WASHINGTON.

The Electoral Frauds a Perplexity to Congress.

POSITION OF LEADING DEMOCRATS.

No Power Under the Constitution to Oust Mr. Hayes.

AN INVESTIGATION PROBABLE.

Alleged Irregularities in the Bureau of Engraving and Printing.

The Bankrupt Bill Referred by the Senate.

FROM OUR SPECIAL CORRESPONDENT.

WASHINGTON, May 1, 1878.

THE FLORIDA DEVELOPMENTS—AN INTERMINABLE INVESTIGATION THREATENED—LEADING DEMOCRATS IN OPPOSITION—FURTHER DISCLOSURES FROM LOUISIANA AWAITED.

What to do with or about the Florida affidavits concerning electoral frauds is a question which has engaged the attention of both democratic and republican statesmen for several days. The proposition to refer all affidavits and other papers to the Judiciary Committe or to a special committee for examination and investigation gains the most favor, but the question then arises, Where shall the investigation thus begun be cut off, how long will it continue and what, after all, will be the use of it? It is understood that in democratic and in republican hands there is a mass of affidavits covering statements about all the counties and precincts in Florida in which frauds are charged, and from all or nearly all the republican election officers. Of course these persons are accessible, and the examination of their affidavits, if a committee is ordered to do this, will be a preliminary only to the summoning of their authors to give testimony in persons. Unless public opinion and the press prevents it by a decided expression the country is threatened with an interminable investigation to prove what everybody who looked into the matter believed in the spring of last year, and what no one has ever disputed except on general terms—namely, that Florida cast her vote for Mr. Tilden and that the republican officials down there manipulated it in such a manner as, under color of law, to give it to Hayes.

So far as can be ascertained here the greater number of democrats in both houses are strongly disinclined to carrying these affidavits into Congress for an investigation. They are content to submit the evidences of fraud to the people in the fall canvass, and say that, so far as Mr. Hayes is concerned, the Electoral Commission decided in his favor, not on the ground that he was elected, but on the ground that the official returns on which Congress, under the constitution, declares the President were in his favor, and the Electoral Commission, as referees, decided that there was no authority to go behind these returns. That decision was accepted by the country, and these democrats agree with Mr. Charles Francis Adams that it is better for the country to "allow matters to remain in *statu quo*." This being so, they ask what business has Congress with these affidavits and proofs of the fraud? The election of 1876 is past. If we have proofs of fraud then perpetrated our orderly and perfectly legitimate course is to lay them before the people next fall, and call upon them to punish the authors of the great wrong.

Sound lawyers on the democratic side go on to say that a Congressional investigation can have but one object—to oust Mr. Hayes—but that no investigation by Congress can help to do this. These lawyers, who are eminent and influential in the best democratic counsels here, say that the Kimmel bill, so called, for testing the title to the Presidency is absurd and clearly unconstitutional. It attempts, they say, to enlarge the original jurisdiction of the Supreme Court, which, it has been uniformly held, Congress has not power to do. In the case of ex parte Yerger (Eighth Wallace) the Chief Justice, delivering the opinion, said:—

The doctrine of the constitution and of the cases thus far may be summed up in these propositions:—The first being the original jurisdiction of this court cannot be extended by Congress to any other cases than those expressly defined by the constitution.

The constitution declares that the judicial powers shall extend where States are concerned as suitors to controversies between two or more States, between a State and its citizens and another State, and between citizens of different States, and it gives the Supreme Court original jurisdiction in all cases affecting ambassadors, other public ministers and consuls and those in which a State shall be party, of course against another State or citizens of another State or a foreign country. The Kimmel bill proposes a method which is clearly not included in the grants of original jurisdiction to the Supreme Court, and the Court would pay no attention to a State which should come before it under this bill. But the bill cannot, at any rate, become a law. It cannot get votes enough, even if it had a large republican support, which it would not have in either house.

The State of Maryland cannot give Mr. Tilden the Presidency, say these democrats. Congress cannot do it, for Congress exhausted its powers when it declared Mr. Hayes President. There has been and is but one way, they say, in which this matter can be revived. The Electoral law expressly declares that "Nothing in this act shall be held to impair or affect any right under the constitution and laws to question, by proceeding in the judicial courts of the United States, the right or title of the person who shall be declared elected." Mr. Tilden has had, they say, since the 4th of March, 1877, this right of action, and he only. He has not chosen to exercise it so far. He could have brought suit in a United States Circuit Court under the laws, and when that had decided an appeal would have him to the Supreme Court. He has not used this right so far, they say, and it would be ridiculous in him at this late day to move a Circuit Court in the matter.

There are democrats who do not agree to this—who profess to think, with Mr. Blair, that the country is not safe until Mr. Tilden sits in the White House—and who will urge that at any rate Congress shall undertake an investigation. So far as can be ascertained those who are of this mind are largely influenced from New York, or are influenced here by a few republicans who have busied themselves in the collection and publication of the Florida affidavits, and now mourn over the activity of the HERALD in making what they regard as an untimely exposure of the fraud business.

