

Pittsburgh Gazette.

VOLUME LXXXIV.

PITTSBURGH, THURSDAY, FEBRUARY 11, 1869.

NUMBER 40

FIRST EDITION.
TWELVE O'CLOCK M.

SECOND EDITION.
FOUR O'CLOCK A. M.

HARRISBURG.

Proceedings of the Legislature
—Attorney General Replies to
a Resolution of Inquiry—Annual
Appropriation Bill Re-
ported—New County of Petro-
leum—Bills Passed Finally.

HARRISBURG, Feb. 10, 1869.
SENATE.
OPINION FROM ATTORNEY GENERAL.
A communication was received from Attorney General Brewster, answering the Senate's resolution of inquiry. He believes that the act modifying and changing revenues from taverns and retailers and collateral inheritance tax from the Sinking Fund and applying the same to the ordinary and current expenses of the Commonwealth, is constitutional.

BILLS INTRODUCED.
By Mr. CONNELL: Providing for the incorporation and regulation of Insurance Companies.
By Mr. ERRETT: Relating to Birmingham borough.

LOWRY COUNTY BILL.
Mr. LOWRY called up the bill creating a new county out of parts of Crawford, Venango, Forest and Warren, to be called Petroleum, which was discussed for nearly two hours. Messrs. Brown, of Mercer and Wallace opposing, and Mr. Lowry defending. The bill passed to a second reading.

HOUSE OF REPRESENTATIVES.
APPROPRIATION BILL.
Mr. WILSON, of Allegheny, Chairman of the Ways and Means Committee, reported the annual appropriation bill. About the usual amounts are appropriated for Departmental expenses for pensions, \$60,000; for soldiers orphans, \$45,000; common schools, \$500,000; Judges of the Supreme Court, \$6,000 each, total, \$24,000; Judges of Philadelphia, \$25,000; Allegheny, \$25,000; Judges of the Commonwealth, \$10,000; Associate Judges, \$20,000; interest on Western, \$1,000,000; the up to Feb. 1st, 1870, \$1,800,000; public printing, \$35,000; Legislative expenses, including pay of members and officers, \$24,000; of 50 marshals, \$100,000; necessary Pennsylvania Institution for deaf and dumb, \$35,000; Pennsylvania Institution for blind, \$35,000; Western Pennsylvania Hospital for salaries, deficiencies, insurance, extra grading, excavating, and furnishing the eastern wing, \$37,500; furnishing cost, \$22,000; Western Penitentiary, \$23,500; new building for same, \$41,000; Asylum at Danville, \$100,000; Eastern House of Refuge, \$35,000; Western, \$14,000; there Home for Friendless Children, \$10,000; New Brighton Retreat, \$3,000; Lincoln Institute, colored, \$10,000; Marine Hospital, Erie, \$10,000. The whole appropriation is a little over four millions of dollars.

BILLS PASSED FINALLY.
Incorporating the Cooperative Life Insurance Company of Western Pennsylvania, located at Birmingham, capital \$200,000.
Preventing the running of oil or other refuse in or from any town, village or ward in Mercer county.
Prohibiting gas enterprises in Crawford county.
Extending leasehold and mechanics' lien law of Venango to Crawford, Warren and Clarion.
Authorizing Apollo Boro to borrow \$5,000 for a bridge over the Kiskimincus.
Requiring Aldermen in Philadelphia, Pittsburgh and Allegheny, to file personal Aldermanic seals.
Extending the time for the commencement of Pleasant Brides for Farmers and Mechanics Association, Brownsville.
Repealing the second section of the act relating to election precincts in Allegheny county, passed February 23, 1868.
Creating a town council in Leechburg, Armstrong county.

THE CAPITAL.

(By Telegrams to the Pittsburgh Gazette.)
WASHINGTON, February 10, 1869.
A very important vote was taken today in the Committee on Reconstruction, the proposition being to admit all states with their present Governments, and with the Constitution drawn for it by the last Convention, but voted down by the people. The vote of the Committee stood for the proposition, Messrs. Bingham, Norris and Paine; against it, Messrs. Boutwell, Brooks, Beck, Beaman and Farnsworth.

