

The Louisiana Democrat.

E. R. BLOSSAT.

"THE WORLD IS GOVERNED TOO MUCH."

EDITOR AND PROPRIETOR.

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"GOING HOME."

WRITTEN FOR THE METROPOLITAN RECORD.

BY M. L. M.

Hark! the joy bells are ringing out merrily; gay crowds line the streets, and loud hurrahs are heard on every side; Philadelphia pauses a moment in the eager pursuit of business or pleasure, to look on a spectacle of every day recurrence now—our heroes coming home! With gay flags and glittering weapons they march to the merry roll of the drum; some rejoicing that they have now reached their journey's end; others must keep marching on; their homes are still in the far distance. But the halo of victory shines over all, and success—that mighty magician whose transformations are marvelous as those of any fairy tale—bids the eager multitude assemble to greet the triumphant soldiers.

But here is another scene, almost as frequently witnessed, yet attracting little notice. What means this long, silent procession moving rapidly down the street with the air of veteran troops, though no military paraphernalia gathers around them gaping crowds? Ah, the old gray uniform tells the story—these are the paroled Confederate soldiers going home! "Only rebels!"—Scowling as you brush past them, loyal citizen—sneer as you sweep daintily by, patriotic lady—they are "only defeated rebels!" Yet there are eyes that rest with no unfriendly glance on those rebels. There are hearts, true Northern hearts that throb with mournful pride, remembering the matchless heroism, the patient endurance, the indomitable resolution of the "gallant few," who, with the spirit of true Americans, dared all in the cause of "home and freedom."

No flaunting banners o'er them wave,
No arms flash back the sun's bright ray,
No shouting crowds around them throng,
No music cheers their onward way;
They're going home! By adverse fate
Compelled their trusty swords to sheathe;
True soldiers they, even though disarmed—
Heroes, though robbed of victory's
wreath.

Brave Southerners! with sorrowing hearts
We gaze upon them through our tears,
And sadly feel how vain were all
Their heroic deeds through weary years;
Yet mid their enemies they move
With firm, bold step and dauntless mien.
Oh, Liberty! in every age
Such have thy chosen champions been.

Going home!—alas! to them the words
Bring visions fraught with gloom and
woe.

Since last they saw those cherished homes,
The legions of the invading foe
Have swept, like the simoon, along,
Spreading destruction far and wide.
"They found a garden, but they left
A howling wilderness behind."

Ah! in those desolated homes
To which "the fate of war has come,"
Sad is the welcome, poor the feast,
That wait the soldier's coming home.
Yet loving ones will round him throng,
With smiles more tender, if less gay,
And joy will brighten pallid cheeks
At sight of the dear boys in gray.

Aye, give them welcome home, fair South!
For you they've made a deathless name;
Bright through all after time will glow
The glorious record of their fame.
They made a nation! What though soon
Its radiant sun has seemed to set!
The past has shown what they can do,
The future holds bright promise yet!
PHILADELPHIA, JULY, 1865.

Thirteen brothers and sisters—the oldest not 20 years of age—now lie side by side in a graveyard near Walkersville, Md., all of whom died of diphtheria. Eight of them have deceased within the last four weeks.

The Bureau vs. The Court.

[From the South-Western.]
Last Saturday, vague rumors reached this city that the judge, sheriff, district attorney, and jury of the 10th judicial district, then in session at Bellevue, Bossier parish, had been arrested. Late in the day, from the accumulating rumors, it was evident that some body had been arrested.

By the arrival of some of the bar, we learned that no less personages than his honor, judge James I. Weems and Mr. Alden, the sheriff of Bossier, had been arrested by the provost marshal of freedmen, for infringing upon his prerogatives, as set forth in section 7, circular 5.

We were further informed, that the bar which was fully represented, indignantly at the arrest of the court; and immediately held a meeting to express their feelings. The following are the resolutions adopted on the occasion:

Whereas, At a term of the district court of the 10th judicial district of the State of Louisiana, begun and holden on the 4th day of September, A. D., 1865, at the town of Bellevue, in the parish of Bossier, the grand jury of the parish aforesaid, found and presented to the court a bill of indictment, in the form of law, against John, a free man of color, for the crime of larceny, to-wit: horse-stealing; and the said John having been brought into the court for arraignment, on the 7th day of September, and the court having first appointed counsel learned in the law, to assist the said John in making his defence; and whereas the said John having been arraigned, and after consultation with his counsel, pleaded "not guilty," and elected to be tried by a jury; and whereas, after the trial of the said John, in accordance with all the forms of law, guaranteed by the laws of this State, in cases of free white persons as well as free colored persons, and the said John having been found guilty of larceny, to-wit: horse-stealing, by the verdict of good and legal men, duly empanelled to try the said John—and after the said verdict was duly returned into the court, and the judge having first asked the prisoner, John, whether he had anything to say in his defence, and he, the said John, having nothing to say—the judge proceeded to sentence him to be sent to the penitentiary of Louisiana, there to be confined at hard labor for one year, as a punishment for the crime of larceny, to-wit: horse-stealing—of which he had been convicted in accordance with the law in such cases, made and provided in the trial of the crime of larceny.

