State Library d h


# THE DAILY MEMPHIS APPEAL.

ESTABLISHED 1840. MEMPHIS, TENN., FRIDAY, FEBRUARY 2, 1877. VOL XXXVI.—NUMBER 28


**CLOSING RATES**

*Yesterday of cotton and gold: Liverpool cotton, 6 13-16d. New York cotton, 12 15-16c. New Orleans cotton, 12 1-8c. Memphis cotton, 12c. New York gold, 105. Memphis gold, 104.*

**WEATHER INDICATIONS.**

WAR DEPT., OFFICE CH. SIG. OFFICER, WASHINGTON, February 2, 1 a.m.

*Indications for Tennessee and the Ohio valley, warmer southwest winds, falling barometer, cloudy and rainy weather. For upper Mississippi and lower Missouri valleys, rising, followed by a falling barometer, cooler northwest, back to warmer southwest winds and partly cloudy weather.*

**OBSERVATIONS YESTERDAY.**

WAR DEP'T, SIGNAL SERVICE U. S. ARMY, THURSDAY, Feb. 1, 1877, 10:48 p.m.

| Place of Observation. | Bar. | Ther. | Dir. | Wind. | Weath. |
|---|---|---|---|---|---|
| Galveston | 30.20 | 59 | S. E. | Fresh. | Foggy. |
| Indianola | 30.18 | 61 | S. E. | Fresh. | Cloudy. |
| Louisville | 30.08 | 58 | S. | Fresh. | Cloudy. |
| Memphis | 30.17 | 62 | S. | Gentle. | Hazy. |
| Nashville | 30.15 | 58 | N. | | Cloudy. |
| New Orleans | 30.20 | 60 | S. E. | Gentle. | Fair. |
| Shreveport | 30.21 | 64 | S. | Gentle. | Cloudy. |
| Vicksburg | 30.25 | 63 | | Calm. | Cloudy. |

W. M'ELROY, Sergeant.

# A STATE FOR SALE.

**Maddox, the Agent and Confidential Friend of Bulldozer Wells, Makes a Full Confession and a Clean Breast of It.**

**He Supports and Sustains the Testimony of Colonel Pickett, and Admits that Wells Offered to Sell to Either Party for a Million Dollars.**

**The Two Bulldozing Thieves, Kellogg and Wells, Play Braggadocio and Deny All that Has Been Stated by Maddox, Littlefield and Pickett.**

WASHINGTON, February 1.—The committee on the powers, privileges and duties of the house in counting the electoral vote to-day recalled Maddox, who had read an explanation of his refusal to respond to questions yesterday. The refusal was because of a disinclination to commit a breach of faith. He asked for delay, that Governor Wells might make a full statement, but as the governor did not, witness was now ready to answer, and said that before Governor Wells wrote that letter to him he had a conversation with the governor with regard to the political situation and the difficulties with the returning board. The governor proposed that witness should go to Washington and explain the situation; he concluded that he would write a general letter to witness, as confidential, and he also wrote another letter to a friend in Washington. When witness arrived at Wells's office, next morning, one letter was finished and he was writing the other. Witness brought away the letter to himself open, the other, sealed, was addressed to Senator West, but it had never been delivered; Governor Wells said that his life was in danger, as he had a very difficult job on hand, and did not see how he could get through with it; Wells stated that he would like to serve his party in making returns in favor of Hayes, but he would not take the risk unless paid for it, as the majority was very heavy—too much for him to handle, and did not know where to commence to throw out; he said the probability was that he would have to throw out the vote of New Orleans, on the ground, witness thought he meant, of necessity; Wells asked him to go to Washington, see influential men, and obtain protection for him, and also to see whether he could not get the required money to satisfy him. Wells said he ought to have a million dollars; witness showed to the President and Secretary Cameron the two letters addressed to him by Governor Wells; he told the secretary that Governor Wells wanted money, but the secretary declined to have anything to do with the matter; the money Governor Wells required was to protect him, the programme was that the vacancy on the returning board should be filled, and that Governor Wells should resign in anger on that account; witness did not know that there was any special arrangement between him and Governor Wells about the details, but witness was required to submit a plan which would be acceptable. Witness having been interrogated relative to a telegram sent Governor Wells under the assumed name of C. M. Calvert, said it was understood between him and Governor Wells that if his representations at Washington failed to bring the money, then witness was to give the returns as they were made in New Orleans, and that he should commence a second negotiation; the word "hold," in the telegram to Governor Wells, signifies that he was to hold the returns in such a situation as to make them available at will; first negotiation failed; Governor Wells stated to witness that he wanted for himself and General Anderson at least twenty thousand dollars apiece, and a smaller sum for the darkies, or negroes, of the returning board; when witness returned to New Orleans he had a conversation with Governor Wells about the failure of the negotiation; witness received a dispatch from Colonel Pickett saying the negotiation had failed, when Governor Wells suggested that witness endeavor to make some arrangement with the Democrats; witness made an effort in that direction but did not succeed; the idea of the witness was, from what Governor Wells said, that he would throw out votes to the best advantage in order to produce certain results, which would depend on circumstances.

