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WASHINGTON.

NOBODY AT THE CAPITOL.

NOT A QUORUM OF CONGRESSMEN IN THE CITY—COMMISSIONER DUELL RESIGNS—OUR INDIAN POLICY.

Neither house of Congress met yesterday, and no public business was done at the Capitol. Commissioner Duell of the Patent Office resigned his position to accept a place in a law firm in New-York City; the step has long been contemplated, and had no connection with the irregularities in the department. Commissioner Smith is urging a change in the national policy toward the Indians; he favors a concentration of the red men in Indian Territory. It is now proposed by bill to sell the Freedmen's Bank building to the Government to obtain money for the depositors of the bank. The Alabama Claims Court will hold its last session to-day.

RANDALL AND THE DISPATCHES.

NOTHING CAN BE DONE UNTIL A QUORUM OF THE HOUSE IS SECURED.

[BY TELEGRAPH TO THE TRIBUNE.]

WASHINGTON, Dec. 28.—Speaker Randall received to-day the return of his subpena directing President Orton of the Western Union Telegraph Company to report at New-Orleans forthwith, and to produce the dispatches which Mr. Morrison's committee has called for. The subpena was served yesterday, and the Speaker's connection with the matter is at an end until it is brought to the attention of the House by the committee in case Mr. Orton does not appear. Mr. Barnes, the New-Orleans manager of the Western Union Telegraph Company, left that city at 5 o'clock yesterday afternoon in custody of a deputy sergeant-at-arms. He should arrive here on Saturday morning, and if a quorum of the House is present at that time he might then be arraigned at the bar. When the House met to-day only about 60 members were present, and it is therefore doubtful if any business can be transacted either to-morrow or Saturday. In that event the case will not be brought before the House until Wednesday next. Speaker Randall, Judge Knott, and Gen. Hunton held a long consultation to-day in regard to the obstacles interposed by the Western Union Telegraph Company in regard to the telegrams called for by the Louisiana committee. It is understood that they are unanimously in favor of executing the full power of the House to compel compliance with its subpenas.

THE FREEDMAN'S BANK BUILDING.

A PLAN TO SELL IT TO THE GOVERNMENT FOR THE BENEFIT OF DEPOSITORS.

[BY TELEGRAPH TO THE TRIBUNE.]

WASHINGTON, Dec. 28.—Mr. Douglass of Virginia, chairman of the sub-committee appointed last session to investigate the affairs of the Freedman's Savings Bank, introduced in the House to-day by unanimous consent two bills, one authorizing the commissioners of that company to dispose of certain real estate and other property by public or private sale, the other authorizing the Secretary of the Treasury to purchase certain property for the use of the United States. The real estate referred to is the Freedman's Bank building in this city, now chiefly occupied by the Department of Justice. The payment to depositors in the Freedman's Bank of future dividends depends largely upon the sale of this building. In the present condition of the real estate market in this city, there is no probability that the property could be advantageously sold to any private individual or corporation, and the only hope of disposing of it is in its purchase by the United States. If the committee of which Mr. Douglass is chairman and of which a majority are Democrats, recommend this purchase, the House would undoubtedly pass a bill authorizing it, and the Senate would also probably agree to it. The building in question is not such a one as the Government would erect for a Department of Justice, but its cost would be much less than the expense of erecting a new building, and if at any future time the United States Government should determine to make other provisions for the Department of Justice, this building would still be available for the use of other departments. As the Freedman's Bank was in many respects a Government institution, and as its depositors are the most needy class of the entire population of the United States, it seems only just that the Government should do whatever it consistently can to reduce their loss.

RESIGNATION OF MR. DUELL.

HE LEAVES THE PATENT OFFICE TO ENTER A LAW FIRM IN NEW-YORK CITY.

WASHINGTON, Dec. 28.—Commissioner Duell of the Patent Office to-day tendered his resignation. For several weeks he has been considering an offer from a law firm in New-York, who want to extend their business into Patent law. That offer was repeated yesterday with the request that the arrangement be consummated by the 1st of January. Judge Duell at once accepted their proposition and then tendered his resignation to Secretary Chandler, who accepted it in the following communication:

DEPARTMENT OF INTERIOR,
WASHINGTON, Dec. 28, 1876.

Hon. R. H. DUELL, Commissioner of Patents.

SIR: In acknowledging the receipt of your letter of the 27th inst., tendering through me to the President your resignation as Commissioner of Patents, and stating that it was in pursuance of an intention formed several months since to retire at the commencement of the new year, permit me to express the sincere hope that in your retirement from the onerous and responsible duties of your present position you may secure in new fields of labor the fullest share of prosperity. Thanking you for the courtesy shown in all of your personal and official relations to the Department, I remain, very respectfully,

Z. CHANDLER, Secretary.

Commissioner Duell has been in charge of the Patent Office for more than a year, and his administration was summed up in the last annual report of Secretary Chandler, who stated that the income of the Patent Office has been greater and the expenses less than in any previous year in the history of the office. Among the persons mentioned for the successorship are Congressman Hoskins of New-York, the Hon. R. L. B. Clark, at present a member of the Appeal Board of the Patent Office, and W. H. Doolittle, the present Assistant Commissioner of Patents. Judge Duell's resignation will take effect on the 1st of January.

Judge Duell explains that his retirement from the department has no connection whatever with the irregularities recently discovered in the draughting division of his office. He says that for several months he has contemplated entering upon the practice of law in New-York, and that it was his intention, long before the events referred to occurred, to resign on the 1st of January.

THE FUTURE OF THE INDIANS.

