New Orleans Republican.

OFFICIAL JOURNAL OF THE UNITED STATES

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THE SALE OF ARMS.

Speech of Senator West.

In the United States Senate, on Tuesday, February 27, the consideration of the resolution in reference to the sale of arms to the French was resumed. After several other Senators had spoken, Mr. West, of Louisiana, said, as reported officially in the *Congressional Globe:*

Mr. President, as I understand, at the present time it would not be in order to submit a substitute for the resolution now before the Senate, inasmuch as the pending question is on the reconsideration of the vote on the amendment of the Senator from New York (Mr. Conkling), but as I design, when the opportunity offers, to present to the Senate for its consideration a substitute for the resolution as it now stands, I claim the indulgence of the Senate for a few moments in the remarks I shall make in support of that substitute.

In submitting the substitute for the resolution in its amended form now before the Senate, I shall make an effort to recall this body for a moment from the wide field of political debate over which it has strayed and rambled, and to invite its attention to the fact that we may, in warding off attacks on the one hand, and in assailing the administration upon the other, commit the American Senate to the unparalleled course of framing an indictment against its own government for a breach of its own neutrality laws, without instigation thereto, through the complaint of the government against which a grievance is alleged. Indeed, the information upon which we are called to act comes to us solely through the power that, if any such breach has been made, should be the last to question conduct that may have benefited them and was prejudicial to their opponents. Before committing myself to such a step, or allowing the Senate to do so without protest, however feeble it may be, I shall briefly endeavor to call the attention of this body to what I think should be deemed its legitimate and expedient sphere of investigation of the subject of the sale of arms.

There has been a long, animated and at times heated discussion of the resolution under consideration. The debate has its explanation in the fact that in the understanding of those who advocate the charges made, as well as in that of those who deny them, the proposed investigation may affect the approaching presidential nomination and election. I can not but believe that it would be wiser for the friends of the present administration to permit any investigation that may be seriously demanded than to engage in a discussion in advance of a full knowledge by the Senate and the country of the circumstances such investigation is intended to disclose.

In the present temper of the American people it is not prudent to oppose the fullest and fairest investigation of any alleged abuse, as any hesitation evinced by those who are regarded by the country as most conspicuously the friends of the administration, is at once seized upon as evidence of dread upon the part of the administration itself of the consequences of investigation; and a ready inference of guilt finds prompt lodgment in the popular mind. Thus may the movers of inquiry, which if allowed without objection would come to nothing, derive from the initial opposition all the advantages of creating in the popular action. Thus may the adversaries of the administration succeed in destroying public confidence, upon which alone can it command success, not of any guilt upon its part, by sins of commission or omission, but because of the indiscretion of those whose ill-judged opposition to inquiry has filled the public mind with suspicion; and that there are those in opposition to the administration wise enough to seize that advantage, has been more than once demonstrated by the debates upon this floor during the present session.

The intensity of feeling evoked in opposition to the resolution of the honorable Senator from Massachusetts has its excuse, however, in the extraordinary character both of the preamble and resolution, proving to be, as it was probably intended, a very bombshell thrown among the Republicans of the Senate. Whether the Republican party had a right to expect such hostile projectiles from that quarter is not unworthy, perhaps, of consideration; but certain it is that his resolution, taken as a whole, is couched in such language that he could scarcely expect its adoption by the Senate, and therefore is not to be excused upon the theory that it was offered in the faith that it would be accepted. I doubt if there is in the history of the Senate a parallel for his extraordinary preamble.

In this matter the Senate stands in the attitude of a grand jury to make inquisition touching the administration of the laws by the Executive Department of the government. In adopting this preamble the Senate would prefer an indictment in advance of the inquiry, and declare the guilt of the parties accused before formal investigation of the facts. To a proper inquiry concerning matters fit for legislative investigation no one would certainly—at least no one should—object; but to condemnation in advance of inquiry, it is equally a matter of duty for Senators to object. As, however, if I do not misunderstand the purpose of Senators, this preamble can not be accepted, I shall not detain them by discussing it.

I said that no one would object to any investigation of matters coming within the proper range of legislative inquiry. In my opinion, this investigation as proposed goes beyond the scope of matters proper to be inquired into in this manner. If not improper under any and all circumstances, then it is at this time inexpedient.

I accept the issue as proposed by the honorable Senator from Missouri in the first of the three questions into which he says the subject divides itself. I quote his language:

"First, was anything done in connection with the sales of arms effected during the French German war that was inconsistent with the rule laid down by this government for its own action, that no arms should be sold to any known agent of a belligerent power."

Certainly in a matter of such importance the Senate should not institute an investigation without reasonable grounds for suspicion, and I fail to find such grounds in anything that has been adduced in this discussion. The honorable Senator undoubtedly thinks differently concerning the matter. But should the investigation result precisely according to his anticipation and assertion, what then? We would, by a senatorial inquisition, have succeeded in putting into the hands of a formidable power, now friendly and making no complaint (as I understand it as to the manner in which our international obligations have been observed), testimony against ourselves, and testimony which they could not otherwise obtain, upon which to found a complaint against the United States for a breach of neutrality. If the fact were so, is it expedient for us at this time of all others to do so! We should at the same time fix upon some executive officer or officers of greater or less grade a responsibility therefor, and might insure their punishment, but this gratification would be dearly earned at the sacrifice of our friendly relations with Prussia. The highest possible success that gentlemen could hope for would be to involve the President in the conspiracy, but the more perfect the success in this direction the more formidable would be the case we should make against our own country.

Our relations with Spain are understood to be delicate. Our complications with Great Britain, which, it had been hoped, were in a fair way of determination in a manner to remove all possibility of hostilities, seem just now to be in a disturbed condition, and possible troubles hang like lowering clouds upon the horizon. Is this a time to seek of ourselves with a third and certainly not less formidable power? Would not the possible success of making a point against this administration be eared at too frightfully dear a price if it should subject us to accusations and liabilities such as we are now pressing against Great Britain?

