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LEGISLATURE YESTERDAY.

The Senate.

The conclusion of business on Monday took place at ten o'clock yesterday morning. The President called the House to order, but no quorum appearing, was taken for half an hour. At 10 o'clock the House adjourned until 10 o'clock to-morrow.

Mr. Broussard introduced a bill for the equalization of the State. Mr. Brewster introduced a bill for the relief of Mrs. Dinkgraves, and after some delay the House went into committee on the whole upon it.

Mr. Leonard in the chair. Mr. Brewster said that the circumstances of the assassination of Dr. Dinkgraves were well known. It occurred at a time when his family were absent. His death was unexpected, and his affairs were in confusion and business scattered. A settlement of his accounts was necessary in a few days. He called the attention of members to the fact that such bills were passed on the assassination of Damas and Titcomb and Crawford and District Attorney Harris. This bill merely gave Mrs. Dinkgraves the same due, not to exceed \$2500, the same as has been done in the other cases. If a tax of a district where assassinations were committed were made to support the families of the victims there would be fewer of the deeds reported.

The committee agreed to report favorably on this bill and then rose. [Mr. Leonard in the chair.] Mr. Leonard's motion the rules were suspended and the bill passed.

Mr. Dinkgraves moved the House proceed to draw for snats, adopting the suggestion of Messrs. Warmoth and Hill that it should be made and drawn singly. Mr. King moved that Governor Warmoth be seated to select his seat, and the House adjourned.

Governor Warmoth accepted the courtesy, and going to the Speaker's desk informed him of his choice. Speaker Hahn said that Governor Warmoth had accepted the Speaker's chair, which was much amusement. Mr. Spaulding occupied the chair while the drawing occupied, which was ended in about fifteen minutes.

During the session Messrs. Dayries, of Pointe Coupee and Brown, of Vernon, were sworn in. The House adjourned to twelve o'clock to-morrow.

The House returned to twelve o'clock to-morrow. The Democratic Senators were called to order and at once went into secret session.

When the doors opened Mr. H. D. Ozgen took the chair. Nineteen members present. Mr. Richardson presented a petition from I. W. Falls, who casts the seat of Mr. Stamps.

War in Indiana.

A special election was held in Indiana on Tuesday, a week since, to fill a vacancy in the State Senate caused by the death of the former incumbent. The district in which the election was held has heretofore been Democratic, and in view of the fact that the political control of the Senate depended upon the result, unusual efforts were made by the Democrats to elect their candidate. The election of the Democratic candidate would have made the Senate Democratic by one majority, while the election of the Republican candidate makes it Republican by one majority. The district is composed of the counties of Madison and Delaware. Madison, at the presidential election in November, gave Tilden over 800 majority, while on Tuesday last it gave Dixey, the Republican candidate, 169 majority, thus securing his election. Madison is one of the counties in which the "war talk" has prevailed, and in which the Democrats have been making threats of violence should Tilden not be inaugurated. This election seems to show that public sentiment is against such revolutionary utterances, and that the people of even Democratic communities have no sympathy with those Democratic leaders who are counseling opposition to legal forms in the final settlement of the pending presidential complications.

A communication from the House caucused informed the Senate that it was prepared for a joint bill to count the votes of the last election.

Mr. Knott offered a concurrent resolution to notify the President of the United States that the legal Assembly of the State of Louisiana is in session at St. Patrick's Hall, in the city of New Orleans, which was adopted.

Resolved, by the Senate, that the House of Representatives be notified of the fact that the legal Assembly of the State of Louisiana is in session at St. Patrick's Hall, in the city of New Orleans, which was adopted.

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COURT RECORD.

TUESDAY, JANUARY 2, 1877.

Superior District Court. State vs. B. F. Flanders.—Rule to show cause why an injunction should not issue fixed for January 3, 1877.

Mr. and Mrs. Kelly vs. Sheriff Handy et al.—Rule to show cause why an injunction should not issue against the making of title to property sold December 9, 1876, in the estate of Eloye J. Handy vs. Mrs. Ellen Sadler, fixed for January 3.

First District Court. State vs. John W. Redmond.—Assault, sentence of three months. Two hundred jurors are ordered for January 9.

