THE FLORIDA COUNT.

Mr. Dennis' Story of the Archer Precinct Fraud.

BUTLER PULLING WITH HIS PARTY.

A Ballot Box Stuffed to "Make It What It Ought to Have Been."

AFFIDAVIT MAKERS IN LIEU OF BALLOTS.

Governor Noyes Recites the Experiences of a Visiting Statesman.

NO KNOWLEDGE OF FRAUD AND NO PROMISES.

WASHINGTON, June 28, 1878.

The Investigating Committee met at eleven A. M., Mr. Potter presiding. State Senator L. G. Dennis, of Florida, who was examined on yesterday, was recalled and questioned by Mr. Hunton.

Q. What was the dispute about box No. 2, Archer precinct? A. It was contested by the democrats on the ground that there had been 219 votes put in illegally.

Q. Were you not to be put on the stand in regard to those 219 votes? A. I cannot say; I know of nothing else in contest but that matter.

Q. When you told Governor Noyes that it would hurt his case if you were put on the stand, had you in your mind this fraudulent addition of 219 names? A. I was conversant at that time with the facts which have since been set forth in a publication over my signature; I had occupied intimate relations with all the republicans, and been present at all the consultations, and I could not have gone on the stand without having to testify in regard to matters which were intrusted to me as matters of confidence, and moreover it might have led to the extended taking of testimony and delayed the action of the Board indefinitely, and time was needed to settle the matter as quickly as possible.

Q. Had not two officers at that precinct told you confidentially that they had fraudulently added 219 names to the election list? A. That is included in the statement I alluded to and I make it now; I had a full knowledge of the facts as related by the two inspectors and that I did not wish to testify to; that was part, but not all; that and other matters.

By Mr. Springer—Did not Governor Noyes tell you he would use his influence to count in the State as well as the Presidential ticket? A. I do not know what influence he had, but he promised to work as hard for the one case as the other; the count as completed while Governor Noyes was there gave the republicans the State, but afterward the Supreme Court ordered another count, and as they directed the count to be made the State was given to the democrats.

By the Chairman—Had Governor Noyes anything to do with that recount, or with the proceedings before the Court? A. No, sir; he was away at that time; so far as I know he was not connected with those subsequent proceedings.

Q. Were you appointed to any office under this administration? A. Yes, sir; I was connected with the Secret Service Department, but not in the secret service; I was instructed to examine the records of the United States courts in North Carolina, South Carolina, Georgia and Florida for the purpose of discovering forfeited recognizances and ascertaining the solvency of the sureties; I was appointed to that position February 1, 1878, and voluntarily resigned two months afterwards.

Q. Were you appointed to any other position? A. Yes, sir; a few days after my resignation I was appointed special agent in the Internal Revenue Department, but I did not signify my intention to accept it and left and went to Florida, and on my return from Florida about a month afterward I received a communication from Mr. Raum, Commissioner of Internal Revenue, telling me that my appointment had been cancelled; the official notice of my appointment and the cancellation I received at the same time; I never applied myself for the position.

THE LETTER FROM NOYES.

Q. Have you brought with you to-day the letter from Governor Noyes that you referred to on yesterday? A. Yes, sir; I have it here; it is as follows:—

CINCINNATI, Ohio, April 10, 1877.

Hon. JOHN SHERMAN, Secretary of the Treasury:—

DEAR SIR—In am informed that Hon. L. G. Dennis, of Florida, at present a State Senator, is an applicant for a position as auditor in the Treasury Department. I can only say of Mr. Dennis that I formed his acquaintance while the Florida investigation was going on, and found him an active, intelligent and influential republican. He has been ostracised with other republicans of the State and is deserving of consideration. I respectfully commend him to your favor. EDWARD F. NOYES.

Q. Have you had any interviews with Governor Noyes since he has been here? A. Yes, sir; I have met him twice since he has been here; I called on him last Sunday with Governor Gleason, and while we were there Secretary Sherman came in to see Governor Noyes and invited him to take a ride; I will say that Governor Noyes and myself have talked about Florida matters, with the exception of such portions as related to him, and on those points we were careful not to converse.

By Mr. Butler—Did Governor Noyes ever refer to your refusal to go on the stand subsequent to these occurrences? A. I think he jocosely said one day that I talked well enough, but didn't do much swearing, or words to that effect.

Mr. Butler stated that he intended questioning the witness further about the appointment he had received, as illustrating the civil service reform, but he would not go into that matter at present.

INTIMIDATED.

By Mr. Hiscock—You were a candidate for State Senator at the November election in 1876? A. Yes, sir.

Q. During the canvass of the votes after the election was there anything done in the way of intimidating you? A. There was no particular act I could refer to, but none of my friends considered me safe from personal danger from those favoring the democratic ticket and always accompanied me everywhere I went; I had been shot at at the opening of the campaign during the first speech I made in the county and the feeling of the community had not all died away.

Q. You regarded the safety of yourself and friends as largely depending on the election of Hayes and Stearns? A. Yes, sir.