These suspicions cast out against our government ought not to be indulged in unless upon good grounds, and if it be within the knowledge of Senators that they are well founded, it is no part of the duty of an American Senate to make inquisitions in favor of a foreign nation. Whatever wrong may have been done, if any, has been done, and we can not undo it save by making reparation. Is it proposed that we shall be the ones, not only to make the charge, but also to furnish the proofs upon which the charge can be sustained?

The honorable Senator from Missouri pointedly inquires:

"Can you still indulge in the delusion that the German government are not as well aware of the details of this case as you are, and perhaps even better?"

If so, and there has been a breach of our neutrality laws, may we not patiently await their presentation of a claim founded thereon? And may we not accept their silence that this his first question has no foundation in fact? I confess that there is something monstrous in this demand, thus gravely urged upon an American Senate, and that they shall exhaust their inquisitorial powers, for whatever motive, in the attempt to fasten a breach of neutrality upon our own government: that they shall drag to light the secret archives of the nation, and pry into the secret acts and motives of any official, high or low, when the result, if it amount to anything, can only be to fix a stain upon the national honor? I say if it amount to anything, because the only commendable consideration which could induce our action would be to vindicate our government. Vindication presupposes a charge, and here has been no charge preferred, except it may be in this chamber; and it is for the Senate to vindicate itself as a patriotic body in refusing to give its sanction to such an unwarrantable proceeding, and not make itself *particeps criminis* therein.

Gentlemen may indulge in rhetorical rhapsodies about the national honor and character. These are quite as dear to me as they can be to any other Senator, and I will go as far as any one in maintaining them, but I do not propose to try whether I may not dig up something derogatory to that character as a means of maintaining it. I do not propose to use my prerogatives as a Senator in aid of a government to which I have never owed allegiance and never expect to.

I can join heartily in all the eloquent Senator from Missouri says of the high character and true patriotism of the honored few who in the Parliament of Great Britain protested against that course which their government was then pursuing, and warned them of the danger in prophetic words that time has made into the history of the present. Gentlemen might place themselves on the same high platform, if the incidents which we are called to investigate were now current, and an interposition were invoked to prevent a breach of neutrality upon the part of our government, into which we were being precipitated by the acts of the executive. But to make the cases parallel, and to furnish to gentlemen title to share in the high praise awarded to the friends of America in the British Parlament, it must be shown that after the deeds had been done, and now, when the hour for that reparation that they had predicted had in fact arrived, these British patriots had proposed a parliamentary inquisition into the conduct of their executive officers, to see if with their better advantages for exhuming the truth, and all the power which belongs to such authority, they could not fix the violation of neutral obligations upon their executive. Friendly as they are to us, honest as they were in their sense of duty, bold as they were in standing up for the right against an overwhelming current of popular opinion, I venture to say that it has never occurred to them that either honor or duty required them to help us make out our case against their government. Gentlemen may make higher or more fanciful codes for themselves, but for myself I am content to imitate that practical morality of Cobden, Bright, and their honored associates, which will strive to keep our country out of difficulty, but stand by it faithfully when it is involved in that very difficulty that ought to have been avoided.

I fear that honorable Senators upon this floor may live to see the day when a practical people, finding no sympathy with their Quixotic ideas of fancied honor, will say of them that they hated the President more than they loved their country. And that day may come right soon, if, succeeding in their wishes here, they drag to light circumstances that may be sufficient to fix upon our country a formidable demand from a nation alien to the great majority of our people.

Mr. President, having called the attention of the Senate to one subject that, with due deference, I submit ought not to be included in any proposed investigation, I wish now to invite your attention to another point suggested by the debate that has occurred, that in my judgment is equally beyond the sphere of legitimate inquiry. I refer to an extension of the investigation so as to include matters relating to the dealings of citizens of the United States with the then government of France.

It seems to be the purpose of Senators to invite us to inquire whether the French government has not been wronged by Mr. Remington or others. Whatever belongs to this subject is a very proper matter for the investigation of the courts in a case made for the purpose, but in no respect within any legitimate duty of the American Senate.

It is quite important for us to keep steadily in mind the legitimate range of these congressional inquisitions, lest in our zeal for ferreting out possible frauds we violate the rights of our citizens and convert our committees into so many star chambers, to outrage private privileges, by dragging before the public the personal affairs of those over whom we have no jurisdiction. A congressional committee should never be permitted to inquire into circumstances which, when ascertained, cannot be made the ground of congressional or executive action. And, therefore, it has appeared to me that the inquiry should stop short of ascertaining "the persons to whom such sales were made." It is of no consequence to whom the sales were made, in the view I have taken of expediency and of power. And if the inquiry be allowed it will be left to the discretion of the committee, in pressing the investigation to this point, to go into matters that, in my judgment, ought not to be inquired of, while within that limit free range may be afforded for the fullest investigation, so that if wrong has been done it may be brought to light, and the guilty be exposed and punished.

Having thus briefly indicated what ought not, in view of public policy and our authority, to be inquired into, it remains only to point out what we have a right to investigate, which investigation I do not understand any one on this floor opposes. Indeed, those who have been hitherto overzealous in objecting to investigations, have evinced a willingness to go further than we perhaps ought to go. And it is because no one will suspect me of over-zeal for securing the renomination of General Grant that I have felt myself at perfect liberty to express my convictions of the limit that ought to be imposed upon this investigation.

If there be guilt let us know it; if any executive officer, whatever his rank, has violated his duties to this country, let it be made public; if arms or other munitions of war have been sold without authority of law, let that be made known; if executive officers have entered into combinations to effect a purchase or sale of arms belonging to the United States at a price less than that which, without such combination, could have been obtained therefor, such conspiracy should be exposed and punished; if money has been realized from such sale that has not been covered into the treasury, the public have a right to know it. As a part of the national income it is our right and our duty to know the amount of proceeds of such sales.

It is alike our duty to aid the President in seeing that the laws are faithfully executed. And, Mr. President, all the public life of General Grant has been a lie if he does not gratefully accept such assistance. He needs no eulogy from me, and I feel that we would be doing him a kindness when we assist in giving publicity to all the acts of his administration.