RETURNED.
Gen. Grant arrived this evening.
The Canadian-Annexation Whiten-His Execution To-Day.
(By Telegrams to the Pittsburgh Gazette.)
Ottawa, February 10.—Whiten made a statement last night to the County Attorney and Police Magistrate that he was present when McGee was killed, but did not fire the shot. Mrs. Whiten visited her husband to-day, in company with her spiritual adviser. She is very much excited. The hour for execution to-morrow is fixed at 12 m. Mrs. McGee has written a letter to a gentleman in this city requesting him to visit Whiten, and say to the freely forgive him, as his punishment will be ample for the offense. Whiten is expected to make a speech to-morrow. He reads his prayer-book and Bible with attention, and is visited by the Grey Nuns.

COUNTING OF THE ELECTORAL VOTE FOR PRESIDENT AND VICE PRESIDENT—JOINT CONVENTION OF THE SENATE AND HOUSE—VOTE OF LOUISIANA OBJECTED TO BUT RECEIVED—STORMY SCENE IN THE CONVENTION, IN WHICH MR. BUTLER, OF MASSACHUSETTS, WAS THE PROMINENT FEATURE—THE VOTE OF GEORGIA THE BONE OF CONTENTION—GRANT AND COLFAX DECLARED ELECTED.

(THIRD SESSION.)
(By Telegrams to the Pittsburgh Gazette.)
WASHINGTON, February 10, 1869.
HOUSE OF REPRESENTATIVES.
This being the day when the formality of counting the Electoral votes for President and Vice President takes place in the House, there was a great pressure to obtain seats in the gallery, and long before noon every position in those portions that were open to the public was occupied. The doorways were thronged with persons seeking to gain admittance. Many ladies occupied places in the gentlemen's gallery. Two rows of seats in the ladies' gallery on the south side were reserved for the families of the President and Vice President. The southwest gallery was occupied exclusively by the ladies of the families of members and Senators. There were only some half dozen persons in the diplomatic gallery, and but very few colored persons were present. No special arrangements were made for the ladies of the accommodation of Senators, the intention being to let them occupy the seats of members nearest the Speaker's desk.

The proceedings were opened with prayer by Chaplain Boynton.
Mr. FARNSWORTH obtained the consent of the House to have ladies admitted to the cloak room. The practical effect of it was to have the spaces in the hall outside of the range of members' chairs immagnely occupied by ladies, and in many instances to have the chairs of members so occupied.
Mr. SHERMAN, at 12:40, offered a privileged resolution, directing the Clerk to inform the Senate that the House was session ready to receive that body for the purpose of proceeding to open the votes of Electors of the several States for President and Vice President.
The New York and Washington air line railroad bill came up as the first business in order.
Further proceedings were interrupted by the proximity of the hour for joint meeting of the Speaker's desk, and the read which regulates the arrangement of the Hall for such purpose.

The Senate advanced two by two up the main aisle, the members of the House standing near the Speaker's desk and seats in the portion of the Hall assigned them.
Senator WADE, presiding officer of the Senate took the Speaker's chair, and the Speaker took a chair beside him. Senator Conkling and Representatives Wilson and Fryn, of New York, occupied the seats at the Speaker's desk as tellers.
The presiding officer, without a preliminary motion of formality, handed the Clerk the electoral votes of New Hampshire.
Senator Conkling read the certificates in full, the result being that New Hampshire gave five votes for President, and five for Vice President.
The vote of Pennsylvania was next announced by Senator Conkling; twenty-six for Grant and Colfax.
The votes of Delaware, Maryland and Virginia, were announced by Representative Fryn, all for Seymour and Blair.
In the certificate for Maryland there was an omission of the word "junior" in the name of Mr. Blair, which omission, on its being made known, caused some laughter.
Representative WOOD appeared to the Chair to preserve order in the assembly. The votes of North Carolina, Ohio and South Carolina, six, were then announced by Representative Wilson, as being given for Grant and Colfax.
The vote of Kentucky, eleven, was announced by Representative Fryn, for Seymour and Blair.
The vote of Tennessee, ten, and Ohio, twenty-one, were announced by Representative Wilson, for Grant and Colfax.
The presiding officer having handed to the teller the vote of Louisiana, Representative Mullins rose and said: "The President, I ask the reading of the certificates accompanying the report."
The presiding officer—Let it be read.
The certificate of Louisiana was read by Representative Fryn. The word "Jr." was omitted in the name of Mr. Blair, and the word "States" omitted in the term "United States."
The certificates having been read, Rep-

resentative MULLINS rose and said—Mr. President, I object to the counting of the votes from the State of Louisiana. The Vice President directed the reading of the Twenty-second Joint Rule; which provides that when in Joint Convention any question shall arise in reference to counting the votes of the States thereon withdraw and the question be submitted to that body for its decision, and the Speaker of the House of Representatives shall in like manner submit the question to the House.