Q. And you did not believe, if Hayes and Stearns were defeated, you could remain in Florida with safety? A. I did not.

Q. Did not your election depend upon the returns from Alachua county? A. Yes, sir; that was my district.

Q. Then your feelings and interest were with the success of the republican national and State ticket? A. Yes, sir.

Q. In reference to the votes cast in Archer precinct did you or not produce the evidence of as many men who swore they voted the republican ticket as the returns showed were cast for the republican ticket? A. Nearly; the returns showed 399 republican votes cast and by the affidavits I secured there was proven within forty or fifty of all that was claimed.

Q. Did you consult with Governor Noyes and General Wallace in regard to the returns from that county? A. Yes, sir; I will state, however, that when I consulted with them all the work had been done except the preparing of the legal documents to be used before the Returning Board.

Q. Do you know of anything that Governor Noyes did in that matter besides properly putting in form the evidence you submitted to him in order to make a legal argument before the Board? A. No, sir, I do not.

Q. Did you, in any conversation while he was there, say or intimate to him that there was anything fraudulent about the evidence that you had procured or the case that he was to present to the Board? A. No, sir; it was the object of the local republicans to satisfy the Northern republicans that everything was correct and proper; I gave the evidence to Governor Noyes and never threw any doubt upon it in my conversations with him.

Q. When was it that you resigned to go on the stand as a witness? A. I cannot give the date, but it was after all the evidence had been prepared from Alachua county.

Q. Do you think your expressions to Governor Noyes could have been such as to create any impression in his mind that your case was fraudulent or false? A. I felt that to his own intelligence; I could not say what his impressions were; I don't think he ever replied or indicated what his impression was; he never said anything to me leading me to think he doubted the justice of our cause.

Q. When you declined testifying, on the ground that it would involve confidence imparted to you in consultation, did you refer to matters solely within your knowledge from what you had heard? A. Yes, sir; at least there was no act of mine that I had reference to.

By the Chairman—But was it not in connection with circumstances that you knew? A. It was in connection with circumstance which seemed to corroborate them

By Mr. Hunton—At the time Governor Noyes wanted you to go on the stand did you know from information derived from others that box No. 2 of Archer precinct contained 219 fraudulent votes? A. I was in possession of that information derived from two witnesses on the republican side.

By Mr. Hiscock—Did these witnesses make affidavits both ways? A. No, sir; but others had.

Q. But you had accumulated the evidence of nearly as many republicans who claimed to have voted there as were returned by the precinct returns? A. Yes, sir.

By Mr. Butler—You acted on the belief that some three hundred and ninety-nine republicans had voted there. A. I believed we should have had the majority we claimed.

Q. And you also believed that somebody on the democratic side had taken out, after they were put in, about two hundred and nineteen votes? A. No, sir; I did not.

TO EVEN IT UP.

Q. Did you believe from information that somebody had put in 219 votes to offset the democratic votes taken out? A. That had been stated to me; but I had seen testimony to the contrary and I don't know what condition my mind was in just then except that I believed there was fraud on both sides.

Q. Didn't you understand that in some way the democrats had got out 219 votes and the republican canvassers had put in 219 votes to offset it? A. I have reason to believe the existence of these facts.

Q. And for that reason you attempted to get the affidavits of the republicans who voted at that precinct? A. Yes, sir

Q. How did you suppose these 219 votes had got out of the box? A. I believed then that the box should have contained 200 more republican votes than it did, and that the election officers at that precinct made it so show, according to what they believed it ought to have shown.

Q. You also believe that to make up that deficiency the republicans did put in 200 votes so as to even it up and make it a fair thing? A. Yes, sir.

Q. Therefore you could get three hundred and forty persons more or less to swear that they had voted and yet that would only make the same amount appear as it appeared upon the returns by these equitable offsets of fraud? A. If you mean the action of adding votes to the box to equalize it so that we got the majority that was due I will say that that was the idea.

Q. Then it appearing on the face of the returns that there were about three or four hundred votes, you procured affidavits to show that nearly four hundred men voted? A. Yes, sir; nearly the entire vote was established.

Q. Did the returns show that or not? A. I did not see it, but I had reason to suppose so.

Q. You were told by the election officers substantially that they meant to put in enough votes to make it show rightly? A. Yes, sir.

Q. And you saw them doing that, didn't you? A. I saw them at work using the registration list immediately afterward, and I had no doubt that was the work they were doing; since then, however, they have both sworn it was not true, and then I have seen the affidavits of voters since, and for these reasons I do not believe it now.

Q. Did the affidavits of these men convince you that what you saw them doing was not the fact? A. I have not admitted that I saw them doing it.

Q. Didn't they tell you that by some form of manipulation these other votes would be added? A. It was not put in that way, but they told me they intended to add 200 votes; that they believed 100 republican votes had been changed to democratic votes, and that in making up the returns they should correct the error and make the result what it ought to be.

