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## THE SENATE COMMITTEE.

Seventh Day.

The chairman designated Senators Wadleigh, McMillan and McDonald as the subcommittee to visit and take the testimony of Eliza Pinkston.

In the matter of the additional copies of supervisors' statements asked for by Senator McDonald, in order that the committee might know what polls had been rejected and on what grounds, the chairman stated that it seemed to him that the board had already furnished every material fact asked for, but, before the investigation was over, every fact asked for would be before the committee.

Senator McDonald desired to call Colonel I. W. Patton first, if convenient.

Colonel Patton—Resides in New Orleans, and has been in Louisiana since 1857; has "played many parts," etc., merchant, sheriff, etc; was chairman of the Democratic State Central Committee since January, 1876; the executive officer of the committee; had the general charge of the canvass in connection with the sub-committee; was in New Orleans during the entire canvass, except on visit to Baton Rouge; the convention was at Baton Rouge July 24; the canvass opened August 30; the committee was reorganized at Baton Rouge; the candidates were F. T. Nicholls for Governor. [Witness named the list] the Republican State ticket was put in the field afterward, I think; Mr. Pinchback was chairman of the Republican committee; understood that he resigned; don't know the fact; never had any correspondence with that committee; the active manager was Mr. Pitkin, secretary; had some correspondence with him; was never brought in contact with them; Mr. Dibble was a manager; at Baton Rouge there was a part of the platform announcing the policy of the party; have not a copy; General Nicholls spoke accepting the nomination on condition that he was to be Governor of the whole State, of all the people of every race and condition; can furnish a copy of the proceedings; as chairman, conducted the canvass entirely on the principles announced in the Baton Rouge convention; there was never a word uttered or written by that committee that was not in the interest of peace and a fair election. [Examining "circular."] Issued this circular; take it for granted the publication in the REPUBLICAN is a copy; the italics are not of the original except one word which is not italicized; that was *horseback*; [read the portions italicized.] The circular was issued in latter part of June or early part of July; it was called "confidential," on the suggestion of one member that in the condition of the Northern mind it was liable to be misconstrued; that the committee was not the campaign committee, but only an *ad interim* committee, and suggested the word "confidential" should be written on it; had no objection; there was no necessity of secrecy about it; they were scattered broadcast at Baton Rouge and sent to all prominent Democrats; not secretly; know of secret circulars issued by the Republican party; the active agents of that party were Mr. Jewett, Mr. Blanchard and Mr. Catlin; [examining circular]; this came into my possession; a gentleman called at headquarters stating Captain —— on his down trip had found a wallet containing documents, describing thead; tried to get one; Mr. Winder said he could get an original that was in the hands of Mr. Boudreaux, supervisor of Assumption; subsequently heard that it was placed in the hands of Mr. Ratliffe, who said he would send it when the returns were filed; afterward received it by messenger; it had been transmitted by mail to Mr. Boudreaux; have seen another in the hands of Mr. V. A. Ward; have seen other circulars; August 31 a plan of organization was devised and adopted, and on motion of Major Austin the report was adopted and referred to the committee on correspondence. [Copy of report filed as part of the testimony.] During the canvass had frequent interviews with prominent parties conducting the canvass, and instructed and advised them.

The chair asked if Senator McDonald wished to ask for the verbal instructions given.

Senator McDonald said yes; Mr. Patton had been charged by Senator Sherman with having conducted the campaign in an improper manner.

The chairman said the committee was not to try Mr. Patton, and that he might have charged 10,000 people to act peacefully and that would not affect the act of one who did not.

Senator McDonald said the object was to show that the conduct on the part of the committee was not as charged.

Senator Wadleigh said he thought the examination might go so far as to contradict the evidence of the other side. They had shown that Captain Theobalds and others had organized rifle clubs and murdered, shot and whipped as they chose, and it was due to Colonel Patton, as a gentleman, to allow him to say whether he had authorized any such thing.

Senator Saulsbury said the evidence of Colonel Patton should go to the Senate, where the charge had been made.

Senator McDonald said Colonel Patton was the representative of the Democratic party which was charged.

Colonel Patton, continuing, said when parties came to headquarters the instructions and advice given was uniformly the absolute importance and paramount necessity of a fair and peaceable election; that leaving out our abhorrence of any outrage on the colored people, it was necessary for policy; that our redemption depended on it; that we were living under laws which would be enforced by the Returning Board, and that any advantage gained that way would be lost; was satisfied of our ability to carry the State in a fair and peaceable election; have no knowledge of Ouachita except from letters and by means of newspapers; the registration, I thought, was conducted in a very unfair and unjust manner; it was conducted by the chief registrar, Hon. Michael Hahn, a Republican; the supervisors were appointed by Governor Kellogg or Acting Governor Antoine; in many cases they were residents of other places than the parishes they were appointed to; many of New Orleans requested Governor Antoine to give us a fair representation; Governor Kellogg was at the North; was not successful at all; Governor Antoine stated in some places he had appointed Democrats, but the time to accede to the request had passed; handed the letter to Governor Antoine personally; he admitted the justice of the demand; [copies of correspondence filed].