It is probable that nothing will be done this week in Congress about the matter. It is understood that everything waits for some expected disclosures of frauds in Louisiana, and that when these are at hand a motion will be made in the House to refer all the papers to the Judiciary Committee, or possibly to a select committee, with power to send for persons and papers.

FROM OUR REGULAR CORRESPONDENT.

WASHINGTON, May 1, 1878.

THE TREASURY INVESTIGATION—IRREGULARITIES DISCOVERED IN THE BUREAU OF ENGRAVING AND PRINTING—TWO OF THE OFFICIALS TEMPORARILY SUSPENDED.

Considerable commotion was occasioned in the Treasury Department to-day by the temporary suspension, by order of the President, of Mr. Casilear, the engraver, and Mr. Sullivan, the bookkeeper, of the Bureau of Engraving and Printing. The order was made at the request of Mr. Glover, Chairman of the House Committee, which is engaged in investigating the subject of Treasury expenditures, who asked it in order, as he explained it, that the committee might be unembarrassed by the presence of these gentlemen in the interrogation of the other officials and employés of the bureau.

The committee in its investigation of the operation of the bureau found that the national bank notes have cost the government about $28 per 1,000 sheets, while the greenbacks have cost over $74 for the same proportion, a discrepancy which is said to be extraordinary in view of the fact that the work on each class of notes is almost identical, if it is not easier and cheaper for the greenbacks. The books of the bureau were then examined, and, on a proper redistribution of expenses according to the entries therein, after deducting estimates for rent, engraving, &c., the greenback should have cost only $62 and the bank notes $47. The committee will show to the House in their report that the bureau retained the printing of this paper money against outside companies by a system of subterfuge in the bids.

It seems there are three distinct processes in the preparation of our paper money. Proposals were invited for bids for the first of these processes; the bureau, entering the lists as a quasi individual or corporation, bid lower than all the competing companies for this first process, intending, as is charged, to make up the loss in the second and third processes. In this way, so the committee will report, the bureau retained the work and made political places and government work for several hundred officials and employés.

The suspension of Mr. Casilear is temporary and does not involve stoppage of pay or any present indignity. He is merely required to refrain from exercise of his usual supervision of his office till the committee can get through with the investigation. Should the result convict him, in the minds of the committee, of maladministration his case will be the subject of future action.

ORDER OF THE AMERICAN UNION—TROUBLE OVER THE NEGRO AND THE ELECTION OF OFFICERS.

The "Senate" of the Order of the American Union organized to-day in secret session at eleven o'clock in Lincoln Hall. After the appointment of various committees it adjourned until seven o'clock in the evening, when the session became quite lively in consequence of the Kentucky members, who are democrats, demanding that there should be some special action taken in regard to separate organizations for the colored people, as the white O. A. U. S. in the South would not affiliate with the negro. The question remains unsettled. Reports of committees and officers have not all been made as yet. The States of New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, Ohio, Michigan, Kentucky and Wisconsin and the District of Columbia were represented by some thirty "Senators" in all.

There is some dissatisfaction with President Cowles and Secretary Kilgore because of an alleged disposition on their part to "run" the organization without regard to the real objects of the order. After many of the "Senators" had left the meeting for the night the friends of Messrs. Kilgore and Cowles attempted, it is said, to force an election that they might secure a re-election, whereupon quite a number of the "Senators" withdrew and refused to be parties to the proceedings. The New York and Maryland "Senators" turned up unexpectedly and were admitted to seats.

To-morrow promises to be a lively time in the order. Conflicting reports are made as to the strength of the order in the West.

THE NEW TARIFF BILL IN CANADA—DR. TUPPER'S ACTION IN THE DOMINION PARLIAMENT A SURPRISE TO MR. WOOD.

The despatch yesterday from Ottawa, Canada, to the effect that Dr. Tupper, late Minister of Marine in the Dominion Cabinet, had withdrawn his retaliatory motion affecting the tariff on sugars because he understood that Fernando Wood's tariff bill would not pass Congress, was a great surprise to Mr. Wood, who says that he cannot imagine how the provisions of his bill can possibly affect Canada or awaken hostility. He has received letters from Ottawa assuring him that Alexander McKenzie, the Premier; M. Dufresne and other gentlemen of the Cabinet have no feeling except of admiration for the proposed tariff, taking no exception to any clause. Mr. Wood thinks that Dr. Tupper must have been misinterpreted or misrepresented, as it is hardly possible that a Dominion statesman could have gone out of his way to tilt at nothing.

GENERAL WASHINGTON DESPATCHES.

WASHINGTON, May 1, 1878.

THE SHANGHAI CONSULATE SCANDAL—EXTRAORDINARY FINANCIAL OPERATIONS ON THE PART OF MR. SEWARD—EXTORTIONATE FEES AT EUROPEAN CONSULATES.