And whereas, on the 8th day of said month of Sept., when the honorable James I. Weems, judge of the district court of the 10th judicial district, was about to have the court opened for the transaction of business, his honor and the sheriff of said parish were arrested by order of Capt. Chas. Berry, provost marshal of freedmen's bureau for the parish of Bossier; and whereas, his honor, the said James I. Weems, is now a prisoner under bond for his appearance on the 9th inst., for having tried the said man John—and whereas section VII of circular No. 5, issued from the "bureau of freedmen and abandoned lands," dated May 30th, 1865, approved by president Johnson on the 24 July, 1865, has no application to the State of Louisiana:

1. Because there is no interruption of civil law in said State.

2. Because the local courts have no old or new codes or laws in force, which make a legal distinction between the free white man and the free colored man, either in the trial of civil or criminal causes, or in the reception of testimony.

And whereas, the said honorable James I. Weems charged the grand jury, and notified the officers of the court, and the members of the bar, that by the constitution and laws of Louisiana, persons heretofore held to servitude as slaves, were free and amenable to punishment for crimes as if white persons, and were competent witnesses in all cases as if free white persons; and whereas, the said Capt. Berry has announced to the Hon. James I. Weems his intention to arrest all the petit jurors who were empanelled to try the said man John, and found him guilty of the crime of larceny, to-wit: horse-stealing. Therefore be it—

Resolved, That the Hon. James I. Weems has not been guilty of any infraction of law or order guaranteeing freedom to the colored persons of this State; or any act in the trial, conviction and sentence of the said man John, which made a distinction between him and a free white person.

2. That the arrest of his honor, James I. Weems, was unwarranted by law or lawful military orders; an unprovoked and unjustifiable attack upon the dignity of the judiciary of the State, and is subversive of the civil authority of the same.

Be it further resolved, That as the Hon. James I. Weems is now a prisoner, and the business of this court interrupted by the illegal arrest aforesaid, and as there is no security against further arbitrary acts; that his own dignity and a proper respect for the position he holds, requires he should adjourn the court sine die, after signing the minutes and judgments already rendered.

Resolved, That a copy of these proceedings be respectfully forwarded to the governor of Louisiana, the commanding general of the department, and to the president of the United States.

Geo. Williamson, chairman; T. T. Land, R. W. Turner, Thos. M. Fort, L. B. Watkins, committee.

His honor, the judge was brought to this place on Sunday, under guard. On Monday the case was investigated by chaplain Calahan, the assistant commissioner of the freedmen's bureau for this district. The

following is the commissioner's decision:

FREEDMEN'S BUREAU,
Shreveport, La., Sept. 11, 1865.

U. S. vs. JAMES I. WEEMS.
The defendant appeared in court. Information by Capt. C. R. Berry, provost marshal of Bossier parish, Louisiana.

Charge.—Violation of paragraph 7, of circular No. 5, dated Washington, May 30th, 1865; and approved by general O. O. Howard, and approved by the president of the United States.

Specification.—In this, that James I. Weems, acting as judge of the tenth judicial district of Louisiana, did on the 7th day of Sept., 1865, at the town of Bellevue, in the parish of Bossier, Louisiana, arraign and try John James, a free man, for the crime of horse stealing; jurisdiction in said case rightfully belonging to the bureau of freedmen, refugees and abandoned lands.

To this charge, the defendant pleaded "not guilty," and expressed himself ready for trial. He averred that he was not liable to the charge of "disregarding the negro's right to justice before the law, in not allowing him to give testimony;" and supported his averment by a quotation from his charge to the grand jury, both at Shreveport and Bellevue, as follows:

"The war which has just terminated, and the constitution of this State, made in anticipation of that event, have made of the once no-slave, a free man. He is now amenable to the same tribunals, and punishable in the same manner for his crimes as the white man.