Mr. ELDRIDGE, rising to a point of order, insisted that the violation of the direct terms of the Constitution, and he called attention to the twelfth amendment.
The portions of the Constitution which, in the presence of the Senate and House of Representatives, open at the certificate, and that the votes should then be counted.

The Presiding Officer—This rule has been the case for both Houses, and never fore the Chair will not entertain the question of order.
Mr. WOODWARD—I rise to a question of order, which I think will be entertained. I submit that the objection coming from the gentleman from Tennessee does not raise the question contemplated by that rule. There must be some specific objection made, and until a specific objection be made there is no objection to the Senate to receive the certificates.

The Presiding Officer—It will be observed that the rule says, "if any objection is made," and the objection is not for its illegality, but for its being a reason. The reason will be stated in writing, so the Chair may know what it is.
Mr. WASHBURN, of Illinois—I hope the gentleman from Tennessee will withdraw his objection.
Mr. MULLINS—No sir, I cannot.
Mr. SUMNER—I would inquire of the Chair whether we cannot pass over the objection, and proceed with the count.

Mr. WOOD—Good regularly, Mr. President.
The Presiding Officer—No debate in order until the reason for the objection is presented.
Mr. STANLEY—I call for the reason of the objection.
Some moral sanction was in the meantime being brought to bear on Mr. Mullins by the gentleman from Tennessee, but he sternly refused to withdraw it. A formal objection having been furnished by him it was read at the Clerk's desk, as follows:
"I object to any count of the votes certified from the State of Louisiana, and raise the question of Louisiana being a valid elector of electors for President and Vice President of the United States." Mr. STANLEY, at 12:40, offered a privileged resolution, directing the Clerk to inform the Senate that the House was session ready to receive that body for the purpose of proceeding to open the votes of Electors of the several States for President and Vice President.
The New York and Washington air line railroad bill came up as the first business in order.
Further proceedings were interrupted by the proximity of the hour for joint meeting of the Speaker's desk, and the read which regulates the arrangement of the Hall for such purpose.

the time or in manner required by law, or by electors-how? to be duly entered and competent, even upon sufficient evidence to prove that the electors were chosen by fraudulent votes, or that an election is irregular or invalid, will be duly certified, until a law, regulating the manner of counting the votes of the House can be taken to decide the objection now made.

Mr. SHERMAN asked consent to offer a resolution. It was:
Resolved by the House, that no proof being formally admitted to sustain the objection made to counting the votes of Louisiana for electors of President and Vice President, this House, without affirming or denying anything in relation to the manner in which the election of said electors was conducted, decides that no reason appears why the vote of said electors should not be counted, and that in the opinion of the House the same should therefore be counted.

Objection was made by Messrs. ELDRIDGE, of Massachusetts, WOOD and WHITTEMORE.
Mr. SHANKS, of Indiana, asked leave to offer a resolution, which was received by the opinion of the House for President and Vice President will encourage the criminal and disorderly conduct of electors lately in rebellion and involve the murder of thousands in those States.
Objection was made.
Mr. MULLINS asked leave to submit a few remarks.
Mr. RANDALL objected.

The certificates of the States were received from the Senate notifying the House that the Senate had resolved that the electoral vote of Louisiana should be counted.
Immediately thereafter the Senators returned to the hall of the House, the order of the House standing while the Senators were taking their seats.
The presiding officer announced that by a concurrent resolution of both Houses the vote of Louisiana should be counted.
It was thereupon announced by Mr. Fryn, seven Senators and five Representatives of the following States were then announced by the teller; Indiana, thirteen; Illinois, sixteen; Alabama, three; Missouri, eleven; Arkansas, five; Michigan, eight; Florida, three; Wisconsin, nine; Iowa, eight; California, five; Minnesota, four; all for Seymour and Blair, three; West Virginia, four; Nevada, three; and Nebraska, three, for Grant and Colfax, eleven.

