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The Daily Journal, CICERO W. HARRIS.

WILMINGTON, N. C., TUESDAY MORNING, PEB. 13, 7877

THE COMMISSION'S POWERS. Now that the Electoral Commisaccordance with the party prediknown that the popular majority elector in Illinois. If this objecmay be well to consider the pow- to sustain it, and the entire vote ers and duties with which the of Illinois will be counted.

Commission was invested by Con "to take into view such petitions, longer. depositions and other papers, if and existing law, be competent gate and instrument Both houses that State. at the beginning of the session, they proceeded to count the votes of Florids and to determine which was the true certificate to be counted. By its order limiting the evidence the majority of the Electoral Commission deliberately excluded from consideration all the testimony taken by those committees. They voted only to consider such evidence as came through the President of the Sen-ate and was submitted by him to the joint convention "with the certificates" The report of the House committee with the testimony taken by it, was submitted to the Commission with the "objection' filed to counting the votes of the

come naturally enough, "with the

certificates," through the Presi-

dent of the Senate, and so is shut

ission in effect hold that they and nothing to do with evidence outside of the cartificate of the Governor of Florida (Stearns.) founded upon the determination of the canvassing board-in other words, they determined that they could consider nothing done either by the Legislature or the courts of the State after the day the Republican electors cast their votes thus indicating that all the work ot Congress, through its committees, and of the authorities of Florida, for righting a wrong was "love's labor lost"-worse, indeed, than idle.

WHAT NEXT!

The next States in order after Florida are Georgia with its eleven votes for Tilden, Illinois with its twenty-one for Hayes, Indiana with its fifteen for Tilden, Iowa and Kansas with sixteen for sion has by a majority exactly in Hayes, and Kentucky with twelve for Tilden. These will all be lections of its members rendered counted without opposition, exa decision in the Florida case in cept in the event of objections on favor of Hayes when it is well account of the alleged ineligible was cost for Tilden and the retion is made the Houses will have canvass of the Electoral vote it to separate and vote upon the obself was decided in his favor, it jection. The Senate will refuse

Then comes in regular order Louisiana with its two sets of re-The act creating the Commisturns. This case will be referred sion, besides making it the duty of to the Commission, with all the the Commission "to consider" all papers which accompany the two the "certificates, votes and papers certificates. In consequence of objected to, and all papers accom- the magnitude of this case the bepanying, together with the objec- lief is that the Commission will be tions," empowers the commission occupied on it a week if not

The Democrats think they have any, as shall, by the constitution some very strong points here, and except that it will be difficult for and pertinent in such considera the Commission to overrule the tion." The object of giving such arguments of Trumbull and Carlatitude to the Commission in the penter. Much stress is laid upon admission of testimony is plain. the self-confessed ineligibility of It was to give to the Commission Levisse, one of the Hayes electors. all the means and facilities for ar- It is said that the opinions of riving at the facts of the case and both Judge Bradley and Strong rendering a just judgment therein in the Florida case are such as to which the two houses themselves induce the hope that they will be possessed. The Commission found in favor of throwing out stands in the place of the two the ineligible electors in Louisihouses, as their appointed dele ana, if not the entire vote from

It is certain that the Demo before the Electoral Commission cratic counsel will make a most was thought of, took steps to pre- determined and desperate fight pare themselves for the duty of over Louisiana, contesting inch the votes by sending by inch every point, technical and committees to the disputed States otherwise, involved in that case. to inquire into all the facts and If they lose Louisiana then the for sale in two markets before they circumstances connected with the forlorn hope will be Oregon. But were made, must stand along with the Presidential election. Both houses if Justice Bradley's private resent such committees to Florida, mark, quoted in Sunday's tele vania. Not, however, by the unaniand the testimony taken by them under oath was before the houses on the day (February I) appointfor counting the votes. There were in each case majority and can be hoped for is that the vote. minority reports, and the views of of that State will be thrown out both parties were accordingly rep- and the election carried to the resented. All this testimony the House. The adoption of that houses would have considered had course will mean Tilden and Wheeler.

BELKNAP ACQUITTED.

