it is almost impossible for a fair-minded person, not cognizant of the actual facts, to satisfy himself which party is morally entitled to the benefit of it. But, from a purely legal and constitutional point of view, we have not the least doubt that these four electoral votes should be given to Mr. Tilden.

Let us pass in brief review the arguments used on behalf of the two political parties: It is claimed by the Republicans that the Board of Canvassers made a preliminary canvass of the returns which resulted in giving to the Hayes electors a majority of forty-five. They assert, further, that thereafter the board commenced to hear contests, holding sessions in public, and that by following the same course pursued by them in 1874, that is, by going behind the returns and investigating charges of fraud, intimidation, etc., they found a still larger majority for Hayes. Finally they contend that the action of the board must be held to be final and conclusive, because, first, they had the right to go behind the returns; secondly, the electors became functi officio after casting their votes on the 6th of December, and, thirdly, the constitution lodges the whole power over the electoral vote in the several States and not in Congress.

On the other hand it is claimed by the Democrats that the pretended showing of a majority of forty-five for the Hayes electors was delusive, and only brought about by the substitution of the false for the true returns from Baker county; that the second canvass was eminently unfair and partial, and was based upon the exercise of judicial powers, which the board had no authority to exercise; that the Florida courts have assumed the power to revise the action of the board, and they are the exclusive judges of their jurisdiction in the matter; that a canvass of the vote, from the face of the returns, made under the direction of the Supreme Court, resulted in showing a majority for the Democratic State ticket, and would have shown a majority of about 90 for Tilden if it had been carried out with respect to the electoral ticket; and finally, that there can be no stronger proof of the true result than a canvass made under the direction of the highest court of the State, after a careful judicial scrutiny of the returns and of the powers of the board.

To our mind this reasoning seems conclusive. The great question involved (and it applies to the Louisiana case as well as to the Florida case), is whether the Board had the right to exercise judicial functions, or was, by the constitution and laws of the State, restricted to the exercise of merely ministerial powers; and there can be no doubt how that question should be answered. No principle can be advanced more destructive of Republican institutions than that a partisan Board of Canvassers may usurp the functions of a judicial tribunal and determine, except in a prima facie, or preliminary way, questions of title to office. This is the peculiar province of judicial, or quasi-judicial bodies. Canvassing boards are simply convenient agencies created by the laws of the different States for the sole purpose of receiving election returns from the various districts of the State, counting the votes actually cast and certifying the result of the count to the proper authorities.

Even the leaders of the Republican party confess to themselves that these are the proper functions of such boards, and hence their violent struggle to prevent Congress, or the Electoral tribunal recently created, from "going behind the certificates" and examining into the question whether the Florida and Louisiana Returning Boards exceeded their jurisdiction and exercised powers with which they were not constitutionally clothed. They realize fully that the strength of their case lies wholly in the strict observance of what they term the "forms of law," in other words, that the claim of Gov. Hayes to the Presidency is a prima facie claim and must be admitted until disproved—they do not intimate how. Such was the argument used in behalf of Pinchback when he applied for admission to the United States Senate, but the cracking of the party whip did not avail to stifle the consciences of honest Republican Senators, and we do not believe that it will avail to impose upon the people of the United States a ruler whose claim is based upon fraud. The American people can stomach a good deal, but they will not tolerate a prima facie President.

But the point of greatest moment just now is the question whether the electoral tribunal will determine that it has the right to "go behind the certificates." We believe it will, and for these reasons: The constitution of the United States (article 2, section 1), provides as follows: "Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled; but no Senator or Representative or person holding any office of trust or profit under the United States shall be appointed an elector."

The Electoral bill recently passed by Congress provides in its second section that the commission thereby created shall exercise, with respect to the counting of the votes, "the same powers, if any, now possessed for that purpose by the two houses acting separately, or together, and by a majority of votes decide whether any, and what, votes

from such State are the votes provided for by the Constitution of the United States, and how many and what persons were duly appointed electors in such State.