Wrongs there may be. It would be strange if a country so extended, with an army of officials so numerous, there should not be very many instances of dereliction from duty. A President can be neither omniscient nor omnipresent. His responsibility attaches when, and not only when, a wrong being unquestionably brought to his knowledge, he fails to apply to apply the remedy. If a corrupt military ring are unworthily controlling public affairs, drag them to the light. Whenever a wrong is found, expose it. But do not pass judgment in advance of investigation. I pray you all, and through you the country, not to seize upon suspicions, and without inquiry adopt them as accepted facts. Let the discussion of the guilt of officials follow and not precede investigation.

Mr. President, it is a right guaranteed by the solemn sanctions of our constitution that the vilest criminal shall be fairly tried before he is publicly condemned. And shall this justice be denied to men whose lives have borne faithful testimony to their private and public probity? It is due to them, it is due to public justice, the brightest jewel in a nation's crown; it is due to ourselves and to the high office with which we have been intrusted, that we see to it that in the wild rage against official misconduct we do not take accusations for proofs, and thus involve in a common disgrace the honorable and the corrupt.

It is one of the evil symptoms of the times that men are as liable to be cried down when innocent as when guilty. No man's character will shield him from suspicion. Indeed, it has sometimes seemed as though an endeavor with rigid impartiality and unswerving integrity to discharge the duties of public office was almost the surest way to bring upon one's head a perfect torrent of vilification and abuse. There are evil men in this country in abundance whose interest it is to make it impossible for an honorable man who regards his character to hold a responsible position under the government, and the ready way of carrying into effect their foul conspiracy is to join in a general howl, which makes it impossible for the public to discriminate between the honest and the rascally, and so men conclude that all are corrupt alike. For one, I am not disposed to join in this mad rage for accusation. I know how easy it is for men to err in matters of judgment, and am not disposed to say that whoever differs from me must not only be wrong, but also dishonest.

Thus it is charged that General Dyer, an officer of rare merit and a gentleman of high character, has gone beyond the limit of his authority in selling arms that, being fit for service, ought not to have been sold. The duty of discriminating as to what arms came within the rule of the statute devolved upon him, and necessarily included the exercise of a discretion. He was authorized to sell arms that were "damaged or otherwise unsuitable for the United States military service." Statutes will not execute themselves; they require human instrumentalities to carry them into effect; and it was for the Secretary of War, or in practice the officers of ordnance, to determine what arms were for any reason unsuitable for our military service. They are liable to err, and we are just as liable to be mistaken in the judgment we may pass upon their action.

I very respectfully submit to the honorable Senator from Missouri that it is unfair to pass judgment upon a letter from a high officer of the army when we are to base our opinions upon a retranslation from a foreign language of a letter written originally in English. It may well be that in this double translation the sense may have been altered, as certainly the language could scarcely be expected to be literally restored. But accepting it as he reads it, what does the language of General Dyer's letter to the Secretary of War mean? Bear in mind that the context implies that he was writing to inform the Secretary whether the arms are worthless or fit for use, and his statement is that the arms were "good for service," "fit to be issued to our troops." Does it therefore follow that the Secretary of War had no authority to permit them to be sold under the statute directing him to sell arms which are damaged or otherwise unsuitable for the United States military service? Note this language, the Secretary of War is "directed" to sell; about this there is no discretion. He must sell; and sell what? First, damaged arms; and secondly, arms which, though not damaged, were unsuited for the military service of the United States. How was this unsuitableness to be determined? Necessarily by the discretionary judgment of his officers of ordnance. Some standard of excellence must first be established as that proper for our military service, and then it was for the officer in charge to determine what arms came up to and what fell short of this standard. The latter would be arms unsuitable by the terms of the statute.

The United States then owned vast quantities of arms, which, though fit for use—for they had been used through our war of the rebellion—still, might be unsuitable for present purposes. They might be fit for use under a pressing emergency, such as had once come upon us, and was then crushing France to the earth, but, nevertheless, they might be, within the meaning of the statute, unsuitable for the military service of the United States.

With arsenals now filled with superior arms, and with workshops engaged in turning out new ones in quantity, meeting all the requirements of present and prospective wants, is it to be charged against these officers that they fixed a high standard of excellence, and retained only weapons that we would be willing to take into our hands should the dread exigencies of war again fall upon our country?

Mr. President, it would scarcely comport with the dignity of the United States Senate to send out a committee of men—less qualified, possibly, to judge of the matter than General Dyer—to examine into this subject, and come back here to tell us that General Dyer, included in his sales some arms which were suitable for our military service. The question would naturally arise in one's mind, "Well, what of it?" The gravamen of this charge must be that there was a guilty violation of an imposed duty, not merely an error of judgment honestly exercised. If there be suspicion in the mind of any that such guilty intent existed, by all means let the investigation be thorough, but let us not prejudge the question. It will be due time to form our opinions when we know the facts and what is the explanation.

At present all discussion is premature, and I have been led into it only because of the prominence given to this point by the honorable Senator from Missouri, and it is, I believe, the only one he makes under his second inquiry, whether in these proceedings our own laws have been violated? I reply to him that he has presented no satisfactory evidence that they have, but that if he wants the question investigated he shall have my support. And when the testimony is adduced he may expect a fair hearing before the Senate if he has anything to propose, though I venture the prediction that the matter will never be heard of again after the committee has reported.

Entertaining these views, Mr. President, upon the question of our international obligations, I have come to the conclusion, after more mature deliberation, not to vote for the resolution embodying the amendment of the honorable Senator from New York, and I have consequently not embraced his amendment in the substitute that I have offered. But I recur again to what I consider the legitimate and expedient sphere of investigation of the sale of arms by the Senate. Under the statute, arms are permitted to be sold under certain circumstances. We know that arms have been sold. Wherein does it concern us to inquire, for our own satisfaction, to whom those arms were sold? That question should be answered when it is propounded by others who may at some future time claim to have been aggrieved. What does concern us is to know, first, whether the sums realized from such sales have duly and regularly found their way to their legitimate depository, the Treasury of the United States; second, whether the letter or even the spirit of the statute authorizing their sale has been violated. Thus much, and no more, seems to me at present to be our duty, and our whole duty.