The Committee on Expenditures in the State Department devoted between three and four hours to-day to the investigation of the management of the Shanghai Consulate General by George F. Seward. The post office branch of his consulate came particularly under review, his quarterly accounts and vouchers from 1868 to 1877 being produced by employés of the Post Office Department and the Sixth Auditor's office. The vouchers produced show that he was in the habit of charging upon all disbursements five per cent difference between Mexican dollars and gold and from ten to sixteen per cent between gold and currency, adding about eighteen per cent on all disbursements made by him. It was also shown that the amount deposited to the credit of the Post Office Department during that period was in excess $33,000. This amount was received in Mexican silver dollars, but was paid to the government in currency, whereby Mr. Seward realized $6,600 on these deposits. When the department discovered, some time in 1873, that Mr. Seward gave the government no credit for the difference between Mexican dollars received and currency, the department directed him to render account showing the amount of Mexican dollars in American gold and currency received and to give the government credit for the difference. Mr. Seward did not comply, except in two quarters, and then only gave the government credit on the box rent collected by him. The credits amounted to only about $200. The whole accounts present a system of management which needs Mr. Seward's particular attention.

The committee also took testimony on the subject of extortionate fees at some of the European consulates. Mr. James B. Edmonds, an attorney at law, residing at Iowa City, Iowa, testified that while at Paris last June he had gone to the consulate to have a deposition certified which was to be used in a suit involving the title of a small parcel of land in Iowa; that Consul General Torbert demanded a fee of 500 francs; that he (Mr. Edmonds) refused to pay it, and that subsequently the same deposition was forwarded by him to Dresden, and the fees of the Consul there amounted only to ten marcs, or $2 50. He had recently mentioned the matter to Mr. Evarts, who said that there was no law on the subject of such fees; that the amount charged was a matter of custom, and that no account of them was made to the government.

TARIFF COMMISSION—PROVISIONS OF THE BILL INTRODUCED BY SENATOR GARLAND, OF ARKANSAS.

The bill introduced to-day by Senator Garland provides for the creation of a commission, consisting of three Senators and three Representatives (to be appointed by the Senate and the Speaker of the House respectively), together with three persons, not members of either House, to be selected by these six, which commission is to take evidence upon and inquire into the following topics:—

First—The relative effects of the tariff under the existing law upon the different industries of the country.

Second—The relative effects of the present tariff upon the consumer and the producer.

Third—The relative merits of the specific and ad valorem systems.

Fourth—What, if any, improper discriminations exist under the present laws.

Fifth—What, if any, changes are necessary to be made to insure a wholesome and judicious law on the subject and to secure its proper enforcement, and especially if the law cannot be greatly simplified and the list of dutiable articles diminished, and the law executed at much less expense than it is at present.

The Commissioners are, in short, to review the whole tariff system as now existing and report to Congress the result of their examination, together with such suggestions and recommendations as they deem proper, at the earliest day practicable after the commencement of the next session.

BANKRUPT CASES ON THE INCREASE.

More bankrupt cases have been entered within the past few days than for months previous. There have been nine already this week. The number includes professional men and traders, who seek to take advantage of the law in anticipation of its repeal.

COMPARATIVE STATEMENT OF THE CONDITION OF THE TREASURY.

The following is a comparison of the condition of the Treasury May 1, 1877, and May 1, 1878:—

	Balances. 1877.	1878.
Currency	$2,305,145	$1,163,140
Special fund for the redemption of fractional currency	6,000,000	10,000,000
Special deposit of legal tenders for redemption of certificates on deposit	40,465,000	28,315,000
Coin	105,439,740	156,037,236
Coin and silver certificates	49,712,700	55,044,500
Coin, less coin and silver certificates	55,727,040	100,992,736
Outstanding called bonds	14,828,250	6,078,350
Other outstanding coin liabilities	5,476,114	4,135,688
Outstanding legal tenders	361,494,404	346,681,016
Outstanding fractional currency	22,186,575	16,805,414
Outstanding silver coin	31,929,786	38,802,588
Total debt, less cash in Treasury	2,070,358,617	2,036,707,648
Reduction of debt for April	4,315,509	3,015,865
Reduction of debt since July, including $9,553,800 Geneva award bonds cancelled	29,080,722	23,450,574
Market value of gold	106.62	100.57
Imports (12 months ending March 31)	423,335,136	465,617,487
Exports (12 months ending March 31)	597,554,404	665,223,090

PROCEEDINGS OF CONGRESS.

SENATE.

WASHINGTON, May 1, 1878.

Mr. BLAINE, (rep.) of Me., called up the resolution submitted by him on the 22d of April, declaring that any radical change in our present tariff laws, would, in the judgment of the Senate, be inopportune, derange the business of the country, &c., and said he did so for the purpose of having a vote thereon.

Mr. BECK, (dem.) of Ky., objected to its consideration in the morning hour, and said he proposed to discuss the resolution fully. He could not do so in the morning hour, but might in two or three morning hours.