To the Chairman—The convention gave the character to the canvass by the adoption of a resolution; it is usual by adopting a platform and selecting a committee; the principles furnish a guide; there were no specific directions other than those; prominent Democrats from the parishes were frequently in the city; the committee is composed of fifteen elected at large, one from each ward of Orleans parish, and one from each parish; some parishes did not send delegates; had visits from nearly every parish—from North Louisiana, the river parishes, Teche parishes, Attakapas parishes—and stated to them the line of conduct to be pursued; it was taken from the sentiment of the leading gentlemen of the State, and think it was a portion of the platform; it was not quoted as a formula; urged a fair and peaceable election for the simple reason that we were very anxious to succeed because we regarded our redemption to come from a change in the national administration; knew there had been a great many reports of lawlessness in some of the country parishes, and we were anxious that there should be no lawlessness and that our friends should not only not commit any, but that they should prevent anybody from committing any, because every act of lawlessness; no matter by whom committed, would be charged on the Democratic party; had no especial apprehension, but did apprehend that there might be in a heated canvass collisions between the two parties, and especially as it was understood that it was the desire of the Republican party to bring it about; our redemption was to be from the misrule and misgovernment to which we conceived we had been subjected; had no hope but that the Returning Board would count out the State officers; the board then existed; understood that the board must determine the results of the election; was aware that charges of disturbances at previous elections had been made against Democrats; all were charged against them; the REPUBLICAN has a large circulation North, while our papers have hardly any; there is little opportunity of refutation, and we were therefore anxious that there should be no disturbances; know that the board has thrown out polls on charges of violence, but don't know that the violence did influence the votes; there have been riots in 1866 and September 14, 1874, in New Orleans, and in 1873 in Colfax; they were all attended by loss of life; heard the number stated, but have no specific knowledge; in 1866 don't know, but think most of those killed were Republicans; in Colfax there were a few members of the Democratic party killed; in 1874 some of both; in Colfax the colored people were largely in excess of the Democrats killed; we had suffered from bad government eight years under Governor Warmoth and Governor Kellogg; the government has been bad, unquestionably; it was a government which wrung large taxes from the people and conferred no benefit, had not the confidence or respect of the people or the property holders; my experience is that it had not the confidence of either white or black; the tax now is fourteen mills, for a year or year and a half; prior to that it was two per cent; don't know whether the fourteen mill assessment appertains to one or two years; think it is adopted by statute; don't know the valuation of the farming lands; heard it complained that it was high; can't state what it was; heard that it was more than the market value; am sure the government has wrung enormous taxes from the people; they are very high in New Orleans; my State tax is $116, city $176, assessment $8000; the assessment is made by a State board of assessors; the City Council fixes the amount of tax to be raised for city purposes; don't think the property would bring at auction within $2000 of the amount of the assessment; gave $8600 and would take that for it; the State board only assesses for New Orleans; the board was appointed by the Governor under a statute passed since the war; there is a tax on personal property; blanks are sent round to be filled up and sworn to by the owner; think the city tax of $176 includes the personal property; didn't make any return of that; there was an assessment of $9 or $10 by somebody; that would indicate about $600, which is not exorbitant; am very little acquainted with the territory of the parishes; planted in St. Bernard and Madison before the war; the government is complained of in its organization of its courts, its Metropolitan police and twenty other things; some of the courts are organized under the constitution and some under statutes; the Superior Criminal and Superior District Courts were organized under statutes; the jurisdiction of the Superior District Court is the same as the Eighth District, which was abolished in the interest of Governor Kellogg; there is an appeal to the Supreme Court; the judges of the District Court are elected; the Governor fills vacancies; the objection to the Superior Courts is that they were created by the Republican party to try the rights of the people and exclusive jurisdiction given them taken from the other courts which have equal jurisdiction in other cases; would prefer to have judges appointed by a good Governor than elected. The Governor can not remove after confirmation by the Senate; think these judges were appointed by a bad Governor; do not know enough of their law to speak of their organization; the objection to the Metropolitan police is that they are paid by the people, are organized into a brigade, and have been transported into other parishes; they are organized under the law; their formation into troops is by executive order; the Governor appoints the superintendent and