Mr. Lawrence cross-examined Maddox, who said that in his interview with Secretary Cameron he told the latter that Governor Wells wanted one million dollars, but that the secretary declined to have anything to do with the proposition.

Mr. Field remarked that he saw Governor Wells present making private observations.

Governor Wells replied that he only wanted to hear the truth, and then retired.

Question—Did Governor Wells say anything to you about going to New York? Ans.—No.

Ques.—Did he tell you to see Colonel Pickett? Ans.—No.

Ques.—Or to see any leading Democrats? Ans.—No; that was not necessary, as what I did was on my own motion, or joint motion of Governor Wells and myself.

Ques.—Did Wells speak to you of the necessity of incurring expenses to show the electoral frauds in Louisiana? Ans.—I do not think he did, but Governor Wells said he must have money. Witness had no conversation with General Anderson on the subject of selling out the returning board, but Governor Wells said he wanted money and would have money, because it was the last chance he would have; the matter of the sale of the State was discussed on the nineteenth of November between Governor Wells and himself. In reply to the question whether, as he testified in his direct examination, he was sure Colonel Casey said to him that Chandler wanted him to see about the political situation in Louisiana, witness replied in the affirmative; this was before the witness left for New Orleans in his capacity as revenue officer; he was satisfied that Pickett had told him that he had written to Colonel Zacharie (Democrat), of New Orleans, saying that witness was a dangerous man, and to beware of him; witness then testified to his continued business relations with Colonel Pickett.

Mr. Lawrence said he asked the questions as to how there had been a variety of transactions between them, and that this was a part of a general conspiracy to raise money, regardless of the means by which it was to be done. Ans.—During the late war witness was in the secret service, and frequently gave information to President Lincoln and Secretary Seward, and had conversations with persons on the Confederate side, including Jeff Davis, his object being to find out what was going on in the south.

Ques.—Why was the letter Governor Wells wrote to Senator West not delivered by you to him? Ans.—Because it contained delicate information, and I was not disposed to trust him; after I received that letter from Governor Wells, I had a conversation with J. Alex. Walker, and dined with him; Walker was considered a Whig-Democrat; I talked with him about the election, but nothing was said about declaring the result. Walker was the man with whom I operated when the second negotiation was attempted; he knew nothing about my arrangements with Wells; in consequence of a conversation with Walker, and on reflection, I concluded not to deliver the letter Governor Wells wrote to Senator West; I discussed the contents of that letter with the party to whom I transferred it.

Ques.—Was there any arrangement between you and Colonel Pickett as to how much money you were each to get? Ans.—I did not know how much I was to get; that depended on circumstances; Colonel Pickett said he did not care about the money, except for charitable purposes.

Governor Wells returned to the committee room during the examination.

Witness stated in reply to the question by Mr. Burchard, that he had frequently chatted with Governor Wells about the parish of Rapides, in which witness owned a plantation; after getting through with their private talk they had more room for political questions in their conversation; Governor Wells spoke of the difficulty in the way, and said that if he served his party he ought to be paid for it; witness did not know what reply he made to Governor Wells, but recollected that he asked Governor Wells about the parishes and of the difficulties of which Governor Wells had spoken; witness did not think Governor Wells really wanted so much as a million dollars; witness agreed to represent the case.

Jeremiah M. Wilson, counsel for the returning board, said he desired that Governor Wells and General Anderson should be examined as to the matters to which the witness had testified.

The committee adjourned until to-morrow.

**[The Bulldozers Interviewed.**

NEW YORK, February 1.—The *Herald's* Washington correspondent gives the following report of an interview with J. Madison Wells, of the Louisiana returning board, in relation to the evidence given yesterday before the house committee. He says: Wells, who is confined in the capitol, was interviewed by a *Herald* correspondent, who asked him:

"Do you know John T. Pickett, who has been telling a startling story of you?" "I don't know John T. Pickett, and do not remember ever to have heard of that name before."

"Do you know J. H. Maddox?" "Yes, very well. I have known him since the days of the Mexican war—that is, since 1846."

A copy of the letter reading as follows, "You fully understand the situation; can't you advise with me in relation thereto?" was then read to the prisoner, and Wells said: "I wrote such a letter to Maddox, but not in connection with the subject you have mentioned. The story, as it has been repeated to me, is an infamous lie; as baseless as it is malicious. I am anxious to be heard in defense, or, at least, to tell my story, and when the time comes perhaps I may be able to tell more than would be agreeable to my persecutors. You say I was to sell out for one million dollars. What nonsense. One million dollars! No; not for forty million dollars would I betray my party. This, sir, is a matter of principle, and I can only explain this series of damnable lies as a part of the conspiracy to injure me. Witnesses were brought four hundred miles to malign my character."

This put Governor Wells in a confidential humor, and, with a broad grin, he replied that if he had been in the selling-out business, his friend Maddox was not the man to whom he should have confided his plans. As for Pickett, he is a myth, so far as he knew.

