SOUTORIAL OPINIONS OF THE LEADING JOURNAL DPON CORREST POPICS-COMPILED EVERY DAT FOR THE EVENING TELEGRAPH.

Counting the Votes. From the N. Y. Tribune.

The electoral votes of the States of New York, New Jersey, Georgia, and Louisiana were stolen from Grant and Colfax and fraudulently transferred to Seymour and Blair by Democratic managers in the North, and by Rebel terrorists in the South. That is the short way of stating an important fact. Poll the legal voters of New York to-morrow, and it will appear that a majority of them considerably exceeding ten thousand cast their ballots last November for Grant and Colfax. There is no doubt about this among intelligent politicians. A prominent judge in this city has boasted among his Democratic confederates that he carried the State of New York; while auother high Democratic official has proclaimed in Democratic circles that "It rested with me to determine whether Hoffman should have thirty five thousand or seventy thousand in this city; and they had to get down on their knees to me to make it seventy thousand." The professional thieves, burglars, and swindlers who voted ten to twenty times each for Seymour and Heffman, mainly plied their vocation in London before they were driven to seek here a safer field of operations; and very few of them are Irish, though the Irish have been wrongly charged with their orimes against the purity of the ballot-box. Fraudulent naturalization papers were made out by tens of thousands; some of them were used, and some not. Joseph Egan, who has worked in Newcastle, Westchester county, for the last two years, but who had not been four years in the country, and had never declared his intention to become a citizen, was supplied by the Democrats with a naturalization certificate, though he never applied for it; so were two of his sons, who were still more recent immigrants, one of them a minor. Neither of these attempted to vote; but they were provided with naturalization papers on purpose to have them vote for Seymour, Blair, and Hoffman. Not less than lifty thousand certificates, "each as fraudulent as these, were sent out from the Democratic naturalization offices in this city; and the ballots cast on these, with those of the "repeaters," gave Seymour and Blair the forty electoral votes

Georgia and Louisiana were carried by violence and intimidation, as New York and New Jersey were by forgery and traud. The blacks of entire Congressional districts were kept away from the polls or compalled to vote for those who would deprive them of the elective franchise by threats that they should be killed if they attempted to vote for Grant and Colfax. The proofs of this are as clear as sunlight; they are as palpable as the fact that an election was held. Whoever will glance over the returns from those States by counties and districts must know that the results declared indicate the fears, not the wishes, of the colored voters. They voted, as they often refrained from voting, because to vote as they chose would subject them to proscription, starvation, outrage, wounds, and death.
But Grant and Colfax were nevertheless

of New York and New Jersey.

elected by more than two-thirds of the electoral votes. Every State but Kentucky, Maryland, and Delaware went really for them. No one disputes, since no shadow of ground exists for disputing, their triumph. It seems to us, therefore, that Congress might better devote its best energies to precluding in future such outrages as vitiated the result in four States than to rejecting or correcting the votes wrongfully cast last December. Let the dead bury their dead, while we give attention and effort to the case of the living and practical. Such seems to us the dictate of true, patriotic statesmanship; such we believe will be the judgment of the people.

Concerning the Census. From the N. Y. Tribune.

A special committee has been appointed to present to the House a plan for taking the next United States census. So many questions enter into any adequate report of a nation's growth, and so many others are involved in maturing any satisfactory plan for having that report accurate, that we are glad to observe that the House has at the head of its committee, in the person of General Garfield, one of its most studious and sagacions thinkers. Precisely what information shall be collected is a point on which we trust the committee will not fail to consult the exacting demands of modern statisticians. It adds but a trifle to the expense to include a dozen fresh subjects for the inquiries of the census takers; and we only need to avail ourselves of the best methods for collecting and classifying the facts thus brought in to secure the best, most com-prehensive, and most minute picture of a great prenensive, and most minute picture of a great nation's condition and progress that has ever been preserved for the guidance of her states-men and the encouragement of her people. Two things we want—a system of schedules

that shall be plain enough to avoid bewildering the census-takers or the people, and so arranged that their results may admit of the most thorough classification; and, second, a system that, while satisfying these conditions. shall allow comparisons not only with the data furnished in our own previous census reports, but with the statistics collected by other nations. For the first of these we imagine that the committee will find a basis, satisfactory in many respects, in the labors of our late Census Office. In the other, the problem becomes more complex. Various congresses of European statisticians have been held to devise means for securing uniformity, at least in the general outline of the systems adopted by the several governments; and the results of these conferences should be care-

fully studied.