Second District Court. Successions of Leonora Abat, Isabella Strauss and John Lucas Thielen opened. Robert DeBianco prays to be emancipated.

Fourth District Court. L'Hote & Co. vs. Robert Morris et al.—Suit for \$518.28, balance due for lumber furnished for houses in Baton Rouge, which were destroyed by fire, and writ of sequestration on the insurance funds in custody of Firemen's Insurance Company issued.

Fifth District Court. Isaac Shook vs. Mrs. Emma Lee.—On promissory note for \$2000.00, dated New Orleans, February 15, 1873, signed by G. J. Cole, who died July 7, 1875, for goods sold during the war. Defense by legatee under his will that the note is a forgery. Plaintiff and another swear that the note was signed in their presence in St. Louis and \$500 paid on account of \$2502. Defendant and others swear that the signature is not Cole's from knowledge gained by seeing him sign other documents. Two experts testify that the signatures of note and will could not have been written by the same person. To sign in St. Louis he must have gone there in four days. Plaintiff's authorities, 7 L. 301; 2 A. 107; 1 Starkie Ev. 516, section 83; 4 Phillips, 1326 et seq.; Am. Law Review, 1869-71; see C. G. of 1867, 220, and C. G. of 1870, 2345. The positive testimony of Shook and Treadwell is entitled to serious consideration. No attempt was made to impeach either of them. The testimony of the legatee is not that of an interested party, and as a matter of course, must be received as such. I have carefully studied all of the witnesses, and have found in their statements several instances of fact, which are material or of corroborative value, which surmount credulity by their inconsistency and improbability, viewed as ordinary business statements. In making a conclusion, I have examined the geography of the note and on the signature to the will and the several letters to have been written by Cole. I find no sort of similarity in the formation of the characters, in the mode of connecting them, nor in the standard of orthography. The note is correctly written by a person, while the letters are being in the most ordinary handwriting. The same identity of penmanship, distinctive of the same strokes of the pen, and the design of the writer. As for example, the 's', 't', 'e', 'a', and the 'j' in the 'y'. The same identity is seen in the 'y', and they are all different from the letters written in the note. At the same time, the investigation I find the genuineness of the note. I regard the case as having been settled with legal certainty. Judgment for the plaintiff.

The Temperature. Thermometer at Louis Frigier's, No. 50 street, for the past three days: 50; 51; 52.

At 8 A. M., 49; at 2 P. M., 50; at 8 A. M., 50; at 2 P. M., 51; at 8 A. M., 50; at 2 P. M., 51; at 8 A. M., 50; at 2 P. M., 51.

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FROM WASHINGTON.

The Movers of War in Congress—Democratic Remonstrance Over President's Veto—Lawful if Cast for Tilden—The Class of Men Whom the People will Cease—Pen-Applicants—A New Plan for Their Benefit and a Saving to the Government.