"Do you know what Littlefield has testified to?" "Yes, I have heard an outline of his evidence. It is a part and parcel of the job to bring the returning board into disgrace. It is a trick to injure our reputation before congress and the people of the country, but it will fail, I know it will. There is to be an exposure on the other side of the question in a few days that will set many matters, not now understood, in their right light. The Democrats seem to forget that there are two sides to this controversy, and it will be made to appear that Governor Hayes can be quite as warmly defended by his friends as Tilden's friends have been zealous in their efforts to preclude the Republican vote of Louisiana."

Wells said he had not made, nor did he intend to make, any application for a writ of *habeas corpus*, and such a step could not be taken without his consent. It was his purpose to remain quietly in jail until the fourth of March, when he supposed he would be certified to court and released on bail. He would not now say what would be the tenor of his statement before the committee. His contempt thus far was confined to his refusal to deliver up the papers before the returning board. Perhaps this would exclude him from the privilege of making any statement before the house committee; there was, however, another committee in the senate, and it might be that he would be summoned to appear as a witness before the senate committee. At all events he could afford to patiently wait until the time came to refute the parcel of infamous lies which had been told about him.

GOVERNOR KELLOGG.

The following interview with Governor Kellogg is also given: Kellogg, when he was informed of the tenor of the testimony given by Pickett, said it recalled the statement made in his office the latter part of November by Wells. Those present were ex-Congressman Sheldon, Dr. M'Millan, and a number of prominent men in Lousiana belonging to both political parties. Wells said, in his peculiarly emphatic manner: "Well, I have named my price at last; Tilden's negotiators have been dickering long enough, and I concluded it would be best to name my price." The question was asked what amount he had fixed for the sale of Louisiana; Wells replied: "I am none of your two-hundred-thousand or three-hundred-thousand-dollar men; my price is a round million." The remark provoked laughter, in which Wells joined. It was regarded then as a piece of pleasantry, and left no other impression on the mind of Governor Kellogg or the other gentlemen present. Said Kellogg: "Let us for a moment suppose the proposition to have been made, and it will readily appear that neither Wells nor any other member of the board could have been a party to it; for its consummation the first step was to pay two hundred and fifty thousand dollars, and when the fifth member of the board was elected that member was to be a Democrat, of course; the only reason the vacancy was not filled in the beginning was that the Democrats had resolved that no one should have the office but Dr. Kennedy, and he was personally objectionable to Wells, who opposed his election. I told the Democrats that if they would present the names of four or five good men, one of the number would be selected; but Kennedy or nobody was their motto, and so the matter rested. For two hundred and fifty thousand dollars then, according to Pickett and Maddox, Wells would have withdrawn his opposition, and Kennedy would have become the fifth member, and who would have been wiser? The other part of the contract, however, would have been impossible for Governor Wells or anybody else to have carried out. Being then governor of Louisiana, and by law also vested with authority to commission members of the returning board, I should have emphatically opposed the political change contemplated. In this cool million proposition to make treaties, at least plausible, where was I to come in?" Said Governor Kellogg: "Was I to get nothing for the elector's certificate; or was it presumed that I would blindly obey the behests of the returning board?"

Kellogg said he had received a telegram stating that a dozen witnesses would leave New Orleans to-night, most of them clerks of the returning board, and whose evidence would be a rebuttal of Littlefield. He was confident the returning board had done nothing but what it was authorized to do under the law.

**The Oregon Investigation.**

WASHINGTON, February 1.—Dr. J. M. Watts, the alleged ineligible elector from Oregon, testified to-day before the senate committee on privileges and elections. He has not been postmaster since the fourteenth of November last, when he telegraphed his resignation to the postmaster-general, who corroborated the testimony of Dr. Watts.

# Counting of the Vote.

**Both Houses Present—Preliminary Movements—Speech of Vice-President Ferry—The Strong Box with the Certificates.**

**Alabama and Arkansas Counted for Tilden and Hendricks without Objection—Florida the First Snag in the Way of Easy Sailing.**

**The Votes and Certificates of the Flowery Land Go to the Joint Commission—Debates and Business of the Senate and House.**

**SENATE.**

WASHINGTON, February 1.—Senator Robertson presented resolutions which he said were adopted at a mass-meeting of white and colored citizens at Barnwell courthouse, on January 15th, and asked that they be read and referred to the committee on privileges and elections.

The chief clerk read the resolutions, as follows:

*Resolved*, That the seven hundred colored voters who enrolled their names in Democratic clubs, and the nine hundred and seventy-six who cast their ballots for General Wade Hampton and the candidates on his ticket, did so to secure to their native State an honest government and home rule, and to free her from the thieving government under which she has so long suffered from corrupt carpetbaggers and infamous scalawags.

Senator Sargent here objected to the further reading, as the resolutions were not couched in respectful language.

A short debate followed, after which Senator Sargent, at the request of Senator Patterson, withdrew his objection, and the reading of the resolutions was concluded. They deny that there was any intimidation on the part of the whites toward the blacks, and support the Hampton government. The resolutions were then referred.