The effects of the war on population, on industry, on education, morals, distribution of land and the like, will be the subjects concerning which the revelations of the next census will be most anxiously awaited. A cognate topic of inquiry will be the effects of emancipation upon the slaves, the masters, the pros-perity of the South, and the prosperity of the whole country. Scarcely less attractive is another broad field of investigation, the bare outline of which we can only suggest by mentioning the late thesis of an elaborate Government report, that, under the effects of an expanded currency, protective legislation, and heavy taxation, the poor in this country have been growing poorer, and the rich richer; labor has been oppressed; the laborer's wages have not kept pace with the advance in the cost of his living, and capital has reaped unjust rewards. On scores of points like these, growing out of the war and connecting themselves with every class and every interest, the next census ought to give definite information. The judicious preparation of its schedules becomes therefore a work of the first importance, and to this we trust that the attention of General Garfield's committee may be carefully directed. Legislation at the best can only map out the outlines of the work; but everything depends on the judgment with which these outlines are marked.

by reason of their presumed intimate ac-quaintance with most of the topics on which information is to be collected, might very properly be charged with the work in their respective districts. One which we regard as of more importance is that, whoever does it, the arrangements should be such as to insure its being promptly done. It possible, the census takers should make their returns within a week, or at furthest a fortnight, from the time they begin their task. To have all the facts collected over the entire country on a single day would be still better. Then the work of reducing these returns and publishing the results should be peremptorily limited to a third of the time spent on the last census. We want the facts before they are out of date.

-The subject is a broad one, and very many and complex considerations enter into it. We have hinted at two or three of the most obvious, in the hope that these may serve to impress upon the committee the gravity and magnitude of their task, and to stimulate in their aid the suggestions of thoughtful men throughout the country.

"Let Us Have Peace."

From the N. Y. World.

Before proceeding to comment on the disgraceful scenes of turbulence and uproar which accompanied the counting of the electoral votes, we will indicate our opinion of the legal questions, which have been rather confused than elucidated by the discussion in the House. The provision of the Constitution relating to this and all similar cases is the following:-

which shall be necessary and proper for carry-ing into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof."

The President of the Senate is an officer in whem the Constitution vests the power of opening the certificates of the electoral votes in the presence of the Senate and House of Representatives; " "and the votes shall be counted," the Constitution does not say by whem. Congress may regulate the mode of proceeding by law, if any regulation is necessary; and such a law is binding upon the President of the Senate. But the concurrent resolutions, under which the Senate and House acted on the late occasion, are not such a law. The Constitution declares that-

"Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a ques-tion of adjournment) shall be presented to the tion of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill."

The concurrent resolutions, in this case, were never presented to the President; they had none of the vigor and binding force of law. They rested for such authority as they had on the power of each house to make rules to govern its own proceedings, and were binding on neither house any longer than it chose to adhere to them. The two houses may make a joint rule for regulating the proceedings of each in particular cases; but such a rule binds the Senate only because the Senate adopted it, and the House only because the House adopted it; and either is at all times perfectly free to rescind it without the concarrence of the other. But until it is reseinded, it binds each, because each is bound by its own rules. The vote of the House to reject the electoral votes of Georgia did not rescind the concurrent resolution on the part of the House; and Butler was therefore all wrong in his obstinate interruption of the proceedings. It may be said that the vote of the House virtually rescinded the rule: but that is a point of no practical importance, because what the House undertook to do was to decide that the Georgia votes should not be counted; and the House, acting alone, had no jurisdiction over that question.

Butler's point that the Speaker had no authority to direct the Sergeant-at-Arms to arrest a member of "the joint convention" was equally untenable. No such thing as a "joint convention" for counting the Electoral votes is known to the Constitution or the laws. The language of the Constitution is, that the certificates shall be opened "in the presence of the Senate and House of Representatives:" that is, of the two branches of ongress separately organized. On this occasion, as on all occasions, each is bound only by its own rules, and subject to the authority only of its own officers. The President of the Senate cannot direct the arrest of a member of the House; nor the Speaker of the House the arrest of a member of the Senate. If a member of either is disorderly, he can be arrested only by its own Sergeant-at-Arms, acting under the direction of its own presiding officer. Butler was, therefore, completely wrong in all his legal and parliamentary points.