Mr. President, the Senator from New Jersey said yesterday that it was no part of the duty of the American Senate to be making up a case against its own country; that it is unpatriotic. That sentiment entirely corresponds with my own idea, and I shall cling to the sheet-anchor of patriotism where the honor of my country is involved. For no motive whatsoever, neither for any purpose, good or bad, nor yielding to any popular clamor or dread of misconstruction, will I aim in striking a blow against the country to which all my allegiance and service is due.

And now I ask the Senate's pardon for detaining them a few moments longer, but I can not close without expressing my profound regret that it should be apprehended that the integrity of the Republican party is liable to be endangered by these discussions. Regarding, as I do, as a necessity, the continuance of that party in power long enough to make the loyal men of the South safe, not only in their personal rights, but in their political privileges, I shall regard its disruption and defeat as among the most serious of possible calamities, for I shall read in it the probable loss of much of that liberty which it has cost so great sacrifice to attain, and the certain renewal of those fierce contentions which we have had to endure, and from which we were only delivered by the strong arm of a friendly federal power.

Gentlemen may listen, with credulous satisfaction to the soft wooing of the Democratic siren, but I can not share their confidence. I can not forget the terrible lessons of the past, nor give my trust to that party to which this country owes the direful woes with which it has been afflicted. I can not trust their promises. The conversion has been too sudden. It is not yet four years since, in my own native State, Union men were threatened, and not idly, but with such deadly intent that none of us could say that our lives were safe an hour. There are men now representing Louisiana in this Congress who did not dare to sleep two consecutive nights in the same house. Our voters dared not for their lives go to the polls to cast their ballots for the men of their choice. Am I to believe that these persecutors are suddenly turned into lambs? Nor will I permit myself to be lulled into any ill-timed security by the hope that a few men, heretofore Republicans, can, by joining this lawless Democracy, control its fierce elements. The South still rings with the shrieks of victims of barbarous Ku-Klux outrages, telling us that the Democracy of the South is still the same. That party has held supreme sway in New York. Have recent disclosures strengthened our hopes that the Northern Democracy have improved since the day when an outraged people hurled them from national supremacy? What reason have these reform Republicans to hope that the virtue of the Democracy of to-day is anything more than that enforced propriety which comes of lack of opportunity to sin? Where opportunity has existed, have they proved superior to the temptations that have caused some Republicans to fall into error?

The most that can be said in favor of the Missouri resolutions is that they are not inconsistent with Republican principles. If not, why go out of the Republican party to adopt our principles, upon a mere profession of a new faith by those whose lives have been spent in making war upon us? There may be things proper for complaint in the transactions of our party, but—

"Rather bear those ills we have,
Than fly to others we know not of."

If our personal preferences among men are overborne by the will of the majority, why may we not acquiesce, as we would expect others to acquiesce, if the majority should be with us? While I have my own personal preferences, still, this man or that is of the things of to-day, while the continuance of the supremacy in the national councils of that party which saved our country from division, which swept away the foul blot of slavery, and consecrated our wide domain, in fact as in name, to freedom, and which by its strong hand has sustained and encouraged the weak until they are becoming strong, is a matter of all the future. When the great work of the Republican party has been finally completed, and in this broad land no force is found formidable enough to threaten the perpetuity of the order of things thus established, then, and not until then, can patriotic men heretofore identified with it turn their backs upon that party and seek in new interests and affiliations to secure that identity of sympathy in minor matters which a sense of duty should now constrain them to sacrifice to higher considerations.

The Boston *Herald*, after informing a correspondent that it has not room to publish half the letters received, and tries to use those of most public interest, coolly adds that if he isn't satisfied he can publish a paper of his own.

LAWS OF THE STATE OF LOUISIANA.

PUBLISHED BY AUTHORITY.

AN ACT No. 2.

To amend an act entitled an act to incorporate the city of Carrollton, approved March 17, 1859, and acts supplementary thereto.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the first section of an act entitled an act to incorporate the city of Carrollton be and the same is hereby amended so as to read:

"SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the territory and inhabitants within the following limits, to wit: Beginning at the Mississippi river, on the present upper line of the city of New Orleans, on the lower line of Lowerline street, of Carrollton, following the upper line of the city of New Orleans to the northern limit of the parish of Jefferson, thence following the northern limit of said parish of Jefferson, and the boundary of said parish, with the parish and city of New Orleans, to the Labarre road, thence along the centre of said road to the Mississippi river, and thence following the river bank to the place of beginning, shall be a corporation and body politic, with perpetual succession, by the name of the city of Carrollton."

SEC. 2. Be it enacted, etc., That section five of said act be and the same is so amended and re-enacted, as to read:

"SEC. 5. Be it further enacted, etc., That the said Mayor and Council, when duly organized, are empowered to ordain, establish and cause to be carried into effect and execution all such by-laws, ordinances, resolutions, rules and regulations as they may deem expedient for the good government of said corporation which are not contrary to the constitution of the State or the United States. They are empowered and authorized to levy and collect taxes and charges in such manner as they may deem expedient on all steamboats, ships, flatboats, rafts and watercraft of every description landing at the levee, batture or wharves in front of said city; also upon all carriages, omnibuses, carts, drays wagons, timber wheels and every other vehicle of whatsoever kind within said city. They are authorized and empowered to lay and collect an annual tax upon all kinds of property, real or personal, and upon stores, trades, professions or occupations to such amount as they may deem expedient; provided, that in the imposition, assessment and collection of any of said taxes or charges equality shall be observed, and that the imposition thereof is not contrary to law; and provided further, that a majority of all the members composing the Mayor and Council concur therein. They are empowered to pass ordinances for the abatement of nuisances and the arrest of offenders, and to dispose of vagrants. The present Mayor and Council are authorized and empowered to fund the outstanding debts and obligations of the said city of Carrollton, created for the wharves, streets, gas and other improvements of said city, by issuing bonds of said city in such sums as said council may deem advisable, running for thirty years, with interest at eight per cent, payable semi annually; provided, that any ordinance providing for the issuance of bonds shall provide for the payment of the principal and interest of such bonds, by levying such annual tax as will provide a sufficient sum to pay the interest of said bonds as the same may come due, and provide a sufficient sinking fund to meet the principal at maturity; and provided further, that the Mayor shall have the power to veto any ordinance or resolution, or any specific appropriation not required by the law of the State, by giving, in writing, at or before to first regular meeting of the Council thereafter, his reasons against the same, otherwise he shall sign all ordinances and resolutions passed in due form by the Council; and such ordinances and resolutions shall, thereupon, have the force of law: and six [members] of the Council voting for any vetoed ordinance, resolution or appropriation shall pass the same, the objection of the Mayor notwithstanding."