Senator Saulsbury presented a very long printed petition, signed by the bankers, merchants, clergymen and others of New Orleans in regard to the condition of affairs in Louisiana, in which the Kellogg government is charged with incompetency, and they appeal to the country not to believe the statements of fraud and violence charged against the people of Louisiana.

Senator Howe moved that the petition be referred to the committee on privileges and elections, and that the committee summon such signers of the petition as they may deem advisable to prove the charge they make. After discussion, the motion was agreed to.

Senator Edmunds [Vt.] submitted a concurrent resolution providing that the public proceedings of the commission authorized by the electoral count bill, as taken down under the direction of the commission, shall be printed in the *Congressional Record*, and that an extra number of copies be printed for the use of the commission and the two houses of congress. Agreed to.

Senator Bogy presented a joint resolution from the Missouri legislature, asking for a speedy consummation of the Southern Transcontinental railroad. Referred.

Senator Chaffee presented the credentials of Henry M. Teller, elected United States senator from Colorado. Placed on file.

Senator Bailey was appointed to fill the vacancy in the committee on postoffices and postroads and on education and labor, caused by the retirement of Senator Kogg.

Senator Windom called up the house bill appropriating twenty thousand dollars for the relief of the destitute poor of the District of Columbia. Passed—yeas, 45; nays, 9; Senators Alcorn, Booth, Cockrell, Cooper, Hitchcock, M'Creery, Maxey, Ransom and Withers voting in the negative.

The chair laid before the senate the following communication from the electoral commission:

WASHINGTON, February 1, 1877.

SIR—I have the honor to inform the senate that the commission constituted under an act of congress and approved January 29, 1877, entitled "An act fo provide for and regulate the counting of the votes for President and Vice-President, and the decision of questions arising thereon, for the term commencing March 4, 1877," has met, and the members thereof having taken and subscribed to the oath prescribed by law, organized, and is now ready to proceed to the performance of its duties. Very respectfully,

NATHAN CLIFFORD, Chairman of Commission.

To the President of the Senate.

Placed on file.

The chair appointed Senators Sargent and Allison tellers on the part of the senate to count the votes for President and Vice-President of the United States. Subsequently Senator Sargent declined and Senator Ingalls was appointed. In making the appointments the president *pro tem.* stated that it was his intention to appoint one Republican and one Democrat, but on noticing the appointments by the house he had determined to appoint two Republicans.

Senator Mitchell, from the sub-committee of the committee on privileges and elections, to which was assigned the duty of inquiring into the eligibility to office under the constitution of any person alleged to have been ineligible as presidential elector, submitted a report in regard to the laws in New Jersey, Missouri and Virginia, which he began to read, but Senator Merrimon raised the point that a sub-committee must report to the full committee, which should make its report to the senate. Pending the discussion the senate proceeded to the hall of the house to take part in the count of the electoral vote.

**Gone to Count the Vote.**

The galleries and corridors of the senate, and the outer approaches to the capitol, are thronged with persons unprovided with tickets and unable to gain admittance to the house side of the building to witness the count of the electoral vote. It is a good-natured crowd, and the best of order prevails.

**The Senate Resumes Business.**

At ten minutes after three o'clock in the afternoon the senate returned and resumed consideration of the point of order submitted by Senator Merrimon, against receiving the report of the sub-committee of the committee on privileges and elections in regard to the eligibility of electors in New Jersey, Missouri and Virginia. After some discussion, Senator Merrimon withdrew the point of order, stating that the debate showed how the report came before the senate, and that he, as a member of the committee, was not responsible for any statement of law or fact in the report. The report was then read by Senator Mitchell.

Senator Kernan, the minority of the sub-committee, said he had not time to prepare a report, but that he could not agree with the majority of the committee in their conclusions. In his opinion, Williamson, the New Jersey elector, was eligible, as he ceased to be a United States commissioner when he accepted the office of chancellor of state. As to the case of Frost, in Missouri, he was not disqualified on account of having taken the oath as lieutenant in the army, and subsequently joined the rebellion; besides, Frost was relieved of his political disabilities by the act of May 22, 1872.

It was ordered that the report of the sub-committee be printed, and after executive session, the senate took a recess until ten o'clock to-morrow morning.

**HOUSE.**

After prayer by the chaplain, Mr. Kasson called for the reading of the journal of yesterday in full in order to consume the hour which must elapse before the counting of the votes, and to prevent a vote on the resolution reported by the special committee on the election in Florida.

The chair appointed as tellers on the part of the house in counting the electoral votes Messrs. Cook and Stone.

Mr. Kasson called the chair's attention to the fact that both tellers had been chosen from the majority, and that it was customary in such cases to have a representative of the minority appointed.

The Chair—The gentlemen are appointed by the chair under the authority of the house, and that fact has been communicated to the president of the senate; the chair understands that he will appoint two of the majority of the senate.

Mr. Kasson—That will have been done on account of the action of the speaker.