These directions are positive and explicit, and it is manifest to the dullest apprehension that the commission cannot faithfully perform the duties thus imposed upon it without going beyond the certificates of the governor and canvassing boards. Where there are two conflicting certificates, the one offsets the other; there is no longer a prima facie case; the issue of fact is immediately raised and can only be correctly decided by a scrutiny of the whole matter in the light of the Constitution of the United States and the laws of each State.

The first question to be decided by the Commission is, in what manner did the Legislature of Florida or Louisiana provide for the appointment of electors. It will find that it provided for such appointment by a popular election. The next question will be, what was the result of that election and was it ascertained according to law. This will bring under discussion the action of the Returning Board, the facts upon which it was based and the nature of the powers it exercised. The third question for their determination will be, whether any persons appearing to have been elected were disqualified from acting as electors, and whether such disqualification operated as a failure to appoint or created a vacancy that could be filled by the remaining electors.

It is perfectly clear that these questions can not possibly be determined without going behind the certificates, and we confidently dismiss from our mind all apprehension that the Commission will confine itself to the mere ministerial duty of adding up the votes certified to the President of the Senate.

We remarked at the outset that the vote was so close in Florida that it is difficult to satisfy oneself as to the equity and merits of the contest in that State. We will not, therefore, undertake to forecast the decision of the Commission in that case, because it is possible that they may allow the equities, if they should find them to be on the side of the Hayes electors, to override the law. But the Presidential controversy does not hinge upon the vote of Florida, except to this extent, that if it should be given to Gov. Tilden, the contest will be at an end, while if it should be given to Gov. Hayes his chances will not be much improved. The vote of Louisiana, however, was so clearly cast for Tilden that no honest tribunal can withhold it from him, and we have not the slightest fear that it will be counted for the Pretender Hayes.

Apropos of Vernon parish, which is now figuring conspicuously in the North, and is apt to wrock Wells, Hayes and the Radical party, the following facts may not be uninteresting. According to Littlefield's testimony, three of the polls, Nos. 1, 3 and 7 were thrown out by Wells in order to make the figures agree; to justify this conduct affidavits were made against these polls, swearing to intimidation and violence of colored voters.

There are but sixty-seven colored voters in Vernon parish; of these, sixty-six voted—one only declining to go to the polls, because of sickness.

No less than three affidavits were produced against these three polls thrown out by Wells. The first of these, made by an unknown person of the very suspicious name of Brown, swore that at poll No. 1, 152 negroes were refused the right of voting; at poll 3, another affidavit, made also by a man unknown to the people of the parish swore that eighty-seven negroes were refused the right to vote there; while at poll 7 an affidavit-maker, who did not even pretend to have resided in Vernon but claimed to be a native and citizen of Texas, swore to having seen twenty-seven negro voters rejected; a grand total of two hundred and sixty-six negro voters refused the right to vote. Not counting a single one of the negroes who did vote—this is one hundred and seventy-nine more than all the negroes entitled to vote by Kellogg's registration, one hundred and eighty-four more than were entitled to vote by Kellogg's census and considerably more than all the negroes in the parish, men, women and children.

"The Northern people complain that we carry politics and business into our social relations. It is to be hoped that they will not complain of the action taken by the Western Texas Stock Association at Cuero the other day. The members of the association have been suffering for years from cattle thieves, until they can endure it no longer, so that when the convention met, every member pledged his sacred honor to discountenance cattle thieving, and the branding of cattle unlawfully, and promised to suspend all business and social relations with those who committed these offenses. If a citizen of Western Texas, therefore, makes a mistake in cattle or brands the wrong ones, he is a social outcast, a Pariah from that time forth; no one will speak to him, no one even take a friendly drink with him; he is lost, friendless, outcast, and will have to leave for some more favorable clime.

