## Tripartite Commission.

[Western Associated Press Report.]

OREGON CASE BEFORE THE ELECTORAL COMMISSION. WASHINGTON, February 21 .- The Electoral Commission met at 1 o'clock, all the members present. The President laid the papers received from the two houses before the Commission, and on motion of Mr. Abbott they were ordered printed. The papers were then read by the Secretary.

pers were then read by the Secretary.

Judge Clifford asked who appeared as objectors on the two sides. Senator Kelly announced that himself and Mr. Jenks would appear as objectors to Certificate No. 1, and Senator Sargest announced that Senator Mitchell and Mr. Lawrence would appear as objectors to Certificate No. 2.

Mr. Kelly asked an order for the production of the commission and resignation of Wa'ts from the Post-office Department, and also that Senator Mitchell and Mr. Watts might be subpensed as witnesses. Judge Clifford asked if the witnesses were within reach.

within reach.

Senutor Mitchell said they were both in the room. The orders in both cases were granted, and at the request of Senator Kelly, who was to open for the objectors, a recess of balf an hour was taken to allow him to procure the necessary books, &c.

SENATOR KELLY'S ARGUMENT. The Commission was called to order again at ten minutes past 2 o'clock, and Senator Kelly pro-ceeded to submit his objections to the certificate. No one, he said, presumed that there would not be a dispute of the third objection, viz: that Watts No one, be said, presumed that there would not be a dispute of the third objection, viz: that Watts was postmaster, and they were prepared with proof to sustain the allegation. If this was an office of profit or trust, constitutional unlibition was as clear as language could make it. Mr. Kelly argued that whatts was not qualified on the 7th of November when the election took place. The could not be elected at any subsequent election and not be elected at any subsequent election and filled a vacancy in like manner. He contended the States and power to erforce the provisions of the Constitution, and that if the State of Orezon and excluded the ineligible Elector, she had but done had day of Orezon, the present receiving this backets hullinger of votes was entitled to be declared elected. The election was by law required to be held November 7, and there was not time to hold a second one; neither was not time to hold a second one; neither was such a subsequent election anthorized.

Mr. Kelly argued that this was a question for the Executive, and the Governor had the right to impulse this the lection was lead to the lection of the Constitution, and there was not time to hold a second one; neither was by law required to be held November 7, and there was not time to hold a second one; neither was such a subsequent election anthorized.

Mr. Kelly argued that this was a question for the Executive, and the Governor had the right to impulse this the constitution of the Constitution, in other words, in the very were so the right to impulse that the subsequent election and the second one; neither was an and when he was sworn to support the Constitution, in other words, in the very were so that there was a cannot shall be subsequent election and the second one; neither was a consistent when the was a postmaster, had the right to impulse the constitution of the constit

REPRESENTATIVE JENKS

Next addressed the Commission for the Demo-eratic side, and after quite a lengthy argument thus summed up the propositions he had attempted First-That the only evidence before you which

First—That the only evidence before you which conforms to the law of the land is the evidence as required by the law of Oregon and the law of the United States—that which is certified to by the Governor of the State of Oregon.

Second—That of that Governor is conclusive upon this Tribunal in this inquiry.

Third—That Waits could not be elected even if he had a majority of the votes.

Fourth—That the votes being cast for one who could not be appointed. Crown, the next highest. ald not be appointed, Cronin, the next highest,

Fifth-That even if Cronin was not elected, Fifth—That even if Cronin was not elected, there was no vacancy, and being no vacancy there could be no filling by any college whatever.

There the case stands on this day, Cronin comes and votes. Two others come and vote, but you don't know whether they are persons voted for or not, because they do not come identified as the law says they shall come. But assuming they were the same persons who were voted for and properly signified, which of these votes should be counted? Cronin's vote should be counted as cast, and the other two as they are cast, would be the conclusion I should come to from these several propositions.