The Speaker—The chair does not feel offended; he has simply done his duty.

Mr. Cox—Nevertheless, it is insolence.

The speaker laid before the house a communication from Justice Clifford, president of the electoral commission, stating that the members thereof had taken the prescribed oath, and that the commission was ready to perform its duties.

The senate resolution was agreed to for the publication of the proceedings of the commission.

Mr. Payne offered a resolution directing the clerk of the house to inform the senate that it was ready to receive that body for the purpose of opening and counting the electoral votes for President and Vice-President. Adopted.

**Recess.**

The house then took a recess.

During recess, the buzz of conversation was unceasing. Among the distinguished persons on the floor, were nearly all of the cabinet and the counsel engaged by the national committees of both parties. The galleries were packed, and more than half of those present were ladies. Justices Miller and Field were the first of the judges to arrive; they entered without formality, and took chairs to the left of the main aisle. At two minutes past one o'clock, the speaker announced the arrival of the senate, and the members of the house, at the speaker's tap, arose and remained standing, while the senate, preceded by its officers, filed down the main aisle and took seats in the first four rows on the Democratic side of the chamber; the president of the senate took the chair, having the speaker on his right.

**The Joint Convention—The Counting of the Vote.**

When the senators and members were seated the president of the senate said: The joint committee of the two houses of congress for the counting of the votes for the President and Vice-President will now come to order. Perfect silence followed, and the president of the senate continued: "In obedience to the constitution the senate and house of representatives have met to be present at the opening of the certificates and counting and declaring of the results of the votes for the offices of President and Vice-President of the United States for a term of four years, commencing on the fourth day of March next. In compliance with the law the president of the senate will now proceed, in the presence of the two houses, to open all the certificates of the several States, and in their alphabetical order, beginning with the State of Alabama." Then a strong box in which the certificates were carried in by Mr. Bassett, assistant doorkeeper of the senate, was placed on the desk before the president the senate, who opened it, and taking from it the certificate from the State of Alabama handed it to the tellers, who were seated just below him at the clerk's desk, and Senator Allison, one of the tellers, read the document *in extenso*, the result of it all being that Samuel J. Tilden, of New York, and Thomas A. Hendricks, of Indiana, had received the ten electoral votes of Alabama.

The vice-president said that the certificate received from Alabama having been read, the duplicate certificate received by mail would be read.

Mr. Stone was reading the duplicate certificate when he was interrupted by Senator Conkling, who suggested that it was hardly necessary to read the duplicate certificate, but that when the first certificate was read by the teller the other tellers should look over the duplicate, in order that a comparison might be made.

The vice-president of the senate asked whether there was any objection to the proposition, and there being none, he stated that that course would be pursued.

Mr. Stone having then resumed and completed the reading of the duplicate certificate, the presiding officer said: "Are there any objections to the certificate from the State of Alabama? [After a pause.] The chair hears none. The votes of the State of Alabama will be counted. One of the tellers will announce the votes, as there may be no mistake."

The result was announced by Mr. Cook, and the same ceremonial was observed in reference to the next State.

After half an hour had been spent in reading the papers accompanying the third certificate, Senator Conkling proposed the reading be regarded as completed and the result be announced, as under the late act of congress all papers would be referred to the provisional tribunal raised to examine all such questions. There being no objection it was so ordered.

The presiding officer asked whether there was any objection to counting the votes of Florida.

Representative Field sent to the clerk's desk written object ons to the first certificate for Hayes and Wheeler, signed by Senators Jones [Fla.], Cooper, M'Donald [Ind.], and by Representatives Field, Tucker, Jenks and Springer.

The clerk of the house read the paper. It asserts that Pierce, Humphreys, Holden and Young, assuming to act as Presidential electors, never were duly appointed by the State of Florida, or in any manner whatever; that other persons had been elected and had an irrevocable title to the office; that the certificate of election of the first three named was unlawfully and corruptly procured and made in pursuance of a conspiracy between them and M. L. Stearns, late governor; that they were usurpers, and that their acts are illegal, null and void.

Further objections being called for, Senator Sargent sent up to the clerk's desk, on behalf of himself and Senators Conover, Sherman and Teller, and of Representatives Woodburn, Dunnell, Kasson and M'Crary, three several sets of objections to the votes cast by Call, Hunton, Bullock and Yonge, Democratic electors, on the ground that the papers are not authenticated, as required by the constitution and laws.

Senator Jones [Fla.] made objection specially to Humphreys as holding an office of trust and profit under the United States.

Mr. Kasson made an additional objection to the third set of certificates, because they were not authenticated by the person who held the office of governor at the time that the functions of the electors were exercised.

The presiding officer—Are there further objections to counting the vote of Florida? [After a pause.] If there be none, the certificates and papers, together with the other papers accompanying the same, will now be transmitted to the electoral college commission for judgment and decision. The senate will now withdraw to its chamber, so that the house may act separately on the objections.

A buzz of dissent to the closing part of the sentence pervaded the chamber, but the presiding officer made no change, and the senate retired, and order was restored.

