

The Louisianian,

OWNED, EDITED AND MANAGED BY COLORED MEN, IS PUBLISHED EVERY SATURDAY MORNING AT NO. 114 CARondelet STREET, NEW ORLEANS, LA.

P. B. S. PINCHBACK, Proprietor. Wm. G. BROWN, Editor.

OUR AGENTS.

MISSISSIPPI:—Daniel E. Young, Greenville. LOUISIANA:—John A. Washington, Black Hawk, Concordia Parish; Hon. G. Y. Edloe, Alexandria; Antoine & Berron, Shreveport; A. C. Ruth, Carroll Parish. J. Ross Stewart, Tennessee. DISTRICT OF COLUMBIA:—James A. D. Green, Washington City. ILLINOIS:—Lewis B. White, Chicago. KENTUCKY:—Dr. R. A. Green, Louisville.

SATURDAY, NOV. 23, 1872.

OUR CITY SOLICITOR.—We take great pleasure in announcing Mr. HENRY A. CORBIN, as authorized to solicit advertisements, subscriptions, etc., for the "LOUISIANIAN," and competent to receive moneys and give "full acquittance" to all who desire to pay for their paper. "Let those pay now, who never paid before; And those who always paid, now pay the more."

THE UNITED STATES COURT.

The case of contempt against Governor Warmoth and his Board, set for hearing yesterday in the United States Circuit Court, came up in order, and was, on request of plaintiff, postponed to Monday.

We have had the pleasure of greeting Hons. Geo. Y. Kelo, of Rapides, and C. C. Antoine, of Caddo, during the past three days. Both gentlemen join in the complaint against the wholesale deprivation of the rights of the people of these parishes.

Governor Warmoth has called the Legislature elected on November 4, 1872, together in extra session for ten days from December 24th. The cry is going up that this body is not in existence till January, 1873. But in these days "things are not what they seem."

We commend to our readers a careful perusal of the decision of Judge Snell, of Washington, D. C., in a recent case of a bar-keeper charging an extortionate price for ice cream to a colored applicant. We also commend it to bar-keepers who fancy that they escape the penalty of the law when, by such a pretext, they attempt to evade it.

ALABAMA LEGISLATURES.

One of the giant difficulties with which the people of Alabama have to contend is the assembling in the Capital of that State of two STATE LEGISLATURES. The new one which claims to be elected and the old one which denies this, and claim to be legally holding over till their successors are elected and qualified.

Lafourche parish cultivated nearly fifteen acres of cane and corn to the hand. See her crop report from the Sugar Beet.

THE CENTENNIAL COMMISSION.—Elsewhere in to-day's issue we publish the "Address of the United States Centennial Commission" to the people of the United States. This paper fully explains itself.

HORSE DISEASE.—The much dreaded disease among the horses is not by any means confining its ravages to the North. It has appeared in Wilmington, N. C., Memphis, Tenn., and Atlanta, Ga. The forms are yet mild, and no fatality is reported but the symptoms are similar to the epizootic of New York, etc.

Although the report was all day rife that the Mayor and Administrators elect would apply for their seats yesterday, up to the time of going to press the old members were still in.

Yesterday evening's Times contains the following *jeu d'esprit*, which is worth reproducing. Administrator Lewis was passing a group of young men on Canal street the other day, when one of them, pointing to the Administrator remarked, irreverently: "There goes the damned nigger who beat Beauregard!"

Col. Lewis turned round and good humoredly retorted: "Yes and that's more than General Anderson could do!"

"THE SOUTH AND THE ELECTION."

The Nation of November 14, concludes an article, written under the above heading, with the following emphatic and significant paragraph:

"We wish most sincerely the South could now be convinced that her future is in her own hands, and yet such is the truth—melancholy it may be, but still the truth. Congress has done all that it can do; the North has done all that it will do. Every Southern State is now handed over, as all States are, to the rule of the majority of its own people. If it be true, as many think that where the negro voters are in a majority, or where they hold the balance of power, there is no hope of improvement from the education of public opinion, the South must look to immigration for her resurrection. Those white men who groan so dreadfully under negro and carpet-bag rule must get other white men to come down and settle on their wastes, and give them a majority. If they can neither do this nor win the negroes over, they must suffer on. They may rely upon it, there is something wrong in their own policy, as long as hundreds of thousands of new-comers from Europe seek homes two thousand miles away on the semi-barbarous Western frontier, when they could have them almost for the asking all along the Atlantic seaboard, within a day's journey of French and German and British steamers. It is not for nothing men thus plunge into the heart of the continent. If the South can find no means of attracting them beyond the publication of flaming advertisements, if when they get strangers down there they cannot make them so happy and hopeful that they shall ask their friends to follow, we do not know what remedy there is for Southern ills. All restrictive and coercive legislation is done away with, and if the white race is so far paralyzed or degraded that it can find no honest way of ridding itself of its domination which it makes a boast of despising, it must make up its mind to suffer without help if not without pity. We do not, however, believe that this is the case. In more than one State, the modern spirit—the spirit which takes facts as they stand and makes the best of them, and meets difficulties, not with oaths and execrations, but with labor and craft—is rapidly showing itself, and it will doubtless spread and do its work."

