# NEW ORLEANS REPUBLICAN.

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VOLUME VII—NO. 251. NEW ORLEANS, FRIDAY, JANUARY 30 1874. WHOLE NUMBER 2092.



## AMUSEMENTS.

ACADEMY OF MUSIC.
Proprietor and Manager....MR. DAVID BIDWELL
LYDIA THOMPSON
BURLESQUE TROUPE.
Every Night and Saturday Noon.
ja14

ACADEMY OF MUSIC.
Mardi Gras Night, February 17, 1874.
LA COTERIE
CARNIVAL AND BAL MASQUE,
Under the auspices of appropriate committees, composed of well known citizens.
Applications for ladies' invitations may be left at the box office, subject to approval of invitation committee, and due notice will be given when ready for delivery. ja28

ST. CHARLES THEATRE.
Benefit of the universal favorite
LOTTA,
Supported by Mr. E. A. Locke and Frank Evans when a grand testimonial will be presented to her by her lady admirers.
Friday Evening, January 30,
ZIP.
Her well songs, dances, banjo solos etc.... LOTTA
Saturday—LOTTA MATINEE AT 12 M. Reserved seats seventy-five cents.
Sixteenth Annual Mardi Gras Ball, February 17, 1874.
NOTICE.—Invitations for ladies can be obtained at the box office on application to Mr. P. Gleason, Treasurer, subject to the approval of the invitation committee. ja30

OPERA HOUSE.....OPERA HOUSE
Saturday, January 31, 1874.
MATINEE AT TWELVE O'CLOCK,
LA GRACE DE DIEU.
Drama in five acts.
Saturday Evening, Performance at 7.
ja30 2t L'AFRICAINE.

GRAND FANCY DRESS MASK
AND
FIREMEN'S BALL
OF
LOUISIANA HOSE COMPANY.
WUNNEWALD HALL SATURDAY EVENING, February 28, 1874, for the benefit of the Relief Fund.
COMMITTEE OF ARRANGEMENTS—R. H. Benners, chairman; James I. Day, A. J. Stringer, Joseph P. Hornor, B. Schierman, H. P. Buckley, Phil. Beck, Charles T. Howard, John Snider, Chris. Madden, John Cottreaux.
Tickets, $2. Application for Ladies' Invitations to be left at the Engine House. Proposals for rent of Bar, Hat Room and Restaurant to be addressed to R. H. BENNERS, No. 56 Camp street.
ja18 25 28 1m

VARIETIES THEATRE.
T. C. DeLEON.....Sole Lessee
THE LEGITIMATE, FOR TWO WEEKS ONLY.
Commencing
Monday Evening, January 26, 1874.
Engagement of the
EMINENT TRAGEDIAN
LAWRENCE BARRETT.
Supported by Miss Louise Hawthorne, Mr. John W. Norton and a powerful company, chosen to support him.
FRIDAY, JANUARY 30,
KING LEAR.
SATURDAY, JANUARY 31,
RICHARD III.
TWO LADIES' MATINEES.
Wednesday, January 28, at Noon,
ROMEO AND JULIET MATINEE.
Saturday, January 31, at Noon,
MARBLE HEART MATINEE.
Notwithstanding the great expense attending Mr. BARRETT'S engagement, there will be NO CHANGE OF PRICES.
Box office open for the sale of reserved seats for any evening, and for the Matinee on Thursday morning, January 22, at ten o'clock. ja18 3w

ST. PATRICK'S FAIR
WILL OPEN
Friday, January 30, 1874.
AT
ODD FELLOWS' HALL.
The ladies in charge of the different tables have exerted their utmost ingenuity and talent to render the entertainment an attractive one, and they ask of their friends and the public that hearty support which the worthy object in view so richly merits.
The best of refreshments will be served at REASONABLE PRICES, and the large assortment of FANCY and USEFUL ARTICLES which adorn the tables will be sold at rates that must tempt the most careful buyers.
Come One, Come All,
and give your assistance to
OLD ST. PATRICK'S ja30 12t

SCALES.
FAIRBANKS'
UNITED STATES STANDARD
SCALES,
WEIGHTS
AND MEASURES.
THE BEST IN THE WORLD.
Highest Prize at Paris, 1867.
Highest Prize at Vienna, 1873.
Highest Prize at Montreal, 1873.
Highest Prize at Macon, Georgia, 1873.
IN THEIR CORRECTNESS OF PRINCIPLES,
IN THEIR ACCURACY OF ADJUSTMENT,
IN THEIR DURABILITY,
AND
IN THEIR CONVENIENT ADAPTABILITY TO
EVERY BUSINESS NEED
THEY ARE WITHOUT A PEER.
Every variety, and for all uses, to be had at their
Warehouse, No. 53 Camp Street,
New Orleans.
ja30 1m W. B. BOWMAN, Agent.