a board that appoints the members; the police should be under the control of the city and kept in it to preserve the peace on their beats; know that they were sent into country; into the Attakapas country; a couple of hundred men were sent and were absent a week or more; don't know the number of murders that the city suffered while they were gone; another objection is that the municipal judges are all appointed by the Governor; the city authorities should appoint them, as has been done heretofore; don't know when the law was adopted; it has been the practice the last four, five or six years; my recollection is that it was during the administration of Governor Warmoth. The Eighth District Court was created during his administration; Judge Elmore was elected to it in 1872. Had no Democratic Legislature since Governor Kellogg was elected; had the House of Representatives in 1874 made by the Wheeler compromise; the Legislature made no efforts to change these laws. The police went to Lafayette parish; don't remember the cause; possibly for the purpose of quelling a disturbance. My theory is that we could not have our State government we elected unless we had a different national government; cautioned the party throughout the State against the appearance of any violence, for fear of the effect on voters in the North; it would not affect the vote here. The people of Louisiana did choose a Democratic Governor; it is a fact from my standpoint; it is my opinion that it is a fact; under the laws of Louisiana the mere fact that Brown has 50 000 votes for Governor and Jones 49,000, does not constitute an election; there are other facts to be determined by the election law; I hold that that law is unconstitutional; under the organic law all that is necessary is the actual vote legally cast; don't know that 2000 votes which were prevented from being cast for Brown should be counted; think the one who prevented them should be punished, would do it at my own risk and peril; don't know of a law of any State which counts votes that have not been cast. [Referred to section twenty-six, election law.] By this law the board is authorized to inquire if a body large enough to materially affect the result has been prevented from voting. That the law is unconstitutional is a matter of construction; consider it to be so; if the board thought it was constitutional there is no tribunal in Louisiana which could settle the difference between us; in the national government I think and hope that if there was a change the government would recognize and uphold the State government which I think is the right one; the Supreme Court has decided that they could not go behind the returns of the board; lawyers told me that they had not touched on the constitutionality of the law; know that they can decide on the constitutionality of every law when properly brought before them. Besides that, Nicholls received a majority of the votes cast and the law being unconstitutional, there were acts of the board that were complained of and which are grounds to show he was elected. [Comparisons of Concordia, East Baton Rouge, and polls in Orleans followed as instances of different rulings.] Know of polls being thrown out at these parishes; these alone would not be enough to overcome the Republican majority of 3500. [Witness wished to show returns enough to do it, but the the chairmain stated he only wished the facts he knew, in order to ascertain whether his statement of the result of the election was a fact or an opinion.] Know personally very few of the supervisors in New Orleans; none in the country; ascertained they were Republicans; a supervisor must be a Democrat or a Republican; one would have as good a chance as another to commit frauds; if the Republican was as honest as a Democrat it wouldn't make a pin's difference; considered the registration unfair because we were refused representation; don't know personally of any illegal registration or refusals; our canvassers reported a large number of names as not residing where the place was given—in some instances vacant lots; they made affidavits, but the supervisor would not recognize them; if a voter gave the wrong residence he would not be allowed to vote—if a Democrat—even if he did live in the ward; a false description of his locality would deprive him of the right of suffrage. [A description of the "sewing machine circular" was given.] We docketed the cases, published the names, and called on the people to come before the commissioner; he was only able to try 1400 cases; only 100 were put under bond; many people were afraid of being dragged before the marshal and didn't go to the polls at all; don't know that the balance of the 7000 or 10,000 were stricken from the lists; only know personally of two; don't know of any one who was prevented from voting by this except by the moral intimidation; the law requires supervisors to be residents of Louisiana; Mr. Clover, of East Baton Rouge, had held an office in Mississippi within a year of the election; think the law requires supervisors to be electors. [Mississippi records of Clover put in.] Am aware of complaints of Democrats against colored persons for not residing in places where they were registered in 1876, not that the complaints were made on the registry of 1874; don't know that 1000 warrants were issued against colored people before these warrants were issued against Democrats; never heard of it before; the latter struck me as a very outrageous act; was in Louisiana in 1872; if Governor Warmoth was a Republican he controled the machinery of election; the party that was opposed to the Republican party controled it.