The question, however, was not then decided, and as it was getting dark, candles were brought

Was invited to preceed with his objections. The speaker quoted the acts of Congress and the Stat-nies of Oregon, and stated that Odeli and Cartmies of Oregon, and stated that Odell and Cart-wright came with evidence of the title which sat-isfied all the provisions. He then stated as his first proposition—and he declared that the whole con-troversy might be disposed of in favor of the Hayes Electors by a single proposition—that if the monstrous position could be maintained that Cronin was legally appointed, yet he refused that Crouin was legally appointed, yet he refused to act, and neglected to attend with Odeil and Cartwright, his place became vacant, and Watts was duly appointed to fill it. The Electoral College is charged with three duties: First, to fill all vacancies; second, to vote for President and Vice President; and, third, to make and transmit to the President of the Senate distinct lists of all persons voted for as President and Vice President, which lists they shall sign and certify. The Electoral College is a fellower to be added to the control of the senate distinct lists of all persons voted for as President and Vice President, which lists they shall sign and certify. The Electoral College is a fellower to be added to the single individual members acting separately and apart from all others can do no official act, no more so than individual members of Congress, or of a Court, or of this Commission, and a record of the College or a majority of its members is conclusive evidence, and can no more be impeached, alumide, than the record of Congress, or of a Court, or of this Commission. The major part of the Electors present is a quorum. The sets of a quorum are valid to decide when a vacancy has arisen, and to fill it.

Mr. Lawrence arabed that Watts was elected, and became de facto and de face an Elector; that his resignation created a vacancy, which was preparent filled by his reagnositions.

and became de facto and de fure an Elector; that his resignation created a vacancy, which was properly filled by his reappointment; that he did act is shown by the record; Watts being an officer de facto, for that reason his acts were good.

Commissioner Edmunds moved that a further hearing be postponed until 7 o'clock, and then proceed in the Senate Chamber, and that the counsel bave three hours and a half time on each side for the whole case, including the offers of proof and averything.

was agreed to, and the Commission thereupon adjourned until 7:30 P.M.

The Commission reassembled in the Senate Chamber at 7:30 P.M.

Mr. Merrick announced that Judge Hoadly and himself would appear for the Democratic side.

Mr. Evarts said Judge Stanley Matthews and himself would appear for the Republican side.

Judge Hoadly's Addressed the Commission.

Judge Hoadly then addressed the Commission.

He claimed that the principles controlling this cordinate in the same day. On the 24th of November witness received a letter through Special Post-office Agent Underwood. The letter was addressed to Underwood in which to Underwood to take charge of the office till watts' successor was appointed. On the 24th of November he received a letter from Underwood, stating that he had taken charge of the office according to instructions.

Judge Hoadly then addressed the Commission.

Judge Hoadly then addressed the Commission.

He claimed that the principles controlling this case has been already decided in the cases of Florida and Louisiana. Only such documents and papers as, if offered aliende, would be competent to be received, and may be considered when found within the envelopes sent to the President of the Senate, and the decision of the Returning Board. senate, and the decision of the Returning Board, acted upon by the Governor of the State, are final

acted upon by the Governor of the State, are final and conclusive.

Judge Hoadly said: My proposition is that the State of Oregon, through her State officers, has spoken, and the result of that speech is here in the certificates given to Cronin, Odeli and Cartwright. They are the only legitimate and is will evidence of the act of Oregon in mate and in wful evidence of the act of Oregon in this matter. I submit that a certificate or list signed by the Governor or the Secretary of State of Oregon, and delivered to the College of Electors is flual and conclusive evidence. Why was the Governor and Secretary required to sign these lists. It is because the Chief Executive of the State and the canvassing officer should unite in declaring who is elected, and when thus signed their signatures give it the conclusive and flual evidence which is required.

counted.

Commissioner Thurman inquired who by the aws of Oregon has custody of the great seal of

WASHINGTON, February 22.—The Electoral Com-mission met in the Supreme Court-room at 10 o'clock. Mr. Matthews made an address in oppo-sition to the Cronin Certificate No. 2. Commenc-ing with a denial that they had asserted in the Florida case that the certificate was final and con-clusive, he said they had undertaken to draw a line of demarcation between the act of the State line of demarcation between the act of the State and the Federal authority, which took the matter up after it had left the State. They also undertook to draw a line between things and proofs, between the certificate and the thing certified to, to show that the certificate was but the shadow, the thing certified being the substance, and that where the certificate did not show the thing certified truly, it could be corrected. It was a surprise, he said, to find that their adversaries had not only taken their position on the Florida and Louisham cases, but had gone beyond it, and accepted the dogma which they had improperly ascribed to the side with which he was identified. He maintained they stood to-day on the ground they accepted in the beginning, and which had been hallowed by the decision of this Tribunai, viz.: that the certificate based on the returns was viz.: that the certificate based on the returns was

viz.: that the certificate based on the returns was conclusive evidence of the election.