Mr. BLAINE inquired if he understood that the gentleman from Kentucky had a speech of three hours.

Mr. BECK said he had no speech prepared, but he thought he could show why radical changes should be made in the tariff.

Mr. BLAINE then asked that by unanimous consent the resolution should be taken up for consideration after the Bankrupt bill should be disposed of.

Objection was made by Mr. Davis, of West Virginia, and others, on the ground that to-day had been fixed for the consideration of the bill to repeal the Specie Resumption act.

M. BECK read a telegram from Senator Gordon, who last week gave notice that he would speak to-day on the Specie Resumption bill, saying that he was detained in Philadelphia and could not reach Washington in time to speak to-day.

Mr. BLAINE then moved that his resolution be considered as soon as the bill to repeal the Specie Resumption act should be disposed of.

Mr. DAVIS, (dem.) of W. Va., objected, and said the Senate had better go on with the calendar after disposing of the bill to repeal the Specie Resumption act.

MR. WALLACE'S SUBSTITUTE.

Mr. WALLACE, (dem.) of Pa., gave notice of a substitute for the resolution, which he proposed to offer, as follows:—

Resolved, That legislation upon the subject of the tariff at the present session of Congress is inopportune and inexpedient.

He said all the memorials which had come to the Senate deprecated any change in the tariff and asked the appointment of a commission of inquiry.

Mr. BLAINE said one of the most mischievous things in effect would be a roving commission to inquire as to tariff changes. Nothing would more effectually unsettle the business of the country.

Mr. WALLACE argued that Congress wanted information on the subject. Testimony was needed as to the iron trade, woollen trade, chemicals and all other industries.

Mr. GARLAND, (dem.) of Ark., introduced a bill providing for a commission to examine into the subject of the tariff, with a view to facilitating legislation relative thereto. Referred to the Committee on Finance.

Mr. BECK said all the troubles now existing in the country grew out of the fact that we had built a wall around ourselves and confined our trade to ourselves. Under our present tariff system it was impossible for us to compete with any other people. Until the system should be changed there would be no prosperity in this country, no matter what might be done about gold, greenbacks or anything else. The country was growing poorer and poorer every day on account of this tariff. He read the resolutions of the St. Louis Democratic Convention in regard to the tariff.

Pending discussion the morning hour expired and the subject was laid over.

THE BANKRUPT LAW.

The Senate then resumed consideration of unfinished business, being the bill to repeal the Bankrupt law, and the motion of Mr. Edmonds, submitted yesterday, to refer the bill and House amendments to a special committee of three Senators, of which Mr. Christiancy, of Michigan, should be chairman, was rejected.

The first amendment of the House of Representatives, mentioning the date of the acts to be repealed, and designating their number in the Revised Statutes, &c., was agreed to without discussion.

The next amendment of the House provided that the repeal of the law should not affect penal actions or criminal proceedings arising under it prior to the repeal.

Mr. CHRISTIANCY, (rep.) of Mich., moved to further amend this amendment so as to provide that the repeal should not affect the rights and proceedings growing out of, or dependent upon the Bankrupt law, including all rights of debtors and creditors, and all rights of, and suits by and against, assignees under any or all of said acts in any case heretofore or now pending.

Mr. MATTHEWS, (rep.) of Ohio, moved to further amend so as to provide that the repeal of the law should not take effect until January 1 1879.

Mr. MCMILLAN, (rep.) of Minn., moved to refer the bill to the Committee on the Judiciary. Rejected—yeas 22, nays 31.

The question then recurred on the amendment of Mr. Matthews to have the repeal take effect January 1, 1879.

Mr. EDMUNDS, (rep.) of Vt., spoke of the imperfection of the amendments, and said the most sensible course would be for the Senate to disagree to the House amendments and ask for a committee of conference. The committee could perfect the amendments and no time would be lost.

Mr. THURMAN, (dem.) of Ohio, favored the amendment of his colleague, and said, had he been in the Senate when the bill first passed he would have submitted an amendment fixing the date of the repeal at some future time. He did not think the country expected the immediate repeal of the Bankrupt law.

The amendment of Mr. Matthews, fixing the day of repeal for January 1, 1879, was agreed to—yeas 25, nays 22, as follows:—

YEAS—Messrs. Allison, Anthony, Bayard, Blaine, Burnside, Cameron of Pennsylvania, Davis of Illinois, Davis of West Virginia, Edmunds, Ferry, Grover, Hamlin, Hoar, Howe, Lamar, McMillan, McPherson, Matthews, Merrimon, Mitchell, Paddock, Ransom, Sargent, Sauls bury and Thurman—25.

NAYS—Messrs. Bailey, Barnum, Beck, Booth, Christiancy, Cocrell, Coke, Dennis, Eaton, Hustis, Harris, Hereford, Hill, Kelloggs, McCreery, McDonald, Maxey, Morrill, Rollins, Voorhees, Wadleigh and Wallace—22.