What, then, is the significance of this tumultueus and most scandalous squabble? It proves the existence of a dissatisfied, infiammatory state of feeling, which is ready to take fire on the slightest provocation. It betokens a great mass of pent-up passions, excited by differences which cannot be avowed, and yet so burn for an outbreak that pretexts for a quarrel are eagerly laid hold of because the real reasons must lie in concealment. Butler is shrewd in detecting motives and playing upon fancied grievances. He aspires to be the champion of the new administration. He has thus early detected a lurking jealousy between Grant and Colfax, both of whom wish to be elected President in 1872. Wade and Colfax have lately become related by marriage; and Butler having succeeded in making Wade a butt of derision, has rendered it easier for Grant to neglect him in the bestowal of offices. Wade and Colfax have been both, in different ways, rivals of Grant. Wade wanted to mount into Johnson's saddle before the Chicago Convention, and it was surmised that he would use his influence and patronage to promote his own interests in the Convention. It was a suspicion of this that killed the impeachment. Grant's friends did not want Wade to fill all the offices with men whom he must retain or offend. Grant pre'erred to take the Presidency fresh from the hands of Johnson, whose appointees and supporters he could turn adrift with the certain concurrence of the Senate, rather than 'rom Wade, whose appointees the Senute might not allow him to disturb. As Wade aspired to skim off the cream of the Federal patronage to Grant's disadvantage, Grant owes him no good-will; and Butler was sharp enough to see that to make him ridiculous would be an acceptable service to the new President.

Colfax desires to lead the radionis and head off Grant for the succession. If the Senate, over which he is to preside, retuse to repeal the Tenure-of-Office act, he hopes to be nearly as powerful as Grant himself, even in this administration. Grant can neither appoint nor displace anybody but by Senatorial permission; and Colfax is so wily, plausible, popular, and thoroughly radical, that he does not despair of organizing a devoted clique in the Senate to favor his Presidential aspirations. Grant has none of the arts of a demagogue, in which Colfax is such an adept; he which these outlines are marked.

When and by whom the census shall be taken is a matter of scarcely less cencern. A

suggestion, certainly quite plausible, has been trust that Colfax will easily form a party in the Senate. This salvy, emiling demagogue has already assumed to speak for the new administration in a manner so forward and offinious that it cannot be pleasing to Grant. While the President-elect has preserved a studied silence and refused to declare any policy, the altb-tongued Vice-President elect has again and again addressed the public, telling what the election signified and what the Republican party intend to accomplish in the new administration. Grant is too proud and reticent to openly complain of this; but he is precisely the kind of man to be struck with its presumptuous unseemliness. What his own sense of propriety forbids him to do, though it would become him if it would anybody, Colfax steps forward and does, forgetful that he has been elected merely to put questions in the Senate, and that Grant, if anybody, is authorized to declare the purposes of the new administration. Modesty and reticence may, or it may not, be a proper role for Grant, but nobody can very well dispute that they would become Colfax, who is so ready to erect himself into an oracle. Butler, who is a quick, keen observer, has promply divined Colfax's aspirations and Grant's jealousy, and has struck a chord which will reverberate the dissonance. matters little that he is all wrong in his parliamentary points; they are only pretexts. As a partisan of Grant, he aims to set the House and Senate by the ears, and to make it appear that the House, which immediately represents the people, trusts the new President, while the Senate, with a rival of Grant at its fature head, refuses its confidence and maintains a surveillance over his conduct. Butler has the sagacity to see that the Republican party cannot much longer hold together, and he aims to be on the side which the people will ultimately support.

> Mexico and the Foreign Powers. From the N. Y. Herald.

Late European telegraphic news informs us that the "opposition" in the French Corps Législatif demand a restoration of diplomatic relations with Mexico. They ask this under the plea that French interests will suffer if there is a longer interruption. Thus the "opposition" never fail to make a hit at the disasters of the Mexican expedition whenever opportunity offers. The fact is, moreover, that the reopening of diplomatic relations with Mexico is really necessary. French dreams in that direction were rudely broken; but French interests are not so easily trodden upon. There are very many French subjects who were resident in Mexico at the date of the intervention and who were obliged to fly from the country. The Mexican Government has made a most sweeping confiscation of all their property without regard to their political sentiments, and doubtless these are disposed to make an effort to have it returned to them. Moreover, France had a large debt against Mexico at the date of the intervention, not including the infamous Jecker fraud or the unfortunate acknowledged investment of over two hundred and fifty-two millions of dellars in the royal fillibustering expedition of Maximilian. The entire European debts of Mexico at the date of intervention were about pinety-five millions of dollars, of which sixtysix millions are claimed by England.

England as well as France appears anxious to resume diplomatic relations with the Mexicans, and the British Premier lately stated that England was ready to do this Mexico asked for it"-a very foolish thing to state, considering the fact that Mexico is so disgusted with herself and the whole of humanity that she feels more exclusive than China, and would by far prefer never to see another foreign diplomat upon her soil. When she asks England to send a minister to her capital it will be when she is under an American protectorate. We advise France to wait for this same moment before she undertakes to accredit any Frenchman to is no settling of this vexed Mexican question in any way but the natural one. If Europe will wait a little while, say from six months to a year, for us to get our new administration at work, we will give them a final and satisfactory solution of the whole problem.