COST IN BLOOD AND TREASURE OF A SETTLED POLICY—CONCENTRATION OF THE SAVAGES IN ONE TERRITORY ADVOCATED.

[FROM A REGULAR CORRESPONDENT OF THE TRIBUNE.]

WASHINGTON, Dec. 27.—Commissioner John Q. Smith's recommendations for a complete reorganization of the system of managing the Indians, made as they were at a time when excitement about the result of the Presidential election ran high, did not meet with the attention from the press and from members of Congress which from their merit and importance they deserved. Mr. Smith, who is very anxious to obtain legislation this session to enable him to make a beginning in the direction of putting his plan into operation, has therefore no resort except to present his ideas personally in conversation with members of Congress and others. His whole heart is in the work of improving the condition of the Indians, and of securing the white settlers of the West a rest from the drawbacks to which they are exposed by the frequent Indian wars. He believes that it is perfectly feasible for the Government to adopt a policy which will in the course of time make the Indians civilized and self-sustaining citizens. The facts and opinions presented below are gathered from a recent conversation with him upon the subject.

For want of a settled policy looking to the conversion of the Indians into citizens amenable to the laws of the country, over $1,000,000,000 have been expended since the foundation of the Government in fighting them and in hiring them not to fight; and more lives have been lost in wars with them than in any foreign war in which the nation has been engaged. The present Sioux war alone will probably cost in the neighborhood of $15,000,000. Between $5,000,000 and $6,000,000 a year are now expended in taking care of the Indians, or, in other words, in coaxing them to be peaceable. There are over 100 reservations, including an area of about 100,000,000 acres of land, a territory inside the United States four times as large as the State of Ohio, over which neither the laws of the United States nor of any State or Territory extend to protect or punish the Indians. Their only semblance of law is their petty and barbarous tribal regulations. The boundaries of these reservations are of immense extent, and it is impossible to guard them so as to prevent the intrusion of whites, who sell bad whisky and good weapons to the savages. Experience has shown the utter impossibility of making these boundaries anything more than imaginary barriers between the whites and the Indians. The reservations are the resort of bad white men, who marry Indian women and often become more savage than the savages themselves. The white settlers around the reservations are always strongly prejudiced against the Indians, and there is a constant condition of irritation, amounting to a state of semi-hostility, existing between the two.

No remedy can be found for this under the present system. The first thing to be done toward a permanent and lasting settlement of the vexatious Indian question is to extend the laws of the United States over all the tribes, and break up entirely the tribal system of government. Courts should be established to punish crimes committed on the reservations, whether by whites or Indians, and the Indians should be taught that they are subject to the penalties of the law and are at the same time under its protection.

When this step has been taken, the next should be to concentrate all the tribes upon, at most, three or four great reservations. This could not be done at once, but would be an affair of years. Commissioner Smith does not believe in using force to accomplish this important object, but thinks that in the course of ten years, with an appropriation of $200,000 or $300,000 annually applicable to this purpose, all the tribes could be persuaded to move. The principal reservation should be in the eastern part of the present Indian Territory, adjoining the State of Arkansas. The Indian Territory contains about 70,000 square miles of land, and its present population is composed of about 80,000 Indians. It would be feasible to collect here about 125,000 in addition to the present population. Allowing 80 acres of land per capita to all the Indians now in the Territory and to all those who should be brought there, there would still remain a very large area of unoccupied land to be opened to white settlement. It is proposed to compensate the present semi-civilized tribes occupying the Territory for the cession of the lands which they now hold in common, and to induce them to accept the new system of land tenure in severalty, conveyed by patents inalienable from the families of the Indians receiving them for a period of at least 50 years. A simple form of territorial government should be extended over this Territory, and white men excluded from it, except Government agents, licensed traders, and other employés, and such men as are necessary to protect the railroads running through the country.

Among the Indian tribes which it is proposed to gather upon this principal reservation are the Apaches, Comanches, and other Indians of New-Mexico, Arizona, and Colorado, the whole nation of the Sioux, the Blackfeet, the Crows, the Arapahoes, and smaller tribes inhabiting Western Dakota and Montana. The Lake Indians should be gathered upon the White Earth Reservation in Northern Minnesota, which contains thirty-six townships of good land, with plenty of timber, and with numerous lakes abounding in fish. Bishop Whipple strongly recommends this reservation as the best point for concentrating all the tribes occupying small reservations in Wisconsin, Minnesota, and Eastern Dakota. The Indians of the Pacific Coast it is proposed to put upon a large reservation in Washington Territory.

The chief opposition which this plan meets with is on account of the contemplated use of the eastern part of the Indian Territory for the principal reservation. This section contains the best land not occupied by white settlers to be found anywhere in the United States. It is only 400 or 500 miles from the seaport of Galveston, and is about the same distance from St. Louis. The people of Missouri, Kansas, Arkansas, and Texas are exceedingly desirous of having the Indians now occupying it pushed further westward, in order that the country may be opened to white settlers. They know that it is capable of supporting a dense and wealthy population, and that its settlement would greatly conduce to the prosperity of the surrounding States, of the great cities that are ready to reach out to secure its productions for their markets, and of the railroad companies whose lines run through the region or are soon to be extended into it. A powerful influence will therefore always exist in Congress against any plan for dealing with the Indians which proposes to settle a large body of them in perpetuity within the limits of this territory, and yet it is the only place under control of the Government that is perfectly adapted to such a purpose. The fertility of the lands, the mildness of the climate, and the presence already of a considerable number of civilized or partially civilized Indians, who have an inalienable right to a continued residence there, combine to make it an exceedingly desirable location upon which to carry out a wise and humane system of gradually bringing a large body of savages within the pale of law and civilization.