Messrs. Chaffee, Spencer, Dorsey, Ingalls, Dawes and Patterson, who would have voted in the affirmative, were paired with Messrs. Oglesby, Cameron (of Wisconsin), Garland, Withers, Plumb and Teller, who would have voted in the negative.

The question then recurred on the amendment of Mr. Christiancy as amended by that of Mr. Matthews, and it was agreed to—yeas, 29; nays, 23.

After further discussion Mr. DAVIS, (ind.) of Ill., moved to refer the bill to the Judiciary Committee that the saving clause might be perfected.

Mr. EDMUNDS said he felt sure that the bill could be reported back to-morrow could it be so referred.

The motion of Mr. DAVIS was then agreed to—yeas, 37; nays, 16. A number of Senators who had heretofore voted against the reference voted for it after the statement of Mr. Edmunds that the bill would be reported back to-morrow morning.

On motion of Mr. ALLISON, (rep.) of Iowa, the Senate took up the bill to repeal the Specie Resumption act, with the understanding that it should be the unfinished business to-morrow.

Mr. CONKLING inquired whether it was proposed to press the bill to a vote.

Mr. ALLISON replied that it was not proposed to do so to-morrow.

The Senate then, after a brief executive session, at fifteen minutes past four P. M., adjourned until to-morrow.

HOUSE OF REPRESENTATIVES.

WASHINGTON, May 1, 1878.

The House went into Committee of the Whole (Mr. Eden, of Illinois, in the chair) on the Legislative Appropriation bill.

Mr. FINLEY, (dem.) of Ohio, moved to strike out the clause which directs that the clerical force employed on the medical and surgical history of the war shall be employed on the work necessary to the payment of pensions.

Mr. CONGER, (rep.) of Mich., charged the democratic side of the House with the responsibility of reducing the force in the Surgeon General's office to such an extent as to prevent the examination of applications for pensions.

Mr. BRAGG, (dem.) of Wis., thought it high time that the gentleman from Michigan (Mr. Conger) should come to the front to participate in the hard work of the veterans. During the war that gentleman had been sitting in a soft seat in Congress drawing $5,000 a year.

Mr. ATKINS, (dem.) of Tenn., stated that the clerical force appropriated by the bill was sufficient to bring up the arrears of pensions. There was not a man on the floor, whether he had followed the Stars and Stripes or had fought under the conquered banner, who desired to obstruct the prompt payment of pensions.

The discussion which followed took a slightly political turn and was shared in by Messrs. Cox, of Ohio; Baker, of Indiana; Chittenden, of New York; Durham, of Kentucky, and Atkins, of Tennessee.

Mr. GARFIELD, (rep.) of Ohio, regretted the turn the discussion had taken, and was especially sorry that the Speaker had seen fit to come down to the floor yesterday and start the political discussion.

Mr. RANDALL, (dem.) of Pa., the Speaker—The gentleman misrepresents me entirely. I neither introduced politics nor personalities. If I had done the latter I might, as I was under great provocation, have ripped up some of the legislation of the past. That would have shown that my record, taking it all in all, was quite as good as that of some who might be included to more pointedly. As to the question of politics, I say there ought not to be any politics when it comes to the expenditure of money, but we should all unite in seeking to save, as far as possible, the public funds.

Mr. CHITTENDEN, (rep.) of N. Y., in reply to a remark made by Mr. Atkins, said he had never uttered a partisan word on the floor of the House. He did not care for party. He was utterly independent and free to do what his conscience dictated, but he was ashamed of his country when her pensioners were put off with weak, unmeaning and unfaithful apologies.

The discussion was continued by Messrs. Beebe, of New York, Banning, of Ohio, and Wait, of Connecticut. The vote was then taken on the amendment offered by Mr. Finley, of Ohio, and it was agreed to—104 to 67.

Mr. CANNON, (rep.) of Ill., offered an amendment authorizing the detail to the Surgeon General's bureau of a number of enlisted men to do the work necessary for the prompt payment of pensions. Adopted.

Mr. DUNNELL, (rep.) of Minn., moved to increase the number of clerks employed in the General Land Office. He stated that the force was not sufficient to answer the demands made upon it. The work of the office was fifteen years in arrears for want of a sufficient clerical force. The amendment was rejected.

Without final action on the bill the committee rose.

Mr. ROBERTSON, (dem.) of La., chairman of the Committee on Mississippi River Levees, reported a bill appropriating $3,871,574 for closing crevasses and strengthening levees on the Mississippi River. Ordered to be printed and recommitted.

Mr. VANCE, (dem.) of N. C., chairman of the Committee on Patents, reported a bill amending the Patent laws. Printed and recommitted.

Mr. TROCKMORTON, (dem.) of Texas, introduced a bill limiting the rates for transportation of freight and passengers over the Pacific Railroad bridge at Omaha. Referred.

The House then, at five o'clock, took a recess until half-past seven this evening, the session to be for debate only.

KEY ON HAYES.