In the Florida and Louisiana case offers to go behind returns were menacing, and offers grew stronger and larger as the certainty obtained that they would not be called to make them good, and a great deal of patriotic indignation was indulged in at alleged countenancing of fraud and wrong 4 Mr. Matthews read an extract from a decision of Justice Field in the case of Bradley vs. Fisher, in which the tendency to complaint by the party deand the other two as they are east, would be the conclusion I should come to from these several propositions.

SENATOR MITCHELL.

Presented educations on behalf of the Republication and in his accument said in Oregon there was no law authorizing the Governor to certify a minority candidate elected. The Legislature of the September of the Septem

stood as long as he held office.

In relation to the self-execution of the Constitution, he argued that unless there was legislative provision it could not be executed. The pronibition of States from making laws impairing contracts could never be executed but for legislation which gave the Courts judicial power to try the alleged violations of the provision.

Mr. Matthews closed with the declaration that he had appeared not as counsel for any party, but in support of a great constitutional principle, regardless of any popular clamor that might be excited. For a Governor to take upon himself executive, judicial and legislative powers, was to bring about a complication that would make the confusion of government inextricable.

Judge Strong said counsel had now consumed two hours each, and the question of the admissibility of evidence was before the Commission. He thought that should be received now, subject to the judgment of the Commission as to its effect. The proposition was adopted, but neither of the papers called for in the subpena duces techniseryed upon the Postmaster General, were at hand, nor were the witnesses present, and the Commission took a recess.

ADMISSION OF EVIDENCE.

cording to instructions.

Other telegrams and letters were produced to show the details in connection with the resignation of Mr. Watts, and the appointment and qualification of his successor.

Mr. Thurman inquired if there was any law or

rule of the department that required accounts of a Postmaster to be settled before his resignation ould be accepted.

The Postmaster General replied that he was not aware of any.

John W. Watts was called and testified to some facts relative to his resignation and its accept-J. W. McGrew, Sixth Auditor, was called, and testified that the accounts of Watts had been adjusted and settled to, and including, the 14th of November.

MR. EVARTS' ARGUMENT. Mr. Evarts commenced his argument at half-past with the claim that the course pursued on that 1, with the claim that the course pursued on that side in connection with this case was consistent with their claims in the Florida and Louisiana cases. In those cases the certificates had been in accordance with the carvass, and they held now that the certificate should conform to the cauvass. These two conforming, the evidence was conclusive. The canvass, he maintained, was the substance, the certificate the form. He charged that the opposition had changed their claims with the different cases, and for that reason had been compelled to change counsel.

Mr. Evarts then took up the certificate of Odell. Cartwright and Watts, claiming that in it every requirement of the Constitution had been com-pited with. He insisted that the evidence of the requirement of the Constitution had been compiled with. He insisted that the evidence of the title fested in this certificate, and not in the one which had the Governor's signature. The absence of the certified lists was through the default of the Governor and Secretary of State, and not through any neglect of the Electors. The refusal of these officers to furnish a list was a describe of duty, and such docertions of duty always had an object. The certificate contained more, it contained an abstract of the votes cast for the Presidential Electors as on file in the office of the Secretary of State. A certificate by S. F. Chanwick, Secretary of State, and that the melosed was a true copy of the abstract, and had affixed the great seal to the copy. Besides this there were the minutes of the College. The resignation of Watts was received and accepted. The act had been done openly, under an uncertain idea that he might have been disqualified. Watts did his duty, for he would not put in peril one of the votes of the State of Oregon. The votes had been cast, and the ballots were here. Under the Constitution, the Act of 1792, and the laws of Oregon these approaches a plantic warm also and and and the laws of Oregon.

had been cast, and the ballots were here. Under the Constitution, the Act of 1792, and the laws of Oregon, these minutes were plenary evidence of the validity of the act of these Electors.

Therefore, unless you hold that the Governor's certificate, and its subtraction by violation of the Governor's duty, is sufficient to suppress the Electoral College and the vote of the State, you have here everything you need under act of Congress without looking at the certificates which they put in support of their title. Now, we have another certificate, and that contains nothing that contradicts the other, and nothing that by itself can stand on its own inspection as an adequate transaction.

switches including at the certificates which they paid present the control of the State of Trope part of Trope pa

Governor was a conclusive and ultimate act performed by the State, beyond which they had no power to go.