A SHORT SESSION OF THE HOUSE.

WASHINGTON, Dec. 28.—The House met, but transacted little business, and adjourned at 12:20. The following bills were introduced and referred: By Mr. Hooker (Dem., Miss.)—For the improvement of the Pearl and Pascagoola Rivers in Mississippi. By Mr. Douglass (Dem., Va.)—Authorizing the Commissioners of the Freedmen's Savings and Trust Company to buy certain real estate. By Mr. Fenn (Dem., Idaho)—Authorizing the purchase of gold dust and bullion at the Assay Office at Boise City.

CURRENT TOPICS AT THE CAPITAL.

A GRASSHOPPER INVESTIGATION ASKED FOR.

WASHINGTON, Thursday, Dec. 28, 1876.

The Governors of the States of Missouri, Illinois, Kansas, Nebraska, Minnesota, and Dakota, the State Entomologists of Illinois and Missouri, and others have united in a memorial to Congress in regard to the grasshoppers. They say that various portions of the country have been devastated by these insects for the past 150 years, and that their numbers and ravages have of late increased with alarming rapidity; that many settlers in the Western States and Territories have suffered a total loss of crops from the ravages of the Rocky Mountain locust for four years in succession, and are, in consequence, reduced to great poverty and distress; that these insects overran no less than 16 States and Territories during 1876, and that, by destroying millions of dollars of the farmers' hard earnings, crippling the progress of the border States, and retarding the settlement of the Territories, these destructive insects have become a national plague. They say that it is their own profound conviction that an evil which, by impairing the prosperity of agriculturists, threatens the source of productive industry, deserves the prompt and thorough consideration of the National Government. The memorialists respectfully ask:

First: That a commission be appointed at the earliest practicable moment, to consist of three entomologists and two practical men of experience with locusts, to be appointed by the Chief of the Geological and Geographical Survey of the Territories, and approved by the Secretary of the Interior. The duty of this commission shall be to examine into the history, nature, and habits of the insects, and to suggest such means of destroying them and such remedies against their ravages by the offer of bounties for the destruction of their eggs or otherwise, as their investigations shall prove most practicable. For this purpose it is proposed that the sum of $25,000 be added to that part of the Sundry Civil Appropriation bill providing for survey of the Territories, in order to pay the salaries and expenses of such commission.

Second: That the Signal Service be authorized and required to take regular observations of the movements of the insects, the time, direction, and extent of their flights, the time of the hatching and departure of the young locusts, and other particulars concerning them, and that the information thus obtained of the appearance and progress of the swarms, and such other observations as may prove of practical service, be published with the daily weather reports, and that Gen. Meyer be provided with such additional means and assistance as shall be adequate to the demands of such enlarged operations.

HISTORICAL FACTS WANTED.

The sub-committee of the Committee on Foreign Affairs, consisting of Representatives Swann, Faulkner, and Monroe, have not yet obtained from the State Department certain historical data which they desire to have previously to framing a report on the reception and acknowledgement by Congress of the Centennial greeting by "the Irish nation." This greeting is addressed to the President of the United States, and is the same which our Government declined to receive from Mr. O'Conor Power, except through the British Minister. Apart from the etiquette required in such cases, the address was considered objectionable because it contained severe reflections on the British Government, and which our own Government felt a delicacy in receiving on account of the friendly feeling between the two countries. When the sub-committee called to see Secretary Fish last week they learned he was absent from the city, their object being to ascertain from him all the facts in the case.

IMPORTS FROM GREAT BRITAIN.

The following statement, showing the exports of the principal articles of British and Irish produce and manufactures from the United Kingdom to the United States during the 11 months ended Nov. 30, 1876, as compared with the corresponding period of 1875, has been furnished by the Chief of the Bureau of Statistics:

ELEVEN MONTHS ENDED NOV. 30. *Articles.*	1875.	1876.
Alkali, cwt	1,836,537	2,030,473
Apparel and slops, £	91,963	70,026
Beer and ale, bbls	35,933	21,262
Copper, unwrought, cwts	20	30
Copper, wrought, cwts	171	303
Cotton piece goods, yards	76,859,000	52,387,400
Earthen and china ware, £	574,082	512,519
Haberdashery, £	499,761	273,786
Hardware and cutlery, £	622,685	327,526
Iron—Pig, tons	45,188	36,205
Bar, angle, &c., tons	3,120	2,338
Railroad, tons	17,755	349
Hoops, sheets, &c	10,643	6,882
Tin plates, tons	89,060	82,580
Cast or unwrought, tons	7,435	3,964
Old, tons	6,876	5,389
Steel unwrought, tons	9,883	7,121
Lead, pig, tons	193	1,315
Linen piece goods, yds	88,934,700	68,980,000
Machinery, £	166,000	203,008
Paper—writing or printing, cwt	3,415	2,850
Paper—other kinds, cwt	5,985	3,365
Salt, tons	197,862	194,526
Silks, broadstuffs, yards	343,647	337,352
Ribbons, £	16,542	4,793
Other articles, of silk only, £	55,964	55,120
Articles of silk, and other materials, £	32,203	43,664
Spirits, British and Irish, galls	79,713	7[illegible],015
Stationery, other than paper, £	68,611	61,097
Tin, unwrought, cwt	14,276	13,689
Wool, lb	512,500	2,014,336
Woolen cloths, &c., yards	2,547,500	1,434,600
Worsted stuffs, yards	49,338,300	39,685,20[illegible]
Carpets, yards	2,079,800	948,600

WORK OF THE ALABAMA CLAIMS COURT.