There is a leading idea in the above which accords perfectly with our views and sentiments as our readers know; and that is, that the majority shall rule. There is, however, a fallacy following it that we must dispel. It is the merest vagary to think that "where the negroes are in the majority, or where they hold the balance of power, there is no hope of improvement from the education of public opinion." There is every hope of improvement in every direction if the Southern people will only accord the negroes their rights, and enter into those friendly relations with them which are dictated by every consideration of justice, prudence and economy. And here in Louisiana, we are to-day watching and waiting to emerge out of the political maelstrom in which we are involved, hoping that whatever turn our affairs may take the people of Louisiana, white and black, may profit by the many bitter lessons they have been taught by the contest. Lessons that THE LOUISIANIAN will not hesitate to declare and inculcate. And if it requires the fires of strife and bitterness—if it requires confusion and even tyranny and treachery to teach the colored people of Louisiana the absolute necessity of union and mutual confidence, and self-reliance, for the better protection of their civil and political interests, and the white people the necessity of recognizing the status of the colored people, of aiding and encouraging them and identifying themselves with them, thus constituting our commonwealth, we heartily welcome them, believing that through them there will never again disgrace Louisiana, her people and her reputation the chaotic state of things that exist in our midst to-day, and the negroes will be heartily glad to be thus "won over." They want peace and harmony with their white brethren—they want to peacefully and safely labor—they want to elevate themselves and their children from the degradation of obscurity and ignorance, by education—they want to go forward in the march of human progress, and all that they ask is, the same chances that are afforded to other people and other races.

This is the true "modern spirit" and that one "which takes facts as they stand, and makes the best of them."

THE NEW ELECTION LAW.

This famous instrument which passed the Legislature at its session in January last, is proverbially known to be one of the principal measures the reformers of the period clamored so much to get through. Soon after it passed and was sent to the Governor, a series of combinations sprang up; the clamorous voices of the "Reformers" were hushed—like the lulling of a storm, during the change of the wind from one point to another—the conversion, or rather the perversion of the Governor was being effected, when, lo! the storm set in from an opposite point, and the men who but a short time previously could not, nor would not, hear of aught but the new Election Law, now so violently demanded the retention of the old law. And during the progress of the vigorous campaign just passed, Governor Warmoth himself, in one of his Lafayette Square speeches, in referring to the change in the opinion of the reformers, explained why it had been changed, and why they did not any longer desire him to approve the bill, and why he had withheld his signature from it. The fact, he broadly stated to be, that he had identified himself with the Liberal party and would wield the immense powers of the Executive in behalf of his new friends.

So things were on, and election time came. The registration business was conducted in the majority of large Republican parishes in so outrageous a manner that thousands of qualified voters were absolutely denied registration; and when the day of election came, numbers even of those who got through with their papers, were denied the right of voting. Exclusive possession, manipulation, and a resort to all of the devices and tricks incident to an unscrupulous determination to beat an adversary have all been one way. The shout of "Victory," "Triumph," and "Redemption," has been sounded, till the screamers got hoarse. All of these things were wonderful, but behold another and a more startling wonder. After the lapse of considerably more than ten days after the election—after the returns of election have been sent to a returning board—been opened, canvassed, and partially compiled, certain candidates been pronounced elected, commissions prepared and issued, all of a sudden, the men who didn't want the new election law signed, and the Governor who publicly declared his intention not to sign it, because his new friends didn't want it signed, again change their minds and the new law must be signed; and signed it is, and appears in the Times of Thursday, the columns of the Republican being closed by injunction. Now, what does all this look like? and what can it amount to? In a common sense view, supposing we admit the publication to be official, the provisions of the new law cannot apply to the election on hand, and any effort to cause them to apply would unquestionably be a palpable violation of all justice and honesty, because the whole machinery of conducting the election, and transmitting the votes, and opening and counting them is different under the two laws. It appears that in order for any board under the new law to step in and work, they should at least find the returns sealed, instead of having passed through so many hands since they came out of those of the Commissioners.

Then the board, under this new law must meet "within ten days;" the law is supposed to be in existence prior to, or at all events, at the time of the election. We know it was not, but there was a board and that the returns went. Then comes the opening and count, and if anything in the world can demonstrate the indecency and the injustice of attempting to put a count of the votes in the hands of a board under the new law, the facts that the returns have already been opened, canvassed and partly published is ample. The new law contemplates the returns as reaching this board from the hands of specified officers, and under seal. The returning officer is to "open" these returns in the presence of the "Returning Officers." Now, what posterous foolishness it is to fancy that any of these safeguards can be available. The very soul and purpose of the law are defeated if any new board can get.