Mr. Merrick argued that the laws of Louisiana and Florida, in reference to the ascertainment of the result of the appointment of Electors, were similar to the law of Oregon, and submitted that to withhold the commission or to withhold the certificate from a party deemed by the Governor to be incligible to office, was the legitimate performance of a constitutional and proper executive trust. You have told us, said be, that a State can not interfere with an Elector, whether he be eligible or incligible; whether his election be secured by fair means or foul. You have told us that it can not be interfered with, except between the time of the conclusion of the Returning Board and the time of his voling. Now, the State of Oregon was seeking to perform her duty, and this much abused Executive was seeking to protect that State from the odium of having wantonly violated the Constitution of the United States, and have solennely determined that an Elector claiming to be elected was not elected. The Governor of Oregon could not have given a certificate to an incligible candidate without violating his oath and being guilty of an infraction of the Federal Constitution of the Merrick claimed as Cronin held the certifi-

to deal, Cartwright and Cronin, a body of three persons, to meet, consult, deliberate and voto to grether in a college which necessarily consisted of three. He contended that one could not act as the body, and that the act of a quorum could only be necepted as the acts of the body. This view of the case had been sustained by the decisions in the Supreme Court of Oregon.

In regard to what constituted a vacancy, he contended that when the object was to keep up a body to the full number for the pretection of the interest of the people, when it was sought to guard against overy possibility of the college not streed liberally, and that it was intended to cover all vacancies that might occur if the Governor was a competent of the guard against overy possibility of twats medo to cover all vacancies that might occur if the Governor was a competent if the Governor was a competent proposition that the ineligibility of Watts medo a non-election, or that the votes cast for an ineligible candidate were void. He also contended that when such a case occurred neither was cultimated to the office. Was a black when such a case occurred neither was cultimated to the fill. Mr. Natthews combatted the proposition that the ineligible opponent elected, had not been adopted as the American rule, which was that when such a case occurred neither was cultimated to the office. Was objected to by nobody, his official acts to the office, was objected to by nobody, his official acts to the decision of the continuous transfer of the provision of could not be executed. The promibility of Watts medo and the provision of the college and the college of the decision of the college of the specific was objected to by nobody, his official acts to the office. What his indicated that muless one filled there could be no resignation. The vacancy at all, they executed that provision to touch the college of the continuous transfer. The promibility of was colleged to be filled the condidate were void. He also contended the college of the decision of the con stitution.
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Judge Strong said counsel had now consumed two hours each, and the question of the admissibility of evidence was before the Commission. He popular heart in the judgment of the Commission as to its effect. The proposition was adopted, but neither of the papers called for in the subpena duces teems served upon the Postmaster General, were at hand, nor were the witnesses present, and the Commission took a recess.

Apmission of Evidence was before the Electoral Commission took a recess.

Apmission of Evidence the Commission of John W. Watte as Postmaster, dated February 18, 1873.

Mr. Evarts objected to the papers as not anthenticated, but said the Postmaster General was in attendance, ready to verify the papers from his office.

Judge Clifford sustained the objection, but said they had the right to have them certified under order of the Commission.

seed in the Senate Chamber, and that the counsel have three hours and shall time or each side for the whole case, including the colors of protein the whole case, including the colors of protein any additional time, as they supposed the discussion to be mainly one of law.

Mr. Dards said that their side did not require any additional time, as they supposed the discussion to be mainly one of law.

Judge Hoadly said that they expected to the papers are related to the papers and a half time or each side for a relative to the colors of protein the whole case, including the colors of protein the colors of protein the colors of protein the colors of protein the colors of the colors

session, and remained there until 20 minutes past 7, when it adjourned fill to-morrow, at half-past 10.

The questions presented by counsel were discussed in secret session, but owing to the fatigue of the members, and in order to enable them to consult the authorities which have been referred to by counsel, an adjournment was thought to be advisable.
Many law points were suggested, and these will

be critically examined, there being more of them in this case than in the cases of Florida and Louisi-The Commission agreed to take a vote to-mor row afternoon at 4 o'clock, unless the members shall be prepared to do so at an earlier hour. Should a vote be taken at 4, an hour or more would

be occupied before their verdict could be officially prepared, and unless the two houses shall remain in session until evening, the decision in joint ses-sion of the two houses will not be given until Satsion of the two houses will not be given until Sat-urday.