HE BELIEVES FLORIDA AND LOUISIANA WERE WRONGFULLY COUNTED, BUT WILL STICK BY THE PRESIDENT—"HE IS AN HONEST MAN"—NO INVESTIGATION PROBABLE—SPECIAL AGENT MORTON'S STORY AND HIS REMOVAL.

[From the Chicago Times, April 29.]

WASHINGTON, April 28, 1878.

Postmaster General Key has been the subject of prayerful attention among the democrats. Some of Key's friends have been mysteriously hinting that he was going to retire from Hayes' Cabinet on account of the recent special disclosures of frauds in counting the electoral vote. A *Times* representative called upon Mr. Key this evening and found the genial, good natured statesman in anything but a perturbed state of mind. Mr. Key was at first indisposed to enter into anything like an interview, but finally consented to answer a few questions. He was first asked:—"Suppose that every one of these allegations made as to frauds perpetrated in Florida and Louisiana should be corroborated by indisputable evidence; what then would be your position?"

Key replied that he had no faith whatever in the confessions recently made, on account of the character of the men who made them. Then, continuing, he said:—"But, supposing they are true; what difference will it make? I have always believed that Florida and Louisiana were counted for Hayes wrongfully, and that the electoral vote of both States should properly have been counted for Tilden. I worked strenuously for Tilden both before and after the election and indeed made a speech in the Senate during the electoral debate, in which I argued as strongly as I knew how, that Florida and Louisiana belonged to Tilden. It was after that that Mr. Hayes paid me the extraordinary compliment of inviting me into his Cabinet. I went into his Cabinet a democrat, believing that Tilden was elected, and my views on that subject are not yet changed. I believe Mr. Hayes, however, to be an honest man. I know that he honestly thinks that he was elected, and whatever may have been the frauds practised in the States above named, I have good reasons for knowing that Mr. Hayes was no party to them. Therefore, no matter what may be the future developments in the matter, they shall not influence my action. I will remain in the Cabinet as long as Mr. Hayes will be pleased to have me there."

NO INVESTIGATION.

He was next asked:—"Is it not probable that an investigation will be begun in the House of Representatives, and if so, will not its results, if fraud is conclusively proved, affect your position?"

He answered:—"I do not think there will be any investigation. I have always been a democrat, and I do not think the democrats in Congress will get up any investigation on the testimony of such men as Dennis, McLin or Morton. They want better witnesses before disturbing the country by an investigation, and besides, they could not afford to open up the question again without some likelihood of proving what they charge. Two of the persons alluded to in the confessions have already denied the whole story, and so far as Noyes is concerned it is fair to suppose that he will also deny it. You will then come to a question of veracity between Governor Noyes and such men as Dennis and McLin, and with the former's reputation and high character it is plain to see who must be believed. I think it very probable that the democrats will agitate the matter for the purpose of using it to advantage in the campaign. They might use it on the stump and in the press, but I do not think the democrats in Congress will stultify themselves when they have no better witnesses to rely upon and where they are so susceptible of contradiction. The democratic party cannot profit by an issue between such men as Noyes and confessed criminals like Dennis and McLin."

ALFRED E. MORTON.

The next question was:—"Mr. Key, you speak rather severely of these men. Have you any information concerning either of them?"

He replied:—"Yes. In the first place, I will speak about Alfred E. Morton, the man who seems to have been foremost in working up these confessions. About the time I became Postmaster General, Congress reduced the appropriation for the special agents' service of the Post Office Department, and I found it necessary to reduce the number of special agents. Knowing comparatively nothing about the department at that time, I requested Judge Tyner, my first assistant, to make out a list of six agents to be dropped. Morton was a special agent at the time, and when the list was made out Morton's name was among the six. The agents were written to, notified of the necessary reductions, and their resignations asked. They all immediately resigned, as requested, but Morton, who came to Washington, and calling at the Post Office Department, he demonstrated against his removal. The circumstances of the reduction were explained to him, and he was told that there was no complaint against him, his record in the department being perfectly good. I told him it was on account of the reduced appropriation; that somebody had to be dropped, and it happened that he was one of the unfortunates. He told me that President Hayes was indebted to him for having Florida counted in his favor, and that he went down there, travelled about the country, and, after encountering all sorts of danger, he managed to get three counties in which the democrats had gained majorities thrown out. He said that if it had not been for him Florida would have been counted for Tilden. Finally he closed by saying, 'I think you had better keep me in office, as I can injure you if you do not.' I told him I would think about it. At the same time I thought it very strange for a special agent to leave his business and then afterward claim that he had taken part in any such affair. However, I spoke to Mr. Hayes about it. The President told me that he did not think a man of that kind ought to be kept in office; that a special agent had his legitimate duties to perform, and that Morton had no right to go down there and meddle with the count, and, according to his own statement, he did interfere in an illegal manner. So far as his threats were concerned, the President said he might do his worst, as he (the President) had done nothing of which he was ashamed or that would make him afraid of the threats. Morton did not resign, and was removed. He then went to New York and was next heard from in Florida. McLin went from my State (Tennessee) to Florida. He is a man in whom no one has any confidence. What he says about Noyes is false."