Q. Did you not go into the room and see them correcting it? A. I went into the room and saw them writing and using the registration list of the county, and I had good reason to suppose that they were making up the returns; the figures they gave me after having made the return there were 200 more than the figures which they gave me when they first reported the result of the election at that poll.

Q. Did you advise the election officers about this or have anything to do with it? A. No, sir.

Q. Give the names of these two men. A. Thomas A. Vance and Richard H. Black; Vance is here in Washington in the sixth auditor's office and Black has a position in the Custom House.

Q. These two men had made affidavits to the correctness of the return? A. Yes, sir; and the other evidence before the Board was the affidavits of the voters who cast the votes; I sent deputy clerks of the court and two magistrates to Archer precinct to get the affidavits of the voters, and these affidavits were given to the counsel of the republican party; that is all I had to do with it.

Q. If you had been called as a witness your testimony would have tended strongly to have contradicted the evidence of Vance and Black? A. Yes, sir; that is the reason I did not wish to go on.

Q. Did you disclose the knowledge of this matter to Governor Noyes? A. Not at all; I simply tried to impress him with the idea that he had better not put me on the stand, because it would injure his case.

ADDING THE TWO HUNDRED AND NINETEEN VOTES.

In answer to questions by Mr. Hunton the witness stated that Green R. Moore, Richard H. Black and Floyd Dukes were the three inspectors of elections in Archer precinct and Thomas H. Vance was the clerk; Vance and Black were republicans and Moore was an independent, although he had been working with the republicans during the campaign; Mr. Duke was a democrat; at midnight on the day of election Vance and Black came to his house and said they had the returns signed in blank by the three inspectors; that the republican vote was 180 and the democratic vote 136; that the vote had fallen short of the expectation of the republicans and they had determined to make good that expectation by adding votes to it, and they did then sit down and add to the returns 219 more votes on the republican side.

By the Chairman—You furnished the room to these inspectors in which to make the corrections? A. Yes, sir.

Q. And you knew at the time that the result in the State was going to be close? A. Yes, sir; I had reason to think so during the whole campaign.

Mr. Butler stated that he had gone into the examination at greater length than he had intended to, because he wanted to show that Governor Noyes had no knowledge at the time of the facts testified to by the witness.

Mr. Hiscock said that he had expected to produce the evidence of Vance and Black, showing that they did not raise the returns, and also evidence showing that as many men swore they voted the republican ticket whose names were on the poll list as were certified to by the returns. He was willing to leave the issue right here, with the understanding that the point was now closed before the public.

GOVERNOR NOYES' TESTIMONY.

Governor Edward F. Noyes was then called and examined by Mr. Hiscock.

Q State your present position? A. My official position is that of United States Minister to France.

Q. Please state what civil and military positions you have held? A. I entered the Union army in 1861 and served until July 4, 1864, when I was wounded and lost a limb, and in October that year was assigned to the command of Camp Dennison, Ohio, and in April, 1865, resigned to accept the office of City Solicitor, and subsequently was elected Judge of the Probate Court for Hamilton county and served three years. In 1871 I was elected Governor of Ohio and served two years; I held no other office until I was appointed Minister to France.

Q. Were you at Tallahassee, Fla., during the canvass of 1876? A. Yes, sir.

Q. Did you go there at the request of Governor Hayes? A. No, sir; I had no communication with President Hayes and went without his request and so far as I know without his knowledge; I will state how I came to go; there was a meeting of prominent republicans held at the office of Mr. Bateman, the United States Attorney for the Southern district of Ohio, and at that meeting Mr. Richard Smith, of the Cincinnati *Gazette*, was present and told us that he had received telegrams that the democratic politicians from the North were assembled at New Orleans, and he, with the other republicans present, thought it was for the purpose of taking from Hayes a State which they firmly believed belonged to him, and it was right that some republicans from the North, of prominence, should go there to look after the matter; various names were suggested, my own among the rest, and finally Job E. Stevenson, a former member of Congress from that State, said he would go if I would, and that very night, without communication with Governor Hayes or anybody else, Mr. Stevenson and myself started for New Orleans; I do not remember whether Senator Matthews went with us or met us there, but he was there at the same time; we remained two or three days, during which nothing was done except to arrange the preliminaries with the democratic visitors; there were various republicans down there who had come from the North; among them were Secretary Sherman, General Garfield, General Van Alen, of New York; Mr. Kasson, of Iowa; General Wallace, of Indiana, and Governor Cumback, of Indiana; finding my presence there unnecessary I prepared to go back to Cincinnati, but about that time Eugene Hale received a despatch from the National Committee, stating there was great danger that Florida would be stolen away from us, and saying a strong committee should be sent to Tallahassee; for some time nobody would consent to go, but at length Mr. Kasson and Colonel Wallace said they would go if I would, whereupon, without having been specially designated by anybody, I started with those two gentlemen for Tallahassee; that is the whole story of my going there, and I will add that while there I did not receive one line or word from Governor Hayes, by letter, telegram or otherwise, and I did not communicate with him in any way, by letter or telegraph.