WOOD---COAL.
WOOD.....88.....WOOD.
R. D. MACLIN,
No. 30 Carondelet street,
Branch Office corner Third and Tchoupitoulas Streets.
Choice ASH or OAK WOOD delivered to any part of the city at $8 per cord. ja27 6t

B. D. WOOD. JOHN A. WOOD. J. H. WOOD.
B. D. WOOD & BROTHERS,
COAL MERCHANTS,
106.....Common street.....106
Opposite the City Hotel.
Dugbeat Charlie Wood. no23 6m

H. & E. TYLER,
COAL DEALERS.
STEAMERS AND FAMILIES SUPPLIED.
Office No. 9 Carondelet street; yard foot of First and Levee streets, New Orleans. Coal delivered to any part of the city. no2 3m


## THE LEGISLATURE YESTERDAY.

### Senate.

A favorable report has been made, through the chairman of the Finance Committee, Mr. Twitchell, on bill No. 224, providing for the assessing of property and collection of taxes in the parish of Orleans. The bill was ordered to be printed.

Mr. Butler called up the bill for the relief of Mrs. W. Pope Noble. It was read and, on motion of Mr. Harris, ordered to be printed and made the special order of the day for Monday next at one o'clock.

The Committee on Contested Elections, through its chairman, Mr. Stamps, again reported favorably to the seating of Emile Detiege from the second senatorial district, and Clement F. Glaudin from the first senatorial district, and unfavorably to the claims of Messrs. Graham and Kelly, contestants for the seats of Messrs. Greene and Alexander. After the reading of the report, Mr. Barber moved its adoption.

Mr. Butler wanted it read again, as he was not present at the commencement of the first reading.

The President ordered a second reading of the report. Mr. Harris moved that that portion of the report referring to the case of Graham vs. Greene be so amended as to allow Mr. Graham mileage and per diem for the present session only.

Mr. Barber moved the adoption of the report as amended, and Mr. Thomas moved to lay that motion on the table. The motion of Mr. Thomas was lost by a vote of 25 yeas to 2 nays.

Mr. Barber then renewed his motion to adopt the report as amended.

Mr. Blunt wanted to know whether the adoption of the report would be a final settlement of the cases involved therein.

Mr. Brewster said in his opinion it would. He thought the gentlemen thus seated would be as secure in their seats as any Senator present. Mr. Brewster said as a member of the Committee on Contested Elections he had made it his business to carefully examine the testimony presented in each of the cases reported upon, and was satisfied that the report was a just one. An examination into the cases of Messrs. Glaudin and Detiege had fully satisfied him that they were elected. Admitting that the Democratic and Republican votes of their districts were nearly equal, it must be remembered, said the speaker, that in the first senatorial district the Democrats ran two candidates—and popular ones at that—thus dividing the Democratic vote and giving Mr. Glaudin an undoubted majority over either of his competitors if fraud had not intervened to prevent such a result. Mr. Brewster also referred to the election of Mr. Greene in the twenty-fourth senatorial district as being made secure by the fact that there were also two Democratic candidates running in his district when he was elected.

Messrs. Cage, Butler and Blunt also gave their views in the premises, the latter gentleman concluding his remarks by seconding the motion to adopt the report, and it was adopted by the very decisive vote of 25 yeas to 2 nays.

Mr. Whitney moved a reconsideration of the vote just taken, and moved to lay that motion on the table, all of which the Senate concurred in. And on further motion of Mr. Whitney, Messrs. Glaudin and Detiege were then sworn in and took their seats.

Previous to taking up the report of the Committee on Contested Elections, a very interesting communication was received from the State Auditor and read for the information of the Senate. It makes several very important suggestions, which, if acted upon by the Legislature, will tend to lessen the yearly expenses of the State government several hundred thousand dollars. The communication referred to will be found in yesterday's official proceedings of the Senate published in to-day's REPUBLICAN. The Senate adjourned until to-day at twelve o'clock M.

### House.

On motion of Mr. Kern, of Jefferson, the Committee on Canals and Drainage were instructed to inquire into the affairs of the Carondelet canal and the tolls exacted on the Bayou St. John.

Mr. Page's resolution of inquiry into the suppression of gambling houses was adopted.

The joint resolution from the City Council relative to the issuing of land scrip, pursuant to the judgment of the Supreme Court of the United States, was passed on motion of Mr. Montaldo, of Orleans.

Mr. Sartain, of Carroll, from the Committee on Federal Relations, reported favorably on the joint resolution relative to a national quarantine, and it was passed.

Bills of local importance to Caddo and St. Martin parishes were passed.

Mr. Tureaud, of St. James, chairman of the Committee on Elections, reported that in the case of J. S. Trahan vs. T. A. Judice, of Lafayette, the committee had examined the evidence and found that Mr. Trahan had been elected and Mr. Judice improperly seated. The report recommended Mr. Traban be confirmed in his seat. Mr. Trahan was returned as elected by both boards, but Mr. Judice was seated on the report of the committee of last session, on the oath of the supervisor, that fraud and intimidation had been practiced. He served about twenty days when he died.

