

# THE EUGENE CITY GUARD.

SATURDAY, DEC. 2, 1876.  
EUGENE CITY, OREGON.

## A Dark Page From History.

Every intelligent citizen knows that the legal government in Louisiana was counted out by fraud four years ago. No fair minded Republican attempts to deny the fact, in face of the refusal of the United States Senate to admit any of Kellogg's Senators to seats. But in four years the popular recollection of these events has grown somewhat dim, and a brief outline of them will give the people a clear idea of the outrage, which, there are many reasons to fear, will be attempted again, in order to deprive Gov. Tilden of the position to which he has been legally elected.

The Returning Board, of infamous memory, was composed of the Governor, the Lieut.-Governor, the Secretary of State and two Senators. In 1872 two of these officials, having been removed by the Governor, formed a Returning Board of themselves, filled vacancies, and proceeded to count the ballots, which always remained in possession of the other and legal Board. It was this count of ballots, which the canvassers never saw, which declared William Pitt Kellogg Governor of Louisiana. And it is this same Governor who is now preparing, there is every reason to believe, to use the same machinery to count in Rutherford B. Hayes. In 1872, just after the election, Kellogg filed a complaint before Judge Durell that 10,000 persons had been denied registration; that from three to five thousand blacks had been deprived of the right to vote, that ballots enough to elect him had not been counted; that the returns were about to be destroyed, etc., etc. Durell, who goes down to history as "the drunken Judge," declared the Kellogg Board legal, and enjoined Mr. McEnery from making any claim to the office of Governor. Warmoth checked this movement by approving a law which had been passed at the last session of the Legislature, but not yet acted on, abolishing all existing Boards of Canvassers and authorizing the Governor to appoint a new one. He approved the law, and appointed a returning Board. This under the constitution of Louisiana, he could legally do. This Returning Board cancelled the votes actually cast, and declared McEnery elected Governor.

This was supposed to end the matter; but the same night, though no application for troops had been made, Attorney General Williams telegraphed to Marshal Packard that he was to enforce the decrees of the United States Courts, and that Gen. Emory would furnish "all necessary troops for that purpose. The same official, by order of the President, had refused troops a few months before, when they were called for by the Governor and Legislature. Durell's "midnight order" was now issued, ordering the Marshal to take possession of the State House and prevent the assembling of the McEnery Legislature. Packard and other Kellogg officials, including the latter's own counsel, afterward testified that this was issued by Durell on his motion and without application.

Of this order and the others, Senators Carpenter, Anthony, Logan and Alcorn, all Republicans, said, in their report: "Viewed in any light, the order and injunctions made and granted by Judge Durell in this cause, are most reprehensibly erroneous in point of law, and wholly void, for want of jurisdiction; and your committee must express their sincere sorrow and humiliation that a Judge of the United States would have proceeded in such a flagrant disregard of his duty, and have so far overstepped the limits of Federal jurisdiction."

Under Durell's order the Kellogg Returning Board declared Kellogg's majority to be 18,861. This extract from the testimony before the Senate Committee, shows how this accurate majority was obtained:

Mr. Lynch. We took all the evidence we had before us; and on knowledge of the parties and their political complexion, and then we decided.

Senator Carpenter. You estimated it, then, upon the basis of what you thought the vote ought to have been.

Mr. Lynch. Yes sir; that was just the fact, and I think on the whole we were pretty correct.

Mr. Lynch was a member of the Kellogg Board, which was called the Lynch Board, after him.

The "evidence" was afterward found to consist of newspaper articles, letters and several thousand affidavits, discovered to have been all forged, by negroes, that they had been denied the right to vote. This Board, which declared Kellogg's majority to be 18,

861, never had an official before it, and this pretended accuracy was sheer, impudent falsehood. Both Legislatures organized, and John McEnery and 100 of the wealthiest citizens telegraphed to Washington that they were about to come North to lay their case before the President, and prayed him not to recognize either government until he had heard them. Williams, the Attorney General, sent an insolent reply that the visit would be "unavailing"; that the President's decision is made and will not be changed.

The Senate investigation followed, and the report of the majority of the Committee, signed by Senators Carpenter, Logan, Alcorn and Anthony, concluded as follows:

"It is the opinion of your committee that but for the unjustifiable interference of Judge Durell, whose orders were executed by United States troops, the canvass made by the De Feist Board, and promulgated by the Governor, declaring McEnery to have been elected Governor, and also declaring who had been elected to the Legislature, would have been acquiesced in by the people, and that Government would have entered quietly upon the exercise of the sovereign power of State. We have already seen that the proceedings of that Board (the Kellogg Returning Board) cannot be sustained without disregarding all the principles of law applicable to the subject, and ignoring the distinction between good faith and fraud. Considering all the facts established before your committee, there seems to be no escape from the alternative that the McEnery Government must be recognized by Congress, or Congress must provide for a new election."