THE CHARACTER OF NOYES.

Mr. Key was asked what led him to this conclusion regarding Noyes, and he replied:—"Mr. Noyes' character would not admit of any such belief. My knowledge of the two men led me to doubt the confessions. Noyes is a man of high character and McLin is not. I do not believe that Noyes would have taken any part in the transaction if he supposed the State had gone against Hayes, but of course he believed that Hayes had carried the State."

It was here suggested to Mr. Key that the democrats predicted that Hayes would be identified with the fraud, and that it would come out that Noyes and others acted with President Hayes' full knowledge, and Mr. Key said, with some emphasis:—"I do not believe that either Mr. Hayes or Governor Noyes connived in any way at the fraud. Both believed that the republicans carried the State, and if they thought differently neither of them, in my opinion, would have meddled with it. In the first place, Mr. Hayes is an honest man, and if there was any fraud he had nothing more to do with it than you or any other man had. There is nothing in McLin's confession that will change the opinion of the world. Nothing is alleged that was not charged in the beginning, and the fact that these men confess will make no difference. Who will believe a man who admits that he is a scoundrel, especially when men of reputation contradict and deny his statement?"

DEMOCRATS NO BETTER THAN REPUBLICANS.

By way of closing it was suggested:—"Then, Mr. Key, you do not think there will be any investigation?" And he said:—"No, sir; I do not. Let me recall your attention to another fact. If the democrats could have got Cronin's vote in Oregon they would have counted it. I think that would have been as great a fraud as the ones charged in Florida and Louisiana. I do not think the record of the democratic party on the subject is any better than that of the republican party. One is as bad as the other, and I took that ground in my electoral speech. I said that the democrats ought not to insist upon the electoral votes in Oregon; that I had no doubt that the people of Oregon had cast their votes for Hayes, and that the democrats had no right to complain of the republicans in taking Florida if they tried to take Oregon from them. That was my position then, and I have never changed my mind about it."

In conclusion, Mr. Key said that no subsequent developments could alter matters. The democrats had claimed the result of the last election for Tilden, had charged fraud, and Hayes was finally inaugurated. For his own part he would stick by Mr. Hayes as long as any one.

GENERAL SHERMAN AT ANNAPOLIS

[BY TELEGRAPH TO THE HERALD.]

ANNAPOLIS, Md., May 1, 1878.

General William T. Sherman, United States Army, arrived here this afternoon, accompanied by his daughter, and was received at the Naval Academy with a military salute of seventeen guns. At half-past four P. M. he reviewed and inspected the battalion of cadets, Lieutenant John C. Soley commanding, in infantry skirmish drill, and to-night attended the officers' hop in uniform. General Sherman and daughter are the guests of Admiral Rodgers. The visitors will leave for Washington to-morrow.

ARMY INTELLIGENCE.

WASHINGTON, May 1, 1878.

Leave of absence for six months, with permission to go beyond the sea, has been granted to Captain Leonard Hay, Ninth cavalry.

NAVAL INTELLIGENCE.

THE ENTERPRISE EN ROUTE FOR BRAZIL—LIST OF OFFICERS—THE OSSIPEE TO GO OUT OF COMMISSION.

[BY TELEGRAPH TO THE HERALD.]

NORFOLK, Va., May 1, 1878.

The United States steamer Enterprise, Commander Thomas O. Selfridge, commanding, having completed repairs and fully fitted out for the proposed surveys of the Amazon River, left the yard yesterday morning and dropped down to the naval anchorage to take on her powder. She proceeded to sea this afternoon direct for Brazil.

LIST OF OFFICERS.

The officers have all been changed within the last two weeks, and the following list has been forward to Washington to be filed in the Department:—

Commander—Thomas O. Selfridge.

Executive Officer—Lieutenant Commander Samuel H. Baker.

Lieutenants—F. W. Nichols, G. Blocklinger, C. P. Perkins, L. G. Spalding.

Master—M. Fisher Wright.

Ensigns—H. J. Hunt, David Peacock, John W. Stewart.

Passed Assistant Surgeon—Melancthon L. Ruth.

Paymaster—George H. Griffing.

Chief Engineer—Elijah Laws.

Passed Assistant Engineer—W. A. Mintzer.

Assistant Engineers—Walter Shewell and George S. Willis.

Captain's Clerk—John T. Lansing.

Pay Clerk—James Van Vanken.

Boatswain—Edwin J. Allen.

Carpenter—George W. Greene.

THE OSSIPEE.

Admiral Trenchard was ordered from Washington to-day to send the United States steamer Ossipee at once to Boston to go out of Commission and be laid up in ordinary. She came to Norfolk on Sunday to go out of commission.

THE RECEIVING SHIP COLORADO.

