

THE TROUBLED STATES.

Election of United States Senator by South Carolina Republicans.

CORBIN'S REWARD.

A Full Democratic State Government To Be Instituted.

STARTLING ELECTION FRAUDS.

Authority of the Congressional Investigators Disputed in Louisiana.

SOUTH CAROLINA.

Judge Bond's Discharge of the State Canvassing Board—Arrested for Contempt by the Supreme Court—Election of United States Senator—D. T. Corbin the Choice of the Senate and Mackey House—The Election to Be Declared Today.

[BY TELEGRAPH TO THE HERALD.]

COLUMBIA, Dec. 12, 1876.

The decision of Judge Bond, of the United States Circuit Court, discharging the State Board of Canvassers from custody creates a lively sensation here and is considered quite a curiosity by the legal fraternity.

It is a voluminous document, even leaving out the authorities he cites. He assumes that it is a motion to dismiss the petition granted by him and to remand the petitioners to the custody of the Sheriff, from whom they had been taken by his writ of habeas corpus, and claims that section 75, title 13, of the United States Revised Statutes, compelled him, in the first instance to award the writ if the petitioner set out in his petition what is necessary to give a federal court jurisdiction. The Judge admits that the party must allege that he is in custody in violation of the constitution or of a law of the United States and says the petitioners do allege that they are a board of canvassers, charged with the duty, among others, of canvassing the votes cast at a general election at which members of Congress and Presidential electors were to be chosen. He ignores carefully the fact that before the time at which the proceedings in contempt were commenced against them by the Supreme Court of the State this Board had adjourned sine die, claiming to have fully performed their duties and to have no power, and had set up that defense before the Supreme Court.

JUDGE BOND'S REASONS.

The decision of Judge Bond adopts the article statement of the petitioners framed in language to create the impression that the State Court had interfered with them and interrupted them while they were engaged in doing work involving the election of electors and members of Congress. In the face of their own admission that the order of the Supreme Court, in order to disobey which they adjourned expressly, was in the case of the election of State officers, and their own claim that they had done their work, they say that they had notice of an application to restrain them from exercising what they thought to be their power, and that in consequence of further proceedings against them under that notice they were now restrained of their liberty.

Judge Bond admits that if these parties are now in custody for disobedience of an order of a State court competent jurisdiction there is no power of a federal court to release them, and that each order must be not only erroneous, but absolutely void.

PETITIONERS' OBJECTIONS STATED.

He considers the objection of the petitioners that the Board are a part of the Executive Department of the State government and not subject to the control of the judicial branch, and undertakes, on the authority of Gaines v. Thompson, 7 Wallace, to decide that the Supreme Court had no jurisdiction, the Supreme Court of South Carolina having previously construed the State constitution and laws directly otherwise. He admits, however, that it is not enough to release a prisoner that is in custody under what he pronounces a void judgment, but he must be in custody for an act done or omitted in pursuance of a law of the United States, or in custody in violation of the constitution of the United States. On the latter pretext that the Board before adjournment had had to canvass, step with the State officers, the returns for Presidential electors, and although the order of the Court required them to do certain things pertaining solely to the State officers, and although such order had not prevented them from completing their canvass of the electors returns, according to their own view of their duties, Judge Bond assumes that the Board was being punished under a law of Congress or in violation of the constitution.

CONFLICT OF JURISDICTION.

He affects great concern at hearing and determining a case when the parties are charged with disobedience to the orders of a State court, and is happy to think that this conflict of jurisdiction may be referred to the Supreme Court of the United States, knowing that in habeas corpus the Supreme Court has no appellate jurisdiction.

CORBIN'S REWARD.

United States District Attorney D. T. Corbin was rewarded to-day for his zeal and fidelity to the republicans by an election to the United States Senate. Two ballots were taken in the Mackey House, 60 members being present, of which Mr. Corbin received 18 votes. In the Senate five ballots were taken. On the fifth Corbin received 17, the full republican vote present, and Gary, democrat, 12, the full strength of that party in the body.

THE CHOICE BY THE WALLACE HOUSE.