Q. State what connection you had with the canvass there and in what your labors consisted? A. When I arrived in Tallahassee it was my intention to take no active part, but simply to observe and if possible to secure an honest return of the vote cast, but it was soon made known to me that there were no republican lawyers in that State who could manage the affair before the courts or present the case properly to the Canvassing Board; Judge Emmons, the only republican lawyer of prominence there, was very ill, and I was importuned by the local republicans to undertake the preparation of their case, as the democratic lawyers were preparing it for the other side; I agreed to prepare the case and argue it before the Returning Board and at once went to work to make myself familiar with the facts in the case; I undertook to find out what were the facts about the Archer precinct in Alachua county; I was informed that two of the inspectors, named Dates and Moore, had made affidavits that there were frauds there involving 219 votes; I think they both subsequently made other affidavits denying the truth of this, and finally came on the stand to say that the first affidavit was true and the second one was false; having testified so many ways, I put no confidence whatever in what they said, so I argued to the Board of Canvassers; on the other hand, one clerk and the other inspector had constantly sworn that the return was true and correct as made, and in their favor was the fact of the return signed by all the returning officers without protest; I inquired of the republicans and satisfied myself that everything was perfectly right as returned, but not content with the testimony of these two returning officers, contradicted as they were by the other two, I desired in preparing the case to know from the electors themselves how many of them had actually voted the republican ticket; we sent down there to get evidence, and my remembrance is that of the 399 republican votes counted and returned we proved about 340 or 350, and I was told they could not get the rest, because the parties had scattered in various directions, but we came so near it as to make impossible the democratic theory that 219 votes had been added; that satisfied me and seemed to satisfy the Canvassing Board; I wish to say that no mortal man ever told me or intimated to me while I was in Florida that there was anything fraudulent about that return, except what was sworn to before the Canvassing Board and was made public; I mean I had no private information derived from any source whatever.

Q. Do you, in that matter, honestly and conscientiously believe that the return made and argued for by you was right? A. I believe it thoroughly, and can say that we made a case which would satisfy any unprejudiced court in Christendom.

DENNIS CONTRADICTED.

Q. During the time you were there did you press Mr. Dennis to be a witness? A. I wanted him to be a witness, as he has sworn, because, from the very beginning he had insisted on the truthfulness of that return and had undertaken to prove and had proven it to my satisfaction, and because he was so thoroughly acquainted with the country and knew the people who lived there could testify as to the persons whose names appeared on the list; I desired for that reason that he should appear as a witness; perhaps I asked him several times to be a witness; he says he never made any reply to it but once, and then in some form of words which he does not undertake to give, he tried to give me the impression that if I put him on the stand he would injure my case. I do not doubt his words when he says he meant to convey that impression, but I solemnly swear that he did not convey that impression to me. What he said was in the presence of General Wallace, who is now in the room, and he will testify on that point. I had already learned that Dennis' life had been threatened, and that he considered himself in very great danger; he had related to me on one occasion that when his life was threatened he had called together in a church somewhere all the colored people in the vicinity and he had made them kneel down and swear that if he was killed they would lay waste and avenge his death; remembering what he had said I received the impression on this occasion that the reason that he did not want to testify was that he did not want to bring himself into conflict with those people any more, especially as he was himself a candidate for the Senate and his own election was at stake; that is the only impression I got from him.

Q. Did you while there have any conversations with any members of the Canvassing Board with reference to their duties or what they were going to do? A. I said to Dr. Cowgill and Mr. McLin that all I wanted of them was to do their duty honestly and fairly; I said to them if the State had honestly cast its vote for Tilden it was their duty to so declare, but if it had gone for Hayes we wanted it, but we expected nothing of them except what honest men could do.

THE PROMISES MADE.

Q. Did you ever say anything else but that to him? A. I never did; I never made one of them a promise nor intimated a promise nor held out any inducement to have them declare that the State had gone for Governor Hayes rather than Governor Tilden before the final decision had been rendered.

Q. Did you afterward? A. Yes, sir; after the vote of Florida had been cast Mr. McLin came to me greatly depressed and said he did not know what would become of him; that he had so excited the hostility of the democrats that he could not any longer live in Florida in peace; that he was poor and sick and almost in despair; I said to him, "Mr. McLin, you have done your duty honestly and fairly, as I think, and I shall take great pleasure in saying so to Governor Hayes if he shall be declared President of the United States, and I will take pleasure also in recommending you for some position where you can take care of yourself and family." About the time I was going away I also said to Dr. Cowgill, the other member of the Returning Board, that I had been greatly impressed with his honesty of purpose and manly bearing during the canvass, and if I could ever be of any use to him he could command me freely; I will add that I did more than some politicians do, I kept my word, and I did recommend both these gentlemen to the President, and I am sorry they were not appointed to good places; if I had influence with the administration they certainly would have been appointed.

Q. Except as you have stated, did you have any conversation with them at all? A. None; I never saw Mr. McLin one minute alone to talk with him on any subject until the final vote of Florida had been cast.