WASHINGTON, December 30, 1876. Ever since Congress met on the fourth of this month, it has been the practice of the Democrats in the Senate and House to cast every kind of invective against Republicans, and arraign their party crimes against the ballot boxes during the recent presidential election. Republicans are constantly being denounced as plotters having no love of country, and as attempting to keep the party which saved the nation in power merely for the purpose of advancing their own selfish ends. It has been wondered, and Republicans have been asked, why they do not openly and publicly rebuke the wholesale mud flinging of Democrats, and compel them to acknowledge their issue of falsehoods of which they are guilty of uttering almost daily. Until within a few days past the answer of Republicans to this has been that the Democrats are angered to frenzy almost in their infatuation over the impossible feat of counting in a Democratic President who is not elected. Since this hot-headed Democratic fanaticism has been unable to control their political passions, and have begun their revolutionary tactics by incendiary speeches and false appeals to the people, some of the Republican leaders have determined to take these brave warriors in hand, and it was only the other day that the idea was carried out by General Garfield and Mr. Fry, of Maine, who took the wind out of the sails of Representative Banning, of Ohio, when in a hot and threatening tirade against the Republicans, he sought to have printed, at public expense, a report of a Democratic gathering in Ohio. When Mr. Banning sat down, after his vindictive utterances had fallen flat, except upon a hungry and semi-sleeping crowd in the galleries, who had come in to keep warm, General Garfield arose and, in a vein of good humor, opened out on his Democratic colleague. He rejoiced, he said, that at last we have in our midst a gentleman who is authorized to speak for the whole American people. Some of Mr. Banning's political friends took this point as highly complimentary, but there were others of that number who were of the opinion that it was what Artemus Ward would term "sarcastic." Mr. Garfield continuing, said he had in his feeble way been reading the public newspapers, and from every source possible, trying to get at a knowledge of public opinion upon public questions, and he had hoped that the whole Congress, aided by the whole press, might by-and-by get a reflex of the public mind, but he had not indulged the dream that on a bright morning between two holidays he should find a gentleman who had already learned all about it—how the people felt; what were the facts in the late elections in Louisiana and other States; what the contents of the sealed packages were in the hands of the President of the Senate, and could tell exactly how much military force the people are going to raise to carry out his (Banning's) views of the result. Wonderful Banning! Sagacious chairman of the Military Committee! When General Garfield thus set him up as the great political prophet his Democratic friends in the House appeared to be looking for some ponderous document such as are used to contain Democratic election frauds to knock their idol down again. But General Garfield was not yet through with him. He showed very plainly that Banning's speech meant that every false or fraudulent should be counted and declared lawful because it was found in the box. General Garfield uttered a great truth when he said, "how desperate must be the cause that can call such a doctrine to its support." General Garfield furthermore knew whereof he spoke and had studied the Louisiana case carefully, and he asserted that if his colleague should have drawn out the ballots from some of the boxes in Louisiana his hand would be leprous with fraud and red with blood. The speaker then took occasion to deprecate his colleague's and other Democratic utterances, to the effect that the people would defy the authorities of the United States in a certain contingency; also, that the navy might come here with fixed ammunition, that the trappings of war might be rattled about the Capitol, and that the people, in whose name his colleague assumed to speak, would rise and overturn the lawful authorities. But Mr. Garfield said he would remind them of this fact: that the man who suggests violence as a mode of settling any national question would be the one repudiated by both political parties, and that it was the very essence of violence for a Representative to appeal to the people to resist the plain process of law.

Mr. Fry, another staunch Republican, a splendid orator, with a clear and commanding voice, an eloquent reasoner and sound in argument, summed up this Democratic hue and cry of war in the most admirable manner. The fact that gold stands at 107 1/2 and 108, and not taking such stock in this war cry, neither were the people frightened much by such talk as that of General Banning, of Ohio. The Democrats have suddenly formed an attachment for General Sheridan because while J. Madison Wells was Governor of Louisiana Sheridan did not like his favors to some man who had been in the rebel army, and he (Sheridan) in excitement denounced Wells for this. These gentlemen of Democratic faith, however, should not forget that when Sheridan classed a certain disloyal element in New Orleans as "banditti," public meetings of Democrats in Boston, New York and Cincinnati were held denouncing General Sheridan for such language. They (the Democrats) are willing to endorse General Sheridan for his words regarding Wells, but why will they refuse to take his word when he shows them, and can produce the papers to sustain it, that nearly 2000 colored men, in the nineteenth century, in a State of the American Union, in time of

FILE YOUR PROTEST.

The Diplomats of St. Patrick's Hall. Commissioner Fordage, in one of Dickens' "Christmas Stories," while being rescued from pirates against his will, called for footlock, pens and ink every half hour or so, and putting on his diplomatic coat, filed a solemn protest against the irregularity of the proceedings. Whenever one of the sailors wanted a light for his pipe, all he had to say was, "Hand us over a protest, Jack."

Really, our Democratic friends are getting as unbecomingly with their protests as Mr. Commissioner Fordage. Another protest was handed over yesterday, this time from the House, signed at St. Patrick's Hall. Shortly before noon a committee, consisting of Messrs. Harry Wilde, of Orleans, Williams, of East Baton Rouge, and Singleton, of St. Landry, waited upon Governor Kelllogg at the State House. Mr. Wilde introduced his colleagues, and thereupon proceeded to read the following document:

HOUSE OF REPRESENTATIVES, Monday, January 2, 1877. Hon. W. F. Kelllogg, Governor of Louisiana. As a committee of the House of Representatives of the State of Louisiana, we have come to inform you that the House of Representatives has organized in St. Patrick's Hall, in this city, and has there elected a Speaker, Hon. Louis Hahn, of Orleans, and are now ready to proceed to business.