The democratic vote also balloted for a Senator, the vote being divided among about 14 candidates, and without making or even indicating a choice.

TO-DAY'S IMPORTANT EVENTS.

It is believed that this election of Mr. Corbin will bring the present extraordinary state of affairs to a close. The action of the democrats in organizing for a senator to-day shows that they recognize the organization of the Legislature on the 28th of November last. It does not, however, commit them to a recognition of the Mackey House, against which they have persistently recorded their protests as illegal and unconstitutional body. On to-morrow both houses will meet, as required by law, to count the votes for senator and declare the election. Against this the democrats will again protest, will refuse to participate, and will claim there is no election. The republicans, of course, will declare Corbin elected to the United States Senate as the successor of T. J. Robertson. In the meantime the democratic House will continue to ballot for a Senator, and to carry out the forms of law they must also obtain a Senator to do likewise.

A SEPARATE DEMOCRATIC STATE GOVERNMENT.

Their programme has not been developed, but it is anticipated that the democratic Senators will withdraw tomorrow and form a separate government of the State by the abolition of three contestants and the accession of one or two republicans, who will come with them. A result of this will be the immediate inauguration of Hampton as Governor, the election of a United States Senator and the establishment of an entire separate State government. They have steadfastly refrained from adopting any measures that might be regarded as in the least revolutionary; while it is claimed by them that all the acts of the republicans so far, since the 28th of November, are revolutionary and treasonable. In case the above action is adopted there will be two separate and independent governments, but with the difference that the Hampton government will have the power and ability to levy and collect taxes, while the Chamberlain government will be absolutely devoid of any of the functions or authority of a government, and unless it is propped up by the United States Army it must fall.

THE NEW UNITED STATES SENATOR.

D. T. Corbin, the republican Senator elect, was born in Vermont, and is a graduate of Dartmouth College, of the class of 1853. He is forty-four years of age. At the commencement of the war he raised a company for the Third Vermont regiment, was badly wounded in 1862, was captured and confined in the Libby

Prison in Richmond, Va. He came to this State with General Daniel E. Sickles during the reconstruction, having left the army with the rank of major. In 1868 he was elected to the State Constitutional Convention, and subsequently to the State Senate from the same county. He was appointed United States District Attorney by President Grant in 1869, and has served in that capacity ever since. Among the legal fraternity he is regarded as an intellectual light weight, and by the people as the most bitter partisan in the State.

FEDERAL INTERFERENCE MISCHIEVOUS.

Senator Robertson sends the following telegram:— COLUMBIA, S. C., Dec. 11, 1876. GENERAL U. S. GRANT, PRESIDENT OF THE UNITED STATES, WASHINGTON, D. C.:

I learn to-night, at ten o'clock, that the democratic programme above indicated will be carried out, with one exception. The law in relation to the election of a United States Senator requires that when no election takes place the first day, a majority of the members only of both houses shall meet in joint session next day and proceed to ballot. The democratic House has now seventy-one members, and with the thirteen democratic Senators, make eighty-four, which constitutes a majority of both houses, the whole number of the Senate and House being 167. On to-morrow this democratic group of eighty-four will continue to ballot until a United States Senator is chosen, who, it is claimed, will then have been legally elected, and will take proper right and title to the position. I am able also to predict the inauguration of Hampton on Thursday, and the establishment of an entire and separate democratic government.

WORK OF THE INVESTIGATING COMMITTEE.

The Congressional Committee has been baffled and retarded in its operations so far by the inability to force the colored Secretary of State to give up the election returns. This difficulty has now been overcome to a certain extent. The committee has not only begun to make some headway, but to make also

SOME STARTLING DISCOVERIES.

The members are reluctant as to the nature of the letter, but I have authority for the statement that the returns of over thirty ballot boxes, which gave democratic majorities, are unaccounted for in the returns of the canvassers, and that errors, discrepancies and irregularities have been ascertained to such an extent as will probably elicit the entire Tilden ticket. In the cases of the thirty boxes just mentioned no returns are forthcoming in the office of the Secretary of State, but the committee has arranged to summon witnesses, and will examine the frauds perpetrated by the republican managers and commissioners of elections.