"Hence, the boundaries of your duties will be greatly enlarged. Instead of confining your investigations as heretofore to crimes and offences committed by white persons exclusively, and a very small number of free persons of color; you will now extend them so as to embrace those committed by the whole black population. The laws of the State of Louisiana having always made the free man of color a competent witness in their tribunals, in any litigation for or against a white man, he (the late negro slave) being now free, is as a matter of course, a competent witness, equally with the white man, in all litigations springing up before you. This we say of his competency. You are the judges of the degree of credit to which this and all other evidence is entitled."

Regarded as a support for the plea entered, this quotation is not available for the following reasons:

1. It begs the question in dispute; roundly asserting the possession of a power which is denied in this indictment, and so fails as an argument.

2. It merely asserts the competency of the witness, leaving the question of his credibility to the jury.

This is apparently very fair, and would be sound law if the negro and the white man were on an equality as citizens, and no more amount of popular prejudice existing against the one than the other. But such is not the case, especially in the parish of Bossier, La. The records of this bureau show a fearful list of well authenticated, deadly assaults committed on the persons of freedmen in that parish. To admit the negro's competency as a witness and leave his credibility to the judgment of men whose views of his right to life are very loose, will be in five cases out of six equivalent to throwing his testimony out of court, and will only give him the semblance of a remedy, when in reality he has none.

It is in vain that the bayonet has scattered to the winds, "old codes in violation of the freedom guaranteed by the president, and the laws of congress," when the principles and feelings which originated, sustained and carried out those codes, exist with undiminished power in the hearts of the people.

We are willing to believe that if judge Weems were entrusted with the doing of every act in a legal process, no wrong would be done, but he is only one in a series of actors, of many of whom he can have no control, so that wrong may arise at other steps in the legal proceedings than those taken by him directly; this would require that all control of the negro be kept out of the hands of civil courts in this community. This argument by the defendant then does not sustain his plea fully.

Much time has been occupied showing that judge Weems was regularly appointed as judge, and that the constitution gave the governor the power to appoint judges; and that the constitution of 1864 abolished slavery and involuntary servitude, except for crime.

It was also shown that great care was taken at every stage of the trial, to conform strictly to the rules of legal practice, and that much merciful consideration was shown to the prisoner.

No doubt this was true, but it was beside the case in controversy. We do not deny the perfect formality of the trial in all its steps, but we deny the jurisdiction of the court in the case.

The point on which the whole case turns is in the question: Was there in the parish of Bossier on the 7th of September, 1865, an interruption of civil law.

If there was, then is the defendant guilty in manner and form as indicted, if there were not, he can claim a verdict of acquittal.

Was there an interruption of civil law. It is admitted by all with whom we are concerned, that the constitution of La., made in 1862, has perished. Has the so-called constitution of 1864, succeeded to its seat and authority? That constitution provided for the making itself effective. It says in substance that it shall be referred to a vote of the people, in their several parishes, on the 1st Monday of Sept., 1864.

We are not concerned at present, with

the question of the adoption of the constitution within the Union lines. We are under no obligations to look outside of the parish of Bossier, for we have not affirmed an interruption of civil law anywhere else.

We repeat, the constitution of 1862 is gone, and the binding validity of the constitution of 1864 in that parish, depends on the answer to one question. Did the people of Bossier, on the 1st Monday of Sept., 1864, vote for that constitution or against it? If they did not, they never adopted it; for in specifying that it must be voted for, that constitution declares that it cannot become binding in any other way. Now how stands the case? On the day on which the constitution fixed that it should be voted for, the people of Bossier were in open rebellion against it, and against the government under whose protection it seeks to bring its friends. The people of Bossier had renounced their allegiance to their old government, and they left the 1st Monday of Sept., 1864, by no improved, and there has never been another day since on which they could vote themselves under the protection of the constitution. There is then in that parish, as in every other part of the State of Louisiana within the Confederate lines, on the 1st Monday of Sept., 1864, no constitution, no civil law. They shined away their day of grace until no "wax" left for them but the bayonet in the hand of a negro. We find then there was an interruption of civil law in the parish of Bossier on the 7th of Sept., 1865, and so that judge Weems did violate Par. No. 7, Circular No. 5.

Great importance was attached to the President's proclamation, re-organizing States that had been in rebellion.

With that document we have nothing to do whatever at present. It ordains that delegates be elected and sent to a convention. The people of Bossier held no election, and sent no delegates. The Constitution provides that it shall be made effective by being voted for by the people of the several parishes of the State, at the places designated by law for holding elections, and this voting must be done on the first Monday of September, 1864.