The Court of Commissioners of Alabama Claims, under its present jurisdiction, will hold final session to-morrow. The business transacted to-day consisted in rendering judgment, in Case No. 1,498, to John Taffee of San Francisco, for $275, and hearing several motions for new trials, etc. The business of this court has been transacted with great dispatch, the number of claims heard and decided greatly outnumbering those of any similar tribunal for the time occupied.

WASHINGTON NOTES.

WASHINGTON, Thursday, Dec. 28, 1876.

The Secretary of the Interior has ordered that the City Rock Mining Company's application for a patent for the King of the West Mine in Utah shall be suspended until the controversy now pending between the parties in Utah is finally adjudicated by the courts. Secretary Chandler, in making this order, lays down the following important general principles: First, That it is the duty of the department, when an adverse claim is presented for consideration, to examine it and determine whether the claimant has substantially set forth under oath its nature, boundaries and extent. Second, If a compliance with the law is shown in these particulars, and a suit has been instituted to determine the rights of the parties, the department can proceed no further with the investigation, but must await the determination of all other questions relating to the controversy by the courts. This order is of great importance to mine owners. It completely reverses the past practice of the department, which has been to decide mining contests and issue patents while suits relating to them were still pending in the courts.

A series of meetings which have been held here in the interest of the Missionary Society of the Methodist Episcopal Church closed this evening with a mass meeting of the Methodists of this city, at Wesley Chapel. Ex-Mayor Emory presided, and addresses were delivered by the Rev. R. S. Dashiell, D. D., corresponding secretary of the Missionary Society; the Rev. C. H. Fowler, D.D., editor of *The Christian Advocate*, of New-York, and Gen. Clinton B. Fisk. Resolutions pledging hearty cooperation in increasing the funds of the treasury were unanimously adopted. Great enthusiasm prevailed.

A bill was introduced in the House to-day by Representative Douglass of Virginia, authorizing the Secretary of the Treasury to purchase the Freedmen's Savings Bank building in this city for Government uses at a sum not exceeding $300,000. He also introduced a bill authorizing the commissioners now liquidating the affairs of that institution to buy in its own real estate when the price offered for it at public sale shall be deemed too low. Mr. Douglass is chairman of the House Select Committee on the Freedmen's Bank.

The Commissioner of Patents to-day decided the interference case of Frank W. Freund of Colorado against Nelson King of Connecticut, each of whom claimed the right to a patent for an alleged improvement on Sharp's carbine system. The invention is described as follows: A combination of the hammer, breech of gun, and firing-pin for half-cocking the gun in the act of firing, and closing the breech when the hammer is down. The decision of the Board of Examiners in Chief, awarding priority of invention to Freund, is affirmed.

The amount of silver disbursements from the Treasury to date aggregate $25,511,509 38, of which $15,395,512 62 was for the redemption of fractional currency, and $10,115,996 76 was silver paid in lieu of notes and checks. The amount paid by the Assistant Treasurer in New-York is $7,596,667; in Boston, $3,537,030; in Philadelphia, $3,164,430; in St. Louis, $1,475,082; in Cincinnati, $2,280,257; in Chicago, $2,638,977, and in Baltimore, $991,012.

The Treasury experts who have been engaged in examining the money which was partially burned in the recent accident on the New-York Central Railroad, near Buffalo, by which safes belonging to the American Express Company were destroyed, have up to this date succeeded in identifying only about $7,500. The prospect does not seem favorable for the redemption of a large amount of the burned funds.

A hearing was had to-day before Assistant Secretary of the Interior Gorham and the Commissioner of Patents on the subject of the award of the contract for photo-lithographing drawings of models. The bidders are *The Graphic* Company and the American Photo-Lithographic Company of New-York, and Mr. Norris Peters of this city. The bids were very nearly the same.

Notwithstanding the published statements that Gen. Anderson, during his recent visit to this city, deposited the electoral votes of Louisiana with Mr. Ferry and received a regular receipt for them, it can be stated upon the authority of Mr. Ferry's private secretary that, up to this time, no electoral returns have been received from Louisiana.

The Senate Committee on Privileges and Elections will commence the investigation into the Oregon electoral case to-morrow. Messrs. Watts, Odell, and Cartwright, the Republican electors, and the Hon. Stephen Chadwick, Secretary of State of Oregon, witnesses subpenaed to appear here, arrived this morning.

THE WESTERN TELEGRAPH COMPANY.

AN INJUNCTION GRANTED AGAINST MERGING THE COMPANY IN ANOTHER CORPORATION.

BALTIMORE, Dec. 28—The adjourned meeting of the directors of the Western Telegraph Company was held in this city to-day, Messrs. Wm. Orton, Cambridge Livingston, and W. H. Abel of New-York and others being present. It is said that the business before the meeting was merely routine and was satisfactorily concluded. Bearing on the meeting of to-day, the following action was taken in the Circuit Court: Wm. O. Sprigg of Alleghany County, Md., for himself and such other stockholders as may unite with him, applied to the court for an injunction against the Western Telegraph Company. He alleges that the formation of a new company as proposed is without his consent as a stockholder of the Western Telegraph Company, and will compel him to assume new obligations under a new charter of which he knows nothing. He therefore asks the court to grant an injunction forbidding William Orton and others from surrendering the rights of said Western Telegraph Company or the merging of the same in a new company. Judge Pinckney granted the injunction.

THE TRIAL OF DENISON, BELDEN & CO.

ALBANY, N. Y., Dec. 28.—The trial of the case of the People against Denison, Belden & Co. was continued before the referees to-day. The entire session was occupied in hearing the testimony of John E. Jarvis and Prof. Michie of West Point in regard to their examination of the work alleged to have been done under the contract upon which the suit was brought.