THE CONGRESSional COMMITTEE.

A sergeant-at-arms experienced considerable difficulty to-night in detaining a witness who was endeavoring to escape from the city on the Charleston train. Although the democratic prospects are much brighter to-night.

FLORIDA.

THE CONGRESSIONAL COMMITTEE TO INVESTIGATE THE STATE AS WELL AS NATIONAL ELECTIONS—RETURNS TO BE FURNISHED BY THE SECRETARY OF STATE—MINUTES OF THE CANVASSING BOARD PUBLISHED.

[BY TELEGRAPH TO THE HERALD.]

TALLAHASSEE, Dec. 12, 1876.

The Congressional Committee met this morning in the Senate Chamber. Mr. Thompson, chairman, read the order under which the committee was created, and ruled that the power of the committee extended only to an investigation of the electoral vote.

Mr. Hopkins, of Pennsylvania, then quickly argued that the committee was ordered to investigate the election for Congressmen, State officers and all, adding that it was as important for Congress to know who is the real Governor of Florida as anything else.

The republican members adhered to Mr. Thompson's view, and the debate growing warm the committee went into executive session. It was determined in that session to look into the whole election.

Mr. Hopkins, democrat, offered a resolution to the effect that no ex parte affidavits or depositions be taken. After debate it was determined that no affidavits of this sort be made part of the record, but that they be presented for the inspection of the committee.

THE CANVASSERS' RETURNS TO BE PRESENTED.

The Chairman then made a written request to the Secretary of State, asking for certified copies of the returns on file in his office, and also for a tabulated statement of the result reached by the late canvass of the State Board.

The Secretary replied that he would furnish the desired papers to-morrow morning.

REPUBLICANS WISH TO CREAK DEBAT.

His compliance with this request created some surprise, as it is reported, and generally believed here, that Mr. W. E. Chandler had telegraphed back to the Governor to allow the committee to have access to none of the papers in his office until the Senate committee was heard from. It is said also that Mr. Cowgill telegraphed to General Barlow to say nothing about Florida until his (Cowgill's) letter was received.

NO PROGRESS IN THE LEGAL PROCEEDINGS.

The Supreme Court had no session to-day, and the mandamus case was not heard. Court will meet to-morrow morning, when the mandamus case will be tried.

IMPORTANT DOCUMENT PUBLISHED.

The minutes of the Board of Canvassers were completed to-day, and were made public for the first time. Your correspondent obtained a copy and forwarded it. These minutes are not signed by Attorney General Cooke, but present the first coherent and official record of the proceedings of the Board, and may be called its de facto.

MINUTES OF THE CANVASSING BOARD MEETING.

Certified Copy of the Minutes of the Proceedings of the State Board of Canvassers at their Final Session, December 6 and 8, 1876.

Tuesday, Dec 5—10 A. M.—The Board met in private session. It was ordered that those counties which were not contested should be first taken up and canvassed. The following counties were then canvassed according to the face of the returns, viz.:—Brevard, Bradford, Calhoun, Duval, Escambia, Franklin, Gadsden, Marion, Putnam, Polk, Santa Rosa, Sumner, St. Johns, Suwanee, Taylor, Volusia, Wakulla, Walton and Washington.

AT TWO O'CLOCK P. M. the Board took a recess until four o'clock P. M., at which hour it reassembled and proceeded with the canvass. Baker county was taken up and canvassed according to the precinct returns, by the unanimous vote of the Board.

CLAY COUNTY—Twenty-nine votes were added to and four illegal votes taken from the democratic electoral and State vote, and eight votes were added to and two illegal votes taken from the republican votes, and with these amendments of the returns the county was canvassed by a unanimous vote.

HERNANDO COUNTY—Five illegal votes were deducted from the democratic electoral vote; with this deduction the county was canvassed by a unanimous vote.

NEASEN COUNTY was canvassed according to the face of the returns by unanimous vote.