Q. Did you ever present yourself to either of these gentlemen as a special friend of President Hayes or seek to convey the impression that they would be taken care of in case Hayes was elected previous to the canvass being announced and finished? A. Never.

JUDGE COCKE FLATLY CONTRADICTED.

Q. Judge Cocke has stated that on two occasions he went to the office of the Secretary of State and found the door locked and after waiting some time the door was opened and he discovered within the room Mr. Dennis and Mr. McLin, and that you and Governor Stearns were there and that as the door opened you and Governor Stearns left the room. A. I pronounce that an absolute and unqualified falsehood; Mr. Cocke never waited on me when the door was locked.

Q. Were you ever in that room with either of those gentlemen when the door was locked? A. Never; if the door was ever locked when I was in there it was locked without my knowledge and without any occasion for it, for I had no private conversations which required locked doors; I never was alone with McLin or Dr. Cowgill in my life and never have talked with them about matters to affect their judgment.

The witness then related the particulars of Mr. Dennis' visit to him at his hotel, as stated by Dennis in his testimony, given on yesterday. Dennis complained that the local republicans had lost confidence in General Barlow because of his conferences with Mr. Dyke, the democratic editor, and he called to see witness about it, and demanded that the arguing of the republican case should be taken away from Barlow and given to somebody else, and threatened to give up the case and do nothing unless it was done. Dennis never intimated at that or any other time that there was any fraud or wrong doing, but simply that they were dissatisfied with and had no confidence in Barlow. As the result of that it was decided that the case should be transferred from Barlow to the witness, and it was then done.

The Witness—In justice to myself I produce here the original letter which I received from Mr. McLin nearly two months after the close of the canvass. It is as follows:—

M'LIN'S DISMAL WAIL.

TALLAHASSEE, Fla., Jan. 27, 1877.

To Hon. E. F. NOYES, Cincinnati:—

DEAR SIR—Lamentable changes have taken place since we parted on the 6th of December last. Then we were hopeful and happy in the pleasant assurance that Governor Hayes would be inaugurated our next President. Now we are humiliated with the near approach of defeat. Not an honest defeat, but a defeat that will be brought about by cravenly submission and sheer cowardice. As to Florida, recent developments show that democratic frauds and villainies were even greater than we had any idea of at the date of the canvass. The Senate committee held sessions at Gainesville and succeeded in proving up all the democratic voters, while Mr. Fleming, the smart witness, could not testify as to twenty democrats who voted at Archer precinct No. 2. The republicans who were proven to be dead were produced in the flesh, and testified that they voted at said precinct. But, my dear Governor, what does all this amount to, when we have such men as Barlow among our great leaders, and when Senators cravenly quake in their boots when they hear the rebel yell? If Tilden is inaugurated it will be through the sheer cowardice and treachery of men we were pleased to look upon as great and good men. At the present writing there does not seem to be a gleam of hope. Four years will quickly pass away with the republicans of the North, but with us of the South they will roll with the weight of centuries. I say, indeed, that the black cloud of disaster will never be removed. I feel sick at heart for the loyal man, black and white, and I feel sick for myself. If my health would permit I would gladly seek a more congenial latitude. As it is, I must brave the tempest of proscription and meet the fate that is in store for me. Some of my friends have urged me recommending me to the President for appointment to the office of United States District Judge for this State. The State Executive Committee, members of the old Cabinet and other friends have joined in this request. I would be pleased to have you say a good word to the President in my behalf. However, I pray you do not think that I press any claim on account of the recent canvass. I only performed my duty conscientiously, and if it proves unavailing I will never cease to regret it as long as I live. My reasons for seeking the appointment are urgent. My contest for a livelihood with the proscriptive democracy will be a very unequal one, my health will not permit me to live in a colder climate. You can thoroughly appreciate my situation and the magnitude of the triumph should I be honored with the appointment. The office will probably be filled at an early date and I am necessitated to apply at once. If I felt in this friendly letter to ask you to speak to the President will be of good service. Hoping that a gleam of light may break through the thick fold of surrounding darkness, and that Governor Hayes may be inaugurated in accordance with the will of the people, I remain yours, very truly, SAM B. MCLIN.

By Mr. Morrison—This was written after he had performed his work on the Returning Board? A. Yes, sir.

Q. And while he was an applicant for office under the Grant administration? A. Yes, sir.

The Witness—I have another letter from Mr. McLin which I will also read to the committee.

ANOTHER LETTER FROM M'LIN.

TALLAHASSEE, Fla., March 3, 1877.

To Hon. E. F. NOYES, Washington:—

DEAR SIR—Supposing that you are in Washington rejoicing with the nation over the inauguration of Governor Hayes, I embrace the opportunity of thanking you for your kind response to my letter, and, at the same time, expressing to you my soulfelt gratification over the ultimate triumph of Governor Hayes.

The party may expect much in the way of purification from our noble President and the nation will experience four years of unexampled prosperity. (Laughter.) Let joy reign supreme at the inauguration. I very much regret that I cannot be present and drink in a floodtide of happiness. (Laughter.) As it is I am happy here, surrounded by the meanest democrats the world has ever seen. (Shouts of laughter.) Truly, SAMUEL B. MCLIN.