Senator McDonald objected that this was going a little beyond the object of the investigation.

The chairman stated that he thought it would be fair to ascertain if the action or registration complained of had been the custom hitherto or not.

To Senator Oglesby—The parish committees did not report weekly, but frequently; had communications from Ouachita; they were very lax about carrying out my instructions; don't remember who was chairman; such matters were referred to the committee on correspondence. [Instructions read.] They were not carried out; the wards were divided into sections of ten voters, with a chief to see that the ten performed their duty in attending to registration, preventing fraud, etc; where necessary they were combined in fifties; it was devised to defeat the Republican conspiracy to carry the election by fraud; these instructions were generally disregarded throughout the State; don't know what took the place of this organization in Ouachita; don't know what they had; never heard of rifle clubs till after election; did instruct that if defeated in this election we were doomed forever to carpet-bag government; it was perhaps a figure of speech; thought it would be exceedingly difficult for the Democratic party ever to succeed after it.

To Senator Wadleigh—Was in the United States army from 1847 to 1855; in the Confederate army during the entire war; in 1868 was a member of the secret society of the Knights of the White Camelia; its object was the supremacy of the Caucasian race on this continent; know nothing of the Ku-Klux Klan; never heard of any affiliation between the Knights of the White Camelia and organizations in other States; was a member of the White League in 1874; that was not a secret organization; it was called the Crescent City Club; did not have communication with Ouachita about rifle clubs; never heard of Captains Theobolds, McCloud and Buffington; never knew of rifle clubs till after the election; was told of the canvassing as being very peaceable; only heard of one case of killing of colored people; that was the killing of Isaac Mitchell; wrote for information; was told his assassins were unknown; inquired of the killing of Dr. Dinkgrave, and was told it was a private feud, and nothing political in it; his assassin is unknown; never heard of any rifle clubs; did hear of armed organizations in Ouachita; never heard of Henry Pinkston Eaton Logwood or Merrimon Rose; was told there was a great change of sentiment going on among the colored people, and that they were joining the Democratic clubs; made calculations on this; never heard of any intimidation to make them; did not complain of the troops; some people in Ouachita told me they were glad the troops were sent there; never heard of any armed organization except in Ouachita, and that was after election, incidentally; did not think the concealment of these clubs from me had anything to do with the change of sentiment; never heard of a printed blank of protection to colored people in the bulldozed parishes; never saw but one, and that was after election, from Baton Rouge; never heard of certificates given to them when they joined Democratic clubs; these five parishes seem to have run themselves, disregarding all instructions.

To Senator McDonald—Witness stated more in detail the matters relating to the Superior District and criminal courts.

To Senator Saulsbury—Believed that it was the desire of the Republican party to precipitate a collision; the sentiments of peace expressed by me were heartily reciprocated by gentlemen from all parts of the State.

To the Chairman—The grounds of belief that the Republican party desire a collision are not from positive information or facts except in matters in the past and my belief in their origin; as an instance, the riots in Colfax; believe that was caused by the Governor of the State; that if such a riot could be produced in 1876 it would be for the benefit of the Republican party; nothing else but the general belief; it is my belief the action of the Governor caused that riot; can not dive into the heart of a man to ascertain his motives; that he caused this by the appointment of two sets of officers; of two sheriffs; the Governor has not the power to remove an elected sheriff; did not see the commissions; of two dates the last would have authority; the Governor may fill a vacancy; there was an irritated feeling, and the appointment precipitated it; the Governor was informed of it, and took no measures to punish it; think so because he appointed these two men when he was warned such would be the case; it was not a warrant for the killing of scores of men; believe it because the charge has been published and has not been denied; he took no steps to deny it; this does not justify the killing, but it led to it; the killing was unjustifiable in spite of this; he did not take the ordinary steps usual to prevent such a riot; never heard of any contradiction; believe it was the interest of the Republican party that there should be a collision between the races, to create an excited feeling in the North; if it occurred, and a good many people were killed, there would be an intense feeling that would react on the Democratic party North and alienate the negroes who were rapidly coming over to us; Mr. Nordhoff gives the most authentic statement of the murders in Louisiana; for instance, out of thirty-three in five years in Plaquemines, thirty one were not political; since the election a white Democrat has been killed by colored men, and another given 500 lashes; the latter was Mr. Hebert, whose wife was guarded by two armed men during it; it occurred on the fourteenth; there have been lawless acts on both sides, and human life has been sacrificed—more in Louisiana than in Northern States; life is not as safe here; there are many lawless men who do not hesitate to take life with or without provocation; do not know of lives having been sacrificed in the North for political purposes; if it has been done here it has been without the approval of the great majority of the people of Louisiana; do not believe the murders have been committed with a view to political effect, but many are from political causes; believe there was intimidation in 1868, but saw none; can not say whether the result was influenced by it; the negroes would have been the greatest sufferers in case of a collision; do not think they have been killed to influence public opinion; don't think the Democrats did it for that purpose; think the Republicans desired a collision; think that the sewing machine affidavits were designed to provoke the people to resist the United States marshals; if anybody was killed the Republican object would be accomplished; never heard of affidavits for use at the polls or of their being printed in New Orleans; advised them that they might be there either to see to show the election was peaceable, or in case of a disturbance to show the cause; wanted them for evidence before the Returning Board in case it attempted to throw out polls; thought that it would be better to have the evidence before the charge was made.

To Senator McDonald—Mr. Robert Brown, a member of the State Central Committee, was killed since election; the cause was not political, but if he had killed a negro it would have been considered so; no doubt some of the murders have been political, but believe the greater portion of them were not.

The committee here took a recess until 7:30 P. M.

EVENING SESSION.

Mr. Samuel McEnery was the first witness.