TELEGRAPHIC NOTES.

QUEBEC, Dec. 28.—The Quebec Legislature was prorogued to-day by Lieut.-Gov. De St. Just.

SPRINGFIELD, Mass., Dec. 28.—At a meeting of the Massachusetts Teachers' Association to-day, James F. Blackinton of Boston was elected President.

MOBILE, Ala., Dec. 28.—Mobile, the mother of mystic societies, will celebrate on the night of Dec. 30, according to time-honored custom, the Cowbellions' forty-sixth, the Strikers' thirty-third, and the T. D. S.'s thirty-second anniversaries.

BOSTON, Dec. 28.—The United States Postal Railway Commission, consisting of Messrs. Gardner G. Hubbard of Massachusetts, Frank W. Palmer of Illinois, and Daniel M. Fox of Philadelphia, began their session at the Tremont House in this city to-day. They examined Ginery Twichell, Hocum Hosford, and Col. John P. George.

CLEVELAND, Ohio, Dec. 28.—The first game in the handicap billiard tournament was played last evening between Thomas Gallagher and Anthony Houing, and was won by the latter. By the terms of the agreement Gallagher was required to make 350 points and Houing 275. At the end of the 55th inning the score stood, Gallagher 276, Houing 275.

THE ELECTORAL VOTE.

A FEW THINGS ALREADY SETTLED.

THE PRESIDENT OF THE SENATE WILL NOT COUNT THE VOTE—NO STATE TO BE THROWN OUT EXCEPT BY BOTH HOUSES—NO ELECTION BY THE NEXT HOUSE—THE OREGON TRICK A FAILURE.

[FROM THE REGULAR CORRESPONDENT OF THE TRIBUNE.]

WASHINGTON, Dec. 27.—Every step taken by the committees of the Senate and House of Representatives appointed last week to devise some basis for the settlement of the great controversy over counting the electoral vote will be watched with the greatest interest here in Washington and throughout the entire country. They may not reach the same or similar conclusions. Perhaps that would be too much to expect of committees controlled by rival parties in a time of excitement like this, and when the prize for which they are contesting is so great. They may not agree to recommend any rule of procedure to guide the joint convention when it meets in the Senate chamber on the 14th of February. But their discussions and their reports will certainly be of great value. They will clear away much of the rubbish that now surrounds and obscures the questions at issue, and show what has been settled by the Constitution, the laws and well-established precedent, and what the actual differences between the two houses of Congress are.

It seems to me very fortunate that the counting of the electoral vote does not take place until after Congress has been in session two and a half months. On the second Monday in December the members of both houses came here hot with the excitement of the campaign and of the month of suspense which followed it, many of them with vague notions of the Constitution, laws, and precedents applicable to the unusual condition of affairs, and each with some plan which he believed if adopted would result in the inauguration of the candidate of his choice. Three weeks' free discussion has shown how impracticable the most of these schemes are; and if it continues in the newspapers, in Congress, in the committees that have been appointed, and in the private political gatherings until the second Wednesday in February, both houses of Congress will become better and better fitted to deal with the delicate questions which they will then have to decide, unless something unforeseen should occur to kindle excitement anew and arouse partisan frenzy.

Many of the suggestions which individual Members of Congress have made have not got into the public prints before they have been abandoned; but others have led to long discussion, and although never formally relinquished by those who for a time defended them, are no longer accepted as the basis of a probable solution of the difficulty. Some of these I shall enumerate in this letter, giving some of the reasons why each plan is no longer seriously advocated or is not likely to be adopted. I cannot predict what the joint convention will do on the 14th of February, but I do know with reasonable certainty some things that it will not do.

First: The President of the Senate will not of his own motion assume the responsibility of deciding in regard to the validity of the returns from any State which come to him in the customary form. When it was first learned that the Democrats would send pretended returns from South Carolina, Louisiana, and Florida, for the purpose of laying the foundation for questioning those that come with the official seals of the recognized authorities of those States, it was very generally held by Republicans that the President of the Senate could, and undoubtedly would, prevent any such question from being raised, by refusing to receive any returns except those which he knew to be the genuine ones; and it was at one time published as a fact that Mr. Ferry would be informed in advance by Govs. Chamberlain, Kellogg, and Stearns who the messengers were from whom he should receive the returns of their States, and that he would decline to receive any others. Mr. Ferry's action already has shown that this report was not founded in fact. To refuse to receive any returns would be to decide in advance of the joint convention between the contestants in those three States. No such power has ever been conferred on the President of the Senate, either by the Constitution, the laws, or precedent, and the Senate has given Mr. Ferry no instructions in the matter. Without the authority of one or the other of these the President of the Senate would assume no such responsibility.

I conclude, therefore, that unless he is previously instructed otherwise, Mr. Ferry will do as Vice-President Colfax did in 1873. Where he has received two sets of returns from any State, he will open them both in the joint convention and announce the fact of their reception, calling attention to any marks that either may bear which will assist to identify it as the genuine and legal return. For instance, if one is certified by the Governor of the State and bears its broad seal, while the other is signed by some other person, that fact will be remarked when the packages are opened. But the President of the Senate will not even then decide which return should be counted, if either, unless that power is expressly conferred on him in advance.