LEVY COUNTY was canvassed according to the face of the returns by unanimous vote.

ORANGE COUNTY had seven illegal votes deducted from the democratic electoral and State vote, and with this deduction, the county was canvassed by a unanimous vote.

IN Jefferson county sixty illegal votes were deducted from the republican vote, and with this deduction, the county was canvassed by a unanimous vote.

IN Leon county two illegal votes were deducted from the republican vote, and with this deduction, the county was canvassed by a unanimous vote.

TWO MEMBERS OUT-VOTED.

MANATEE COUNTY—This entire county was thrown out of the canvass on account of the entire absence of any and all legal steps in preparation for the election and in holding the same. The vote stood as follows:—The Secretary of State and Comptroller for refusing to sign the returns, and the Attorney General for refusing to sign them.

FLAGRANT IRREGULARITIES.

Duval County—This county was canvassed by comparison of the returns on account of the entire absence of any and all legal steps in preparation for the election and in holding the same. The vote stood as follows:—The Secretary of State and Comptroller for refusing to sign the returns, and the Attorney General for refusing to sign them.

votes for the democratic electors, and 153 votes for the republican electors, was thrown out of the canvass on account of the entire absence of any and all legal steps in preparation for the election and in holding the same. The vote stood as follows:—The Secretary of State and Comptroller for refusing to sign the returns, and the Attorney General for refusing to sign them.

MONROE COUNTY—Twenty-nine votes were added to and four illegal votes taken from the democratic electoral and State vote, and eight votes were added to and two illegal votes taken from the republican votes, and with these amendments of the returns the county was canvassed by a unanimous vote.

JACKSON COUNTY—Campbell precinct, giving for the republican electoral and State tickets seventy-seven votes and for the democratic tickets 291 votes, was thrown out of the canvass on account of the entire absence of any and all legal steps in preparation for the election and in holding the same. The vote stood as follows:—The Secretary of State and Comptroller for refusing to sign the returns, and the Attorney General for refusing to sign them.

ALACHUA COUNTY—Seventeen illegal electoral votes, and republican and democratic, at Walden precinct, were thrown out of the canvass on account of the entire absence of any and all legal steps in preparation for the election and in holding the same. The vote stood as follows:—The Secretary of State and Comptroller for refusing to sign the returns, and the Attorney General for refusing to sign them.

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GOVERNOR HAYES.

A Declaration of His Views as to the Presidency.

"I HAVE BEEN HONESTLY ELECTED."

The Attitude of the Southern Democrats and Mr. Hayes.

Busybodies Bore the Governor for His Views.

[BY TELEGRAPH TO THE HERALD.]

CINCINNATI, Dec. 12, 1876.

Governor Hayes still remains in this city, and spent to-day in making social calls among his old personal friends here, having been joined by Mrs. Hayes, who came down from Columbus yesterday. This afternoon they drove out to Mount Auburn and Chilton and called upon a number of their old particular friends in those beautiful suburbs of course every one who meets the Governor makes a point to ask him how he regards the situation, and generally his answers are non-committal. On this point, this afternoon, however, in conversation with one of the local republican leaders here, he said, with emphasis:—

A POSITIVE STATEMENT.

"I have examined the situation carefully and thoroughly, and, besides, have solicited and obtained the opinions of the best constitutional lawyers of the country, and I am now satisfied that I have been honestly elected President of the United States and am entitled to the office, and I fully expect to be inaugurated as such."

AVOIDING NEWSPAPER MEN.

The Governor is particularly careful to avoid expressing very decided opinions in the presence of correspondents of newspapers, but this remark was made to a gentleman who vouches for its truth.

GOVERNOR HAYES AND THE SOUTH.

One of the gentlemen with whom he had conversed with more than usual freedom was accosted by a representative of the Herald this evening, with the inquiry, "What does Governor Hayes think of the attitude of Southern democracy toward him?"

"He is perfectly satisfied," was the reply, "from the expressions of feeling that he gets from them in letters daily that they are willing and anxious to assist him in his efforts to restore peace and harmony in the South."