Mr. Demas, of St. John, said he would not oppose the seating of Mr. Trahan if he were convinced he had been elected, but he should like some time to consider it.

Mr. Tureaud, of St. James, said the committee had been governed by the testimony of the supervisor, taken the day before.

Mr. Ward, of Grant, said he was on the committee, and had never seen him or the candidate.

Mr. Tureaud, of St. James, said that was because Mr. Ward had not remained with the committee.

Mr. Young, of Concordia, said the fact that he had not seen anything of the case was no argument against seating the member. The report was signed by five members of the committee, and he moved its adoption.

Mr. Montaldo, of Orleans, said if Mr. Judice had been seated by the Committee on Elections it was enough. Mr. Trahan had never troubled himself to contest the seat; had never acknowledged this Legislature until this late day, but had been a punctual attendant on the Fusion body. He moved to indefinitely postpone the matter.

Mr. Murrell, of Madison, said the vote seating Mr. Judice had been subject to contest. Mr. Trahan had appeared and contested before the committee, and it reports him entitled to his seat.

Mr. Gair, of East Feliciana, hoped the gentleman would be treated the same as others had been. The gentleman from Orleans had devoted the greater part of his time to seating members with less claims than Mr. Trahan.

Mr. Benham remarked that it had been said Mr. Trahan was a Democrat. To him that was an argument for his admission and not rejection. There was not enough minority in the House. There was no doubt Mr. Trahan was elected, and he hoped every Republican would vote for him.

Mr. Young, of Concordia, said Mr. Trahan had been returned by both boards. He hoped members would not put themselves on record as refusing a seat to a member merely because he was a Democrat. There were no two sides to this question. It was according to reason, right, justice and equity that he should be seated without a dissenting voice.

Mr. Hahn, of St. Charles, said that the fact that Mr. Trahan had attended the McEnery Legislature did not prejudice the case. Last year the Committee on Elections had reported Mr. Judice was entitled to his seat, and it had been given to him on that report. It had not been shown that it was subject to contest. It had been published in the journal that one of Governor Warmoth's magnificent State supervisors had sworn that Mr. Trahan had received 580 votes and Mr. Judice 505, but by fraud and intimidation at one poll Mr. Judice had been defrauded of seventy-nine votes, which would have given him a majority of four votes. After a good deal of argument and postponement Mr. Judice was shown to have been fairly elected. He served in this House till death removed him. Now, at this late day, his opponent comes and contests his seat. He has not previously recognized this House, and it would be doing an injustice to a deceased member to admit him. It would be saying that the House and the committee of last session were greatly mistaken in their action. It was proper to know what caused these inconsistencies in the two reports, and another pertinent inquiry would be whether Lafayette parish was Republican or Democratic.

Mr. Montaldo, of Orleans, said that if the same supervisor who swore last year that Mr. Judice was elected, stated now on oath that Mr. Trahan was, he would vote to seat him.

The House tabled the motion to postpone and adopted the report.

Mr. Demas said he had become acquainted with the gentleman since he voted against him, and finding him such a good looking representative of the people, would change his vote from no to yes.

Mr. Trahan was then sworn in.

On motion of Mr. Souer, of Avoyelles, the House went into the committee of the whole to consider the appropriation of $95,000 for the arming and equipping of the State militia.

[Mr. Allain in the chair.]

Mr. Murrell, of Madison, denounced the bill. He said not one dollar of the money would ever go to the State militia. He commanded a regiment, and knew they would never get any of it. He had signed a bond of $20,000 for arms. No appropriation was needed for those, for the United States supplied them every year. The money would go entirely to pay those in the city, who never did any duty, and all those kind of things. He wouldn't vote for any such measure. The bill didn't specify to what particular purpose the money was to be applied, as it ought to. If the appropriation was made so that it could be frittered away, there wouldn't be a dollar of it left in a few days.

Mr. Souer said it was to pay for the rations, etc., of the men who went to Terrebonne a few days ago.

Mr. Murrell said he was glad to hear that, but the title of the bill didn't say so. That says it is for the militia all over the State, but he knew very well none of it would ever get out of the city. He would favor a bill which would pay the men for the work they had done, but this bill wouldn't do it. He was pretty well acquainted with militia business, and the way things were manipulated. Not a dollar of this would go to the soldiers who went to Terrebonne and Grant. By and by another bill for a larger sum would come before the House. He would like to know what had become of the appropriation made last year of $100,000. From the best information he could get major generals and brigadier generals and captains got the most and soldiers got the least. There were $150,000 worth of bills in the Adjutant General's office now. What are you going to do about them? If a bill was presented that specifically provided for the payment of the men who did the work, and prevent the generals and lieutenants from gobbling up the money, he would vote for it.

Mr. Benham, of Carroll, said the committee must be careful in making appropriations not to exceed the limit, for then they would be null and void. The question was could the State afford it. He suggested that the committee rise and report the bill to be referred to the Committee on Appropriations.