SEC. 3. Be it further enacted, etc. That section ten of said act be and the same is amended and re-enacted so as to read:

"SEC. 10. Be it further enacted, etc., That the roads, streets, levees, wharves and public places and thoroughfares in said city shall be under the entire control of said Mayor and Council, and they may and shall pass such laws and ordinances for the regulation thereof as they may deem expedient; provided, that no ordinances in relation to those places or the levees shall interfere with the rights of the public thereto, as laid down in the Civil Code and laws of this State. They are hereby vested with the power to repair, alter or enlarge said levees, and, if necessary for the safety of the inhabitants, to make a new levee in front of any part of said city, in such places and manner as the exigency of the case, in their discretion, may require, and two-thirds of the said Mayor and Council concurring, are empowered to levy and collect a special tax on the real estate and personal property in said city to pay all expenses and costs arising therefrom. They are empowered to curb, gutter, grade, pave, shell or plank sidewalks, streets and public thoroughfares, and charge the front owners on such places the one half costs for sidewalks, including curbs and gutters, and one-half of the whole costs for streets, except crossings; and to pay for the one-third of the whole costs for streets, and the crossings and corners. They are authorized and empowered to issue improvement bonds, running for ten, twenty or thirty years, bearing interest at not exceeding eight per cent per annum; provided, that all improvement of streets shall be done under contract, upon terms to be made by the said Mayor and Council, and said Mayor and Council are empowered to make wharves, plant tie-posts, and regulate the port of said city, and also to cause vacant lots to be fenced and filled up to the grade of the city, at the expense of the owners, when necessary."

SEC. 4. Be it further enacted, etc., That the present Mayor and members of the Council shall serve the full term for which they were elected to, respectively; and provided further, that any vacancy caused by death, resignation, or otherwise, the Governor shall have full power to fill said vacancy for the unexpired term of said office.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK
Lieutenant Governor and President of the Senate.
A true copy:
F. J. HERRON,
Secretary of State.

The foregoing act, received at my office February 12, 1872, having been presented to the Governor of the State of Louisiana for his approval, and not having been returned by him, to the House of the General Assembly in which it originated within the time prescribed by the constitution of the State of Louisiana, has become a law without his approval. F. J. HERRON,
Secretary of State.

AN ACT No. 3.

Appropriating to Mrs. Ellen B. Dunn, widow of the late Lieutenant Governor Oscar J. Dunn, the balance of the salary that would have been due him had he lived to the end of his term of service.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That there be and is hereby appropriated out of any money now or hereafter in the State treasury, not otherwise appropriated, to Mrs. Ellen B. Dunn, widow of the late Lieutenant Governor Oscar J. Dunn, the balance of the amount of salary that would have been due him as Lieutenant Governor from the day of his death to the end of his term of service, had he survived, and that the same be paid on the warrant of the said Mrs. Ellen B. Dunn on the Auditor of Public Accounts. This appropriation not to interfere with the salary of the present Lieutenant Governor.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. PINCHBACK,
Lieutenant Governor and President of the Senate.
Approved February 10, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. HERRON,
Secretary of State.

AN ACT No. 4.

For the relief of John Osborn, judge of the Ninth Judicial District.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the State Auditor of Public Accounts be and he is hereby required and directed to draw State warrants in lieu of the warrants lost, mislaid or taken from J. Osborn, numbering one hundred and four and one hundred and fifty-nine, audited on the twenty-second day of May, A. D. 1869, and thirty-first day of December, A. D. 1869, and payable as dated, each for the amount of twelve hundred and fifty dollars, making the sum of twenty-five hundred dollars, payable out of the general funds; said warrants disappearing, etc., on or about the first day of October, A. D. 1871, and payment stopped by J. Osborn, owner, by notice served on the State Treasurer and Auditor. These two warrants were given for the quarters ending March 31, and December 31, 1869, as the salary for the judge of the Ninth Judicial District of Louisiana.

SEC. 2. Be it further enacted, etc., That J. Osborn, when he receives from the Auditor of Public Accounts the warrants provided by this act, be required to execute a bond in favor of the State, with good security, to be approved by the said Auditor, that the lost warrants will never be paid by the State, or, in the event of their payment, that he and his securities shall refund the amount to the State.

SEC. 3. Be it further enacted, etc., That this act shall take effect from and after the passage of the same.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and President of the Senate.
Approved February 12, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. HERRON,
Secretary of State.

AN ACT No. 7.

To amend an re-enact article three thousand one hundred and sixty-five of the Revised Civil Code.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That article three thousand one hundred and sixty-five of the Revised Civil Code be amended and re-enacted so as to read as follows: The creditor can not, in case of failure of payment, dispose of the pledge, but when there have been pledges of stock, bonds or other property for the payment of any debt or obligation, it shall be necessary, before such stocks, bonds or other property so pledged shall be sold for the payment of the debts for which such pledge was made, that the holder of such pledge be compelled to obtain a judgment in the ordinary course of law, and the same formalities in all respects shall be observed in the sale of property so pledged as in ordinary cases; but in all pledges of movable property, or rights, or credits, stocks, bonds or other movable property, it shall be lawful for the pledger to authorize the sale or other disposition of the property pledged in such manner as may be agreed upon by the parties without the intervention of courts of justice; provided that all existing pledges shall remain in force and be subject to the provisions of this act.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and President of the Senate.
Approved February 23, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. HERRON,
Secretary of State.