Second: The vote will not be counted by the President of the Senate. My reasons for this belief are twofold. I expect the Senate in the absence of any rules will follow the best established precedents where the Constitution and laws are silent, and I know that the House and I believe that the Senate will not agree to intrust the acting Vice-President with this power. I say that the Senate, in the absence of rules, will follow the best established precedents where the Constitution and the laws are silent. I know that when the first President was chosen under the Constitution, the Senate, in obedience to a resolution passed by the Constitutional Convention, elected a President pro tem. for the sole purpose of counting the vote, and it has been argued that the passage of that resolution was in effect an interpretation of the Constitution on this point by its framers. This may be true, but if so, it was an interpretation that was not accepted, for, ever since that time, the houses through their tellers have participated in the counting of the electoral vote. This unbroken line of precedents has acquired almost the authority of written law. The Senate is distinguished for its respect of precedents.

I do not think a resolution could be passed by the Senate, in its present temper, conferring upon its President the right to count the vote. The Democrats would oppose it unanimously, and would debate it until the 14th of February if they could not defeat it in any other way. I have trustworthy information also that a number of the most influential Republican Senators will oppose such a solution of the difficulty if it is proposed, and that there are enough of them, with the Democrats, to make a majority of the body. I know that when Senator Morton's electoral bill was debated in the Senate a number of leading Republican Senators declared their belief that the framers of the Constitution never intended that the President of the Senate should count the vote, and announced their opposition to the proposition to intrust that power to him. Drawing a direct conclusion from this negative statement, I am forced to believe that the two houses of Congress will participate in the counting of the vote as they have done in times past, and that they will not be simply spectators of an act performed by the presiding officer of the Senate.

Third: The next House will not elect the President. No President can be chosen by the House of Representatives unless it is done before the 4th of March, 1877. If no President has been chosen on that day the President of the Senate will be inaugurated and will serve until a new election can be held. The 12th article of amendments to the Constitution is so explicit on this point that there can be no difference of opinion in regard to it.

Fourth: The vote of no State will be rejected without the concurrence of both houses of Congress. Neither house has ever exercised the power of throwing out the electoral vote of a State without the consent of the other. The only instances in which one house has rejected votes occurred under the 22d Joint Rule, and the concurrence in those cases took place in the adoption of the rule. Nothing which was done by authority of that rule can be cited as a binding precedent now that the rule is repealed. Speaker Randall's idea that the 22d Joint Rule is still in force will be repudiated by the House if it ever gets an opportunity to vote on the question.

Fifth: The genuine official returns of the three contested Southern States may be received as prima facie evidence of how the votes of those States ought to be counted; but they will not be considered as final proof. In other words, both houses will agree to go behind the official returns and decide from other evidence which return, if either, ought to be counted in each case. It seems to me that the Senate by instructing its committees to investigate the election in five Southern States and in Oregon and to examine into the qualifications of electors in other States has admitted the right, the necessity even, of going behind official certificates which may be illegal or fraudulent and acting on the facts. The House will of course demand it as a right.

Sixth: No questions either of law or fact will be submitted to the Supreme Court for its decision. The pretended interview with Judge Miller printed two weeks ago has made the Democrats unwilling to make the Supreme Court an arbiter of anything in connection with the Presidential controversy. They say that although he has made a qualified denial of the authenticity of the interview, they know that his sentiments were not misrepresented. The Republicans, on the other hand, find difficulty in devising a mode of bringing any question legally before the Supreme Court, and I have been unable to find much disposition among them to submit to that tribunal any of the questions over which Congress, if any one, has jurisdiction.

Seventh: The Democrats will not get their missing vote from Oregon. Some of the Democrats still cling to the theory that Cronin's organization of the electoral college of that State was legal, but the ground now held by the more conservative of them is that no election took place in Oregon except as to the choice of two electors.

Eighth: The House of Representatives will not of itself declare that there has been no election of President, and proceed to choose one. The right of the House to elect a President is contingent on the failure of a choice by the electors, and while the question whether the electors have succeeded or not remains open, a vote by the House would be unconstitutional, illegal, and void. Nor is there any precedent authorizing the House to decide this question. The framers of the Constitution did not contemplate the possibility of a doubt ever existing on this subject, and so they did not provide for its adjudication, but the common-sense view of the case is that whoever has authority to count the electoral vote alone has authority to determine whether an election has taken place or not. As nobody asserts the right of the House, by itself, to count the vote, I do not believe that the Democratic party will claim the right for the House, by itself, to determine what the result of the count has been.

All that I have said in regard to what will not take place as to counting the electoral vote will be subject to modification under certain circumstances which I have not considered as likely to exist. I have assumed that in spite of all the wild and extreme talk one hears among politicians on both sides in Washington, each house will finally be careful to take no positive step for which there is not at least the color of sanction in the Constitution, the laws, or well-established precedent. But if either party should go outside of that sanction and assume powers which have not heretofore been accorded it and the exercise of which would give it an unfair advantage, then it is impossible to foretell how far the other may go to counteract it. For instance, if the House should plant itself on the extreme ground that it has the power without the consent of the Senate to reject the vote of any State, then the Senate might also be driven to the equally extreme ground of making its presiding officer the sole judge of the validity of all the returns. Violent and threatening demonstrations in the Democratic meetings on the 8th of January would also intensify the excitement and unfit both houses to deal with the crisis with much calmness or reason. But I do not anticipate anything of the kind. Z. L. W.

THE FIRE RECORD.

A SHIP AND CARGO OF COTTON BURNED.

PORT ROYAL, S. C., Dec. 28.—The ship Harvey Mills, lying at anchor in the bay, loaded with cotton for Liverpool, was discovered to be on fire between decks this morning at 1 o'clock. Assistance was promptly rendered by the fleet steamship Huntsville, and water-boats kept the fire down but failed to extinguish it. In attempting to get the burning ship to the wharf she grounded, and all efforts to get her off proved unavailing. This evening the steamer Huntsville left her and sailed up to the wharf. Two men were suffocated while searching for the location of the fire, which is still burning under the decks. The value of the ship and cargo is about half a million dollars.