Mr. Young, of Concordia, moved to strike out the word militia and insert Metropolitan Brigade. He wanted to pay the men who did the work, but a scheme like this made him blush. His parish and many others needed no militia, and it was unjust to tax them for the militia that other parishes required. Madison parish might want some, but he thought not. No representative who votes for such a bill as this can go back to his people and vindicate his course. If my friend here on the tail end—

Mr. Demas—Does the gentleman refer to the member from St. John?

Mr. Young—I have not referred, as yet, to the gentleman from St. John, but if the shoe pinches him he can claim it as his own.

Mr. Demas—I wear number eighths.

Mr. Allain in the chair informed Mr. Young he must confine his remarks to the question.

Mr. Young—We have already made an appropriation of $100,000 which has been spent and we don't know what for. I, for one, will say that there is no argument that can be advanced by the gentleman from St. John, which will cause my vote to be given for a measure which causes my people to go down again into their pockets for any appropriation to fit these number eighth shoes on me.

There is already a bill in the Senate which has been referred to the proper committee and which covers all the ground. It is a proper bill and if this one were like it I would vote for it. We have been down in our pockets once and I will not vote to go again to put new shoes or some other trappings in some little offices who never did any work. I move the committee arise.

The committee rose and the House then adjourned.

## AMUSEMENTS.

### The Opera.

Last night a large and fashionable audience greeted the second performance of "L'Africaine." Concerning this second representation of Meyerbeer's last and most popular work, we can only repeat the encomiums bestowed in our last issue. To see and hear the great Devoyod would alone repay all outlay of time and cash. But when it is borne in mind that he is supported by artists of renowned ability, any one of whom singly and alone could control the concert room as stars in the lyric firmament, then indeed our wonder grows great. American audiences we know are prone to find fault with foreign artists. Native prejudice and imperfect appreciation of a strange language may have some effect in this, but here in New Orleans these motives do not obtain—for our people are unbiassed where true art is concerned, and quick to recognize it whenever manifested. The leaven of the old French element has not yet died out, and though the language of "the politest people on earth" is not so universally spoken as in days past, still there are few among us that can not understand it, especially when transmitted through the medium of music divine.

"L'Africaine" will again be presented on Saturday evening. At the matinee on Saturday will be performed the five-act comedy "La Grace de Dieu." On Sunday evening the programme will be "La Fille de Mme. Angot," and the one-act comedy "La Chamoiesse." Next Monday we are promised Gounod's grand opera "Faust."

### Varieties Theatre.

The fine romantic drama called the "Duke's Motto" was the attraction at this theatre last night, and it was placed upon the stage with the same care as to properties, costume and scenery that marked its first production here. Mr. Barrett long since won fame for his personation of *Captain Henri de Lagardere*, and the character is one of the most popular in his repertoire, although not strictly belonging to the classic line in which it is his ambition to excel. The character of *Carrickfergus*, an interpolation of Mr. John Brougham's in this drama, was well taken by Mr. John W. Norton. The cast was further strengthened by the acting of Misses Louise Hawthorne and Marie E. Gordon, the *Lady Blanche de Nevers* and *Zillah*, the Gipsy girl. Miss Hawthorne is always acceptable in her personations of character, and is fast gaining enviable fame and position in her profession.

This evening Mr. Barrett will take his first benefit, and will assume for the first time the great Shakespearean character of *King Lear*. To this part he has devoted several years of careful study, and has perfected his conception by constant rehearsals with this company. He was lately urged to play *Lear* in Mobile, for his benefit; but he refused on the ground that he had always played his most successful parts first in New Orleans, and that he preferred to receive his first meed of praise or blame at the hands of that audience. This fact, which is a high compliment to the taste of our city, no less than the first performance of a truly grand role, will cause a peculiarly deep interest to attach to Mr. Barrett's benefit to-night.

### St. Charles Theatre.

Lotta continues to draw excellent houses at the old St. Charles, and "Zip" was again performed last night. The event of the week will be her benefit this evening. Unusual attractions will be presented, and something will be presented to Lotta. Her friends, particularly the ladies, will be out in full force.

Matinee to-morrow as usual, and in this connection it will be proper to state that Mr. DeBar has yielded to the request of many patrons and has made arrangements whereby a certain number of seats for the matinee performances can be reserved, upon application to "P. G.," the handsome young gentleman who presides in the box office.

### St. Patrick's Church.

The fair for the benefit of this church will be inaugurated this evening at Odd Fellows' Hall. Of all the entertainments of this kind offered here for years, this promises to be the grandest, most complete and most agreeable. As a means of spending a delightful and enjoyable evening, we can not think of anything better than St. Patrick's Fair. A charitable bazar and social reunion in one, a place for enjoyment and well doing, there you have a Catholic fair. If you doubt it, or think the matter overrated, go to Odd Fellows' Hall tonight.

