CLARKSVILLE WEEKLY CHRONICLE.

VOL. 44--NO. 29. CLARKSVILLE, TENN., SATURDAY, DECEMBER 16, 1876. WHOLE NO. 2,265.

HOLIDAY PRESENTS!

CHRISTMAS GOODS!

We take pleasure in announcing to our numerous friends and customers that our stock of goods for the holiday trade is unusually large and varied. We enumerate a few of the leading lines:

Handsome Presentation Books,
Juvenile Books, to suit all ages,
Toy Books, in Muslin and Paper,
Hymn Books, in every style of binding,
Bibles, Family and Pocket size,
Writing Des s and Work Boxes, in rosewood, mahogany, and satinwood, plain and inlaid with pearl and ivory,
Glove and Handkerchief Boxes in sets and separate,
Photographic and Sterescopic Views,
Pocket Boos, in Russia, calf, seal-skin and Turkey morocco.
Pearl and Shell Card Cases.
Japanese Goods.

PICTURES.

Photographs of Statuary, something new and handsome.

PAPETERIES.

Beautiful assortment in elegant boxes, suitable for presents.

Above list gives but a faint idea of the extent and variety of our stock. We cordially invite all to call and examine our goods and prices before making their purchases.

Respectfully,

OWEN & MOORE.

Dec 2, 1876-tf

WHISKEY!

WALTER M'COMB & CO.

HAVE NOW IN STOCK A LARGE SUPPLY OF

DRAUGHON'S

Celebrated

Rrobertson Co. Whiskey,

FOR WHICH THEY ARE SOLE AGENTS, SOME OF IT

VERY OLD AND VERY FINE.

They have also the following other brands of fine Robertson County Whiskey:

Garrett's 3 years old!
Greenbriar, 3 years old!
Scales & Darden 3 yrs. old!
Lincoln Co., 1 to 3 yrs old!

THEY HAVE

Peach Brandy 2 yrs. old!
Apple Brandy 4 yrs. old!
French Brandy 10 yrs. old!

--AND--

Wines of All Kinds!

Walter McComb & Co.

Aug. 12, 1876-tf.

J. H. PETTUS. W. P. HAMBAUGH. J. C. KENDRICK.

KENDRICK, HAMBAUGH & CO

Tobacco Salesmen,

CENTRAL WAREHOUSE,

FIRE-PROOF,

CLARKSVILLE, - - TENNESSEE.

LIBERAL ADVANCES ON TOBACCO.

WE REFER BY PERMISSION TO

Messrs. M. H. Clark & Bro. F. G. Irwin, Esq.
Hon. B. N. Kennedy, Pres't Northern Bank. A. Howell, Cashier Bank of Clarksville.
S. P. Beaumont, Pres't First National Bank. W. S. Poindexter, Cashier Franklin Bank

Walter McComb & Co.

HAVE A LARGE STOCK OF

Fresh Peaches, Tomatoes and Pine Apples,
Fresh Packed Cove Oysters, And Sardines,
AND LARGE SUPPLY OF Very Fine Cheese.

October 28, 1876-tf.

STOVES, TINWARE, HOUSE-FURNISHING GOODS,

CHINA, GLASS AND QUEENSWARE.

KINCANNON, WOOD & CO.,

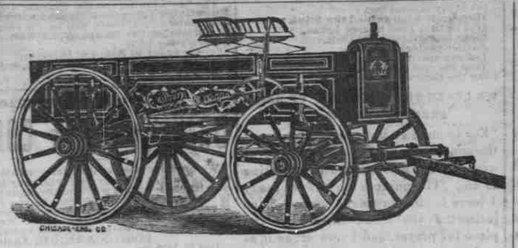
Are now in receipt of the largest stock and most complete variety of above Goods ever brought to this city, which they will sell, at wholesale or retail, as

LOW AS ANY HOUSE IN THE WEST!

Special Attention to Roofing and Guttering.

PRICES LOW. SATISFACTION GUARANTEED.

March 21, 1874-tf



T. P. BURKE,

GENERAL

COMMISSION MERCHANT!

CLARKSVILLE, TENN.