The Senate, however, was still too much under the influence of President Grant to carry out the recommendations, though they came from some of his warmest friends. The Kellogg Government was recognized, and the crowning outrage of the century was thus made complete. The Senate, however, stultified itself by refusing to admit either of Kellogg's Senators, thereby acknowledging that its former action was unjustifiable.

This is an accurate and impartial history of the Louisiana outrage. Is there to be another? Do the Republican managers suppose that if Louisiana has gone Democratic the American people will permit the man who was made Governor by such means to count in by the same method a President who has not been legally elected? God forbid that they should make the attempt, for they do not know the awful storm that would break upon their heads.

One fact in the history of our country to which the Republican party can "point with pride" is, that there has not been a fair election held to choose a president since that party has been in power. In 1864 the army and secession elected Lincoln; in 1868 the army and "reconstruction" elected Grant. In 1872 the army was posted in the South to insure Grant's re-election. In 1876 the army was again called on, to elect Hayes.

Fraud and force have been so long used to advance Republican interests that that party seems to know no other methods to insure success. Kellogg was elected by the moral (?) effect of soldiers, and now he essays to elect a President with the army and his "Returning Board." Why are those soldiers called U. S. troops? Why not name them Radical Campaign Managers?

The army was sent South to elect Hayes—but the people voted Radicalism, Grant and his army, down. Then some more army was sent to "protect" the returns; which means, to uphold frauds in South Carolina, Louisiana and Florida. These things being apparent and transparent, the army was ordered to Washington to dragoon congress and force public opinion, and thereby compel the people to submit to its choice for President. It takes two columns of the ass. press dispatches to explain that the army is holding a Quaker meeting in the capitol, and that it is there for peaceable purposes!

GEN. O. O. HOWARD.—The Boston Globe of Nov. 1st says: "The Government has entered suits against General O. O. Howard as a defaulter of funds entrusted to him in connection with the Freedmen's Bureau and Howard University." Let the Y. M. C. A. make a note of this, as it may create an unusual interest in his future lectures.

It is singular that all the election frauds and contests occur where the Republican party is in power, and where Republican officials have the superintendence of registration, legislation, and the returns of the votes! Oh shame, where is thy blash!

The situation in regard to the Presidency remains unchanged. Hayes will be counted in and Tilden will be inaugurated.

## South Carolina.

For the second time in the history of this country has the army of the United States been used to defeat the will of the people. First in Louisiana, and now in South Carolina. Last Tuesday was the day fixed by law for the convening of the South Carolina Legislature. On Monday night Gen. Roger arrived at Columbia and at 12 o'clock A. M. companies of United States soldiers were marched into the State House and the doors barred. After the refusal of the troops to admit the delegations from Laurens and Edgefield counties the Democrats retired and in the evening organized at Carolina hall, there being 64 Democrats and 2 Republicans. In the meantime the Republican members, 69 in number—54 negroes and 5 whites—organized and Chamberlain telegraphed to President Grant. It must be a grand spectacle at any time to see troops take possession of the Capitol of a State and at the orders of an ex-superintendent of the penitentiary exclude whom he pleases; but how much more grand is it in this, our boasted Centennial year! The English language is too feeble to express its grandeur.

## The Negro Democratic Vote.

Various ingenious Republican writers are endeavoring to show that the number of Republican votes ought to have been greater in certain portions of the Southern States, because the negro population is greater than the reported Republican vote. They assume that the census reports tell us exactly what the Republican vote is. Their error is in supposing that the negroes are unanimously Republican. The truth is, that the negro Democratic vote is growing every year. The negro is finding that his interests are better guarded by his former and present employers than by carpet-bag thieves. He is finding out that the Southern whites are honest, and mean to deal fairly with him. He is finding out that the carpet-baggers and the general run of the Republican politicians in the South are thieves. The Freedman's Saving Bank failure opened his eyes, and the frequent confiscation of colored men's property for taxes stolen by the carpet-bagger has served to keep them open. The spectacle of a poor negro man going about with a subscription paper, asking for small sums to keep his little patch of ground from being sold from under him for taxes has been a familiar one in South Carolina in the past year. The negroes know who levy these oppressive taxes, and who steal them, and they have ceased to be solid for the Republican party. This is what the election of Wade Hampton and the electoral vote for Tilden mean in South Carolina, and what a Democratic victory in Florida means. As for Louisiana, that has been Democratic for four years, though it has been counted Republican. So, when your Republican friend talks negro census to you, tell him that the census was taken six years ago, and that since that time the color line has been broken, as it should be.