AN ACT No. 8.

For the relief of William Bendel.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the Auditor of Public Accounts be and is hereby authorized to issue, in favor of William Bendel, a duplicate warrant, in lieu of that heretofore issued by the Auditor of Public Accounts, being No. 1524, for the sum of two hundred and seventy-one dollars and sixty cents, in favor of the treasurer of the parish of Lafayette, for the use of the free public school of said parish, for the quarter ending March 31, 1867, and which warrant has been, by said treasurer, transferred to J. B. Melancon, in payment of salary as public school teacher, and by said Melancon transferred to William Bendel and lost in the postoffice.

SEC. 2. Be it further enacted, etc., That this act take effect from and after its passage.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and President of the Senate.
A true copy:
F. J. HERRON,
Secretary of State.

Received in the office of Secretary of State February 22, 1872.

NOTE BY THE SECRETARY OF STATE.—The foregoing act having been presented to the Governor of the State of Louisiana for his approval, and not having been returned by him to the house of the General Assembly in which it originated within the time prescribed by the constitution of the State of Louisiana, has become a law without his approval.

AN ACT No. 10.

To amend an act entitled "An act to incorporate the Pontchartrain Railroad Company, approved on the twentieth January, 1830, and the several acts amendatory thereof; also, to enable the said Pontchartrain Railroad Company to sell to Charles Morgan, his heirs, successors and assigns, that portion of said Pontchartrain railroad, with its tracks, depots, appurtenances and franchises, lying between Girod street and Elysian Fields, and to authorize said Charles Morgan to incorporate the same with the road now known as Morgan's Louisiana and Texas railroad, formerly known as the New Orleans, Opelousas and Great Western railroad, and for the purpose of providing continuous and unbroken communication between the same by ferry transportation.

SECTION 1. Be it enacted by the Senate and House of Representatives of the State of Louisiana in General Assembly convened, That the Pontchartrain Railroad Company be and the same is hereby authorized and empowered to sell to Charles Morgan all that portion of said railroad, with its main and side tracks, its rails, turnouts, depots, appurtenances and the franchises thereunto appertaining, such as they now exist, being the portion of said road extending from its former terminus at the intersection of Elysian Fields and Peters or Levee street, along the curbstones bordering the levee to St. Philip street, thence in the centre of Clay street to Toulouse street, thence on the levee to the intersection of Canal and Delta street, and thence in the centre of Delta street to the upper side of Girod street, and to their present depots at the head of Girod and Lafayette streets, reserving only the rolling stock. Said sale to be for the sum of two hundred and fifty thousand dollars ($250,000), payable by said purchaser on such terms and conditions as the parties may agree upon.

SEC. 2. Be it further enacted, That said Charles Morgan, should he become the purchaser of said portion of the Pontchartrain railroad described in the first section of this act, be and he is hereby authorized to maintain, manage and use the same by carrying passengers and freight thereon, and for that purpose, by running thereon cars with steam power of locomotion along the said route, with the necessary turnouts along the said route, to and from the freight and passenger depots as aforesaid at the head of Girod and Lafayette streets, and to the levee at the intersection of Elysian Fields and Peters or Levee street, and to unite and connect the same with the railroad now known as Morgan's Louisiana and Texas railroad, formerly known as the New Orleans, Opelousas and Great Western railroad, so as to run the passenger and freight cars, or either, of the last named railroad, over the portion of the Pontchartrain rail road purchased by said Charles Morgan, as contemplated by this act, connecting the same by ferriage transportation over the Mississippi river, so as to maintain continuous and unbroken transportation of said railroad cars to and from said Morgan's Louisiana and Texas railroad, over the portion of said Pontchartrain railroad so purchased by said Morgan, and described in the first section of this act, up to the passenger and freight depots at the head of Girod and Lafayette streets.

SEC. 3. Be it further enacted, That should the said Charles Morgan become the purchaser of said portion of said Pontchartrain railroad described in the first section of this act, and as contemplated therein, the said Pontchartrain Railroad Company shall be authorized to sell and transfer to the said Charles Morgan, his heirs, assigns and successors, all the rights, privileges, servitudes, and franchises now enjoyed by said Pontchartrain Railroad Company in reference to said portion of said road so purchased by him; and in consideration of the facilities afforded for continuous and unbroken transportation of railroad cars over the Louisiana and Texas railroad to the depots at the head of Girod and Lafayette streets the said purchaser shall not be required to maintain transportation for freight or passengers over said portion of said railroad, so purchased as aforesaid, to and from Lake Pontchartrain.

SEC. 4. Be it further enacted, That for the purpose of affording unbroken communication between the extension of the Pontchartrain Railroad Company, hereinbefore referred to, with Morgan's Louisiana and Texas railroad, at the spaces designated in this and the subsequent sections of this act, and to facilitate the speedy transportation of railroad cars and the ready and safe delivery and receipt of freight, the said Charles Morgan shall be authorized to construct, use and maintain such tracks, side tracks, switches and turnouts as may be necessary, from the lower side of St. Philip street to the upper side of Toulouse street, connecting the same with the ferryboats and with the portion of the Pontchartrain railroad purchased by him, as contemplated by this act, and described in the first section thereof.