I desire to call your attention to my large stock of Wagons, Buggies, Wheat Drills, Hay Rakes, Bells, Plows of all kinds, Sorghum Mills, Cider Mills, Pumps and Tubing, Double Shovels, Thomas Smoothing Harrows, Wheat Fans, Corn Shellers, Road and Pond Scrapers, Spring Seats and Breaks for Farm Wagons, Sporting and Spring Wagons, all kinds, Steam Engines and Separators, Reapers and Mowers, Cutting Boxes, Single and Double Trees, Choice Northern Rye, Orchard Grass, Blue Grass, Herds Grass and Timothy Seeds, Winter Oats, Feeding Oats, Bran, Corn, Flour and Lime, Etc. Orders promptly filled at Lowest Prices. Call and examine. All goods are warranted. Very Respectfully,

T. P. BURKE.

Sept 30, 1876-tf.

WALTER McCOMB & CO

HAVE NEW CROP LOUISIANA

SUGAR & MOLASSES

—AND—

NEW CROP RICE.

G. N. BYERS

ALWAYS KEEPS ON HAND A

COMPLETE STOCK

—OF—

DRUGS and PAINTS

TOILET ARTICLES,

SCHOOL BOOKS AND STATIONERY,

Tobacco, Cigars and Liquors,

And he asks of both retail and wholesale purchasers to call and examine before purchasing elsewhere. [June 23, 1876-tf.

WALTER McCOMB & CO.

HAVE IN ADDITION TO THEIR

LARGE STOCK OF OTHER WHISKIES,

SOME VERY FINE

OLD BOURBON

October 28, 1876-tf.

New Crop N. O. Molassess,

NEW CROP RICE,

New Rasins, Prunes, Currants, Maccaroni, Cheese, Fresh Canned Peaches, Pine Apples, Tomatoes, Cove Oysters, Salmon and Sardines, Etc. For sale Cheap by

Keesee & Northington.

November 4, 1876-tf.

IF YOU WANT

JOB PRINTING,

OF ANY KIND,

Come to the Chronicle Office

THE LOUISIANA VOTE.

Opinion of Hon. Jere Black on the Powers of Congress.

A Monstrous fraud that Must Not be Permitted to Stand.

It has been known for some time that leading Democratic statesmen were taking measures for establishing a first class paper in Washington for the purpose of giving a thorough exposition of the *national* principles of the party apart from any local and incidental positions which its advocates may occupy elsewhere. We are delighted to see its establishment become a *fait accompli* with Montgomery Blair at the editorial desk, and the Hon. Jeremiah Black as a first-class contributor. Our readers will gladly study the legal opinion of the great jurist on the bulldozing boards which we now present. The title of the new paper is the "Washington Union."

JUDGE BLACK ON THE LEGAL POSITION OF THE LOUISIANA RETURNING BOARD.

"By the Federal Constitution and the laws of Louisiana the people of that State in their primary capacity have a right to appoint Electors of President and Vice President. This power has been executed at the time, at the places, and in the way prescribed by law, in accordance with the universal rule of all elective Governments. The intent and will of the whole people as a body is spoken by the majority of the ballots. They did appoint the Tilden candidates. Their decision to that effect was spoken by a large majority in the prescribed way with loud emphasis. Nevertheless certain State officers of notoriously bad character have conspired, among themselves and with other evil-disposed persons, to hinder and prevent the appointees of the people from performing the duties assigned to them by their constituents, to organize an Electoral College composed of other persons having no authority except what they derive from the fraudulent favor of the conspirators themselves. All this is done to the intent and with the design that a false vote, concocted by a bogus body, may be sent up, cast and counted, as if it were—what it is known not to be—the true vote of the State, certified by the true Electors. If it be so received and treated by the other States and their representatives, then a rule is established which takes the power of choosing our Chief Magistrate out of the hands in which the Constitution is supposed to have placed it, and gives it, without reservation, to any combination of swindlers who may, by fraud, or force, or accident, get the machinery of a State government into their possession. If this be submitted to without opposition and as a wrong for which there is no legal remedy, it is not probable that we will ever have an honest election again. Those who desire to make this particular fraud successful and to establish a precedent which will make fraud omnipotent hereafter, take the bold ground that any paper purporting to be a certificate of the electoral vote, if sent up to the President of the Senate and by him opened in the presence of both Houses, must be taken as infallibly true, subject to no scrutiny and open to no contradiction. This is in square conflict with the uniform practice of the Houses; it is inconsistent with the rules which they have deliberately adopted for the exercise of their power and the performance of their duty on such occasions. It is opposed by the opinions of great leading men in the past as well as in the present generation. It has no warrant in the words of the Constitution. It is utterly at variance with the reason of the thing, and it grossly violates the right of the people to be protected by their Representatives against imposture and villainy.