To Senator McDonald—Lived in Monroe; born there in 1837; resided there during the last campaign; was a Democrat; is by profession a lawyer; there was an active campaign; was chairman of the executive committee; the campaign began in April, before the municipal election, the first Monday in May; the Democrats carried the city, electing the mayor by eighteen majority and electing three out of five councilmen; the canvass was conducted by both parties; myself, Colonel Rob Richardson, Dr. Richards, Mr. Mackay, R. G. Cobb, A. A Gundy and nearly all professional men and merchants took an active part; Americus Watson, Josiah Jones, Robert Mearker, colored preachers, Richmond Dunn, large colored planter, Henry Hill, colored orator, George Pearson, William Parsons, preacher, W. G. Head, preacher and school teacher, Joe Carroll, labor contractor, Ike, Randall, George Robinson, preacher, Richard Barrington, planter, Aleck Sherman, Frank Ashton, principal colored men actively engaged in the campaign and some of them were presidents of Democratic clubs; Hy Hill was president of a club of both white and colored voters; the parish has seven wards; the "Colony" is in the eastern portion of the parish; only one ward; the island is in the northern part of the parish, about five miles wide and ten long, between two bayous and the Ouachita river; it constitutes a ward; some houses of white citizens were fired into the night of the twenty-eighth and thirtieth of August south of Monroe; Mr. Garratt's, eight miles, Mr. Fputz's, about twelve miles, Mr. Chandlier', about eight miles, all on the Ouachita river; up to that time the parish had been very quiet; a few days before there had been a difficulty at a Republican barbecue at St. James Chapel, six miles below Monroe; there was an organized Democratic club in each ward; two in ward three; the organization was began in July; the Republican party commenced organizing afterward; we commenced west of Ouachita river in the hill wards; the people there were afraid of being arrested on account of the raids made by the United States marshals and the arrest of citizens in 1874 in Jackson, Lincoln and Claiborne parishes; the Republicans did not commence until the latter part of July; they had one at Logtown, one on the Island and one in Monroe; they were about twelve miles apart; Monroe is the centre of the parish; knew of rifle clubs formed at different times; the first was in Monroe in July; W. T. Ranlet was captain; in the colony, Captain McDonald; in the island, Captain Thiebalds; at Cabs, Captain F. H. Cann; on Bayou de Siard, Captain Buffington; these organizations had no connection with political movements of either party; they were under the general charge of Dr. T. Y. Abby; they were organized to preserve the peace and order of the community, and to protect colored Democrats from outrages by those of their own color; know of only one case, of Tom Howard, who voted the Democratic ticket at the city election; he was set upon in May by about thirty colored men and beaten; the colored men frequently and repeatedly complained that they were afraid of their own race; William Pugh complained he had been beaten; Martin Smith made an affidavit that he was choked for being a Democrat; these complaints were coming in very often; was acquainted with Dr. Dinkgrave from a boy; was in Monroe when he was killed about a quarter of a mile from it; learned of it in half an hour; heard he had cause to fear it from his killing John Wimberly on Lisle's plantation, March 30, 1870; Wimberly's sister-in-law was dying; Dinkgrave and his sister were at her house; she was making her will; Dr. John Alderwood was writing it; Wimberly came in drunk and said she shouldn't make a will and created a disturbance; after it became quiet he asked Dr. Dinkgrave to take a walk; they went fifteen or twenty steps; their conversation grew into an altercation and Dinkgrave killed him; Wimberly's family and friends thought Dinkgrave had not been prosecuted strongly enough; he had two or three brothers in Arkansas, Texas and Mississippi; Dinkgrave told Macfee he was sorry he had done it, though he thought he had done right; that Wimberly's brother had sent him word he would kill him, and he did not know at what time some of them would pick him off; when he was killed the community generally believed it was to satisfy some private vengeance, and that there was nothing political in it; one of the brothers was reported then living in the Island; think he had been there about a year; Mr. G. W. Macfee said he thought he had seen him in Monroe the day Dinkgrave was killed; Dinkgrave had a good many friends among the Democrats; he mingled with them socially; there was no animosity though there was a strong feeling against him in consequence of his violent partisan character, although I know of no instance where it went so far as personal animosity; met him very often; met him the last time at a public meeting addressed by Mr. Dennett on emigration; his friends regarded his assassination as the result of the Wimberly feud or the Adams difficulty; the latter was on his way to Vicksburg; Dinkgrave was on the train; Dinkgrave arrested him without a warrant as one of the murderers of Judge E. S. Crawford and District Attorney Harris; Adams was put in jail at Delta in Madison parish; from there he was brought to New Orleans and finally discharged; Adams was a planter of Franklin and a man of very fine character; the impression was that the parties who desired to take the life of Dr. Dinkgrave took advantage of the political excitement to divert suspicion; never heard of any threats from Adams; a detail was furnished the sheriff by Captain Renwick, of the Ouachita Home Guard, and it got ready as soon as they could get their horses; there was a great deal of consternation; no objection was made to furnishing it; it went about five miles to Bayou de Siard, where it was supposed the man crossed; the sheriff said there was no use going into Chenuan swamp; the deputy sheriff, Charles Williams, a negro, was sent west; Captain Head furnished him with a detail at Trenton; Dr. Abby and myself gave him instructions how to intercept the murderer in case he crossed at Ouachita city, twenty miles from Monroe; the pursuit was not very vigorous, because the sheriff was not the right sort of a man to conduct it; the man was not captured; on that day Mr. Macfee told me he saw a man that looked like Wimberly talking to R. B. Vincent, a policeman; Vincent didnt know who he was, but he acted very singular; Mr. H. G. Dobson was with Dinkgrave when he was shot; described the man was of medium size, with heavy whiskers and a slouch hat.