The particularity with which the Constitution specifies the mode of its adoption, shows that no other mode of adopting it is possible. Did the people of Bossier so adopt it? If they did, there is no interruption of civil law; if they did not, for them it does not exist.

We had hoped to be able to avoid the discussion of the question of the validity of the Constitution of 1864, in those parts of the State within the Union lines at the time of its adoption, but we find we cannot. The true state of the case appears to be this:

It was no part of the design of the Government that the city of New Orleans and its dependencies joined by a few refugees from various parts of the State should give a Constitution to the State. Accordingly, the voting was to be done for members of the Convention in the various parishes of the State.

It was no part of the design of the Constitution; that the people of a small section should foist it on the whole State; accordingly, they were required to vote in the various parishes of the State; and to avoid the getting up of a traveling ballot box, the voting must be done on the same day, all over the State; and to prevent a few persons from assembling in a secret place and voting, and then palming off their action as that of the parish, the voting must be done at the places designated by law for holding elections; and because these requirements have not been complied with, the Constitution has no validity, and your State is not recognized as such by the General Government.

And if these things have interrupted civil law in places within the Union army lines on the 1st Monday of September, 1864, and where they voted to adopt the constitution, much more will they interrupt civil law in places that were in rebellion on that day, and where people have never voted on the constitution at all.

In short turn the matter whither we may, we are compelled to believe that on the 7th day of September, 1865, there was in the parish of Bossier an interruption of civil law, and so a competent co-conspirator in assuming jurisdiction over John James, a freedman, judge Weems did violate Par. No. 7, of Circular No. 5. No penalty is attached. The high personal worth, the eminent legal attainments, the unimpeachable faithfulness of Judge Weems to the government when all around him were his sun and shield to day.

It is no part of the design of this Bureau to interfere with the business of Judge Weems' court, except in the matter contemplated in this case. While we may sue each other before him as much as they please, and we will not say one word. They may sell each other out of house and home by deed or room under his hand, and so far as this Bureau is concerned it will be all right.

He may imprison and hang as many white men as he pleases, and no opposition will be raised by us, but during the existing interruption of civil law, he must not touch a negro. Jurisdiction over him belongs exclusively to this Bureau, by act of congress, approved March 3d, 1865.

Judge Weems gave notice of appeal and was granted thirty days in which to assign his reasons.

THOMAS CALAHAN,
Assistant Superintendent of Freedmen.

One of the best occupied towns in the Confederacy, during the war, was Winchester, Virginia, which was held by the Federals forty-eight times, and by the Confederates twenty-seven times, and one day occupied by both in battle.

General Lee at Washington College.

[From the Lexington (Va.) Gazette.]

The gratifying duty of announcing to the country the acceptance, by Gen. Robert E. Lee, of the Presidency of Washington College, has been devolved upon the undersigned by the Board of Trustees of that institution. The accession of this distinguished gentleman to the Faculty of this venerable College, and us its honored chief, is destined, we trust, to mark the commencement of a new era in its history; and most cordially do we congratulate its numerous friends on this most auspicious event. The high, noble, and patriotic motives which impelled our beloved chief in accepting the honorable but comparatively humble position tendered him by the authorities of the College, must win for him anew the admiration and love of his countrymen. The College, under the administration and supervision of Gen. Lee, will resume its exercises on the 1st inst.

At a meeting of the Board of Trustees of the College, convened in Lexington, on Thursday, the 31st ult., the following resolution was unanimously passed, the publication of which is demanded as an act of justice alike to Gen. Lee and themselves.

Resolved, That the Board heartily concurs in, and fully endorses, the sentiments so well expressed by Gen. Lee, in his letter of acceptance of the Presidency of Washington College, "it is the duty of every citizen, in the present condition of the country to do all in his power to aid in the restoration of peace and harmony, and in no way to oppose the policy of the State General Government directed to that object;" and that "it is particularly incumbent on those charged with the instruction of the young to set an example of submission to authority;" sentiments that cannot fail to commend themselves to the approval of the President of the United States, and to the unqualified assent of all sensible and virtuous citizens.

In dedicating his future life to the holy work of educating the youth of his country, Gen. Lee presents a new and interesting phase of his grand heroic character, a character than which no more perfect model exists among living men. "It is a solid fabric and will well support the language that adorns it." Let the young men of the country, North as well as South, be wise, and profit, not less by his precepts than by his great example.

JOHN W. BROCKENBROUGH,
Rector of Washington College,
Lexington Va., Sept. 1, 1865.

President Johnson, in a speech, which he made recently, said that it was his determination to adhere to the terms of the Constitution in his efforts to restore the Southern States to their proper position in the Union.