"The duty assigned to the President of the Senate is very simple. The certificates being sent to him, he must keep them as he gets them in faithful custody and close under seal until the day of opening, and then he must open them in the presence of both Houses. When that is done his special function is finished. Because he keeps the packages containing the certificates, and is authorized to break the seals on a day fixed, is he therefore to pass upon their validity and force the House to receive and count them contrary to their convictions of justice and truth? It might as well be said that the messengers who bring them up have this kind of power."

In speaking of the right claimed by the returning boards to throw out parishes, Judge Black says: "Their jurisdiction, as they claim it, is that of the highest Criminal Court, and is to be exercised in ways totally prohibited to all courts. They may try the people of a whole parish at once and condemn them all on ex parte statements, without a hearing or notice, for acts of violence committed by a person unknown to them, at any place within their borders and at any time in the indefinite past. A conviction obtained in this way is immediately followed by a sentence of disfranchisement, which, I need not say, is the most frightful penalty that can be inflicted on a people struggling to free themselves from the domination of reckless knaves.

"This terrible jurisdiction to doom and punish may seem to be mitigated by the pardoning power, for the Board is authorized to condone the offense when they think it has not materially changed the result of the election. But no clemency is ever extended to their political opponents. The result of the election is always materially affected by an act of violence or fraud, no matter when, where or by whom committed, in a Democratic district. But the reverse is sure to be held where the majority is not Democratic. Will any man in the world say that a power like this may be held and wielded by a Returning board consistently with the fundamental law of Louisiana or any other free State? No; for reasons too numerous to mention; it usurps authority which belongs exclusively to the courts. It imposes the severest punishment without trial or evidence upon large bodies of men, who are known to be innocent of every offense. In defiance of the State Constitution it refuses the votes of qualified citizens and makes the right of suffrage a mere mockery. Moreover, it flatly violates that express provision of the Federal Constitution which expressly declares that no person shall be disfranchised except for rebellion or other crime, which, of course, means a crime of his own, whereof he is legally convicted. Besides that, this law does not apply to the case of Presidential Electors; it is expressly confined to State, parish and judicial officers, to members of the Assembly and members of Congress. There is another and a totally different provision for canvassing and counting the votes for Paesidential Electors, which appears to be in full force.

"On the whole case, the law and the evidence, which is sure to come through the proper committee, will demonstrate this to be a moustrous, unmitigated, palpable fraud upon Louisiana, and upon the whole American people. It is not the vote of the State, nor the product of any State authority legally exercised, but the mere spawn of a criminal conspiracy. It is impossible to see how Congress, or either House of Congress, can, with its eyes open, receive this thing and palm it off on the Nation as a genuine vote without becoming a partaker in the crimes which gave it origin, unless the law teaches a false doctrine, when it says that he who knowingly utters a false paper is as guilty as he who makes it. But it is possible that the judgment of the two houses upon this subject may differ *toto cœlo*. They act, deliberate and decide independently of each other, though they sit in the same hall while the votes are counting. They are not fused into one body upon any question within the jurisdiction of both. The judgment of one is as potent as the other, and it is equally clear that each must decide for itself how, when and in what manner the separate duties assigned to it shall be performed.

"Now the Senate may think that this vote is not fraudulent, or it may believe that fraud is and ought to be as good and valid as truth, while the House adheres to the opposite notion, and, acting upon its convictions, refuses to sanctify the fraud by adopting it. What then? Does that bring the organic machinery of the Government to a dead-lock, so that it cannot move without breaking to pieces? Certainly a difference between the two houses must be followed by that disastrous consequence, if it be true that each has the same power over the whole subject and over every part of it.