The presiding officer having handed the teller the electoral vote of Georgia, Mr. BUTLER, of Massachusetts, rose and said: "I object to the counting of the electoral vote of Georgia."
The Presiding Officer—Let the certificates be read.
The certificates were read by Mr. Fryn. It shows that a meeting of the electors was held on the 9th of December, instead of the 22d, and that the electoral votes were cast for Seymour and Blair.
Mr. BUTLER said: I object to the vote of the State of Georgia being counted, because of my objections in writing to the Chair.
The objections were read by Mr. Fryn as follows: "I object to the counting of the electoral vote of the State of Georgia for President and Vice President on the ground that the electors were not assembled on the 22d of December, but on the 9th, and that the certificate of the State of Georgia is not valid as it is not in accordance with the requirements of the Constitution and laws of the United States, known as the Reconstruction acts, as amended, which require that the electors of a State of the Union in the electoral vote of the several States for choice of President and Vice President be assembled on the 22d of December, and that the election be held in the State of Georgia on the first Tuesday of November last past was not a free, just, equal and fair election, but the people were deprived of their just rights therein by force and fraud."
The presiding officer should require the retirement of the Senator to his chamber, I send an objection to counting the vote of Nevada, which may go.
The Presiding Officer—The objection is too late; the vote of Nevada has been counted.

Representative Fryn, by direction of the presiding officer, read the concurrent resolution of the two Houses in relation to counting the vote of Georgia.
Mr. EDMUNDS made the point of order that the objection was not in order, the two Houses having by special rule in the case of Georgia, made a substantial change in the standing joint rule.
Mr. BUTLER—I desire to call the attention of the President to the fact that the votes must be counted or rejected by the convention of the Houses.
Mr. WOOD—I call the gentleman from Massachusetts to order. The rule forbids discussion.
The Presiding Officer—Debate is not in order.

Mr. BUTLER—Have I not a right to state the question?
The Presiding Officer—The gentleman has stated his objection in writing, and the two Houses have by special rule in the case of Georgia, made a substantial change in the standing joint rule.
The Presiding Officer—The gentleman from Vermont (Senator Edmunds) did not state his objection in writing, and I desire the gentleman from Massachusetts to be content with the count, and the presiding officer contenting himself for all responses with the exercise of the gavel.

Mr. BUTLER—I claim, as a point of order, that the objection of the Senator from Vermont is not well taken, and I desire the question to be decided by the two Houses.
The Presiding Officer, speaking with much hesitancy—"The Chair is very much disposed to hold the Senate and House together in their deliberations, and in the event of their passing, the purpose of which is, if I understand it, that if the votes of the State of Georgia do not enter the result of the election they might be counted, and if they altered the result, they were not to be counted."
This simple, natural and explicit statement brought down the house, and on the floor and in galleries there was a general outbreak of laughter and merriment, accompanied by clapping hands, stamping of feet, and uproarious merriment.

Mr. DICKINSON moved to lay the motion on the table.
The House proceeded to vote by yeas and nays.
During the vote a message was received from the Senate announcing it had resolved that the objection made to counting the vote of Georgia was in order. Mr. WOOD moved the further taking of the vote be dispensed with.
The Senators being in waiting, the Speaker ruled that the call of the roll could not be arrested, except by the constitutional expiration of Congress.
Mr. BUTLER—No! Let the House attend to its duty!
The vote was concluded and the motion to reconsider was laid on the table—117 yeas and nays.
The following Republicans voted with the Democrats against laying on the table: Messrs. Baker, Beaman, Beatty, Bingham, Boyder, Brewster, Edwards, Hubbard, (Iowa), Jencks, Keckum, Koomtz, Latta, (Pennsylvania), Moorhead, Pike, Smith, Wilson, (Illinois), Windom.
The Speaker, at 4:30, announced that the House would receive the Senate.

The Senators entered the Hall for the third time, and Senator Wade, as presiding officer, called the joint Convention to order, and announced that the objections of the gentleman from Massachusetts were overruled by the Senate.
The Presiding Officer—The Chair declines to receive the objections, and the tellers will make up the statement of votes as directed.
[Cries of "no," "no," and "yes," "yes," and great confusion and excitement.]

Mr. BUTLER—I appeal from the decision of the Chair to the Convention. [Cries of order by Mr. WOOD, who will see whether we have any rights here.] Whispers of approval and encouragement.
Mr. BUTLER (renewing the attack impudently)—Mr. President, rise to a question of order.

The presiding officer, vainly attempting to ignore the question, directed the tellers to go on with the count of Georgia.
Mr. BUTLER, determined not to be set aside in that way, said: "Mr. President, I desire to state that the House sustains the objections of the gentleman from Massachusetts, and I submit a resolution." [Cries of order by Mr. WOOD, who will see whether we have any rights here.] Whispers of approval and encouragement.
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