SUBSTANCE OF THE VARIOUS OBJECTIONS IN THE FLORIDA CASE.

The following is the substance of the objections presented: Representative Field presented objections to counting the votes of the Hayes electors, and to the paper purporting to be the certificate of M. L. Stearns as governor of Florida, that said electors were appointed on behalf of said State; he objected to the papers purporting to be the lists of votes cast by the electors, and to the votes themselves, on the ground that the electors were not appointed by the State of Florida in such manner as the legislature has directed, or in any manner whatever. Second, that the Tilden electors were appointed in the manner directed by the legislature. Third, that the qualified electors of the State appointed the Tilden electors, which gave to the appointees an irrevocable title. Fourth, that Stearns's certificate to the Hayes electors is untrue, and was corruptly obtained. Fifth, that said certificate is the result of a conspiracy between Stearns and the electors. Sixth, that if Stearns's certificate ever had any validity it had been annulled by the lawful certificate of the executive of Florida and by the judgment of the circuit court of that State. He also stated that the Tilden electors cast the vote of Florida for Tilden and Hendricks, and that all their acts had been in conformity with the constitution of the United States and all acts of congress, except section 136 of the revised statutes, and in conformity with the judgment of the Florida court subsequent to December 6th. The governor of Florida, in compliance with section 136, revised the statutes and gave to said Tilden electors triplicate lists prescribed by said section, which they forwarded as a supplement to their former certificate.

Mr. Field submitted a large number of documents in support of the objections, which are signed by Charles W. Jones, Henry Cooper, J. E. M'Donald, senators; David Dudley Field, J. R. Tucker, T. R. Jenks and Wm. Springer, representatives.

Senator Sargent presented objections to certificates purporting to be certificates of Tilden electors, on the ground that said certificates were not authenticated according to the constitution and laws of the United States, and not entitled to be received, read or counted. Signed by S. B. Conover, A. S. Sargent, John Sherman, H. M. Teller, senators; and William Woodburn, Mark H. Dunnell, John A. Kasson, W. M'Crary, representatives.

In the same behalf Senator Sargent presented objection to the Tilden certificates on the ground that they do not include or are not accompanied by the certificate of the executive of Florida, as having been appointed electors to cast the vote of the State, and further that the Hayes electors were duly chosen in a regular and valid manner, and cast the vote of the State for Hayes and Wheeler in a lawful manner.

Senator Jones presented an objection to counting the vote of Humphries as a Hayes elector, on the ground that he held the position of United States shipping commissioner, and was therefore ineligible. Signed by C. W. Jones, senator, C. G. Thompson.

Representative Kasson presented an objection to the certificates of the Tilden electors on the ground that they were signed by an officer not holding the office of governor, or any other office giving authority in the premises. Second, that a certificate of qualification of electors is *ex post facto*, and incompetent under the law; and, third, that the certificates are null and void as retroactive.

The proceedings are signed A. S. Sargent, John Sherman, senators; John A. Kasson, S. A. Hurlbut, representatives.

**The House Resumes Business.**

The house then resumed the legislative business, and Mr. Hopkins moved the previous question of the resolution reported last night from the Florida investigating committee, but objection was made on the Republican side to any action on the matter until after the minority report was presented.

The speaker suggested that as this subject was now unfinished business, it should be allowed to go over and come up to-morrow as unfinished.

Mr. Lapham made a point of order that the disputed electoral votes having been referred to a commission, it was not competent for the house to pass now on the question.

The speaker said that it was not a point of order; it was a question for the house to determine.

Mr. Kasson said it was a moral point of order.

The Florida question was finally let go over till Saturday, and the house took a recess until ten o'clock to-morrow.