"Let us see if this be the state of the law as the framers of the Constitution made it. The power to count the votes and decide upon their validity is not given in express words, but it comes by clear implication from the duty of electing a President and Vice President in case no candidate has a majority of the Electors. The subsequent and immediate duty of the House depends upon the state of the electoral vote for President, as the Senate's action must be governed by the vote for Vice President. The duty to do an act upon a certain contingency certainly implies the power to ascertain whether that contingency has risen or not. If the Senate thinks it right to admit fraudulent votes and can find enough of them to elect their candidate they may install him in the chair of their body, since there is no legal authority in the House of Representatives or elsewhere to stop them if they, upon examination, believe that a true count of the legal votes gives no one a majority, and thereupon proceed to make an election of their own between the two highest. The House certainly cannot interfere. The House is equally independent when engaged in the performace of the duty separately and specially assigned to it. If no candidate has a majority of all the Electoral votes, the Representatives of the people in the lower house shall make a choice from the three highest.

"How is this duty to be rightfully performed without ascertaining whether any candidate has a majority, and if not, who are eligible as the three highest, and by whom shall the fact be ascertained if not by themselves? If the House, upon what it belives to be a true count of the votes, shall determine that no one has a majority, can the Senate interfere and command the House not to elect, or can it dictate to the House the names of the three persons from whom the choice is to be made? To ask these questions is to answer them, the Senate having nothing to do with the Presidential election, has no duty to perform about it, can pronounce no judgment upon it that binds anybody.

"For the same reason, the House cannot interfere with the business of electing a Vice President, which the Constitution has confided to the Senate. Each is as far from the control of the other as both are from the control of the Executive.

"There is a joint rule of the two houses by which they have mutually bound themselves that neither house shall count a vote for President or Vice President if the other decides to throw it out. Whether this rule is in force or not makes no practical difference in the present case on the question between Tilden and Hayes. The refusal of the House to count the fraudulent votes, if it does not prevail under the rule, must be made equally as effectual under the naked Constitution."

The Oregon Vote.

Below is reproduced the letter of Mr. William Beach Lawrence. It fits the Oregon case exactly:

New York Herald, Nov. 29.

We have received the following communication from one of the most eminent jurists of the United States. As we are always willing that our readers may see the strongest arguments that can be made against any position taken by the Herald on important public questions, we give a prominent place to the letter of Mr. Lawrence:

To the Editor of the Herald: Do you do justice to the Governor of Oregon and to the Democratic party in your article in this morning's paper in regard to the electoral vote in that State?

I would fist call your attention to the fact that the President, so far from being chosen by a popular vote, the operation of the electoral system has been such that in several cases the successful candidate has been in a minority. In Mr. Lincoln's case, while he had upward of 200 electoral votes, and there were only 72 for all other candidates, he had in the popular vote a million less than the aggregate vote of his opponents, and now Mr. Tilden is a half a million confessedly beyond Mr. Hayes. The Constitution is not less explicit that all votes given for electors who hold offices of profit or trust under the United States shall be void, than that Oregon, with a population scarcely entitling her to one Representative in Congress, shall have the right of casting three electoral votes for President; and if this highly favored constituency are not competent to select qualified electors, assuredly no one can complain that flagrant inequality should be diminished as a result of their own ignorance, or, if you please, by accident. It is one of the results of the electoral machinery which does not profess to make the election on exclusively popular grounds.

It seems to me inconceivable how, in any event, exception can be taken to Gov. Grover's course. The law of Oregon requires that the canvass for Electors shall be made in the same way as is provided for that of members of Congress and State officers, the votes being counted by the Secretary of State in the presence of the Governor. The ineligibility of the Postmaster must have been supposed to have been known to all electors, which would meet any points raised in the decision of some of the State courts, but whether known or not it is an immemorial rule of that common law which we have inherited from our English ancestors that votes cast for incompetent persons are void. The case of John Wilkes, which occurred in 1769, is in point. After his expulsion from the House of Commons he was repeatedly unanimously re-elected, the House refusing to receive him. At last Mr. Luttrel was induced to run against him and the House admitted him, though he had only 296 votes against 1,143 for Wilkes. There was no question that votes given for a disqualified candidate were void, but it was contended that expulsion did not exclude re-election to Parliament. I may add that considering what is going on in Louisiana and South Carolina it seems most extraordinary that exception should be taken to the Democrats if they avail themselves of all constitutional means to meet the frauds. As to the Governor, he performed a simple duty, as I understand it, and as I believe it is understood by most constitutional lawyers.

WILLIAM BEACH LAWRENCE.

Congressional motto for the winter—Oh, let us be jawful.

THE BROOKLY CALAMITY.

Bodies Still Being Taken from the Ruins.