The term of Captain Braine, of the receiving ship Colorado, lying at the Brooklyn Navy Yard, expiring yesterday, Captain Bancroft Girardi assumed command.

TESTAMENTARY CAPACITY.

"Testamentary Capacity and the Mental Conditions Affecting It" was the subject last night at the rooms of the Medico-Legal Society, on Thirty-first street, of an extended and interesting discussion, in which the participants were Henry E. Davies, formerly Chief Justice of the Court of Appeals; Dr. William A. Hammond, Austin Abbott, Dr. John C. Peters, Counsellors Miller and Riddle, Dr. R. J. O'Sullivan and several others. Henry S. Rokenbaugh, who read the paper of the evening, reviewed the history of adjudications on the subject of testamentary capacity from the time of the Statute of Wills to the present, and illustrated the same by numerous citations and extracts. He also analyzed the various elements at the present time held by almost universal adjudication to be disqualifications to testamentary capacity, such as insane delusions, undue influences, extreme old age in certain cases and others.

At the conclusion of the reading Judge Davies, taking up the noted will case of Delafield V. Parish, reviewed its history and went into the details of the testimony that operated on the minds of the Judges of the Court of Appeals in their decision; and the case of Thompson vs. Thompson, in which the testator's will was contested on the ground of his delusion that Captain Kidd's treasure was buried in the North River. The speaker believed that the law on the subject, as now understood in this State, was based upon sound principles of justice.

The next speaker was Dr. Hammond, who took issue with the paper as to the capacity of an insane person to make a will during a lucid interval. He believed there was no such thing as a lucid interval with an insane person. What was called such was only a temporary abatement of the malady. Referring to the legal irresponsibility of insane persons, Dr. Hammond contended that the latitude allowed them was altogether too great. While he would not go to the extreme of hanging an insane murderer, he would certainly have him placed out of the way of doing further harm. The speaker also dissented from the view that testamentary incapacity did not exist in cases where the testator had harbored strange and extraordinary religious belief. He differed with the Court in the case where it was held that because the testator had believed in the transmutation of souls he was incapacitated from making a valid will. It was only a delusion in an abstract matter of faith. Between delusions of fact and delusions of faith the speaker discerned a marked distinction.

SIXPENNY DEPOSITORS.

A meeting of about one hundred and fifty depositors of the Sixpenny Savings Bank was held last night in the Germania Assembly Rooms, Mr. M. F. Dawley in the chair. Mr. H. G. Stebbins said that a committee who had been appointed for that purpose waited upon the receiver, and requested him to permit them to examine his books, but that he peremptorily refused them access to the accounts of the bank.

A resolution was then adopted, asking the receiver to permit the committee to make an examination of the records of the Sixpenny Savings Bank. The following depositors were appointed a committee to carry out the provisions of the resolution:—F. Callaghan, J. Berliner, G. H. Stebbins, Patrick Gleason, John B. McLean, John H. Marshall, William McNamara and Edward McGovern.

After making a collection to pay contingent expenses the meeting adjourned, subject to the call of the committee, to be communicated through the chairman.

DISTRICT TELEGRAPH DIRECTORS.

The stockholders of the District Telegraph Company, Boston, held their annual meeting yesterday afternoon in the Western Union Building. The following directors were elected for the ensuing year:—Charles F. Wood, George Walker, Norwin Green, Thomas H. Perkins, Elisha W. Andrews, A. W. Spencer and Richard M. Pulsifer.

RECONSTRUCTED ERIE.

There was no meeting of the reorganizers of Erie yesterday, and none will be called until the bylaws of the new organization are drawn up. Clerks were busy making up the final statement of Mr. Jewett, the receiver. All the officers provided for in the reconstruction scheme were selected on Saturday last. The general officers will be appointed by the president, with the approval of the Board of Directors.

BOARD OF EDUCATION.

At a regular meeting of the Board of Education, held yesterday afternoon, a resolution was offered by Commissioner Wetmore that Superintendent Fitman, of the schoolship St. Mary's, be authorized to apply to the Comptroller for a letter of credit for £600 to be used during the summer cruise of the schoolship. The report of the committee appointed to investigate the case of Mr. Alexander Moorehouse, principal of grammar school No. 20, charged with irregularities, was read. It stated that his personal habits offered a pernicious example and injured if not entirely destroyed his influence for good. The resolution to close grammar school No. 6, in Third street, was lost.

CANAL FREIGHTAGE.

According to the statement in the Produce Exchange the West bound freight from New York, per canals, for the week ending April 30, amounted to 16,827,500 pounds, and the tolls collected were $1,105 35. No comparison with last year can be made, as the canals did not open till May 8.

HE SERVED WITH CUSTER.

Among the members of the brigade of drunkards arraigned before Judge Wandell in the Tombs Police Court, yesterday, was a war stained veteran named John Burns. One of his sleeves was minus an arm, and the magistrate asked him how he lost it. "It was while I was in the army," replied the prisoner. "I fought under Custer against S