Senator McDonald here read from the testimony of Mr. Hardy as published in the REPUBLICAN.

Mr. McEnery continued, and gave substantially the same testimony as published in the REPUBLICAN, confirming Mr. Hardy's repetition of what Mr. Dobson said. The horse was a very fine bay, about fourteen hands high; couldn't recognize the man, because he was disguised. Dinkgrave had warnings of his danger. Witness detailed, almost as Mr. Hardy had done, his effort to avoid it. The meeting at St. James chapel was a Republican meeting, intended for joint a discussion. R. G. Cobb was to have been there, but was absent; Dr. William Saunders spoke in answer to Mr. Hardy; heard of the result of the disturbance; F. H. Cann, A. A. Lacy, J. F. Garrish, Rotter, Hinson and others came to ask me for advice—about a dozen in all.

Senator Wadleigh objected to hearing the statements of Mr. McEnery's clients; they were the parties accused, and it was natural they would make a different statement than the colored people who were driven away. In answer to Senator Saulsbury, who thought their statements should be received, he said he was opposed to receiving the statements of persons accused of crime regarding the circumstances of it.

Much desultory discussion followed, and it appeared the majority of the committee was opposed to allowing the questions to be answered.

The chairman stated that the sub-committee, consisting of Senators Wadleigh, Oglesby and McDonald, would take the testitimony of Eliza Pinkston to-day at eleven o'clock, and afterward take up some other parish.

The committee then adjourned to ten o'clock to-day.

## THE HOUSE INVESTIGATING COMMITTEE.

Twelfth Day's Proceedings.

This body of inquisitors, having had a respite from its disagreeable duties since last Saturday, resumed its sessions yesterday, and the board was swelled by the presence of Messrs. Hurlbut, Joyce, Blackburn, Beebe and Phelps, who, together with Messrs. Morrison, Jenks and Townsend, answered roll call, which made a working quorum. This was probably caused by the fact that Mr. President Orton, of the Western Union Telegraph Company, had been summoned to appear as a witness in telegraph matters. It was well understood that Mr. Orton had not arrived and did not intend to, and when the committee was called to order a letter from that gentleman was read, the letter giving his reasons for not answering the committee's subpena. He also stated that he was unable to furnish the desired information, besides his physical condition prohibited him undertaking so long a voyage.

Mr. Orton's name was called, but of course he could not hear the call, as he is in Washington City or New York. However, the correspondence concerning the affair was read, the same as is published in the telegraph columns.

A resolution was read and adopted to put Mr. Orton in contempt of the House, and that fact was telegraphed to Washington.

The correspondence was then made part of the committee's records.

Mr. Barnes, the manager of the Western Union Telegraph Association in this city, who has refused to furnish the committee with information which he says he does not possess, was also put in contempt.

This much accomplished the two sub committees retired, leaving Messrs. Morrison, Townsend and Jenks to prosecute their routine work in taking testimony.

Captain Carr was called, but he did not appear.

Alexander Davis, colored—I reside in New Orleans; since the election, one Sunday, just as I had come from my work, some men came along and one of them knocked me down, because, as one of them said, I voted the Democratic ticket; I laid on the banquette half an hour insensible; was threatened before election; a man told my wife that he would kill me if I voted the Democratic ticket; I did not vote at all; Oscar White and Alexander Davis are the names; the beating kept me in bed three weeks.

To Mr. Townsend—I work at a fruit stand in the French market; it was one month ago that I was beaten, in the evening; I had no quarrel with the men; they said I had voted the Democratic ticket; they did not strike me before the election; I was not registered; I made an affidavit somewhere, but don't know where; do not know the name of the street on which I live.

Mrs. William Jacobs, colored—My son, Alexander Davis, the one who just testified, was assaulted by another Alexander Davis; when I found my son Alexander on the banquette, he had a hole in his head; my son was sick three weeks.

To Mr. Townsend—He never voted; do not know whether he was registered or not; I did not see who beat Alexander.

Marcel Dupart, colored—I reside in New Orleans; was a candidate for the position of Representative on the Democratic ticket in the seventh ward in 1874; always was a Democrat; it was well known that I was a Democrat; at the last election I was assaulted by a crowd of young men at the corner of Dauphine and Kerlerec streets, who threw bricks and shells at me; two friends were with me; one of them was struck; this was about a month before the election; I was vice president of the Nicholls and Wilts Guards, and that is the reason why I was assailed by the young men; a crowd of men attacked my house one night and called for that Democratic nigger; think that if I had gone out I would have been killed or badly beaten; I know of many other men who were attacked because they were Democrats; I know of many who would have voted the Democratic ticket had they not been prevented—five or six; my opinion is that colored people would like a change in the government; the last election in this city was the fairest I ever saw.