It is understood that immediately after the Com-mission went into secret session Mr. Morton made an hour's speech in favor of counting the three Electeral votes of Oregon for Messrs. Hayes and

Wheeler.

Mr. Edmunds in some incidental remarks clearly indicated that he would vote in the same direc-Justice Miller then made an elaborate argument

Justice Miller then made an elaborate argument to show that there was nothing in the Florida and Louisiana decisions of the Commission inconsistent with giving the entire vote of Oregon to the Republican candidates.

Messis. Thurman, Edmunds, Strong and Bradley were not well, and an adjournment was taken at their suggestion.

It was ordered by a manimous vote, and had no political straigness whatever. of the main question at issue.

NO DECISION IN THE OREGON CONTEST. The Commission adjourned until 10:30 to-morrow.

Washington, February 28.—The Electoral Com-mission reassembled in secret session at 19:30, and remained in consultation on the Oreogon case four and one-balf hours.

At 3 o'clock, the discussion being concluded, and Senator Thorman not having been able to attend the sitting, on account of likess, a recess was taken, in order to ascertain whether he would pre-

fer coming to the Capitol, or that the Commission should proceed to his residence, and there trans-act the business incident to taking a vote. A committee, consisting of Senators Bayard and Freingbuysen, was appointed for this purpose, and reported in due time that Senator Thurman preferred to receive the Commission at his bouse, at 4 o'clock; therefore the other members of the Commission proceeded in carriages to Senator

Thurman's residence.
Sepator Thurman was found confined to his bed. where he remained during the proceedings of the Commission,
The Commission was formally called to order by
Justice Chifford, President, and the vote was taken
on toe following propositions, which had been informally submitted and discussed, but not voted

formally submitted and discussed, but not voted upon during the day's session:
By Mr. Edmunds:
"Resolved, That the certificate signed by E. A. Cronin, J. N. T. Miller and John Parker, purporting to east the Electoral vote of the State of Oregon, coes not comain or certify the constitutional votes to which the State is entitled."

Justice Field offered the following as a substitute:

creey upon the acts and proceedings of the Com-mission, except as regards their report to the joint session of Congress, was removed, and the Com-mission adjoined to meet in the Supreme Court Room, at 12 o'clock to-morrow.

REPORT OF THE COMMISSION.

The report, in substance, is as follows:
The Electoral Commission having received certain certificates and papers purporting to be certificates of the Electoral votes of the State of Ore-

election, that fact is rendered immaterial by his resignation, both as Postmaster and Elector, and his subsequent appointment to fill a vacancy in the Electoral College; that, as a consequence of the foregoing, and upon the grounds before stated, the paper purporting to be the certificate of the Electoral Vote of Oregon, signed by E. A. Cronin, J. N. T. Miller and John Parker, is not the certificate of votes provided for by the Constitution of the United States, and aught not to be counted as such. Members of the Commission agreeing and approving of this decision are: Samuel F. Miller, W. Strong, Joseph P. Bradley, George F. Edmunds, O. P. Morton, Frederick T. Frelinghuysen, James A. Garfield and George F. Hoar.

oar. The presiding officer naked whether there were objections to the decision.

OBJECTION TO OBEGON.

Senator Kelly objected to the decision on the llowing grounds; First—That Watts was not elected.

First—That Watts was not elected.
Second—That he was not appointed.
Third—That he was disqualified to receive any appointment as Presidential Elector or to sit as such, in that he held an office of trust or profit under the United States.

Fourth—That Cronin was elected Presidential Elector for Oregon, and, in accordance with the law, cast a legal vote as such Elector for Tilden, and that such vote should be counsed.

The objection is signed by Senators Kelly, Whyte, Cooper, McDonald, Norwood and Hereford, and by Representatives Lane, Poppleton, Jenks, Vance, Throckmorton, Wike, Wigginton and Lattrell.

The presiding officer asked whether there were any further physicious to the decision, and, there any further objections to the decision, and, there being none, he announced that the Senate would withdraw to its chamber in order.

## XLIVIN CONGRESS-SECOND SESSION

Western Associated Press Report.

SENATE..... WASHINGTON, February 20.