By the Chairman—Have you any more letters from him? A. No, sir; I had another long letter from him written after he had got out to New Mexico, which I brought to Washington with me and I had it at my room, but what has become of it I cannot tell; it was in the same line as these and contained nothing of importance; if I find it I will give it to you.

By Mr. Hiscock—After the result was declared in Florida did you telegraph Governor Hayes? A. I don't remember; it would have been very natural that I did.

By the Chairman—Have you copies of your letters to McLin? A. No, sir, I presume he has them.

Mr. Hiscock—He says he has destroyed everything of the kind.

The Witness—I will state that two weeks after I heard of this investigation and passage of the Potter resolution I was sitting in my room, feeling very unpleasantly, to think that while I was 4,000 miles away I should be attacked in the way I had been and despatches concerning me sent to the London *Times* and published in all papers of Europe and read by every diplomat with whom I was in daily association, and by the representatives of the French government to which I had been accredited, when all at once it occurred to me that I might have some letters from McLin, and on going to my trunk I found wrapped up in a newspaper a lot of applications for office and unanswered letters that I had hastily thrown in there upon leaving for Europe, and among them these two letters I have given the committee; that is the way I happened to find them.

CROSS-EXAMINATION.

By Mr. Morrison—When you went to New Orleans had General Grant requested some gentlemen to go down there? A. I think I preceded these gentlemen.

Q. I understand that in your connection with the Florida case you were acting as an attorney in the interest of your party, and not as an employed attorney? A. Oh, no, sir.

Q. What was the danger you apprehended when you went South? A. It was said that prominent democrats were gathering in Louisiana, and therefore prominent republicans should be sent there to watch what they did; we were a raid they were going to influence the Returning Board to declare the count different from what it was; of course I do not apply this remark to honorable gentlemen like yourself (Mr. Morrison), Judge Trumbull, Mr. Stevenson and other gentlemen of high character.

Q. You knew before you left Ohio that the election officers in Louisiana were republican? A. I supposed they were without giving the matter much thought.

Q. Didn't you remember that on former occasions that same Returning Board had given evidence of ability to take care of the republican party? A. I did not remember it.

Q. Didn't you know that the republican party had control of the offices and election machinery in Florida also? A. I knew that the republican party controlled, of course.

Q. When you heard of contests over returns it never raised a doubt in your mind but what Florida had declared in favor of the republican national and State ticket? A. I believed it had cast its vote for Hayes and I believe so still.

Q. And the statements you have heard here before the committee under oath have not shaken your opinion? A. It has shaken my opinion as to certain specific facts in connection with the election, but not as to the general results in that State; for instance, I know of one county where three or four colored men had been seized by the democrats, ropes put around their necks and they were taken out in the woods and preparations made to hang them up, and, finally, upon their kneeling down and swearing they would go back and vote the democratic ticket and electioneer for it, and get all their friends to do so, the ropes were taken off their necks and they were permitted to go back; I tried to have the Canvassing Board throw out that county, for it turned out that those men did use their influence with their colored brethren; but the Board, with the republicans on it overruled me, and it was counted.

Q. Where did you get that information? A. From affidavits that were made there.

Q. Ex parte affidavits? A. Yes, sir; everything was ex parte down there; I do not mean to say I was present and saw the occurrence; our friends always told us that if there had been an honest and fair return of the votes actually cast, or a fair and free election in Florida, the result would have been a large majority in favor of Mr. Hayes, some of them stating it as high as 5,000 or 6,000 majority; I satisfied myself that Mr. Hayes had carried the State on the face of the returns, and I was satisfied by the evidence that those returns were correct, so far as the republican vote was concerned.

By Mr. Springer—Did you have any conversations with Governor Stearns about that matter? A. Yes sir; many.

Q. Did Governor Stearns or not inform you before the returns were opened that arrangements had been made in Florida so that, whatever might have been the popular vote, the face of the returns would show that the Hayes electors had carried the State? A. No, sir; he never told me anything of the kind, and I do not remember hearing it spoken of by anybody.

Q. Don't you know that the visiting statesmen impressed the people of Florida with the idea that the face of the returns must show that fact in order to have the moral effect that was necessary on the country? A. No, sir; no such fact came to my knowledge from any source whatever; we congratulated ourselves very much that, on the face of the returns, the State had gone for Hayes, and talked about it a great deal.

Q. Mr. McLin states that in one conversation he had with you you told him of your visit to Louisiana and what would be the result there, and stated that Louisiana would be all right for the republican party, and talked upon the importance of Florida going for Hayes and hoped it would. Did you have any conversation of that kind with Mr. McLin? A. Not precisely like, but I think I possibly said to him and others that our friends in Louisiana assured us that that State had cast its vote for Hayes; I gave the information I had got from our friends there; I never had a moment's private conversation with Mr. McLin on that or any other occasion, and if he says so it is not correct.