One dry goods firm in Chicago did a business of \$6,794,000 last year.

Instructions are to be immediately issued, under orders, for the mustering out of service all colored troops raised in the Northern States, and who are now serving in the States of Virginia, North Carolina, Florida, Texas, Louisiana and Arkansas.

Thaddeus Stevens, Speed and Lancaster have openly declared themselves hostile to the restoration policy of President Johnson, and demand that he shall be thwarted in his efforts to restore peace and unity.

It is said that a son of George N. Sanders is in New York City, collecting aid for the distinguished rebels who remain over the border.

It is said that Preston King, of the New York Custom House, has a thousand offices in his gift, and that there are twenty thousand applicants.

The Emperor of Brazil is said to have placed a fine steamer at the service of Professor Agassiz, to forward the objects of his scientific expedition.

The Confederate General Ewell is living quite secluded at a second-class hotel in Washington, patiently awaiting pardon. Recently he declined an invitation to a dinner party given in his honor by some of the resident rebels. Upon being asked next day why he was not present, he made the curt reply, "Well, I get enough to eat at my hotel, and then I don't care to feast with those who were too cowardly to fight with me."

Bishop Coxé, of Western New York, is to receive a salary of five thousand dollars. Buffalo has raised twenty-five thousand dollars for an Episcopal residence for him.

The Iowa City Republican is advising its readers to "hold on to wool." Whereupon Prentiss remarks: "That's what our anti-amendment men in Kentucky are trying to do."

Little Children.

Oh how empty of delight,
And how full of heavy care,
Many a house would be to-night,
But for little children there!

Ah, what picture is so fair
As the homeliest cabin wall,
That is garnished with a pair
Of bright shoes and stockings small!

And what pleasant vocal sound
Sings to memory half so sweet
As the rusted floor whereon
Falls the patter of bare feet?

Blessings, blessings on the bed
Whose white pillows softly bear
Rows of little shining heads
That have never known a care.

Safely to the heavenly fold,
Bring them, whoso'er they be,
Thou, who midst of them, of old,
"Suffer them to come to me."

"The Louisiana State Seminary of Learning and Military Academy"

WILL resume its exercises on Monday the 2d day of October next and close a session of nine months on June 30th, 1866.

Students under fourteen years of age will not be received.

There are four Academic classes and a Preparatory class.

The applicant for admission to the 4th (or lowest) academic class must read and write well, know arithmetic as far as Ratio and Proportion, inclusive, and the rudiments of English Grammar and Geography.

Students must bring a good supply of clothing; and to save unnecessary expense, they should also bring such text books as they may have at home.

Students will be received from other States.

EXPENSES PER SESSION OF NINE MONTHS:

Fixed expenses for Tuition, Board, Washing, Fuel, Lights, Rent of Furniture, Surgeon's and Library Fees \$240. Estimated expenses for Text Books, Stationery and Contingencies, \$35. Total expense \$275. \$150 payable on 2d October, the balance on 1st March. So much of the estimated expenses as is not actually incurred, will be refunded.

Parents and Guardians are warned to be punctual in the payment of dues; otherwise their sons and wards will certainly be refused admission to the Institution; or if admitted, they will be promptly discharged. This rule is imperative; from it there can be no relaxation.

ACADEMIC BOARD:

DAVID F. BOYD, Superintendent and Professor of Ancient Languages and English Literature.

RICHARD M. VENABLE, Professor of Engineering, Architecture and Drawing.

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Post Office Alexandria, La.

J. MADISON WELLS,
Governor & Ex-Officio President

of the Board of Superintendents

D. F. BOYD, Superintendent
State Seminary.

Sept. 8, 1865-66.

For Rent.

A FINE one and a half Story House with large hall and rooms, four servants rooms, pantry, wine cellar, Stable and all other necessary out buildings. Apply to FRANK E. FORBES.

Sept. 20-1f.

\$100 REWARD.

WAS stolen on the 9th inst, from the plantation of Gen. Bailey, four miles from Alexandria a dark, chestnut, sorrel Stallion, 4 years old last April; paces fast and is in good order; dark mane and tail.

I will give \$75 for the recovery of the horse, and \$25 for the apprehension of the thief.

HUGH DERBY,
ICK HOUSE HOTEL.

Sept. 20. 1f

STOLEN.

ON THURSDAY the 14th inst., a Bay Pony, stout built, roached mane, branded O on the shoulder, and has two white feet, also branded LV on the hip. The V is made on the top of the L. A suitable reward will be given for the apprehension of the thief and horse.