Horrible Scenes at the Morgues.

A Police Officer's Vivid Description of the Disaster.

NEW YORK, Dec. 7.—The dimensions of the awful calamity which has befallen the city of Brooklyn in the destruction of its principal theatre by fire and the consequent loss of life, has not yet been realized. Enough is known, however, to make it certain that the catastrophe ranks among the most fatal of the kind ever recorded. According to the statement of all parties who profess to know anything as to the origin of the fire it began on the stage. The business manager, Mr. Rogers, says that a piece of canvass, out of which the trees, etc., are made, was broken from its fastenings and hung from the "flies" immediately over one of the border lights near the centre of the stage. The canvass had began to smoulder and the paint on it to crackle, and the carpenter was directed to ascend to one of the grooves and remove the dangerous object. He could barely reach it with his hand, and as he drew it hastily up, the rapid motion through the air of the half-ignited and highly inflamable canvass caused it to burst into flames, which rapidly spread to adjoining material equally susceptible, and all efforts to extinguish the flames were abortive, and the carpenter had to retire to save his own life.

THE SCENE IN THE GALLERY

after the alarm was raised is described as something horrible even to contemplate. Until noon to day 315 bodies had been recovered. Of these 59 are identified, some by remnants of clothing remaining, others by watches, chains and such articles, and but few by features. The two actors, Claude Burroughs and Harry S. Murdoch, are among the identified. What are accepted as the bodies of the actors are simply two black cinders. Around the trunk of one was a sooted and scorched buckskin undershirt, and beside the other was a piece of braid, apparently portions of a stage dress.

THE SEARCH IN THE AUDITORIUM.

This afternoon a number of men will be set to work to clear away all the wreck in the auditorium. Hitherto their labors have been confined to the place formerly occupied by the lobby and stage. It is feared that when careful search is made in the auditorium the bodies of a good many men, who leaped in their frenzy from the galleries, will be discovered. The police allow no person to enter within the walls of the theater, with the exception of the men engaged in the search for the dead. The small parts of the ceilings and floors of the theater yet remaining are in an unsafe condition.

THE NUMBER IN THE THEATER.

A. M. Palmer one of the lessees of the theater, gives the following statement of the numbers of persons in the theater Tuesday evening: 405 persons in the upper gallery; 300 persons in the parquette; 21 actors speaking people; 20 supernumeries; 10 stage hands; 12 musicians; total, 118, or including dressers and other subordinates in all, abou 150 persons.

FAULTY CONSTRUCTION.

A fault in the construction of the burned building and to which there is reason to believe the dreadful loss of life in the gallery is in a large measure attributable, was the use of painted cloth for ceiling. The canvass caught easily and burned rapidily. Of course the flames followed it to the ventilation at the top, making it a funnel of fire right over the heads of the people in the gallery. It seems probable that the smoke and fire in the midst of which they were thus placed, destroyed the lives of many persons might else have escaped even by the inadequate stairway provided for them.

The evidence of this officer is the clearest description of the terrible struggle by the audience to escape from the burning building which has yet been.

THE MORGUE.

There was even a larger crowd around the Morgue this evening than yesterday. A surging mass of people occupied the sidewalk in front of the dead house, and stretched into the middle of the street, and men and boys clambered upon fences and wagons in the neighborhood. Yesterday the people who congregated in the neighborhood of this building were orderly and quiet. To-day there was a spirit of levity perceptible. The fire was an event two days old. No permits of admisson were demanded of those persons who could satisfy the officers that they had lost friends or relatives by the fire. They were allowed to enter from time to time, passing in the front door and through a room on the right hand which contained about thirty bodies lying on the floor, none identified, and so on through the smaller room at the farther end of the building back to the left hand room, in which some of the corpses were lying on marble slabs and tables in the center. Upon such bits of clothing as remain on the bodies numbers written hastily with lead-pencils on bits of paper have been pinned, and when the body has been recognized, the name and address are added to the number. Then, upon receipt of the Coroner's permission, the corpse is placed in a plain deal coffin and driven to the address given by the persons who have claimed it. There are very few indentifications however. It is impossible that there can be many. The features are for the most part unrecognizable. Trinkets and such things were many of them lost in the crowd, and the clothing has been either all destroyed or burned into mere rags.

THE IMPROVED DEAD-HOUSE.