The session of the Senate was resumed at 10, but no usings was some, the Stonate only awaiting the natification of the House that it was ready to continue the ount of the Electoral votes. This notification was indeed at 130, and the Senate repaired to the chamber of leftouse of Representatives. hade at 130, and the Schaus repaired.

In House of Representatives.

Upon returning at 230 P.M., the President pro tentinounced that the Schate having with rawn from the old the extra of the two houses on submission of the objection to counting the voic of D. L. Crossman, an Elector for the State of Michigan, the objection would

Elector for the State of Michigan, the objection would be read.

The Secretary laving read such objection, Mr. Alison submitted the following:

"Resolved, That the vote cast by Paniel L. Crossman, as Elector from the State of Michigan, be and the same is hereby directed to be counted, notwith standing the objection thereto."

Mr. Stevenson inquired if Senator Alison knew for a fact that the person alleged to have been incligible was not a Government officer.

Mr. Allison replied that he did not, but he heard the testimony read before the j int meeding.

Mr. Bayard said that this testimony was not as clear upon this very important subject as the Senate might desire it to be.

Alter considerable debate, Mr. Allison modified his resolution, so as to read—

"Resolved, That the objection made to the vote of Daniel E Crossman, one of the Flectors of Michigan, is not good in law, and the said vote be counted with the other votes of Electors of the said State, notwithstand ing the objection made thereto."

By Mr. Esimunds the certificate signed by E. A.
Cronin, J. N. T. Miller and John Parker, purpose
ing to cast the Electoral vote of the State of Oregon, oces not contain or certify the constitution.

Justice Field offered the followings as a substitute:

"Whereas, J. W. Watts, designated in certificate whereas, in the said vote be counted with the tute:

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"Whereas, J. W. Watts, designated in certificate whereas, in the said vote be counted with the total vote of trust and profit under the United States of trust and profit under the United States therefore,

"Resolved, That said J. W. Watts was then in the edge of trust and profit under the United States therefore, "Resolved, That said J. W. Watts was then in the control of the Constitution."

Rejected—ayes 7, hays 8, as follows:

Ayes—Messrs, Abobott, Bayard, Clifford, Field, Hunton, Payre and Thurman—7.

Nays—Messrs, Bradley, Edmunds, Frelinghny seen, Garffeid, Hoar, Miller, Morton and Strong—s.

Justice Field then offered the following:

"Whereas, Said Watts, then holding an office of trust and y cola cast for Electors; but the highest number of votes cast for Electors; but the highest number of votes cast for Electors; but the process of the constitution of the constitution of the constitution of the constitution of the vote of the was rejected by a strict party vote, year 27, nays 8, as follows:

"Whereas, Said Watts, then holding an office of trust and profit under the United States Gavernment, was incligible to the office of Elector; there is the control of the vote of

The House met at 10 o'clock. Half an heur was consumed in calling the roll to accertain if there was a quorum present. That fact having been accertained, the regular immess of the day was intudiced by Mr. Gibson offering an order that the Hayes Electoral votes for Louislana be not counted.

Mr. Hurlbut moved to amend by striking out the word "not."

and mission adjourned to meet in the Supreme Court
[1 Room, at Jo c'leck to henorrow.]

BINGOR OF THE COMMISSION.

The Prefer, in substance, is as follows:

The report, in substance, is as follows:

The report will also among any purporting to be certificates and papers purporting to be certificates and papers accompanying the same, and has decided, and as a substance of the Electoral court of the Electoral co

who voted with the Democrats.

A message was then sent to the Senate that the Rouse was ready to meet that body in joint convention. JOINT CONVENTION.

At 1:35 the Senate and House met in joint convention. The presiding officer stated that the two houses, acting separately, had considered and decided the objections to the certificates from the State of Louisiana and that the action of each house would now be read. This having been done, the presiding officer announced that the two houses not having decided otherwise, the decision of the Commission would stand in force, and he directed the tellers to declare the vote of Louisiana. Senator Authony, one of the tellers, thereupon announced that Louisiana had given eight votes for Haves for President and eight votes for Wheeler for Vice President.

There was no manifestation of any kind at the sannouncement, and the opening and counting of the certificates proceeded, the State of Maine giving seven votes for Hayes and Wheeler, Maryland eight votes for Hayes and Wheeler, Maryland eight votes for Hayes and Wheeler.

MICHIGAN.

for Hayes and Wheeler.