To Mr. Townsend—Was free before the war; I never attended a Republican meeting; I did attend a Republican meeting on invitation of the president of the club; I took a seat on the speaker's stand; I was requested to address the meeting, but told them that I could not, as I was a Democrat; was not a candidate for office at the last election, but was in 1874; can not tell all the names of those persons who were intimidated at the last election in the seventh ward; can not tell a single name, but know some of them by sight; I was elected to the House in 1874 but the Returning Board counted me out; the white man who was on the ticket with me was elected.

O. B. Morgan, recalled—When I went into the country on the twenty-fifth of August I had leave of absence from the Customhouse; I returned to this city November 10, when I was discharged from the Customhouse; when in Assumption parish I heard colored people say that they intended to vote the Democratic ticket, because they thought a change in officers would benefit them; heard a man threaten Poindexter; one day just after my return Kellogg and J. E. Anderson had a lively conversation in the Customhouse, and I think it was about the Felicianas; Anderson and Nash signed a paper which they asked me to witness; I witnessed it; the paper was an agreement to give Anderson a position in the Customhouse—naval officer; he was to have the place for doing something with the East Feliciana returns; Anderson told me that the Democrats could afford to pay him a great deal of money to have him let the East Feliciana returns stand as they were; he went to see Mr. Patton about it; the affidavits that I know anything about were made in the Customhouse; Harris seemed to have charge of the affidavit making; the affidavit made by Simmes, of Livingston, was made correctly at first, but a red headed young man took it and called Simmes and then changed the affidavit; somebody said that a man like Simmes should not hold an office in the party; Simmes was tax collector of Livingston; Hill told a reporter that it was necessary to send supervisors from the city to the country, as supervisors would not be able to live in the country after the election; met some of the supervisors after election, and they told me that the State had gone Democratic; Simmes told me that he saw nothing wrong on election day; T. C. Anderson, the captain of the Lessie Taylor, Leet and myself were talking about the election one day after the election, when T. C. Anderson said that he was defeated, but that even if the Democrats did get the most votes they would not be surely elected; when in West Baton Rouge I heard that about 700 colored men had gone to East Baton Rouge to hear Nicholls speak; I talked with some of them and they told me that they had joined the Democrats freely; they wore Democratic badges; J. E. Anderson was a supervisor in East Feliciana; he showed me a letter from Kellogg, recalling him; Anderson had no residence in Feliciana, and I think that while he was acting as supervisor his pay in the Customhouse went on, but it was put into the campaign fund; Anderson looked to Nash for the appointment of naval officer; the appointment was to be made in consideration of Anderson counting out his parish, or changing the returns to favor Nash's election.

To Mr. Townsend—J. E. Anderson wanted to know what Colonel Patton was willing to do about the returns; Anderson told me that Patton did not want to do anything in the case—that Patton would not make a proposition; saw the red headed clerk making affidavits in the Customhouse but I do not know what the affidavits contained; Harris did not like the affidavit as made by old man Simmes, so he took away the one I had written, asking me if I could not do better than that; Harris wanted the affidavit made stronger; another clerk tried his hand, but the old man kept on making the same answers; Simmes swore that the parish—West Feliciana—had always been Republican; his first affidavit was a good Democratic document; he said he did not like to swear to something because he wished to live in peace with his neighbors; do not know much about the 700 colored men who attended a Democratic meeting in East Baton Rouge; talked with eight or ten of them who wore Democratic badges, and they said that they were Democrats of their own will; I understood that Anderson was to throw out his parish and so elect Nash, and if Nash was elected he would owe it to him; I was canvassing for the Republican party; I had a blank leave of absence from the Customhouse; while I was in Assumption parish I began to think that Mr. Darrall was not doing the right thing by me; I would not pay my two months assessment out of my Customhouse salary, and Darrall learned of it; I then understood that I would lose my situation in the Customhouse; was discharged from the Customhouse on the tenth day of November; there was an arrangement between Anderson and myself to get money from the Democrats; I did not always tell the truth to Anderson; the money was not for me; I told Patton that money was wanted for the information that Anderson could give; Patton told me that they had no money to give us; the Democrats never employed me to go around the Customhouse and learn things for them; I would not like to give all the reasons I have for deserting the Republican party; I worked against S. B. Packard, but would have voted for Warmoth for Governor; I did not like some of the Republicans, and that is no reason why I left the party; did not vote a straight Republican ticket.

Direct—J. E. Anderson wanted Democratic money to permit the returns of his (Assumption) parish to remain just as he had returned them.

Frank Connor, colored—Reside in New Orleans; voted last election, and was attacked by a deputy marshal who had a stick; he struck me, and the crowd said, "kill the d—d Democratic nigger."

To Mr. Townsend—Two of the deputy marshals struck me, but do not know the names of both; one is named Bibb; have not seen him since election; Bibb saw me vote the Democratic ticket; Republican colored men can vote without fear of disturbance.

A paper purporting to be the original of the affidavit made by old man Simmes was produced, and Mr. Morgan was recalled to swear to its identity. He recognized it.