Q. Mr. McLin also states that, while you did not directly make promises, you said that members of the Canvassing Board would be provided for; that you stated this before the count was completed, and also repeated it afterward. A. I never alluded in any way, directly or indirectly, to the Canvassing Board being taken care of until after the vote had been declared, and then I said what I have already testified to, just as we were going home; in my judgment, Mr. McLin has confounded the conversation which I had with him just before coming away, and after the declaration of the vote of Florida, with what he claims to have been said before.

By the Chairman—When Mr. Dennis called on you did he state that General Barlow was going to sell out? A. I don't know that he stated that, but he gave me to understand that the local republicans distrusted him.

Q. What could Dennis have done at that time to have controlled the result? A. I don't know; I did not attach any importance to what he said beyond the fact that he represented the republicans as dissatisfied, and for that reason I thought we had better accommodate them; that was my only object in making the change.

NO AUTHORITY FROM HAYES.

By Mr. Hunton—I am requested to ask if you did not state to John F. Coyle, while at Tallahassee, that you had authority to represent Governor Hayes? A. I never stated that to any living mortal; I don't know Coyle from Adam; I remember there was a man down there named John F. Coyle and I may have spoken to him, but I never told him or any other man that, for it would have been a lie, and I don't tell lies.

The Witness—It has been suggested to me by Attorney General Little that I did send a despatch to Governor Hayes announcing, at some point, what the returns were, and on that suggestion I will state it is possible I did so.

LEW WALLACE'S TESTIMONY.

General Lew Wallace was next sworn and corroborated many of the statements made by Governor Noyes. He denied that he made any promise to members of the canvassing board or any one else before the final decision. His examination was continued as follows:—

Q. Mr. McLin says that you told him that you knew Governor Hayes well and was satisfied if he became President he would take pleasure in providing for the republicans of Florida—what is your reply to that? A. I will tell you the facts and give you almost the identical language I used on that occasion. I went to Mr. McLin's house by invitation an evening or two before the board was to pronounce their judgment, and, after some general conversation, he made the remark that Mr. Manton Marble, representing the democrats, had been but a very short time before at his house to see him and had told him there was no necessity of his (Mr. McLin's) living or dying a poor man; that if Tilden were counted in he could command anything he wanted; I said to Mr. McLin, "Mr. Marble is very bold in his proposition, and he certainly forgets that if Hayes is elected he will have the same opportunity of taking care of his friends, which," I added, "I have no doubt he will do;" I did not understand at the time that that was a corrupt proposition from me or anything that looked that way to McLin; I had too much respect for Mr. McLin to make any such proposition; he was a republican and I supposed he would do his duty as a republican; Mr. Manton Marble was a democrat, and, speaking to him as a republican, I do not think there is any likeness between Mr. Marble's proposition and my own.

Ex-Governor Stearns was called, and denied the statement made by General Cocke in his testimony that he called on the Secretary of State on two occasions, and found the door of his office locked, and after waiting in the hallway some time the door was opened, and he saw witness and Governor Noyes come out together; that he then went into the room, and found McLin and Cowgill there.

Governor Noyes was then recalled and questioned in regard to his purpose in going to Louisiana, and stated that he went there under the apprehension that the State would be taken away from Hayes, to whom he believed it belonged, fearing that the members of the Returning Board might possibly be bribed or bought to return the vote different from what it was cast, and that he had heard rumors from various sources to the effect that such attempts were made there.

By Mr. Morrison—Are you able to state by whom? A. No, sir; I cannot state that.

Mr. Hiscock stated that this covered all points he cared about in this special branch of the case. Then the committee at fifteen minutes past four o'clock P. M. adjourned until Saturday morning at half-past ten o'clock.

THE LOUISIANA SUB-COMMITTEE—A STORY ABOUT THE PAY OF THE VISITING STATESMEN DENIED—PROGRAMME OF THE INVESTIGATION.

[BY TELEGRAPH TO THE HERALD.]

NEW ORLEANS, June 28, 1878.

A portion of the sub-Congressional Investigating Committee arrived here to-day, and will, it is said, open business to-morrow.

It having been extensively stated that Secretary Sherman was paid $5,000 by Mr. Charles T. Howard, of this city, to pay the expenses of the visiting statesmen, and this being one of the points which will be examined into by the committee, your correspondent to-day called on Mr. Howard, who is sick at his residence. In reply to questions he stated that he had never given any such sum or portion of it; that he never saw Judge Harlan or spoke to him in his life, and that the whole statement that he had given any such sum to Secretary Sherman is entirely and unqualifiedly false.

Judge Lyons and the Feliciana witnesses will be examined Monday. Major Burke will probably be kept for toward the close.

RAILROAD EXTENSION.

EATONTOWN, N. J., June 28, 1878.

The branch of the New Jersey Central Railroad has been completed to Monmouth Park. Heavy trains passed to the race course this morning.

KILLED BY HIS OWN SON.

BUFFALO, N. Y., June 28, 1878.