At Adams street morgue, formerly known as the old Foulton market, the scene was horrible in the extreme. On the floor lay a large number of charred bodies, but in many instances it was impossible to tell whether they had formerly been male or female, human or animal. In some cases the mass was only about a handful of chared bones and flesh, without a remnant of clothing or other property that could possibly lead to identification. In other cases the clothing was either torn from or burned off the bodies, leaving but the charred and blackened remains, bodies they cannot be called. "My God," said one poor woman, as she gazed on a charred mass of bones, "that may be my boy, but who can prove it" Among the bodies not so badly burned was one of a man who had evidently leaped from the gallery, as his leg was broken short off above the ankle. The remains of Dr. Frank Ish, a denist, who resided at the corner of Portland avenue and Fulton street, were recognized by the initials on his shirt collar. It was the only article of wearing apparel which could be distinguished.

A MOST DISTRESSING CASE.

A report of a most distressing case has been made known by Capt. Crafts, of the Second Precinct. Mrs. Smith, a widow lady, and her daughter, Mrs. Simpson, left their residence, 151 Sands street, Tuesday evening, to attend the theatre. The only occupants of the house were a servant and an orphan child, whom Mrs. Simpson had adopted. Neither of the ladies have returned to their home, and having no friends in the city, no effort has been made to identify their remains. The husband of Mrs. Simpson was expected home from a long voyage at the close of the week.

The undertakers were constantly driving up to the morgue all morning, with wagons and permits for the removal of identified remains, and the police had great difficulty in making a passageway for them through the solidly packed crowd which filled the street in front of the building.

THE NUMBER OF DEAD.

Hundreds of people have been to the station house to-day, inquiring after absent friends, and the pitiful scenes of yesterday was re-enacted with tenfold force. Two hundred and ninety-seven bodies have deposited in the Morgue and the temporary one on Adams street. A wagon load, containing 12 bodies, was on the way, making 309 in all. The mortality will probably reach 350 persons. The Aldermanic Committee on Burials report that at eleven o'clock 118 bodies were at Adams Street Market Morgue and 96 at the City Morgue.

RELIEVING THE SUFFERERS.

Mr. Sheridan Shook was at the police station to-day. He had little to say, and was intensely affected by the terrible affair. A. M. Palmer is ill from constant attendance in Brooklyn since the disaster, but Mr. Loraine Rogers, acting state manager of the theatre and representing Shook & Palmer, the lessees, is impowered and anxious to relieve any case of immediate suffering consequent on the conflagration. Late Treasurer Gouge expressed the same sentiment of commiseration and willingness to assist the unfortunate in any manner possible. Mr. Shook has ordered Union Square Theatre, New York, closed until after the funeral of the victims of this awful calamity.

There was a report in circulation this morning, which reflected seriously upon the police of the first precinct. It is said that a number of persons got down into the basement of the theater at the time of the fire and were making their way out through the grating, when the police shut down the grating and ordered them to go out the other way.

A PUBLIC BURIAL.

A meeting was held to-day of the joint Board of Aldermen and Supervisors to make arrangements for the public burial of the bodies of the victims of the calamity who have not been identified. It was reported by a special committee that a place for the burial of 100 or more bodies had been offered by the directors of Greenwood Cemetcary and the offer was accepted.

The proprietors of Park theatre and Hooley's Opera-house offered their services on behalf of the sufferers. The Academy of Music will be used for the memorial services on Sunday at 2 o'clock, and ministers from different churches will be present, among them Bishop Littlejohn, Bishop Laughlin, Rev. Dr. Cuyler, Rev. Dr. Scudder, Rev. Dr. A. P. Putnam, Rev. A. S. Walsh, Rev. Steimle, Rev. H. R. Nye, Rabbi Brandestein, and many others. The members of the Thirteenth Regiment have taken the places of the police at the morgue, theatre, and other places, the latter being exhausted.

THE INVESTIGATION.

The the investigation by the Fire Marshal this afternoon, Samuel W. Hastings, first receiver; Geo. Heeny, property man; Chas. Straub, one of the parties who made their escape from the gallery, were examined and gave their version of the calamity. Thos. R. Jackson, the architect of the theatre, testified to the structure of the building, its dimensions, etc. He said that the Brooklyn theater was as well provided with means of exit as any theater that witness knew of. When the theater was erected particular attention was paid to the gas gets and border lights.