SEC. 5. Be it further enacted, That for the purpose of facilitating said continuous and unbroken communication of railroad cars, and of providing a place for the receipt and delivery of freight and passengers at the place designated, a space shall be set apart, not less than four hundred feet, fronting on the river, commencing at the upper line of Marigny street, and extending upward along the river and back to the street in front of the Port Market, to serve as a landing exclusively for steam ferry-boats carrying the trains of railroad cars appertaining to said Morgan's Louisiana and Texas railroad, and the receipt and delivery of freight at said space, with the privilege of running tracks on the levee, so as to afford suitable convenience for running the said cars from and on said ferry-boats to railroad tracks terminating at said ferry landing; and the said Charles Morgan is further authorized to construct on the levee, between the upper line of Barracks street and the upper line of Marigny street a railroad track or tracks, with suitable turnouts and sidings, and all necessary local machinery, to afford the requisite convenience for transmission and locomotion of the said railroad cars and trains of cars from and on the said ferry-boats; and the said track or tracks, sidings and turnouts, shall connect with and form a part of the extension of the Pontchartrain Railroad Company, hereinbefore referred to in the first section of this act; and the city of New Orleans, through its legal Administrators, shall be required to set apart said space, hereinbefore referred to, and a space, fronting on the Mississippi river, of not less than one hundred and seventy feet, fronting on the line of the Mississippi river, commencing on the lower line of St. Anne street, and running upward to the extent of one hundred and seventy feet, as aforesaid, and extending back, in straight lines, to Levee or Peters street, to serve exclusively as a ferry landing and depot for passengers and freight; also to set aside a space of one hundred and twenty-five feet, fronting on the Mississippi river, commencing on the lower side of St. Anne street, and running down along the margin of the river a distance of one hundred and twenty-five feet, as aforesaid, to be used exclusively as a landing for said steam ferries, with the exclusive privilege of receiving and delivering at the same any freight carried or to be carried on Morgan's Louisiana and Texas Railroad.

SEC. 6. Be it further enacted, That the privileges, rights and franchises conferred by this act, shall continue until forfeited by abandonment or a breach of the conditions and obligation upon which they are conferred, to be ascertained and determined in due course of law.

SEC. 7. Be it further enacted, That the fourteenth section of the act entitled "An act to incorporate the Pontchartrain Railroad Company" be and the same is hereby repealed.

SEC. 8. Be it further enacted, That this act shall have full force and effect from and after its passage, and as soon as the same shall have been accepted by the shareholders of the Pontchartrain Railroad Company holding a majority in the number of shares of said company, said shareholders to be convened after ten days' notice in the newspapers of the city of New Orleans.

(Signed) O. H. BREWSTER,
Speaker of the House of Representatives.
(Signed) P. B. S. PINCHBACK,
Lieutenant Governor and President of the Senate.
Approved February 24, 1872.
(Signed) H. C. WARMOTH,
Governor of the State of Louisiana.
A true copy:
F. J. HERRON,
Secretary of State.

OFFICIAL NOTICES.

UNITED STATES MAILS.

Louisiana.

POSTOFFICE DEPARTMENT,
Washington, January 2, 1872.

PROPOSALS WILL BE RECEIVED AT THE Contract Office of this Department until three o'clock P. M. of April 1, 1872 (to be decided by the twentieth), for carrying the mails of the United States from July 1, 1872, to June 30, 1875, on the following routes in the State of Louisiana, and by the schedules of departures and arrivals herein specified, being routes established at the third session of the forty-first Congress and first session of the forty-second Congress, and others.

Including, also, routes on which bidders or contractors under advertisements of September 30, 1870, and August 4, 1871, failed to fulfill their engagements.

Bids of $5000 and upward must be accompanied by a certified check or draft equal to five per cent. of the bid.—Law of March 3, 1871.

8007 From Brashear, by Berwick (n. o.), Pattersonville Centerville, Baldwin, Charenton (n. o.), Cypre Mort, and Jeannerett's, to New Iberia, seventy miles and back, six times a week, in steamboats.
Leave Brashear daily, except Sunday, at 11:30 P. M.;
Arrive at New Iberia next day by 6 A. M.;
Leave New Iberia daily, except Sunday, at 5 P. M.;
Arrive at Brashear by 12 M.

[See notice to bidders on page 89.]
Samuel Blackwood, of Galveston, Texas, and William Collins, of Louisville, Kentucky, failing bidders.

8010 From New Orleans, by Ducros' Station (n. o.), Drews's Station, St. Bernard, Moss Grove (n. o.), Jesuit's Bend, Beausejour, St. Sophia, Home Place, Point-a-la-Hache, Point Michel, and Grand Prairie, to Buras, sixty-seven miles and back, twice a week, in steamboats.
Leave New Orleans Monday and Friday at 9 A. M.;
Arrive at Buras by 6 P. M.;
Leave Buras Tuesday and Saturday at 5 A. M.;
Arrive in New Orleans by 5 P. M.

Jacob A. Pulver and L. S. Burk, of New Orleans, failing bidders.

8014 From New Orleans, by McCutchen's Landing (n. o.), St. Charles, Gassin's Landing (n. o.), Edgard, Bonnet Carre, Longview, Vacherie Roads, Cantrelle, Grande Point (n. o.), Convent, Tureaud (n. o.), Donaldsonville, New River, Bayou Goula, St. Gabriel, Plaquemine, Bruly Landing (n. o.), Baton Rouge, West Baton Rouge, Lobdell's Store (n. o.), Belle Vale, Port Hudson, Hermitage and Waterloo to St. Francisville, one hundred and seventy miles and back, twice a week, in steamboats.
Leave New Orleans Tuesday and Friday at 9 A. M.;
Arrive at St. Francisville next days by 9 A. M.;
Leave St. Francisville Wednesdays and Saturdays at 10 A. M.;
Arrive at New Orleans next days by 10 A. M.

[See notice to bidders on page 89.]
Jacob A. Pulver, of New Orleans, and Orville Edwards, of Alexandria, Louisiana, failing bidders.

8015 From New Orleans, by Jefferson, to Carrollton, six miles and back, six times a week.
Leave New Orleans daily, except Sunday, at 9 A. M.;
Arrive at Carrollton by 12 M.;
Leave Carrollton daily, except Sunday, at 1 P. M.;
Arrive at New Orleans by 4 P. M.

Samuel Blackwood, of Galveston, Texas, and John Murphy, of Franklin, Louisiana, failing bidders.

8056 From Bellevue to Fillmore, seven and a half miles and back, once a week.
Leave Bellevue Wednesday at 10 A. M.;
Arrive at Fillmore by 12 M.;
Leave Fillmore Wednesday at 1 P. M.;
Arrive at Bellevue at 3 P. M.