Michigan

When the certificate from the State of Michigan was
read, giving eleven votes for Hayes and Wheelet, Mr.
Tucker, of Virginia, rose and presented objections to
the counting of the vote of Daniel Crossman, one of the
Electors, declaring that one Benton Hanchett having
been elected one of the Electors for the State of Michigan, and haying held and stall holding an effice of
United States Commissioner, had absented himself
from the meeting of the Electors on the 6th of Decomber, and that his place should not have been filled by
the other Electors.

The objection cluims that the fact that Hanchett absented himself from the meeting did not create a vacancy, and therefore that said Crossman had not been
duly appointed an Elector.

The objections also submit the testimony of Benton
Hanchett before the Committee on Privileges, in which
he state of that he has never resigned his office as United
States Commissioner, and that he absented himself for
that reason from the meeting of the Electora.

The objection is signed by Senstors Norwood, Wallace, Barnum and Hereford, and by Representatives A.
S. Williams, Tucker, Vance, of Ohio, McMahon, Rice,
Sparks, Marsh, Savazo and flutal.

The presuling officer then asked if there were any
further objections, and none being make, the Senste
withdrew to let the objection be considered and acted
on by each house separately.

The Senste having retired upon the objection offered
by Mr. Tucker to counting the vote of Creewam, Elector from Michigan, Mr. Senthard moved that the House
take a recess until 10 to-morrow.

Mr. Hale raised the point that the general scope of
the Electoral Commission Rill intended to privent delay and that a mobion for recess was not naw to order. MICHIGAN.

take a recess until 10 to norrow.

Mr. Hale raised the point that the general scope of the Electoral Commission 1801 intended to prevent delay, and that a motion for recess was not now in order. The Speaker and as he understood the jutent and scope of the bill, a motion for recess was in order, and he overruled the point.

In the course of the discussion of the question of recess, Mr. Wood epossed the proposition, and admitted that, as it was still early in the day, objection to the course from Michigan should be presented at once, discussed and acted on. The Electoral count about proceed.

ace. Mr. Conger said that it was not the first time a great

Hector.

Mr. Enckner replied to Mr. Conger, and referred to
be unanimous decision of the supreme Court of
thode Island against the proposition assumed by Mr.
conger, but that decision, he sand, had been made when
here was no templation to pervert the law to an un-

m which it arose.

Mr. liubbed, of Michigan, asked Mr. Lawrence whether there was any proof of Hanchett's disqualit-Mr. Lawrence replied that there was no such proof,

JOINT CONVENTION. At 5:20 the Senators again entered the Hall, the presiding officer took the Speaker's chair, and the Joint Convention resumed its session.

On concurrent action of each house in overraing the objection in the case of one of the Michigan Electors, the eleven votes of that State were appounced as being cast for Hayes and Wheeler. Then followed the State of Minnesota, with five votes for Hayes and Wheeler; Misdselppi, with eight votes for Tiden and Hendricks; Masouri, with eight votes for Tiden and Hendricks; Masouri, with three votes for Hayes and Wheeler, and Nevada, with three votes for Hayes and Wheeler, and Nevada, with three votes for Hayes and Wheeler, and nevada, with three votes for Hayes and wheeler, and it count of one of the three votes of Nevada, on the ground that an Elector, R. M. Daggett, was, at the time of bis appointment, and for a long time previously, and thereafter continued to be, a United States Counts of the United States in the District of Nevada. The objection is signed by Messea, Springer, Thaker, Vance, of Ohlo, Sparks, Savage, March and Jenke, Representatives, and by Senators Barnum, Wallace and Hereford.

The objections having been read, the Senators with-At 5:20 the Senators again entered the Hall, the pre-nding officer took the Speaker's chair, and the Joint

and Hereford.
The objections having been read, the Senators with-lew.
Mr. Springer moved that the House take a recess till

to 87. The House, therefore, took a recess till 10 o'clock to-As the vote on the question of recess, after the separation on the Michigan count, may be regarded as somewhat indicative, the affirmative vote is given is full, as follows:

Hooker, Humphreys, Hurd, Jenes of Ky., Kuott, Rice, Ross of N. J., Sayler, Sheakley, Boone, Cabell. Cald vell of Ala., Caldwell of Toub., slemons, mith of Ga. Lander of Ind. Sparks, Terry, Thompson, Thomas, Throckmorton, late, Barke of Ky., Curney, Vance of Ohio,