Gov. Tilden is the man of destiny. When he was announced as a candidate for the nomination for Governor, every politician predicted that he would never receive it. He got it by a two-thirds vote. Then they predicted his defeat. He was elected by over 50,000 majority. Then they predicted that the delegation from his own State would not support him for the Presidency. That delegation was unanimously instructed for him, and unanimously voted for him. A disastrous failure to receive the nomination was the next prediction. He received a popular majority of 400,000, and 203 electoral votes, and it was not until twenty-four hours after that the Republicans recovered their balance sufficiently to conceive the scheme of fraud they are now maturing. But not even fraud, backed by the whole force of the Administration, can keep him out of the Presidency. His opponents have invariably been brought to naught before, and they will be overthrown again.

The Rings were in favor of Gov. Hayes' election before his defeat, and now they are in favor of counting him in spite of it. Does anyone suppose that there is not a corrupt organization in the country that is not anxiously working and waiting for Gov. Hayes' election by count, in the face of his defeat by ballot? The Rings know that Gov. Tilden's accession to the Presidency means political death to them, and they, having failed to prevent it by fair means, will do their best with foul.

No party ever before in the history of this country endeavored to hold on to the Government when the people had given it notice to quit. A party of "moral ideas" ought to have nicer notions of the ownership of property.

This is an anxious time for the defaulters and thieves in the Government service, whose crimes are yet undetected. Every one of them is hoping and praying that the Returning Boards will count in Governor Hayes.

If Hayes had been elected, the news would have been fl. shed around the globe in forty-eight hours. But as it is, it takes a month to "doctor" up the returns.

Too THIN.—The dispatches of the 29th give the "official" vote of Florida. It is claimed that Hayes has a majority of 38 votes, with one county to hear from, which of course will not change the result. It is very thin.

WILL ACCEPT.—Some of the office-holders are very uneasy for fear Hayes' honor will forbid his acceptance under such glaring frauds. Don't lose any sleep on that account. He has shown already that he is devoid of honor. But that don't matter. He will not be inaugurated President.

The army was sent South to prevent "intimidation" ostensibly, but really to intimidate—and according to telegraphic reports, where the most troops were, there was most illegal voting. If the army could not prevent intimidation and fraud, it is to be hoped other means may be resorted to hereafter.

## Troops in South Carolina.

No one was allowed to enter the State House in Columbia on the 28th unless on pass from Jones, Clerk of the late House, or a man named Dennis, Ex-Superintendent of the penitentiary. The Democratic members presented their certificates from the Supreme Court, but were denied admittance by the corporal and guard, under order from Dennis, who was standing by. The Democratic members of the House after gaining admittance to the State House proceeded to the door of the House of Representatives with the delegation from Laurens and Edgefield counties at their head, and demanded admission on the certificates of election taken from the records of the Supreme Court. Six soldiers were ranged on either side of the approach to the door with two officers in the center. The certificates of the Edgefield and Laurens delegates being presented were decided invalid by doorkeepers, whereupon the entire body of Democrats assembled in front of the steps of which a test was read in the presence of citizens:

## COLUMBIA.

We, a majority of the House of Representatives elect, protest against the return to the hall of Representatives against the military power of States barring the passage into the State House of members elect of the legislature. We protest against the legality of the proceeding and especially against the army of the United States being placed for the purpose of this exclusion under the command of one John B. Dennis, partisan of Gov. Chamberlain. We protest against said Dennis' instructions to the guard to admit no one to the State House, except upon his own pass, or a pass from A. O. Jones, former Clerk of the House, who may thus exclude all except his own partisans whereby the Republican programme is to be organized and House. We have presented ourselves with the judgment of the highest court in South Carolina, certified to by its clerk with the great seal of the Supreme Court attached. As to our right to participate in the organization of said House, we are refused by orders of said Dennis admission to said hall, except upon his pass or the pass of said Jones, or the certificate of H. E. Haynes, Secretary of State, who is now under the condemnation of said court for refusal to issue certificates in accordance with its judgment and mandate. In protesting against this barefaced usurpation—this trampling on the laws and constitution of the State; this defiance of the highest tribunal of the State—it is our purpose to offer no resistance to this intervention but to make our solemn appeal to the American people without distinction of party. Our veneration for law, our respect for the Supreme Court, and the usages of all legislative assemblies, forbid our participating in such unprecedented and revolutionary proceedings. Signed by all the Democratic members, 64 in number.