To Mr. Townsend—I gave this affidavit to Governor Palmer; I took it from the Customhouse; I told Governor Palmer that I could swear to the paper; another affidavit was made for the old man, but the new one did not include the erasures in the first one; I believe the old man wanted to tell the truth; Simmes then signed the second affidavit.

Perry Massey was called to confirm Frank Connor's story.

N. H. Wilson, colored—I reside in Assumption parish; was a candidate for the Legislature at the last election on the Conservative ticket; colored people had a Democratic club of 200 members, and one of our meetings was broken up by L. E. Bentley; one of our members was badly beaten before election; heard Packard make a speech, and he said he would be elected; James Lewis said that the Republicans would carry the State, even if they had to count it in; he told me the Returning Board would count me out; I was not elected; think that all the colored men who wanted to vote the Democratic ticket did not vote.

To Mr. Townsend—Out of all the colored voters there may be 100 or 200 Democrats in the parish; it was at Donaldsonville that I heard Packard speak; Lewis said that Hayes would be counted in; do not actually know that any colored men voted the Democratic ticket; did not hear of any colored men being discharged because they were Democrats.

Direct—The speeches of Packard and Lewis discouraged colored voters; according to the promises I got I fell short fully 400 votes; many voters considered that it was useless to vote if the vote was to be counted out; I was a Republican; told the people that our local affairs had been badly handled by the Republicans.

To Mr. Townsend—At our Republican nominating convention the men acted so rascally that some of us left the party; do not know of a single man who was prevented voting by Lewis' speech; do not know what the parish tax is, nor the amount of its debt or anything else; some of our leading men are dishonest; L. E. Bentley holds two or three offices, and I think a man who holds more than one office is not doing right; I can name three Republicans in my parish who hold more than one office; do not understand how Bentley holds two offices and has a printing office; I think it is dishonest for one man to go into a convention and nominate fourteen men.

The committee adjourned until eleven o'clock this morning.

### The State House.

Everything in and around the State House yesterday was quiet, with very little going on in any of the departments, with the exception of a few men who are employed cleaning and fitting up the Senate chamber and the hall of the House of Representatives, to have them in readiness for the General Assembly, which will meet next Monday. In the meantime Captain Joseph Lawlor, of the third precinct, together with a sergeant, two corporals and a few police officers have charge of the building. The doors were mostly all barred, with the exception of the entrances on Royal and St. Louis streets, but no person having business in the building was interfered with by the police or any one else.

### Commissioned.

Governor Kellogg issued the following elective commissions yesterday:

Morehouse—E. Wilde Ross, clerk of court, vice J. M. Turpin, resigned.

Red River—T. B. Selby, justice of the peace, first ward.

The Governor also issued the commissions to officials elected in the following parishes:

Calcasieu, Bienville.

One dollar Christmas presents,
One dollar Christmas presents,
One dollar Christmas presents,
The best tickets in
The best tickets in
The best tickets in
The best tickets in
The grand drawing, January 2.
The grand drawing, January 2.
The grand drawing, January 2.

## BY TELEGRAPH.

### THE INVESTIGATION

### NORTH LOUISIANA EVIDENCE

### Action of the Returning Board Sustained.

[Special to the New Orleans Republican.]

SHREVEPORT, December 26, 1876.

Christmas passed off very pleasantly in our little city.

After examining the witnesses from Bossier and Webster parishes, Saturday, two colored men (Republicans) were placed upon the stand, and gave some very damaging testimony against certain citizens in DeSoto parish. One of them gave the name of his employer, with whom he was working for a share of the crop, who compelled him to leave the place for attending a Republican barbecue in Shreveport just before the crop was gathered. He has never yet been able to get a settlement, although he has appealed to a justice of the peace and lawyer in Mansfield, the latter telling him to go to the damned Republican carpet-baggers if he wanted anything.

This witness was carried through a most searching cross examination, assisted by Judge Elam, but when they found he answered all questions with promptness and no deviation, they were glad to let him go off.

Dr. Swann, a witness from Bossier, told a startling secret about a plot to capture Bienville parish for the Republicans. He said he had been let into the secret by Judge L. W. Baker, a prominent leader of the Republican party. The plan was to consolidate all the colored vote at certain polls in Bienville, and then claim intimidation before the Returning Board and have the other polls in the parish thrown out.

The doctor, from his answers, was evidently under the impression that a greater portion of the vote of Bienville had been thrown out by the Returning Board. Mr. Danford, the Republican member of the committee, soon knocked the thunder out of this gigantic plot when he informed the doctor that not one vote was thrown out in Bienville parish.

Regarding the testimony of Dr. Swann as to George L. Smith's election to Congress, the former had the following corrections made in the Shreveport *Times* of Sunday morning:

A mistake occurred in our report yesterday of the testimony of Dr. Swan before the committee. He did not say that he had received a letter from Hutton, the supervisor of election for Bossier parish, stating that Smith lacked so many votes, etc., but that Hutton had figured out on a slip of paper, which he has in his possession and which he intended to bring from home with him to lay before the