### Personal.

Mr. D. De Vivo, business manager for Salvini, the great Italian tragedian, arrived in this city yesterday evening. Signor Salvini is now acting in St. Louis to crowded houses. He will play a short engagement in Chicago, and will commence his season at our Varieties Theatre on the ninth proximo, making his last appearance in America previous to his departure for Havana and Mexico.

### Obedient to the Mandate.

The managers of the St. Charles Theatre, Academy of Music, the Opera House and the Varieties Theatre have promptly notified "Rex" that in obedience to his edict they will give performances, free to the public, on Monday, the sixteenth of February.

FAIRBANKS' UNITED STATES STANDARD SCALES.—We hardly believe that there is one of the American inventions which has obtained greater notoriety all over the world than Fairbanks' scales. In every country yet reached by our commerce will those scales be found to be as popular and as universally in use as they are at home, and there has been rarely held a national exhibition where they have not obtained the highest premiums. At Paris in 1867, at Vienna and Montreal in 1873, they defied competition as well as elicited unbounded admiration. And, as has been truly said of them, "in their correctness of principle, in their accuracy of adjustment, in their durability and in their convenient adaptability to every business need, they are without a peer.

SALE OF PLEDGES AT THE METROPOLITAN BANK.—Unredeemed pledges, upon which interest has not been paid, in the Metropolitan Loan and Saving Bank, will be sold by R. M. & B. J. Montgomery, on the thirteenth, fourteenth and sixteenth of February (next month). This will offer an excellent opportunity for persons desirous of getting cheap watches, jewelry, etc., to procure bargains.

FURNITURE.—A large and peremptory sale, without limit or reserve, by order of the Fifth District Court, will take place this day at eleven o'clock, at No. 151 Camp street, consisting of mahogany and walnut bedroom suits, marble top sideboards, armoirs, bureaus, chairs, rockers, etc., being the entire stock of said furniture store, sold for account of the creditors.

# BY TELEGRAPH.

## CONGRESS.

### House.

WASHINGTON, January 29.—The bill for free banking was reported by the Banking Committee and referred to the committee of the whole for debate.

The Committee on Privileges and Elections heard Morgan and Chandler, attorneys, respectively, for Sykes and Spencer. They outlined their line of argument and named their witnesses, who will be here by Monday week, to which time the Alabama case adjourned.

The Committee on Banking and Currency reported, to-day, a bill to establish free banking in cases of banks without circulation, on the deposit of $10,000 in the United States Treasury; and directing the issue every month, by the Treasury of $2,000,000, in United States notes, not bearing interest, and redeemable in gold in two years. The committee desired to return the control of the bill; but were overruled by the House, and the bill was sent to the committee of the whole.

The same committee also reported adversely on the bill to establish postoffice savings banks; likewise referred to the committee of the whole.

Appropriations occupied the day.

Maynard, of Tennessee, from the Committee on Banking and Currency, reported a bill to amend several acts relative to the national currency, and to establish free banking.

The bill was read.

The first section amends the thirty-first section of the law of June 3, 1864, so that banks shall hereafter not be required to keep on hand any amount of money whatever, by reason of their respective circulations, but the money required to be kept on hand shall be determined by the amount of deposit.

The second section repeals the second proviso of section twenty-one of the law of July 12, 1870, for the redemption of the three per cent temporary loan, so far as it restricts the amount for circulation.

The third section provides that national banks shall at all times keep on deposit in the United States treasury a sum equal to five per cent of their circulation, to be held and used only for the redemption of such circulation.

The fourth section authorizes national banks to withdraw portions of their circulating notes in sums not less than $10,000, and to withdraw a proportionate amount of the bonds deposited in pledge for such circulation.

The fifth section amends sections thirty-one and thirty-two of the national banking law by requiring them to keep their lawful money reserves in their own vaults at their places of business.

The sixth section requires that the chartered numbers of the various banks be printed on their notes whenever the same shall come into the treasury for redemption or otherwise.

The seventh section authorizes banks to be organized without circulation on depositing in the treasury not less than $10,000 in United States registered bonds, and authorizes banks already organized without circulation to withdraw their bonds in excess of $10,000.

The eighth section directs the Secretary of the Treasury to issue, at the beginning of each month, from and including July, 1874, $2,000,000 of United States notes not bearing interest, payable in gold two years after date, of denominations of not less than $10, as a substitute for the same amount of United States bonds now in circulation, which shall be canceled and destroyed; and any excess of gold in the treasury shall be retained as a reserve for the redemption of such notes.

After a discussion as to the disposition to be made of the bill, the House refused to recommit it to the Committee on Banking and Currency, as desired by its chairman, and it was sent to the committee on the whole, with the understanding that it would be called up for discussion in two weeks.

### The Senate.

Mr. Conover, of Florida, presented a memorial for the removal of obstructions in the harbor of Pensacola.

The Committee on Contingent Expenses was instructed to investigate as to the propriety of discontinuing the practice of furnishing stationery to the reporters' gallery.

There were no confirmations.