# SENATORIAL BULLDOZING.

**Review of the Cases of Williamson of New Jersey, Frost of Missouri, and Halliday of Virginia.**

**Attempt to Rule the Latter Two out of the Electoral College—The First Named all Right.**

WASHINGTON, February 1.—Senator Mitchell, from the committee on privileges and elections, made a report to the senate to-day, under Senator Edmunds's resolution, instructing that committee to inquire into the eligibility to office, under the constitution, of any persons alleged to have been ineligible as Presidential electors on the seventh of November last, to whom certificates of election have been issued by the executive authority of any State. The report covers three cases of alleged ineligible electors: First, that of Benjamin Williamson, of New Jersey; second, that of General D. M. Frost, of Missouri; and third, that of F. W. M. Halliday, of Virginia. In the case of the New Jersey elector, the committee find that Williamson was, about two years ago, appointed commissioner of circuit court of the United States and a United States commissioner, and that he never resigned the office. The committee find, therefore, that said Williamson was ineligible as an elector on the seventh of November last. Williamson resigned and did not attend the meeting of the electoral college, and the vacancy was filled by the electors present. The committee find that under the statute of New Jersey electors could legally fill such vacancy. In the case of General D. M. Frost, of Missouri, the committee find that prior to the rebellion he was an officer in the United States army; that he had taken the oath required; also, that he had been a member of the Missouri legislature prior to that time, and, as such, had taken an oath to support the constitution of the United States; also, that he was an officer in the Confederate army. The committee further find that these facts render him ineligible to be an elector. (Third section of fourteenth amendment to constitution.) The committee also find that Frost received a pardon from the President of the United States on the twenty-eighth of October, 1865. The committee also find, as a conclusion of law, that this pardon did not affect or remove the disability imposed by the fourteenth amendment, the report holding that the disability can only be removed by a two-thirds vote of both houses of congress. They also find, as a matter of fact, that Frost did not attend a meeting of the Missouri electoral college, and that the alleged vacancy was filled, or attempted to be filled, by the electors present. The committee find, as a conclusion of law, that under the statute of the State of Missouri the electors present had no power whatever to fill the vacancy occasioned by the absence of Frost, and that their action in attempting to do so was void. The committee find that, inasmuch as Frost was ineligible as elector, he was also ineligible to be appointed. In the case of Halliday, of Virginia, the committee find that he was a centennial commissioner at the time of his election, that such office was one of trust under the constitution, and that he was therefore ineligible to be an elector. Halliday did not attend the meeting of the electoral college, and those present filled the vacancy, which the committee find they could legally do under the statutes of Virginia. The committee further find that should the doctrine assumed by Governor Grover, of Oregon, be conceded—which the committee report as indefensible in either law or morals—then Mr. Stifel and the Republican candidate in opposition to Mr. Halliday, were each entitled to receive the certificates of the governor, and each entitled to act as Presidential electors. The report does not cover the Oregon case, as the investigation in that case is under a special committee of the senate. The report on that case will be made in a few days.

# TELEGRAPHIC CLIPPINGS.

Rinderpest has appeared among cattle in the suburbs of London.

The grainheavers of the Brooklyn warehouse docks are on a strike.

The keeper of the prison at Auburn, New York, was killed by an insane convict yesterday.

The New York State senate unanimously favors the speedy resumption of specie payment.

The king of Sweden, the crown prince and Prince John of Glucksburg, have all become Freemasons.

The French senate has passed a grant for the relief of the famine-stricken inhabitants of Pondicherry.

Slade, the American medium, has left London for Russia to fulfill engagements—perhaps *rushed* out of London.

The managers of the New York produce exchange yesterday passed a resolution recommending a reduction of tolls on canals.

Johanna M'Carty, aged sixty-five, was killed in Louisville yesterday by her son, Timothy, aged nineteen, under a fit of insanity.

**That Rumored Huge Swindle.**

BOSTON, January 31.—The treasurer of the National tube works says the statement relating to the company in the *Journal* is exaggerated. The whole amount of the drawback received by the company since their business commenced is less than two hundred thousand dollars, and they claim that every dollar of it is in English iron, of which they have large importations, having paid a government duty of over two thousand dollars. The company voluntarily open their books to the inspection of government officers.

# Electoral Commission.

**First Day's Session—Rules Promulgated for the Conduct and Guidance of Cases Submitted by Congress.**

**Presentation, Pro Forma, of the Returns from Florida, with all the Accompanying Papers and Objections Thereto.**

**Decision by the Presiding Justice that they be Printed Immediately—Preliminary Inquiries of Counsel as to Presentation and Management of Cases.**

**Rules Governing the Tripartite Commission.**

WASHINGTON, February 1.—The electoral commission to-day promulgated the following rules, adopted by them last evening, under authority of a recent act of congress:

Rule 1.—The commission shall appoint a secretary and two assistant secretaries, a marshal and two deputy marshals, a stenographer, and such messengers as shall be needful to hold during the pleasure of the commission.

Rule 2.—On any subject submitted to the commission, a hearing shall be had and counsel shall be allowed to conduct the case on each side.

Rule 3.—Counsel, not exceeding two in number on each side, will be heard by the commission on the merits of any case presented to it, no longer than three hours being allowed to each side, unless longer time and additional counsel shall be specially authorized by the committee. In the hearing of interlocutory questions but one counsel shall be heard on each side, and he not longer than fifteen minutes, unless the commission allow further time, and additional counsel and printed arguments will be received.

Rule 4.—The objectors to any certificate or vote may select of their number to open and conclude the final argument and to advocate the validity of any certificate or vote the validity of which they maintain, and in like manner objectors to any other certificate may select two of their number for a like purpose; but under this rule not more than four persons shall speak, and neither side shall occupy more than two hours.

Rule 5.—Applications for a process to compel the attendance of witnesses or the production of written or documentary testimony may be made by counsel on either side, and all processes shall be served and executed by the marshal of the commission or his deputies. Depositions hereafter taken for use before the commission shall be sufficiently authenticated if taken before any commissioner of any circuit court of the United States, or any clerk or deputy clerk of any court of the United States.

Rule 6.—Admission to the public sittings of the commission shall be regulated in such manner as the president of the commission shall direct.

Rule 7.—The commission will sit, unless otherwise ordered, in the room of the supreme court of the United States, and with open doors, excepting when in consultation, unless otherwise directed.