THE RELIEF FUND.

A meeting of actors and others was held this afternoon at Park Theater to take action in regard to the calamity. A committee was appointed to arrange plays to be performed in different theatres for the benefit of the sufferers. A committee of citizens was also appointed to relieve the immediate wants of those who suffered by the accident. Over $1,500 was subscribed at the meeting towards the relief fund. A number of theaters were tendered for performances. Resolutions of regret at the loss of the two actors, Messrs. Murdock and Burroughs, and condolence with their families, were adopted. The City Hall, Brooklyn, was ordered by the aldermen to be draped in mourning out of respect to the dead.

The Board of Aldermen of New York, this afternoon, passed resolutions deploring the calamity, and sympathizing with the unfortunate victims. Mayor Wickham was requested by them to call on the citizens for contributions to alleviate the distress which would surely follow this visitation.

HON. SAMUEL J. RANDALL, of Pennsylvania, was elected Speaker of the House of Representatives in Congress on the 4th. On taking the chair he made the following short, but pointed remarks:

Gentlemen of the House of Representatives: Called to this position because of the death of the late speaker, Mr. Kerr, of Indiana, I only express the universal sentiment in saying that he was a good and great man, whose public and private life was characterized by purity, patriotism, and unswerving integrity. Nobody can more completely appreciate than I do the high honor of presiding over the deliberations of the representatives of the American people; and for this mark of your esteem and confidence I return my profound and heartfelt acknowledgments. In the discharge of the important duties confided to me I shall endeavor to be absolutely fair and impartial. While enforcing the rules and upholding the constitutional prerogatives of the body, I shall at the same time protect each and every member in the rights and privileges to which he may justly be entitled. In the exercise of the parliamentary power of the chair, it will be my duty and my pleasure to give true expression, in the appointment of committees, to the opinions and wishes of the House upon every question presented, believing myself, as I really am, no more than the voice of the House itself.

"We stand in the presence of events which strain and test in the last degree our forms of government. Our liberties, consecrated by so many sacrifices in the past, and preserved amid the rejoicings of an exultant people to our centennial anniversary, as one among the nations of the earth, must be maintained at every hazard. [Applause.] The people look confidently to your moderation, to your patient, calm, firm judgment and wisdom in this time, fraught with so many perils. Let us not, I beseech of you, disappoint their just expectation and their keen sense of right, but by vigilance prevent even the slightest departure from the Constitution and the law, forgetting, in the moment of difficulty, that we are adherents of a party, and only remembering that we are American citizens a country to save, which will be lost if unauthorized and unconstitutional acts on the part of executive officers be not frowned down at once with relentless and unsparing condemnation."

The closing words were delivered with great force and emphasis, and were loudly applauded on the floor and in the gallaries.

A remark of Matt. Carpenter, two years ago:

I warned Morton & Co., that if it should happen that a Presidential election should turn on the vote of Louisiana, situated as that State is, and an attempt was made to use that corrupt return, it would be followed by civil war, for no free people would submit to the insolence of such an outrage.

The Master of the Situation on the Fourth of March.

[To the Editor of the Courier-Journal.]

On the second Wednesday of February, 1877, when the joint session meet to count the electoral vote, they first appoint one member of the Senate and two from the House as tellers or clerks to count the vote for *them*. The president of the Senate, who by courtesy becomes chairman of the joint session (not by any constitutional right, for he is neither a representatative of any State nor a member of the Senate, but merely vice president of the United States and *ex officio* president of the Senate, but not *ex officio* president of the joint session, but made so because he is the custodian of the sealed packages containing the electoral votes), opens the packages and hands them to the tellers. The tellers read the contents to the joint session. At this point, by the twenty-second rule (now in dispute), any member of either the House or Senate could make any objection he saw fit, the objection to be reduced to writing. The Senate then retires to its chamber to consider the objection without debate. The House does the same. The Senate returns to the House; each announces its decision on the objection. If they concur the tellers are directed to count the vote. If they do not concur, *i. e.*, if the Senate and House differ in opinion, the tellers cannot count the vote, and the result is it is thrown out. The twenty-second rule is nothing else but the general instruction of the twelfth amendment reduced to particulars and arranging the minutiæ; and whether the twenty-second rule be in existence or not, the above mode will be adopted, as it always has been from the beginning of the government; so that the mode is the same whether the twenty-second rule exists or not.