Our reasons for assembling in that hall we desire to state, as the same in entering our solemn protest against the occupation of the State House by armed police and militia and against the unlawful and unwarranted exclusion of duly elected representatives of the people. At the hour of assembly, on Monday, January 1, we presented ourselves at the door to the State House, which we found in possession of armed police and militia, with the doors barricaded and closed. On duly requesting permission for the Representatives to enter, and after duly demanding that the barricades be removed, that the armed police and militia be withdrawn, and being met with a refusal, in order to avoid tumult and bloodshed, we withdrew and organized accordingly to the law and constitution of this State.

The Clerk of the House, also having presented himself, demanded that the police, militia and unauthorized armed men be removed, and that the legally elected members of the Legislature be allowed to enter, and this being also refused, retired to the hall of the State House, and there the roll of the duly elected members of Representatives were found to be present, and the House was duly organized.

In the name of that body, the House of Representatives of the State of Louisiana, we desire to enter our solemn protest against the exclusion from the State House of the duly elected Representatives of the people, and against the presence of armed Metropolitan Police and soldiers against the barricades which excluded the Representatives from entering their hall. We enter this our solemn protest against the military and police occupation of the State House, in the name of the people, whose rights have been trampled on and overturned, and in the name of all that is dear in the liberties of our State.

RICHARD H. WILDE, of Orleans. J. M. WILLIAMS, of East Baton Rouge. M. V. SINGLETON, Sr., of St. Landry parish. Governor Kelllogg replied: Gentlemen—There are several statements contained in this communication which are incorrect. There were no military, properly speaking, in the State House yesterday. There was a force of police, stationed differently from the way in which they are ordinarily armed as conservators of the peace. They were simply here for the purpose of protecting the members of the legislature, and not here for the purpose of interfering with any member of either House. They were specially instructed not to interfere with any member, but to protect them from violence by others.

It has been stated there were United States troops in the State House. There were none. It has also been stated that there has been a communication sent between this building and the New Orleans Hotel, on Chartres street, for the purpose of introducing United States troops with greater rapidity into the State House. This is not true. Whatever communication exists between the State House and any other building has existed for some time.

As to this House, which you claim has been legally and properly organized, the law provides that the Secretary of State shall furnish the Clerk of the House with a list of all persons legally elected members of the House of Representatives. The Clerk was furnished yesterday with such a list. Sixty-eight of the men whose names were on that list appeared in the regular hall of the House of Representatives in the State House and organized according to law, and forty-two or forty-three at most appeared in St. Patrick's Hall. Therefore I must decline to receive any communication from a body which lacks nearly twenty of a quorum.

BY TELEGRAPH.

WASHINGTON.

WASHINGTON, January 2.—The Senate met, and no quorum being present, adjourned. The House is in session. American Citizens in Mexico. Great interest attends the question as to what the government will do to protect the rights of its citizens in Mexico. The subject will probably be discussed at a Cabinet meeting to-morrow.

Snow Blockade. The Potomac is blocked, railroads delayed and telegraph wires slow. Cause—Over a foot of snow throughout this region.

Government Business. The debt statement shows an increase during the month of \$3,283,142; coin in the treasury \$96,500,000; currency \$0,500,000. There is no explanation of the increased debt beyond the usual operations.

The President and the Interviewers. Another interview with the President is published, upon which the changes are rung in special to the Tribune, Herald and World, and whoever would publish or pay for it. It is harsh, and covers with its approval all the claims of the Republican party. It may be said that it does not accord in tone or spirit with the views of the President, as laid forth by Mr. Gobligh in his report of the interviews which the President accorded to him.

The Committee on Counting the Electoral Vote. The Senate committee on counting the electoral vote had another session to-day. Mr. Canby was with the committee to-day for the first time. The proceedings are still preliminary. No propositions of any kind looking to final action have been made. The strict committee will have a meeting in preparation for the joint session.