**The Commission at Work.**

WASHINGTON, February 1.—The tripartite commission appointed under the provisions of the electoral act to hear and decide all matters in dispute affecting the vote for President and Vice-President met at three o'clock this afternoon in the house of representatives in the capitol. The journal of the preceding session was read, corrected and approved. A communication from the two houses of congress in joint session was presented by Mr. Gorham, secretary of the senate, and read as follows:

HALL OF THE HOUSE OF REPRESENTATIVES, WASHINGTON, February 1, 1877.

To the President of the Commission:

More than one return, or paper purporting to be a return or certificate of electoral votes of the State of Florida, having been received, and this day opened, in the presence of the two houses of congress, and objections having been made thereto, said returns, with all accompanying papers, and also objections thereto, are herewith submitted to the judgment and decision of the commission, as provided by law. T. W. FERRY, President of the Senate.

The Presiding Justice—It is suggested, and I think very properly, that the doors may now be opened, and that proper persons be admitted.

Justice Bradley—I understand that there are three certificates from the State of Florida that have been sent to us. I should think the proper course would be to have those three certificates read, and then, as each is read, let the parties be called upon to state whether they are objected to, and who are the objectors. Until we read those three certificates, we hear them read, we can not intelligently act upon them before us. After that time it will be time enough to take such other order in regard to proceeding as may be necessary.

The Presiding Justice—I will adopt that suggestion without a vote.

Justice Miller—I had the pleasure, sir, if it was a pleasure, of listening to the reading of these documents in the house of representatives. If the papers about the State of Florida are read, it will take an hour to read them. The objectors' names are signed to the papers making the objections. I presume they will be printed. They certainly ought to be printed, and then everybody can read them, without consuming an hour of time in doing that which every man will want to do for himself more carefully. I think if Brother Bradley had known, as I know, the length of these papers, he would perhaps withdraw his motion.

The Presiding Justice—Does Justice Bradley withdraw his motion?

Justice Bradley—I did not make a motion, I merely made a suggestion.

Representative Payne—I move that the certificates, with the papers, be printed at as early an hour as possible.

The Presiding Justice—The motion before the commission is that the certificates in the case of Florida be printed, with objections thereto; if that is your pleasure you will say aye [putting the question]. It is agreed to. How soon can they be printed?

Justice Field—Should we not have copies of the papers presented?

The Presiding Justice—I suppose the certificates and objections may be printed in a very short time. The secretary will understand that the motion is intended to include the certificates, objections and papers, and be printed whole. It is desirable that they should be printed with as little delay as possible. That matter being disposed of, I am requested to inquire if there are counsel present who will take part after the managers or objectors have stated the case on one side and on the other?

Mr. Evarts—Mr. President, Senator Sargent has come and will state what he has to state in that regard.

The Presiding Justice—I will withdraw the inquiry as put, and say to Senator Sargent, that the inquiries have been made as to the objectors.

Senator Sargent—The objectors—the persons whose names are signed to the papers—are Senators Conover, Sargent and Sherman, and Messrs. M'Crary, Kasson, Woodburn and Dunnell, members of the house. There has been no opportunity up to this moment of consulting with these gentlemen to ascertain which of them will state to the commission their objections.

The Presiding Justice—Two objectors may present their case in this tribunal.

Senator Sargent—So we understand by the rules.

The Presiding Justice—Who are the two?

Senator Sargent—There has been no opportunity for consultation to ascertain which of the objectors would present the matter to the commission.

The Presiding Justice—Please make it known to the committee as soon as convenient.

Senator Sargent—We will do so.

The Presiding Justice—Will Mr. Field state the names of the objectors on the other side?

Representative Field—The objectors to the first return are Senator Jones, of Florida, and Senator Cooper, and Representatives Thompson, Jinks and myself.

Representative Abbott—Mr. President, I desire to inquire whether the motion made in reference to printing covers the printing of all papers that are sent here with objections, because it seems to me that we are to consider all papers sent with objections, and it is just as material for us to have those papers printed so we can consider them as it is to have the objections themselves.

The Presiding Justice—I do not understand the vote that way at present. It is that certificates with objections, and the papers which accompany certificates shall be printed, not all papers that may have been sent.

Representative Abbott—I suggest then, that if we are to consider the papers accompanying the objections, they may at some point of time be made part of the case. The objections themselves would hardly be understood without the papers, and we should have those papers printed, or put in such form as will enable us to act upon them.

The Presiding Justice—There is no motion on that subject.

Representative Abbot—I move then that papers accompanying the objections be also printed.

Senator Edmunds—Mr. President, I submit that it is possible under the statute under which we are acting, that there may be no papers lawfully and within the statute accompanying an objection. The statute provides for accompanying certificates; but, as I remember at this moment—I speak, of course, subject to correction—it does not provide for papers accompanying the objections, so that I think it will be a matter for the consideration of the commission in consultation how far, in printing testimony that may be offered, whether by objectors or anybody else, we ought to go. It may