Let us suppose, what will undoubtedly be the case, that the House will object to the count of some of the Hayes votes for unconstitutionality, as in the case of Vermont, South Carolina, Florida or Louisiana, and that the Senate will not concur in the objection. The votes then cannot be counted. The result will be that no one will have a majority of the electoral college; in which case the House will proceed as directed by the Twelfth amendment, to "immediately, from the three highest, choose a President." And if the Senate are disposed to obey the Constitution, they will, from the two highest, choose a Vice President. But suppose they prefer that all the votes as returned shall be counted, notwithstanding the objection of the House, and that the President so declare, and further declare that Gov. Hayes is elected President of the United States. Suppose further that President Grant determines, with the aid of the army, if necessary, he will inaugurate Gov. Hayes.

True, Grant is President and head of the army until the fourth of March, *i. e.*, 12 o'clock of Saturday night, the 3d of March. But an inauguration cannot take place before the 4th, and as that is Sunday, *dies non*, it cannot take place until Monday, the 5th. But on the 5th he who was President Grant and head of the army is no longer so. He has become plain Mr. Grant, and only a private citizen, like the rest of us. He cannot give an order to the secretary of war, nor to Gen. Sherman, nor to any other officer of the army. On the 4th of March Gen. Sherman is the head of the army, with no one above him, and all below him are subject to his orders. He can give such orders as he pleases, or countermand those that have been given, or remove the troops from Washington. In short, he will be *master of the situation* from the beginning of the 4th of March until a constitutional President is inaugurated. And for the guidance of his action, he has only to determine whether he will act in obedience to the Constitution or violate it; whether he would aid, if necessary, in the inauguration of the constitutional President, or one, so called by a revolutionary act of the Senate, even if Governor Hayes would accept the office under such circumstances. The record of both the public and private character of Gen. Sherman affords no ground for the American people to doubt his integrity, his ability, and his will and his resolution to do his duty, and thus frustrate the designs of those who would plunge our country in civil war and overthrow our present form of government.

It is within probability that General Sherman will be placed in the position where he must decide the question of a new form of government by revolution, or the maintenance of the majesty of the laws, the Constitution and the institutions of the American people. The nation looks to him and confides in him. W. L. M.

Chamberlain's Lying Charge.

Gen. Wade Hampton has issued the following card:

To the Public: The following paragraph appears in the address of D. H. Chamberlain, delivered in the Capitol to-day: "The gentleman who was my opponent for this office in the late election has recently declared, as I am credibly informed, that he holds not only the peace of this city and State but my life in his hands. I do not doubt the truth of his statement.—Neither the public peace nor the life of any man who now opposes the consummation of this policy of fraud and violence is safe from the assaults of those who have enforced that policy."

I pronounce this statement infamously false. I, by my renewed exertions, have endeavored to preserve the peace of this State, and I have thus contributed to shield from popular indignation one who has proved himself a disgrace to his rank and a traitor to his trust. His conscience may make him tremble, but neither I, nor the men with whom I act, countenance the hand of the assassin.

[Signed] WADE HAMPTON.

The Eliza Pinkston Case.

Mr. M. P. Handy, the careful correspondent of the Philadelphia Times, has taken pains to investigate this case. He writes from New Orleans:

"Nobody in the neighborhood had heard any political complexion given to the outrage until the story came from New Orleans. Gentlemen with whom I talked are ready to testify that Eliza Pinkston was a rabid Democrat, and that they heard her curse a Republican speaker in open meeting just before the election in language unfit for publication, after vainly trying to borrow a pistol to shoot him. All attempts to connect politics with this affair fall to the ground, and I say it after careful investigation, begun with the abhorrence of such an outrage, and the conviction that it was a crime chargeable to the Democrats."

Texas has a Maine liquor law; but it is enforced at the option of the counties, and several counties have already stopped by vote all traffic in whisky within their limits. Many others are being canvassed with the the intention of putting the subject before the people.

"What noble specimens of man's triumph over matter, what Titanic evidences of his ingenuity, and what a blessing to all the world are those locomotives," said a young widow whose old husband had been killed in a railroad accident.

The Richmond Whig says of Wade Hampton: "He possesses the wisdom of a Clay and the nerve and vim of a Stonewall Jackson."