The newly elected Clerk of Court and Sheriff of the parish of Natchitoches (both Republicans), are favorably disposed to the Nicholls Government, and will recognize the commission issued by Governor Nicholls, which declares Judge David Pierson District Judge. On the other hand, Barrow, the Radical ex-Sheriff, who has already held on to the office of Sheriff four months beyond

what he was elected for, and wants to remain Sheriff even longer, supports Packard, and Breda, the pretended District Judge. There need be no trouble or difficulty about the Natchitoches status quo if the clerkship and sheffiality be only turned over to those who were—it is admitted on all sides, and by all parties—elected at the late election. That will satisfactorily settle the Natchitoches difficulty lately laid before the President.

Kellogg's expressions of thought concerning the Wells' million grab are characteristic: "Where was I to come in?" said that remarkably inefficient and usurping magistrate. "Was I to get nothing for the elector's certificates, or was it presumed that I would blindly obey the dictates of the Returning Board?" Of course not, Mr. Kellogg; everybody knows that ever since you have been acting Governor of Louisiana, you have always "come in" for your share, whenever the State or any part of it was to be sold. Wells only thought that he could get ahead of you, that's all.

It was our painful duty yesterday to follow to the supreme resting place the remains of Mrs. Adrianna Helluin, wife of our esteemed friend and co-laborer in journalism, L. L. Lincoln, commercial reporter of the New Orleans Price Current. Knowing how sincerely Mr. Lincoln was attached to his departed wife, and how richly her virtues deserved the love of her husband, it is not as a mere formality, but with heartfelt sympathy that we join in sorrow with him over his bereavement.

The Returning Board infamy has at last come to a point, or so very near it, that it is no joke. The rogues have fallen out, and Louisiana stands a chance. All is well that ends Wells.

STAUFFER, MACREADY & CO.,

71 Canal Street. —And— No. 11 to 23 Dorsier Street, NEW ORLEANS.

HARDWARE,

CUTLERY, GUNS, PISTOLS, IRON, NAILS METALS, TIN AND LEADED PLATES, OILS, PAINTS, CORDAGE, ETC.

Agricultural Implements.

Comprising SOES, HARROWS, HAMES, COLLARS, BRIDLES, TRACE, ETC. And the well known

PLOWS,

Made by JAS. H. HALL, B. F. AVERY, HALL & SPEER, T. F. C. BRINLY, GARRETT & COTTMAN'S, CALHOUN'S, KING'S, CAREY'S, Etc

J. S. RIVERS,

STATIONER, STEAM POWER PRINTER, BLANK BOOK MANUFACTURER

Lithographer and Engraver, 74.....CAMP STREET.....74

THE CELEBRATED STEWART STOVE.

IMPROVED PATTERN OF 1873.

The best Cook Stove in the world. Will last twenty years, and do more work with the same amount of fuel than any other stove that was ever made.

Pieces to repair old Stewart stoves always on hand. J. H. CAMPBELL, No. 133 Poydras street, Agent for Louisiana. feb 1st

CHOI E P OVISIONS.

6000 SACKS WHITE CORN. CANDLES—3000 boxes N. Schaeffer best Star Candles, full weight and all sizes, 4, 5, 6, 7 and 8's.

PORK—1000 barrels Standard Mess and Extra Prime. BACON—100 casks and half casks, Louisville Packing, Bacon, Sides and Shoulders.

HAMS—200 tierces of large and very small of best Louisville and Cincinnati brands, Canned and Sugar-cured, and also Plain Hams. DRY SALTED MEATS—100,000 pounds Sides and Shoulders.

FLOUR—100 barrels Choice and Low Grades. WHISKY—200 barrels of best Old Kentucky hand-made sour mash Bourbon and Rye Whiskies, direct from Paris, Ky., and warranted pure and unadulterated—such brands as Bowen and J. A. Miller, Chicken Cook.

On consignment and for sale by MILLER, DOLHONDE & CO., 102 1/2 68, 70 and 72 Tchoupitoulas st.