FIRE FROM A CHRISTMAS TREE.

On Wednesday evening, while August De Jonge and his family were enjoying themselves with a Christmas tree, at their residence on Beach-st., Stapleton, S. I., the tree came in contact with a gaslight and caught fire. The flames communicated with a window-shade and thence with some valuable oil paintings upon the walls, which were destroyed, together with portions of the carpets. The damage by fire and water was about $2,000, which is covered by insurance in the Canadian, German, British American, and Hartford companies.

THREE SMALL FIRES.

A fire, originating in some unknown way, last evening damaged the stable in the rear of No. 7 Albany-st., occupied by N. Kinger, to the extent of $2,000. The building was not insured.

A quantity of malt in Ebleng's brewery, at St. Ann's ave. and 156th-st., took fire last evening and caused a slight conflagration, which was put out by the workmen. The damage was trifling.

A fire broke out last evening in the rooms of Dr. Shell at No. 3 Prince-st., and a quantity of medicines, valued at $1,000, was destroyed. The building was also damaged about $300.

HUDSON RIVER ICEMEN ON STRIKE.

RONDOUT, N. Y., Dec. 28.—The Knickerbocker Ice Company began housing ice at Turkey Point this morning, when about 450 men struck, demanding $1 50, $1 75, and $2 a day. They now receive $1 25. The icemen state that this is the beginning of a general movement along the river. They are organized and determined that the companies shall not house any ice until they return to the old time prices. About 5,000 men are usually employed to harvest the ice crop in this vicinity.

CRIMES AND CASUALTIES—BY TELEGRAPH.

BIDDEFORD, Me., Dec. 28.—Jeremiah Fletcher, an old resident, committed suicide by taking poison this evening. Domestic trouble was the cause.

WORCESTER, Mass., Dec. 28.—Nellie Minns, an orphan, 18 years old, committed suicide here last night by taking oil of cedar. Cause: want of work and disappointment in love.

BENNINGTON, Vt., Dec. 28.—John Alsover of North Bennington, a brakeman on the Troy and Boston Railroad, fell under the cars at Blackinton, Mass., this afternoon, and was instantly killed.

BOSTON, Dec. 28.—In a glove-fight to-night at Revere Hall, between P. J. McDermott and D. Davidson, the latter received fatal injuries and died in the hall. Several arrests were made.

HARRISBURG, Penn., Dec. 28.—Gov. Hartranft has issued a warrant for the execution of John Donohoe, to take place March 8, 1877. He was convicted in Carbon County of the murder of Morgan Powell.

BALTIMORE, Md., Dec. 28.—David Milligan, 26 years old, was shot and killed last night, in Canton, by his cousin, Wm. Milligan, 21 years old. The parties are colored. The difficulty originated in a saloon where they had been drinking.

BOSTON, Dec. 28.—A sleigh, used in connection with the Metropolitan Horse Railway Company for carrying passengers, upset at Boston Highlands this morning, severely injuring the driver, a boy named Welch, and a Mr. Harrington. The sleigh was completely demolished, and one horse was killed.

NATIONAL POLITICS.

A HOLIDAY LULL IN THE STRIFE.

THE PARTIES TAKING IT QUIETLY IN THE SOUTH—A DENIAL BY GOV. HAYES—TILDEN'S COMING CONVENTION IN OHIO.

The committees at New-Orleans were quietly busy yesterday, but took no novel or important testimony. In Florida Gov. Stearns acquiesces in the result of the new canvass; the Republicans are exerting themselves to secure a meeting of the whole Supreme Court to pass on the new canvass. Gov. Hayes denies that he intends to resign as Governor of Ohio. There has been competition among Ohio cities to secure the 8th of January convention of Democrats, but it will be held at Columbus, as originally designed.

OHIO'S TILDEN CONVENTION.

A RIVALRY BETWEEN SEVERAL CITIES TO SECURE THE MEETING.

[BY TELEGRAPH TO THE TRIBUNE.]

COLUMBUS, Dec. 28.—Since the announcement that the meeting of the Ohio Democracy on the 8th of January would be held in Columbus, the leaders of that party in Cincinnati have been making strenuous efforts to secure the convention for that city instead. Cleveland and Toledo have also been anxious to secure the meeting. Petitions were pressed so strongly, that the leading Democrats of this city to-day telegraphed John G. Thompson at Washington not to change the place of meeting, as half-fare arrangements had been made with the railroad companies, and it would cause much dissatisfaction. Mr. Thompson replied that the meeting would be held at Columbus, as first announced, but that the pressure from Cincinnati was very strong. Messrs. Pendleton, Ewing, Vance, Morgan, Ward, and other leaders of the party will be present at the coming convention.

FLORIDA'S NEW COUNT.

GOV. STEARNS ACQUIESCES—THE SUPREME COURT TO MEET TO ACT ON THE NEW RETURNS.

TALLAHASSEE, Fla., Dec. 28.—The return of the majority of the Canvassing Board in answer to the writ of the Supreme Court was filed about 2 p. m. to-day. It gives the same figures which were telegraphed last night, and arrives at the result by throwing out Clay County entirely and adopting the County Judge's return in Baker County. Gen. Wallace thinks the Democrats ought to accept this canvass, as it gives them the State Government, and as Gov. Stearns will acquiesce in it. He does not think that the Democrats ought to make any further contest in regard to the Presidential election. Whether they will agree with him remains to be seen. The Supreme Court did not meet to-day. Two of the justices reside in Jacksonville, and ex-Attorney-General Williams and Gen. Wallace went to see Justice Westcott this afternoon to get him to request the attendance of the absent justices. They will most probably consent, and court will be held in a day or two to act on the return of the board. Attorney-General Cocke to-day filed his protest against the action of the board in regard to Clay and Baker counties. Everything indicates a speedy solution of the differences here. The court will either accept the present return or require the two counties to be recanvassed, which will only require a few moments.