### Senator Carpenter's Speech.

The morning hour having expired, Mr. Ferry, of Michigan, was called to the chair, and Mr. Carpenter addressed the Senate on Louisiana affairs.

He said he had no ambition to make a speech, and should not attempt it. A celebrated English writer had said that no American could make a speech without glorifying his country. Unfortunately, in this business there was nothing to call forth sounds of joy or exultation.

He never reflected upon this Louisiana matter but with mingled emotions of sorrow and shame. He read from the speech of the Senator from Indiana (Morton) in relation to the report of the committee, made last session, being no part of the *res jestæ* in this case; the committee having since been recognized, and that Pinchback should be seated on his credentials, he having a prima facie case.

He next read the credentials of Pinchback and Ray, and said that the credentials of both were signed by Kellogg on the same day. Why was not Ray seated on a prima facie case then, if ever there was such a case? But all knew why he was not seated. The air was filled with rumors, and the minds of Senators were disturbed by a doubt as to the facts stated in those credentials, and as to whether there was any legal government in Louisiana. It was because the Senator from Indiana doubted the legality of the Legislature electing Ray.

The committee authorized by the Senate to investigate the Louisiana matter had reported a volume of testimony of 1094 pages. Every member of the committee was against the legality of the Kellogg government, except the gentleman from Indiana (Mr. Morton). Mr. Trumbull dissented on the ground that McEnery should be recognized; Mr. Hill, another, dissented upon another point; but no member agreed with the gentleman from Indiana.

It was entirely too late now to be talking about seating Mr. Pinchback on a prima facie case, when such a case had been overturned, and a committee of this body had agreed that there was no State government in Louisiana, and no legal State Legislature in that State, on the fifteenth of January last.

Again, the Senator (Morton) had argued that the testimony was not taken in the Pinchback case, but in the case of Ray. The information brought out by that committee was binding on the Senate. The proceedings were conducted by the power and authority of the Senate, and should be considered just as much as any document or any law book in the Capitol, which would throw light upon the subject. The attempt of the Senator (Morton) to rule out that testimony and seat Pinchback on a prima facie case, was certainly worthy the ingenuity of that gentleman.

He (Carpenter) entirely concurred with the views expressed by the gentleman from Ohio (Thurman) in regard to the Goldthwaite case; but there was a prima facie case there. He argued that with his credentials in due form, and elected by the State Legislature, a man had a prima facie case; but on the fifteenth of January last there was no legal government in Louisiana—no legal Legislature to elect a Senator.

After quoting from the Robbin's case of Rhode Island to show the law in reference to prima facia cases, he contended that that case proved just the reverse of the argument of the gentleman from Indiana (Morton), although it had been quoted by him to sustain his argument. In Alabama there was but one Legislature, and therefore that case had no similarity to the present one. Congress was bound to take legislative notice, as a court was obliged to take judicial notice, and was therefore bound to notice the testimony taken by the committee last year.

He then reviewed, at some length, the condition of affairs in Louisiana as shown by the testimony before the committee, and said that in that part of his argument he would be dry and tedious, but after this he intended to wash his hands of the whole affair: and, therefore, would lay before the Senate the case in its absolute nakedness. Then if his Republican associates in this chamber think proper to take it on their shoulders, and march through the next presidential campaign, he would bid them joy. [Laughter.]

He then read from the Louisiana constitution, and the law governing election returns: and argued that the action of both returning boards—that of Warmoth and that of Lynch—was illegal. His friend from Indiana (Morton) had dilated much on the decision of the Supreme Court of Louisiana, by which the Senate of the United States was bound. In May, 1872, before that court was undermined by politics, its decissions in two cases, were in accordance with the views he (Carpenter) was now presenting.

Before the court had been tampered with; before it feared for its existence, it decided what any other court would, that a void order produced no legal result; therefore that Warmoth had no authority to remove Bovee as Secretary of State. The vacancies existing in the canvassing board on the fourteenth day of November, 1872, were, therefore, never filled; and the only two legal members of that board were Warmoth and Lynch, and they voted in different ways, so there was no election whatever. Warmoth was in one building with his board and Lynch in another with his.

The law required the board to meet together. Bovee was Secretary of State all the time, but by virtue of being a candidate for office he was disqualified from voting on the returning board. The order of Warmoth removing him as Secretary of State was of no more authority than an order from the President of the Senate removing General Grant from the Presidency.

The election returns were sent to Governor Warmoth, but the Lynch board sued out an injunction restraining him from canvassing them except in the Lynch board, and Warmoth never did canvass them. That much respect is due to the Warmoth board. When the judiciary injoined them they stopped, and to that extent were superior to the Lynch board.

Referring to the forged affidavits from which the Lynch board made up its returns, he said one little gentleman with a smiling face appeared before the committee and swore that he forged 1200 affidavits and delivered them to Bovee in open board. Bovee said he was a "hell of a fellow," and asked him if he could not get some more. He replied, yes, he could have more by nine o'clock in the morning. [Laughter].