SCHMIDT & ZIEGLER, WHOLESALE

GROCERS AND IMPORTERS, 49, 51, 53, 55 NEW LEVEE STREET.

Champagne. 500 baskets PIPER HEIDSIECK, 250 baskets KRUG & CO. Wines and Liquors. 150 cases GOOD ORDINARY CLARET, 50 cases FINE CLARET, 800 cases CLARET 50 half barrels WHITE WINE, 200 cases WHITE WINE, 250 bbls BOURBON and RYE WHISKY.

Ale and Porter. 800 cases ENGLISH, SCOTCH and BREMEN ALE, 200 cases Guinness's DUBLIN STOUT. English Pickles and Mustard. 300 cases CROSSE & BLACKWELLS—full assortment, 100 cases Coleman's ENGLISH MUSTARD.

Case and Can Goods. 2500 cases Baltimore, New York and Boston packing. A full and complete assortment. Star Candles and Soap. 1500 boxes, all sizes, STAR CANDLES, 1500 boxes SOAP—A complete assortment.

Coffee. 2500 bags RIO, 150 bales MEXICAN, 100 bags OLD GOVERNMENT JAVA. Refined Sugar. 250 barrels CRUSHED SUGAR, 100 barrels POWDERED SUGAR, 50 barrels CUT LOAF SUGAR, 250 barrels "A" SUGAR.

Brandy Cherries and Sardines. 250 cases CHOICE IMPORTED, 50 cases, half tin, SARDINES, 500 cases, quarter tin, SARDINES.

Agents for the sale of Orange Grove, Kenton County, Paul Jones, Wellhouse, Old 76 Bourbon Whiskies, and Home and Angostura Bitters.

QUADRUPLE AWARD! THE AMERICAN WATCH CO. OF WALTHAM.

Announces that they have been awarded at Philadelphia four medals, viz: FOR WATCHES, FOR WATCH MAKING MACHINERY, FOR A SYSTEM OF WATCH MAKING, AND FOR GOLD AND SILVER WATCH CASES.

AMERICAN WALTHAM WATCH AGENCY, A. M. HILL, Jeweler, 88 St. Charles Street, Corner of Commercial Place, NEW ORLEANS, LA.

REVISED AND REDUCED PRICE LIST: The following watches are all patent levers jeweled, same size as the illustration, and sold under full guarantee: Solid Silver Watch, same as cut..... \$15

The same, but open face and flat glass..... 20 Solid Nickel Watch, very strong Case..... 7 Solid Silver Stem-Winder, no key required..... 25

The same, but open face..... 30 3 oz Silver Stem-Winder..... 30 Solid Gold Watch, 2 oz, 14 karat case..... 60 Same, but 18 karat case..... 70 Solid Gold 2 1/2 oz, 14 karat, Stem-Winder..... 75

The same, but 18 karat case..... 90 Ladies' Gold Watch..... 45 The same, but Stem-Winder..... 60

In addition to these styles I have a complete assortment of Waltham Watches, from the above prices to \$350. For the plantation, farm or a working man the \$15 Watch or \$25 Stem-Winder will prove all that is required.

I will send Watches, Gold or Silver Chains any Article of Jewelry, by Express, C. O. D., permitting buyers to examine the article before paying, and, if not suited, to return it. ADDRESS AS ABOVE.

Watch Repairing by Skillful Workmen at Lowest Possible Prices. SOLID 14 KARAT GOLD CHAINS \$1 25 PER PENNYWEIGHT.

A. ROY, DIEBOLD SAFE AND LOCK COMPANY

Celebrated Fire and Burglar Proof SAFES.

The undersigned, Agent for these celebrated Safes, is prepared to take orders for VAULTS, VAULT DOORS, BURGLAR PROOF CHESTS, ETC., of any size or description wanted, at manufacturers' prices.

The largest assortment of safes on hand ever exhibited in the South. Price Lists, Circulars, Diagrams of Safes, Testimonials, etc., furnished free on application. A large supply of second-hand Safes always on hand at low figures.