8073 From Washington, by Dunbarton (n. o.), Bayou Boeuff, St. Peter's, Holmesville, to Evergreen, forty-nine miles and back, once a week.
Leave Washington Monday at 7 A. M.;
Arrive at Evergreen next day by 12 M.;
Leave Evergreen Tuesday at 2 P. M.;
Arrive at Washington next day by 6 P. M.

Joseph Johnston, of Navasota, Texas, failing contractor, and Hardy Stone, of Ville Platte, Louisiana, failing bidder.

8082 From New Iberia, by St. Martinsville, Cote Gelee, Vermillionville, Grand Coteau, Opelousas, Washington, Ville Platte, Bayou Chicot, Holmesville and Lloyd's Bridge (n. o.), to Cheneyville one hundred and thirty-one miles and back, six times a week to Washington, and three times the residue.
Leave New Iberia daily, except Sunday, on arrival of mail-boat—say at 1 A. M.;
Arrive at Washington by 9 P. M.;
Leave Washington Sunday, Tuesday and Thursday at 3 A. M.;
Arrive at Cheneyville next day by 11 A. M.;
Leave Cheneyville Monday, Wednesday and Friday at 11:30 A. M.;
Arrive at Washington next days by 9 P. M.;
Leave Washington daily, except Sunday, at 3 A. M.;
Arrive at New Iberia by 9 P. M.

[See notice to bidders on page eighty-nine.]
Samuel Blackwood, of Galveston, Texas, and William Collins, of Louisville, Kentucky, failing bidders.

8083 From New Iberia to Abbeville, twenty-four miles, and back, twice a week.
Leave New Iberia Monday and Thursday at 8 A. M.;
Arrive at Abbeville by 4 P. M.;
Leave Abbeville Tuesday and Friday at 8 A. M.;
Arrive at New Iberia by 4 P. M.

Samuel Blackwood, of Galveston, Texas, and John Murphy & Co., of Franklin Louisiana, failing bidders.

8084 From St. Martinsville, by Breaux Bridge, La Place (n. o.), Arnaudville, Leonville (n. o.) and Barry's Landing (n. o.), to Opelousas, forty-nine miles, and back, three times a week.
Leave St. Martinsville Tuesday, Thursday and Saturday at 6 A. M.;
Arrive at Opelousas next days by 10 A. M.;
Leave Opelousas Wednesday, Friday and Monday at 11 A. M.;
Arrive at St. Martinsville next days by 3 P. M.

Samuel Blackwood of Galveston, Texas, and Silas Dean, of Opelousas, Louisiana, failing bidders.

8089 From New Iberia, by Mermenton, Lake Charles and West Fork, to Orange, Texas, one hundred and fifty-eight miles and back, three times a week.
Leave New Iberia Tuesday, Thursday and Saturday at 6 A. M.;
Arrive at Orange next days by 6 P. M.;
Leave Orange Monday, Wednesday and Friday at 6 A. M.;
Arrive at New Iberia next days by 6 P. M.

8091 From New Orleans to Saint Bernard, thirty-two miles and back three times a week.
Leave New Orleans Monday, Wednesday and Friday at 7 A. M.;
Arrive at Saint Bernard by 5 P. M.;
Leave Saint Bernard Tuesday, Thursday and Saturday at 7 A. M.;
Arrive at New Orleans by 5 P. M.

8092 From Plaquemine, by Myrtle Grove, Bayou Chene, Chicot Pass and Grand Rivere, to Charenton, in Saint Mary parish, sixty miles and back, once a week.
Leave Plaquemine Monday at 8 A. M.;
Arrive at Charenton next day by 6 P. M.;
Leave Charenton Wednesday at 8 A. M.;
Arrive at Plaquemine next day by 6 P. M.

8093 From Greenwood, by Currie's Store to Mooringsport, forty miles and back, once a week.
Leave Greenwood Tuesday at 6 A. M.;
Arrive at Mooringsport at 7 P. M.
Leave Mooringsport Wednesday at 6 A. M.
Arrive at Greenwood by 7 P. M.

8094 From Arcadia, by Sparta, to Ringgold, thirty-three miles and back, twice a week.
Leave Arcadia Tuesday and Friday at 7 A. M.
Arrive at Ringgold by 6 P. M.;
Leave Ringgold Wednesday and Saturday at 7 A. M.;
Arrive at Arcadia by 6 P. M.

8095 From Forksville to Indian Village, ten miles and back, once a week.
Leave Forksville Tuesday at 8 A. M.;
Arrive at Indian Village by 12 M.;
Leave Indian Village at 1 P. M.;
Arrive at Forksville by 4 P. M.

8096 From Rayville to Redmouth and back, once a week.
Bidders will state distances and propose schedule of departures and arrivals.

8097 From Farmersville, by Spearsville, to El Dorado, Arkansas, forty miles and back once a week.
Leave Farmersville Monday at 6 A. M.;
Arrive at El Dorado by 8 P. M.;
Leave El Dorado Tuesday at 6 A. M.;
Arrive at Farmersville by 8 P. M.

NOTICE TO BIDDERS.

The certificate on the following routes in Louisiana, viz: Nos. 8007, 8014, 8082, must be signed by the Postmaster at one of the following offices in Louisiana, viz: New Orleans, Baton Rouge, Shreveport, Monroe, New Iberia or Washington. If for any reason the certificate can not be obtained of Postmasters at the offices mentioned, the certificate of Postmasters in other States, of the first, second or third class, will be received.

All Postmasters signing certificates of guarantors and sureties will be held to a strict accountability for the correctness of their certificates.

For forms of proposal, guarantee and certificate, and also for instructions as to the conditions to be embraced in the contract, etc., see advertisement of this date in pamphlet form, also advertisements of September 30, 1870, and August 4, 1871, inviting proposals for mail service in Louisiana, to be found at the principal postoffices.

Bids should be sent in sealed envelopes, superscribed, "Mail proposals, State of Louisiana," and addressed to the Second Assistant Postmaster General.

JOHN A. J. CRESWELL,
Postmaster General.

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