In the case of Armstead, a colored man who seemed to be very popular, the Lynch board did not give him a single vote, but raised their own side up from 500 to 1200 and odd. Was there anything fair about this?

Carpenter again quoted from the testimony before the committee, and said, instead of 9606 majority for McEnery, as shown by the returns, this Lynch board gave Kellogg double that. He must say, if Warmoth could not abolish that board, it was immortal and never could be abolished.

This canvass was also very profitable to the Lynch board, it appears. Virtue in Louisiana has its reward, and that speedily. Lynch had his own son, an engineer on the Southern Pacific railroad, appointed inspector of live stock in New Orleans, at an annual salary of $12,000, and then had his son appoint an old friend deputy; but finally Lynch came to the conclusion that it would not look well to have his son in the position, and had him resign. After coming before the committee at Washington and airing his patriotism he went back to New Orleans, and Kellogg appointed him to the identical office at a salary of $12,000, which he holds this day.

The Kellogg Legislature abolished two courts and created a new one, making Hawkins judge, consolidating the jurisdiction of both, and giving him exclusive jurisdiction over contested election cases, writs of mandamus, etc., saying to him, "faithful in a few things, I'll make thee ruler over many" [laughter,] and Pinchback was sent to the Senate.

Whatever else may be said of these rascals down there, they certainly do not forget their associates. [Renewed laughter.] When his friend from Indiana (Morton) came thundering down on him with his artillery and heavy ordnance he would commend him to a careful examination of the testimony just read.

Mr. Carpenter said he would next proceed to consider the interferance of the general government in this muddle. While this contest was going on, Kellogg commenced suit in the United States court, and Durell issued his restraining order; and it was a most remarkable document.

On the sixth of December there was another judicial proceeding, which had no parallel in this country or in England. At night this same judge (Durell) issued an order to seize the State House. The testimony showed that he went to his lodging about eleven o'clock, and feeling like it issued the order. Nobody applied for it. He was not sitting in chambers; not holding court; but at his lodging issued an order to the United States marshal to seize the State House. It was seized, a company of troops put there, and that company held it for more than six weeks, while the farce of organizing this Legislature was being enacted; and these two men, Pinchback and Ray, were elected while the State House was held by troops.

The act of Congress authorizing election cases to be brought before federal courts, applied only to instances where parties were prevented from voting on account of race, color or previous condition of servitude. So Durell had not even a decent pretext for jurisdiction. A more remarkable proceeding than that of the Durell could not be found anywhere; such orders were never issued in Russia or Turkey. By his very act he organized both sides, putting the Republicans in, the Democrats out.

He (Carpenter) sent to the clerk's desk and had read the orders of that judge, and said he wished it was in his power to have them read in the hearing of every citizen of the United States.

At four o'clock, after the reading, Mr. Edmunds said it was evident his friend (Carpenter) was becoming worn out, and he moved the Senate go into executive session.

Mr. Carpenter agreed to the motion, and the Senate went into executive session.

After half an hour the doors were reopened, and the Senate adjourned till tomorrow, when Mr. Carpenter will resume his speech.

## WASHINGTON.

### The West Virginia Election Case.

WASHINGTON, January 29.—An examination of the *Congressional Record* regarding the West Virginia election case shows Davis (Democrat), Hogan (Republican), and Waddell, of North Carolina, voted for Davis. Five Democrats voted for both.

### Snubbed.

The Committee on Banking and Currency were snubbed by the House to-day by referring the reports of its chairman (Maynard) to the committee of the whole.

Attorney General Williams has gone to New York.

### Warmoth.

Ex-Governor Warmoth leaves to-night, by way of New York, and will reach New Orleans on Wednesday.

### Internal Revenue Rulings.

Senator Gordon, of Georgia, has had a full interview with the Commissioner of Internal Revenue in reference to the threatened proceedings by revenue officers in some localities at the South, against parties who failed to attach stamps to deeds and other instruments during the war.

The Commissioner states that the government has never prosecuted where instruments issued at the South during the war were unstamped, nor attempted to compel such stamping now, but he (the Commissioner) holds such deeds invalid until stamped; nor is it required to attach stamps according to the price paid for property in Confederate money, but according to the real value. The matter will probably be brought before Congress.

### Democratic Caucus.

There was a caucus to-night of the Democratic members of the House of Representatives, called for a general discussion of the views of the members of that party in the House on the prominent political topics of the day. Representative Niblack, of Indiana, was elected permanent chairman of the caucus. There was a very thorough and animated, though harmonious, discussion and comparison of sentiments among the gentlemen present, the financial question, particularly, receiving much attention.

The discussion was participated in by Colonel Roberts and Mr. Whitehouse, of New York; Mr. Schumacker, of Brooklyn; Randall, of Pennsylvania; Holman, of Indiana, and several others.

Some very warm sentiments were expressed against national banking institutions by Colonel Roberts, Mr. Holman and a number of Representatives from the South. The caucus then adjourned with the intention of reassembling at an early date, though no particular time was fixed.