The Louisiana Democrats Electors. Judge Spofford delivered the Democratic electoral vote of Louisiana to Mr. Ferry, who gave him no receipt. It will be opened with others at the joint session of the two houses when the votes are counted. The delivery was witnessed by Senator Bayard and Representative Williams.

The Papers that Hampton Refused to Sign. The Democratic vote of South Carolina was also delivered to-day by Colonel Harrington, in the presence of Senators Gordon and Bayard and Representative Willis. No receipts were given.

The Cabinet. The first Cabinet meeting for two weeks was held to-day, lasting full three hours. Action was not taken. The application of the Louisiana Republican Legislature was referred to but the Cabinet still holds that the troops already in Louisiana are sufficient to meet any difficulties that may arise, which would probably demand military interference.

The Situation in South Carolina and Florida were discussed, but nothing proposed. Secretary Fish presented some appeals from the Rio Grande, but it was considered that existing orders cover the case and the State, War and Navy departments are expected and instructed to act promptly should new exigencies arise.

NEW YORK.

New York Weather.

NEW YORK, January 2.—The snow storm which set in here yesterday afternoon continued all night. About a foot fell. The sun now shines brightly.

The Sweeney Suit. P. B. Sweeney telegraphs from Paris that he will attend the trial against him in the civil suit under stipulation, waiving arrest. The case against him for \$7,000,000 has been postponed to April on account of his inability to pay.

A Republican Speaker in the New York Assembly. ALBANY, January 2.—George B. Sloat, Republican, has been elected Speaker of the Assembly.

Hampton Wants Money. COLUMBIA, January 2.—Governor Hampton has issued an address calling on the citizens who desire to maintain the government of their choice to come promptly forward and pay an amount of one year's tax levy. The Legislature authorized the collection of twenty-five per cent. but the amount called for will be sufficient. The trustees of charitable institutions are suffering. The address concludes: "adjure our people, therefore, to be steadfast, law-abiding and peaceful, and I pray that the new year will bring to them the blessings of peace and prosperity."

The Florida Court. TALLAHASSEE, Florida 2.—The Supreme Court met and refused to receive the canvass of the twenty-seventh of December. The court ordered adjourned until four o'clock this afternoon to the plain language of the court, by canvassing and counting, and adding up the vote cast at the election in the office of Governor, and who have voted the highest vote for each office, and omitting in their return any votes cast for any person for any other office as the rights of Presidential electors and members of Congress are from the State matters, and could not be inquired into under these proceedings. The board made return at five o'clock, the court having met at four o'clock and taken a recess. The counsel for relator asked until to-morrow to examine the return, and the court adjourned to-morrow. All dry will be inaugurated to-morrow. Very quiet.

Robinson Settles the Louisiana Matter. ALBANY, January 2.—Governor Robinson has met the Legislature at Albany at length. Referring to national affairs, he says in regard to Louisiana: "I pause here in this statement to interpose in behalf of the people of the great commonwealth a solemn denial of the power of any State government of the Federal government to vest such powers as are claimed by the Louisiana Returning Board, in any canvassing board whatsoever."

He also reviews the action of the Florida and South Carolina boards, condemning both their action and that of the Federal government in connection with those two boards. He declares the military interference has been in violation of the constitution. He says: "While these things were going on in the South, a member of the Cabinet at Washington was acting as chairman of a partisan national committee, and with the co-operation of some of his colleagues in the Cabinet counseling and systematically intimidating the electors of the State." With reference to the President of the Senate determining what States shall be counted he says: "The President of the Senate is to be selected from among the people. If such a power were to have been vested in a single man, a depository would have been chosen not so far removed from popular accountability, but the people of this country will never vest such a power in any one man, however selected; they will never consent to a new construction of the constitution and laws that bears such fruit."

They will stand firmly in the ancient ways, and insist that the electoral votes in this emergency shall be counted, as they have always been counted, by the two houses of Congress, and by nobody else. In conclusion he says: "The people of the United States will never consent to have their Representatives in Congress stripped of those powers or to tolerate this usurpation by a deputy of the Senate, or by any single person, and still less by an officer who is frequently interested as a candidate in the result of the count. In this sentiment and purpose the State of

(CONTINUED ON EIGHTH PAGE.)