## OREGON.

The pork harvest will be very heavy in Polk county.

Ed Casey is president of the Dallas board of trustees.

Balance on hand in the Dallas town treasury is \$11 90.

It is proposed to organize a society of Minnesotians at Astoria.

More houses or fewer people is the way things stand now at Dallas.

The new flouring mill at Independence is almost ready for wheat.

The school at Harrisburg has an attendance of 100 scholars.

Both saw mills at Gardiner are running on their fullest capacity.

Influenza has become an epidemic with the Douglas county children.

But a small amount of the Polk county tax has thus far been paid.

A new church bell is to be bought by the Dallas people, by subscription.

Joseph Beezley, of Lona Rock, Wasco county, lost 500 sheep last week.

The first boat of the season reached Lafayette on Tuesday of last week.

The second term of the Roseburg Academy will begin on December 4th.

A grist and saw mill will soon be built by subscription at Dora, Douglas county.

The work of improving the Cascades will be commenced about the 1st of December.

Twelve Independence men have gone to investigate the Wasco county silver springs.

The weaving room at the Oregon City mills is to have four new looms added to it. Eddie Barnes, of Roseburg, fell from a fence one day last week and broke his shoulder.

The Beech mines, in Coos county, show good "color."

The O. S. N. Company will without delay commence the construction of a large steamer to take the place of the Daisy Ainsworth.

Mr. Harburt of Douglas county, raised 70 bushels of corn to the acre. One ear was ten inches long with 26 rows of plump grain.

The Polk County Telegram has been revived by Mr. and Mrs. W. A. Wheeler, who will change its name to the Polk county Tribune.

R. C. Kemp, of Dallas, got caught in a water wheel one day last week, and would have "gone the way of all flesh" but for timely assistance.

Col. White, chief clerk of the Lower House of the late Legislature, has completed the copy of the laws and journals for the State printer.

The State papers have been wrongfully informed in reference to the condition of the South Umpqua river. It has scarcely been past fording yet.

Mr. David Bushey, of Douglas county, has about 60 acres of a wheat field in which the grain is at least two inches in height and growing finely.

Mr. R. Hurley, who is said to be one of the best assayers in the State, says there is not the slightest trace of silver in the much talked of Wasco county ore.

The Indians camped near Dallas have most emphatically warned some of the whites not to enter their camp again, and threaten to make it exceedingly hot for them if they don't heed the warning.

The Pioneers of Southern Oregon organized at Jacksonville last week. Permanent officers were put in nomination and elected, as follows: John E. Ross, president; Wm Hoffman, secretary; U. S. Hayden, treasurer.

Mr. and Mrs. W. A. Wheeler who have taken charge of the Polk county Telegram, say: "As to politics, we consider the political pool too muddy for us to dabble in to any great extent." Oh dear.

Tilden's official majority in Georgia is 85, 065.

The imprisoned board says it has the law

Democr.

returns show

The Metcalf in St. Louis show.

St. Louis Republican Morrison for speaker of the rescutatives.

Gen. Grant has ordered Gen. South Carolina to sustain Gov until otherwise direct.

James H. Duran New York Inspect nett, r

In G. plains of en border, i war with the c will never occur.

A gentleman who saw Tweed in answer to inquiry, said: "He is crushed and broken and has lost his old buoyancy and defiant spirit. He is suffering from pleurisy and is actually ill, and seems wearied and only anxious to know about his old acquaintances. He is entirely in the dark as to what to do and is even without legal advice. He needs medical advice more than anything."

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August Flower. The most miserable beings in the world are those suffering from Dyspepsia and Liver complaint.

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DR. JOHN HERRBOLD, SURGICAL AND MECHANICAL DENTIST, Has removed to Roseburg, Oregon, where he respectfully offers his services to the citizens of that place and vicinity in all the branches of his profession.

MRS. A. W. STOWELL, TEACHER OF PIANO, ORGAN, HARMONY AND THOROUGHBASS.

Reed & Lons sent down 175 sugar pine logs on the North Umpqua for the mill at Gardiner one day last week.

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