A. ROY, No. 27 Canal Street, New Orleans, La. jans 25pm

PRICES REDUCED HEAVY WINTER CLOTHING.

Must be sold to make room for SPRING GOODS!

Cash Buyers Will do Well to Look. Cassimere BUSINESS SUITS, \$10, \$12, \$15 to \$25. Winter OVERCOATS and TALMAS, \$5, \$7, \$10, \$12 to \$25.

Elegant Dress Suits for Balls and Weddings. Shirts, Winter Underwear, Collars, Sear's, and other novelties. Also Boys' and Youths' Suits very low. Low prices, the best goods, and polite attention at

WHEELER & PIERSON'S, 43 and 15 Camp street. Successors to Pierson & Hews. Wholesale department up-stairs, with a complete stock for country merchants and commission orders, as successors of Darcy & Wheeler. jans 25 pm

A Third of a Century. J. B. VINET, with E. VINET. CROCKERY, CHINA, GLASSWARE, AND HOUSEFURNISHING GOODS. Over thirty years' experience in the business. New stores and new goods, 207 Canal street between Burgundy and Rampart streets. feb 1y

ELKIN & CO., 168.....CANAL STREET.....168 Are offering their stock of Axminster, Velvet, Brussels and Ingrain CARPETS, OIL CLOTH, WINDOW SHADES and CURTAINS at extremely low prices. jans 12mp

LIBERAL CASH ADVANCES Made on shipments of COTTON, GRAIN AND PRODUCE Consigned to Messrs. BAKING BROS. & CO., Liverpool. EDM. J. FORSTALL'S SONS, 813 1/2 56 Carondelet street. CARPETS AT COST, FLOOR OIL CLOTHS, WALL PAPER, UPHOLSTERY GOODS. Window Shades, Cornices, Lace Curtains, Etc. Now is the time to buy. HEATH, PIPPEY & LARA, feb 1m 17 97 and 99 Camp street.

CARPET WAREHOUSE. 17.....Canter street.....17 We offer at Reduced Prices our Large Stock of CARPETING of all kinds: Floor OIL CLOTH of all widths and qualities; Matting, Table and Piano COVERS; Window Shades, Cornices, Bands, etc.; Curtains and Furniture Materials of all kinds and qualities, etc. Also, BURLAPS, by the bale or piece. A. BROUSSEAU & SON, feb 2pm

E. F. VIRGIN, DEALER IN GARDEN SEEDS. Also: Flower and Grass Seed, Flower Pots, Garden Implements, Ferris, etc. 98 GRAVIER STREET. Between Camp and Magazine Streets, NEW ORLEANS. feb 1w

LADIES' HAIR GOODS. The Largest Stock, Best Assortment and Lowest Prices in the South. We match all colors, the Invisible Seam, Saratoga Wave, and all kinds of Hairwork made up to order. Combing made up. Old hair re-worked or exchanged for new. Hair Jewelry of all kinds, Mounted on 18-karat gold, and at very low rates, to suit the times. A large assortment of Toilet Sets, Yases, Perfumery, Brushes, Combs and novelties in Fancy Goods. All kinds of Hair Pins just received. We have a choice lot of gray and gray mixed Brails, and at very low prices, to realize money. Wigs and all kinds of hair-work for stage purposes made to order at short notice, and at New York prices. Great inducements during the Holidays, at 150 Canal street. feb 1m

WITNESSES AND STRANGERS! Don't fail to go immediately to the ACME OYSTER BAR, Nos. 9 and 11 Royal street. For here you will find the best Fried, Broiled, scalloped, Stewed and Roasted Oysters. And the choicest delicacies the market affords, at Reduced Prices to suit the times. The ACME BAR is supplied with Hennis' celebrated ACME WHISKIES, Free Hot Lunch every day from 11 a. m. to 11 p. m. G. M. BORGES, No. 9 and 11 Royal street. feb 1m 2pm