The dismissal by nol pros. in the District Court of the indictment against ex-Secretary of War Belknap calls up some unpleasant memories. The guilt-tinetured administration of Grant is nowhere seen in a worse light than in this matter of Belknap. A high member of the Cabinet-the President's own official family-is shown to be connected with the sale of post traderships. He puts money in his own purse drawn from a corrupt use of his authority as an officer of the Federal government, and he escapes by a Hayes electors. But it did not technicality. The treats his

What the Washington "Star" mildly says on this subject, as follows, will be generally concurred

out. Yet can one question its "competency and pertinency" to the subject under consideration? the subject under consideration? the President to direct a nolle prosequi in the case of the United States vs. ex-Another paper both "competent and pertinent" to the consideration of the question whether the Hayes electors were appointed is the record of the judgment of the Circuit Court of Florida in the question warranto proceeding against in the case of the United States vs. exserting the Circuit to him from a personal point of view. They will, however, hardly be regarded as satisfactory by the public. The case was a peculiar one, in nearly every aspect, and, under the circumstances attending it, it is to be regretted that it could not have gone to trial before a jury. trial before a jury. A general impression prevails that the accused would have been convicted in that event, the belief of the District Attorney to the those very electors, expressly de-ciding that they were not appoint ed. Yet that "paper" is also shut out by the order adopted by the Republican majority of the Commission regulating the admission of testimony. Can any one fail to perceive why it was shut out?

It will be seen that the Commission, the case stands, therefore, neither he nor the contrary notwithstanding; but on the contrary notwithstanding;

President can be said to he latter will be regarded as having reformed an act of somewhat doubtfur opriety, while the former is doomed rest under a cloud for the remainder

THE PRESS ON THE ELORIDA CASE DECISION. ~

We present the views in brief this morning of some of the leading Northern newspapers on the decision of the Electoral Commis sion in the Florida case

The New York "World" says "Whatever the result may be of the decision in the Florida case, the public will hardly adopt the conclusion that CITRON, Commission expressly vested under the law creating it with all the powers possessed by the two houses acting sep-arately or together, is incapacitated from considering the facts and testimo-ny taken by the convention of the two houses, or that it is shut off from the methods of inquiry practised on all former occasions when any inquiry was ne-cessary, to such a degree that it can avail itself of no information except such as may be filtered through the President of the Senate. Such a conclusion would have no warrant in the Constitution and the laws, or the prac-tice of the government."

The New York "Herald" says "This recognition of the inviolabili-ty of the State record will evidently cut both ways, as the Republican elect-or in Oregon, who, it is alleged, is disqualified, cannot even get his case be fore the Commission for want of the Governor's certificate, and the appoint ed elector (Cromin) cannot, becaus possesses that certificate, be ignored According to this ruling the excluded electors cannot have an opportunity o showing that he is not disqualified."

The New York "Tribune" says : "The decision is a great victory for he friends of Hayes, masked, however, in such a way that the Democra's feign to regard it as not quite a crushing defeat of Tilden. On the main ques tion, so far as the Commission decided at all, it has adopted the principle put forth in the address of Evarts. All attempts to impeach the vote of Lousiana now are useless. The last chance of Tilden is in Oregon, but there is no reason to suppose the Commission will take any other view than has been taken by all people of impartiality and

The New York "Times," while expressing gratification at the de cision of the tribunal points out the fact that the first legal ques tion has been decided by a strict party vote, and this act will be generally accepted as a partisan

The New York"Sun" announces the result of the action of the Commission editorially, but expresses no opinion as to its justice.

The Philadelphia "Evening do well to examine before purchasing else-"Telegraph," a Republican paper, expresses dissatisfaction with the action of the Commission. It says: "This decision closes the door against torious Wells, and which were put up untainted and unquestioned certificates of Ohio, Massachusetts and Pennsyl plished, is in reality a victory for Mr. Hayes or for the Republican party, a mistake is made. Mr. Hayes' victory and the victory of the Republican par-ty would have been a decision declar-ing that he and it feared no inquiry into the fairness of his election, that he and it courted the fullest investigation, for all that either wanted or would have were truth and justice at the hands of the commission. Yesterday's

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decision was a defeat, as the future will

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