### Judge Durell's Case.

The *Chronicle* publishes this morning the following editorial: The public mind is taking a healthier direction relative to the case of Judge Durell. He has been a close student for years, and always esteemed by his bitterest opponents as profoundly learned in the law. A life spent largely among his books has withdrawn him from the masses, and made his intimate friends select and few. He has lived in a community where his political opinions have subjected him to bitter animosities. With such habits, it is not surprising that he should appear austere to the general public, and, with the annoyance of groundless censures for the loyalty of his political convictions, it is not strange that he should sometimes appear irritable and abrupt. Again, he has lived in a community where slavery, in its most revolting character, has obtained and, under the pressure and prejudice engendered by this dead institution, that still, by a hundred intangible ways and sinuous forms, seeks to abridge the civil and political rights of the negroes, cognizant of the wrongs so frequently perpetrated against the persons, property and lives of this unfortunate people, and the first judge to construe the statute that proposed to make judicial the political questions involved in the protection of the race, it is not suprising that Judge Durell, in dealing with the delicate and novel question of jurisdiction, should construe the law broadly against the wrong and for the night. The morbid public mind in that locality would consider the fairest decision partisan. An examination of the statute in question, in connection with the debates in the Senate and House of Representatives, pending its passage, will show it to have been intended by its authors to be very broad and comprehensive; and in the judgment of many of the leaders of the opponents of the law, its provisions cover all the questions embraced in the Durell decision. In the instance of the act of Parliament passed in 1868 extending the jurisdiction of the Courts of Common Pleas to the trial of title to office of members of the House of Commons, the first decision rendered by Mr. Justice Keogh in the case of Trench vs. Nolan the same hue and cry relative to usurpation on the part of the judge was heard. It was novel then, and it is novel now, by legislation to make these political questions judicial. Yet, in the case referred to, Gladstone and Disraeli rebuked the Commons for their unreasoning censures and clearly showed that the law did confer the questioned jurisdiction upon the court, and suggested that the remedy for Parliament to apply in the case was the repeal of the law. The public is evidently considering this phase of the Durell case, and the prosecution, breaking down on the personal charges, in a spirit of fairness begin to look for the correction of the supposed evils of this decision, not to the impeachment of Judge Durell, but the amendment or modification of the law which he has conscientiously interpreted. It is worthy of remark, in this connection, that this congressional act is one and not the least among the series of measures instituted by the Republican party to render operative the constitutional amendments necessitated by the results of the war. However unequal and unsatisfactory the execution of these just and wise laws may have been under President Johnson, the most captious political opponents of President Grant must admit that this, and similar statutes, that represent the new and better era in our national history, have been administered not oppressively, nor harshly, but firmly, and with even handed justice, in the interests of the whole people. This is, as everybody would expect of President Grant, after the publication of that remarkable utterance contained in his first inaugural, to the effect that the surest way to secure the repeal of bad laws was by their rigid enforcement. It may be well for the House to consider whether it would not be more wise to modify this law, by a proper amendment, than to impeach the judge for enforcing it as he understood it.

## ENGLAND.

### Liberal Meeting in London.

LONDON, January 29.—Forsters and Childers addressed the liberal meeting in this city last night. Childers dwelt on the financial success of the government. In reference to its foreign policy he reminded his hearers that, in 1862, he was one of the few who openly declared in Parliament their desire for the triumph of the federals in the United States. The meeting adopted a vote of confidence in the distinguished gentlemen who had addressed it.

### Arch Invited to Stand for Parliament.

Arch was invited to stand for Parliament in Birmingham.

### Disraeli.

Disraeli will speak at Aylesbury, on Saturday.

### Meeting at Marylebone.

A meeting of leading Liberals was held in Marylebone, last evening, to nominate candidates for Parliament. The names of Daniel Grant, Tom Hughes and Edmund James were considered, and Mr. Grant was selected as the candidate of the party.

### The Blackheath Meeting.

Liberal journals, this morning, say from 7000 to 8000 people attended the Gladstone meeting, on Blackheath, yesterday.

### Bismarck Impeached.

General La Marmora has published a letter maintaining the truth of his statement in regard to the negotiations at one time for the cession of German territory to France, in which he says that Prince Bismarck participated. The letter is in reply to Bismarck's recent denial of the whole story in the Prussian Landtag.

## MISCELLANEOUS.

### Abandoned at Sea.

NEW YORK, January 29.—The bark Sarah, of Glasgow, from Pensacola, for Swansea, was abandaned at sea. Her crew are here.

### The Steiner Inquest.

The jury inquest in the Steiner case, rendered a verdict that the fire by which the members of the family lost their lives, originated in the basement hall, whether by accident or design is unknown.

### Plundered Court Records Recovered.

FRANKLIN, La., January 29.—The courthouse records, abstracted by unknown persons during the political excitement last spring, were found to-day in a bag, depos-

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