SENATE COMMITTEE IN LOUISIANA.

TESTIMONY TAKEN ON BOTH SIDES—A WITNESS WHO WANTED TO KNOW HOW HE IS TO BE PROTECTED.

NEW-ORLEANS, Dec. 28.—The Senate Investigating Committee to-day examined B. R. Shelby of Ouachita, whose testimony was substantially the same as that of Mr. McEnery yesterday in regard to the condition of affairs there during the canvass. He contradicted the statement of Esquire Hall in reference to colored men being forced to join the club, and of Eliza Pinkston as to James and Van. Logan being in the party who assaulted her and killed her husband. He said the Logans were at his house that night. He corroborated Mr. Hall's statement that two men stood by the polls and took down the names of voters, but did not know what for. The Rev. Americus Watson, William H. Hill and George Robertson, all colored, testified that they were Democrats and that the election was peaceful and quiet.

The Senate sub-committee, of which Mr. Wadleigh is chairman, to-day examined Andrew Harrison, colored, of Easton Baton Rouge. His testimony showed that while the negroes of the parish were Republicans from choice many of them were forced to vote the Democratic ticket through threats and fear; he had been told that if he did not vote with the Democrats he would be relieved from carrying the mails, and others had been told if they did not vote the same way they would be hanged; he voted the Democratic ticket in consequence of these threats. Harrison gave instances where colored men had been hung up and nearly strangled for refusing to join the Democrats, and said that the Regulators were originally organized, as asserted, to prevent stealing, but they subsequently turned into bulldozers. He narrated at considerable length the breaking up of the Union Rights Colored Club at Mount Vernon in June last, and the riot which ensued.

George Brown of the same parish, who was driven from home and was afraid to return on account of being a Republican, denied that the ritual of the Union Rights Club required members to shoot negroes after the third refusal to join, as published in *The New-Orleans Democrat.*

P. A. Triplett, colored, corroborated the account of the breaking up of the club by the Democrats.

H. G. Washington, colored, detailed several acts of violence by bulldozers, and gave, with great reluctance, the names of the leaders, and in conclusion asked the committee what protection would be given those who came here to testify. Senator McDonald said to him that if any one molested him to report to the committee, and they would be punished. Senator Wadleigh said, "That is a hard case, but we have no power to help you." The witness (replying to Mr. McDonald) said, "If I go home and get killed, I cannot report to the committee." Jacob Shields, colored, said he was a Deputy United States Marshal at Poll No. 8, and was forced to leave; Bob Duncan wanted him to stand off and let him shoot at his badge; Duncan said they did not want any "nigger" officers around there.

A large mass of testimony was taken by the sub-committee, of which the above are the principal points.

MORRISON'S COMMITTEE.

REPUBLICAN INTIMIDATION—BULLDOZERS ORGANIZED BY YOUNG MEN FOR MYSTERY.

NEW-ORLEANS, Dec. 28.—The committee of the House of Representatives of which Mr. Morrison is chairman examined during the day some half a dozen colored witnesses belonging to Orleans Parish, who testified to being assaulted, beaten, or intimidated by their own race for having voted the Democratic ticket. William M. Washburne of Morehouse Parish said he knew of only one case of violence there on election day; otherwise the election was peaceable; he had been elected to the Legislature and counted out by the Returning Board; he believed the bulldozers were organized by young men for the purpose of creating mystery, and said that members of the Democratic party took steps to break them up. He was questioned closely by Mr. Townsend in reference to homicides in the parish, and attributed them to the inefficiency of the judiciary and its lack of support by the people.

JUDGE WOOD NOT GOING TO FLORIDA.

MONTGOMERY, Ala., Dec. 28.—Judge Wood of the United States Circuit Court is at his home in this city, and has been holding court here until within a few days. He says he is not going to Florida, his duties not calling him there, and he knows of no reason for his going there.

GOV. HAYES DENIES A RUMOR.

CINCINNATI, Dec. 28.—Gov. Hayes personally denies the rumor of his intention to resign the Governorship of Ohio.

TAMMANY CONGRESSIONAL DELEGATES.

Full delegations have been elected by the Tammany organization in the VIIIth, Xth, and XIVth Assembly Districts, to the VIIth Congressional District Convention, which will meet at Beethoven Hall to-morrow evening to nominate a candidate to fill the unexpired term in Congress of Mayor-elect Ely.

ARREST OF FOUR BURGLARS.

Five burglars entered the restaurant of Mr. Broecher, at Conway-st. and Broadway, East New-York, last Saturday evening, and took away with them in a wagon a large quantity of cigars and tobacco. The proprietor was aroused by the noise, and fired at the thieves as they were departing, wounding one of them. The next day four persons—Samuel A. Hunter, "Notoe Charlie," and Romer Bess, colored, and Thomas Smith, a white man—were arrested on suspicion of the crime. Although there was no positive proof against the men, Superintendent of Police Campbell contrived to obtain a full confession from one of them on Wednesday, through which the four were committed to await the action of the Grand Jury. Last evening Barney Heany was arrested, and is supposed to be the fifth burglar and the one who was injured by the shot fired on Saturday evening.