The Spanish Cortes and Its Labors.

From the N. Y. Herald. The Constituent Cortes of Spain met Thursday for organization, and the eyes of every European Cabinet are anxiously watching the result of their deliberations. The two important questions to be decided are-first, what shall be the form of government to re-place the banished rule of the Bourbons; and, second, to whom shall be confided the executive power of that government. The elections which have recently taken place in the Spanish peninsula have resulted largely in favor of the candidates put forward by the existing provisional government, and its members will hold seats in virtue of their election by the capital. The choice of the presiding officer will indicate in some degree the temper of that body, but not the final result, as very active diplomatic intrigues are on foot in every circle in Madrid to influence the question of the dynasty. Señor Rivero is named in our cable despatches as almost certain to be the

President of the Cortes. This body comprises in reality three political elements, neither of which holds a majority of the Cabinet. General Serrano represents the old liberal union party which so long endeavored to modify by peaceful means the policy of the ex-Queen, and carries great weight for his announced preference for a monarchy. General Prim is the leader of the Progresista party, and as commander of the army, as well as from his strong personal character, enjoys a wide influence. Ayola, Minister of Grace and Justice, represents in the Cabinet the democratic progresistas. The admitted organ of the Provisional Government has announced that the Cabinet has settled upon its choice for the throne, but the name has not been given to the public. Rumor has stated the Government candidate to be the Duke of Aosta, second sen of the King of Italy, and supposed to be the preference of the French Emperor; but from Thursterday's complexion of things at Madrid, it appears that a majority of the Cortes are in tavor of Ferdinand, the father of the present King of Portugal; and next to him stands the Duke de Montpensier. Meantime the project has been revived in Portugal of an Iberian union, which may be the secret of the strength ei the Portugese royal house in Madrid. The wishes of Louis Napoleon will undoubtedly bave great influence in the discussions in Madrid; but it does not follow that they will control the choice of the nation. The Spaniards are a proud and warlike people, and very sensitive to any appearance of foreign influence in their domestic affairs. The first Napoleon found nothing but disaster to his designs in Spain. His successor may be more successful. At this moment the movements in Madrid constitute the most important event in European politics, and will be contemplated with interest everywhere.

The Status of Georgia. From the N. Y. Times.

The position conceded to Georgia in the counting of the electoral vote for President seems to determine the question until now in dispute in regard to that State. The fact that its vote was received and recognized disposes

of doubts as to its title to Congressional representation. A State which may vote for the President must be in the Union; and, being in the Union, it has a right to representation in

the Senate and the House.

The joint resolution by which Senator Edmunds hoped to escape the difficulty really amounted to nothing. There was not even ingenuity in the declaration that the Georgia vote should be counted if the result were not thereby affected, but excluded if the effect were otherwise. Its terms admitted of no other interpretation. Expounding them officially, the President of the Senate said that their purport was, "that if the votes of the tate of Georgia did not alter the result of the election they might be counted, and if they did alter the result, they were not to be counted." But the artifice is too puerile to serve the purpose for which it was intended. For the right of a State is not contingent upon the political complexion of its vote. Whether it might elect Grant, or whether it might defeat him, had nothing to do with the point to be decided. That was a simple yea or nay on the question of admitting or excluding the vote. And when an affirmative decision was rendered, as it was on Wednesday, the status of Georgia was practically settled.

The acceptance of the vote is an unconditional recognition of the power to vote. No special pleading based upon the Edmunds joint resolution or on any other ground can at all modify the essential fact. The joint action of the two houses in receiving the vote admits of no appeal. It is positive and conclusive as well as to the legal regularity of the vote as to the authority of the State to give it. There is no middle ground in the premises. That State cannot be out of the Union, or as a State subject to constitutional penalties, whose voice for Seymour and Blair was formally listened to by the President of

the Senate in the presence of both houses. The result is especially noteworthy, because directly occasioned by the Senate, which has thus far refused admission to the Georgia Senators. Had General Butler's objection prevailed, we should have said that exclusion from the Electoral College in this case implied exclusion from the Union. But these objections having been overruled-arbitrarily and irregularly, we must admit, but still over-ruled—the theory of the Senate Judiciary Committee is exploded, and the unwillingness to admit Mr. Hill ceases to be excusable. We do not look for absolute consistency in these matters, but when an important constitutional principle is at stake, we must assume that the Senate will adhere to the logical consequences of its own proceeding. After declaring that the votes of Georgia should be received, it cannot, without self-stultification, deny the right of the State to Senatorial representation.

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