During a drunken quarrel between Jeremiah Lane and his son John, this morning, the latter drew a large jackknife and stabbed his father several times in the back, inflicting wounds from which he died in a few moments.

ELIZA PINKSTON.

The Truth Regarding a Story that Startled the Country.

HOW THE NORTHERN HEART WAS FIRED.

Five Hundred Dollars for a False Oath and a Little Drama.

SECRETARY SHERMAN'S HILARIOUS LAUGH.

During the counting of the Presidential vote of Louisiana, in New Orleans, before the Returning Board and the visiting statesmen, in November, 1876, the country was startled and shocked by the introduction, as the victim of and witness to savage democratic bull-dozing, of a colored woman named Eliza Pinkston. She had been severely wounded, was apparently dying, was brought in to give testimony lying on a sofa or settee and gave a remarkably succinct and dramatic statement to the effect that her husband, Henry Pinkston, had been dragged out of his cabin by a gang of democrats and murdered before her eyes because he was a prominent republican, and that the same gang then brutally beat, cut and shot her.

She seemed still greatly debilitated when testifying, and her story and her appearance produced a profound impression in New Orleans and throughout the country. Her appearance was a complete surprise to the democrats of the State and of the county (Ouachita) in which she lived and where the brutal outrage was said to have been committed. They appear to have at first accepted her tale, but as soon as they could reach the county and look into the story its truth was positively denied, and later it was charged that Eliza Pinkston, having, with her husband, been the victim of a quarrel with some of her colored neighbors, had been picked up by republicans, brought to New Orleans, tutored carefully in the part she was to play and the evidence she should give, and was then suddenly and in the dramatic manner which will be remembered, brought before the Returning Board as a sample of democratic brutality. The denials came too late, however. Eliza's testimony had gone over the country. It was given out that the poor creature could not recover from her wounds. She dropped out of public sight and attention as other events came up, and until lately it was not even known in New Orleans whether she was dead or alive. She had disappeared from Ouachita parish, and no one thought of her.

ELIZA'S STATEMENT.

A correspondent of the HERALD chanced to learn a few weeks ago that Eliza was still alive; that she had recovered from her wounds; had married again, and had removed to Madison county, Miss., where she and her new husband, Waymond Pritchard, a respectable colored man, were living on the land of Mr. W. J. Mosby, as tenants. The HERALD correspondent had the curiosity to visit Eliza and talk with her, and finally procured from her and from her present husband the sworn statements which follow. It will be seen that Eliza here states under oath:—

First—That she was induced to appear before the Returning Board and make the statement there given by two republicans, O. H. Brewster and Dinkgrave.

Second—That she received for her testimony and the part she acted on that occasion $500, a very large sum of money to a woman in her condition; and she now swears that of this money she took $50 in hand and allowed the remainder to lie in the hands of Brewster, from whom she says she has never been able to get it back.

Third—She denies that her husband ever took any part as a republican in politics, and asserts that he was engaged in a quarrel with a colored man, having no relation to politics; and that, while she does not know who killed her husband and wounded herself, she believes it was this colored man; also that, contrary to the testimony she gave before the Returning Board, she never knew who committed the outrage.

Fourth—That she was brought by republicans from her home to New Orleans and instructed by them to pretend that she was more seriously hurt than she was, and also instructed to lay the blame of the killing and assault on the democrats.

Fifth—That, so far from being unable to walk, she had walked, on the days before giving her testimony, considerable distances, as well as up and down the Custom House stairs in New Orleans; that on the day of her appearance before the Returning Board she walked up the stairs, but was induced to lie down on a sofa and allow herself to be carried into the room to produce the greater impression.

It will be noticed that her present husband, Waymond Pritchard, in an affidavit, confirms Eliza's story as being that which she has always told him since he married her.

ELIZA'S AFFIDAVIT.

STATE OF MISSISSIPPI, COUNTY OF MADISON.—Personally appeared Eliza Pritchard, woman of color, residing at Canton, Miss., who, being duly sworn, deposes that her name has been Eliza Pinkston, as wife of Henry Pinkston, deceased; that she has since married Wayman Pritchard, and is now residing at Canton, Miss.; that as Eliza Pinkston she did appear as a witness before the Louisiana Returning Board, at New Orleans, La., in the month of November, 1876, and as such she gave testimony that her former husband, Henry Pinkston, had been killed, and she herself had been seriously injured and wounded by certain democrats of the parish of Ouachita, because of and on account of the republican politics of herself and husband. Deponent further deposes that she was induced to give said testimony by certain republicans—namely, O. H. Brewster and Dinkgrave, by promises of reward, and she was, in fact, paid therefor the sum of $500, as per said promise, which she received, and, after taking therefrom the sum of $50, she allowed the remainder to remain with said Brewster on deposit, but has failed to obtain said amount from said Brewster, although she has frequently demanded the same. Deponent alleges that at the time of giving said testimony she was in a weak, nervous and prostrate condition, induced by suffering from wounds and by having her fears played up