THE MIGHTY FALLEN.

Since the preceding article has been in type, all sober calculation, or reasoning founded on an established order of things has been boldly dashed to pieces by the open and defiant exercise of arbitrary power by the Chief Executive of the State, and his appointees under this condition of things.

The people of Orleans and of Louisiana, fancied they held an election for officers on November 4th, they hugged the fond delusion that whoever might be elected would be regularly inducted into their offices under the methods hitherto prevailing, they were even foolish enough to imagine that they would be gratified to the extent of learning who were elected, even a moment before induction. But poor dupes! no such thing for them. A new order of things prevailed—say, one under which candidates are commissioned, and secretly they meet and surround and fortify themselves with specials, and forcibly possess themselves of offices, and violently induct themselves in to them. And this state of things is applauded in New Orleans, by all the order, and law loving, and constitutional, and people's rights men! "To this complexion have we come at last."

THE COUP D'ETAT.

The events of the last three days have followed each other with such startling rapidity, and with so much increased intensity at every move or turn, culminating in actual personal violence that one has scarcely been allowed time for comprehension of the gravity of the situation, much less reflection on the magnitude of the outrageous wrongs committed. And as these are beyond all precedent so they defy all calculation of the extent to which they may be carried.

It is well known that Governor Warmoth and his Board of Returning Officers were enjoined by the United States Circuit Court from proceeding with the count of votes of the election of November 4, till that Court had decided a question submitted to it. It is also known that the Eighth District Court had heard a similar rule and made perpetual its injunction on this Returning Board. Simultaneously with this, the Supreme Court of the State was engaged in deciding a contest for the Secretary of State's office. To all appearance things were moving orderly enough through the Courts; when it was discovered, or so alleged, that the Governor was contemning the orders of Court and proceeding with the count, and Judge Durrell was appealed to, and he required the Governor and his Board to show cause on Friday why they should not be punished for contempt. This, on Wednesday; on Thursday morning, the Times contains the new Election Law, and at about 10 o'clock the District Judges all appear in the several Courts with their commissions, their Clerks, Sheriffs, and possess and obtain possession peacefully, in some cases *vi et armis* where deemed necessary. Judge Dibble, of the Eighth, was forcibly ejected from the Court room, and so was Civil Sheriff Savinnet, from the same Court, by order of Judge Ellmore. The Supreme Court has been appealed to but it declares itself a Court of appellate jurisdiction. What the next turn will be, we can only wait and see.

A SEMI-CENTENNIAL—1823—1873.—The fifty years of the New York Overseer are completed, and to signalize the event the publishers are about to present to each subscriber a memento in the shape of a JUBILEE YEAR-BOOK, which is to be embellished with appropriate illustrations and historical reminiscences. Fifty years of unceasing prosperity in a public journal, while pursuing the same unobviating course, may well inspire its friends with confidence and strong attachment. We are informed that the subscribers to the OVERSEER are usually subscribers for life. It has never gone backward since its first appearance on the stage; and its bids fair, judging from its present position, to double its circulation and influence in the near future. It stands unmistakably at the head of the Religious Family Press. \$3 a year, Sidney E. Morse & Co., 37 Park Row, New York.

MORE INJUNCTIONS.

Governor Warmoth, in addition to the prompt and energetic exercise of the remarkable and extraordinary powers he is using, and claiming to be legal, or at all events, warranted, seems also determined that the "Radicals," as he mildly designates his old party men, shall not even have a monopoly of the Courts. On Monday he betook himself to Recorder Houghton's Court and had arrests issued for Generals Longstreet, Herron and Jacob Hawkins, on the following charge:

Governor H. C. Warmoth, being duly sworn, deposes and says that Francis J. Herron, James Longstreet and Jacob Hawkins, in violation of the peace and dignity of the State of Louisiana, and of the statute of said State, No. 100, approved sixteenth March, 1870, section fifty-eight, on the fifteenth and sixteenth of November, 1872, in the parish of Orleans, have and each of them has assumed to act, and pretended to act as officers to receive, count and make returns of an election held in this State, to wit: the general election held November 4, 1872, whereas, in fact and in truth, they are not returning officers of said election, nor is either of them, and that they are each assuming and pretending to act as returning officers of said election in violation of the provisions of said act No. 100, have on the fifteenth and sixteenth of November, 1872, in the parish of Orleans, appointed a secretary and clerks, and demanded from the Governor of this State the returns of said election, transmitted to him as said Governor, and said demand was made in their assumed capacity as aforesaid returning officers, and for the purpose of getting possession of said election returns in said assumed capacity and said Herron, Hawkins and Longstreet, and each of them, did, on the sixteenth of November, 1872, in the parish of Orleans, in violation of said statute, assume, in said pretended capacity of returning officers, to make and compile returns of said election of the fourth of November, 1872.

H. C. WARMOTH. Sworn to and subscribed before me this eighteenth day of November, 1872. G. P. ROUGHTON, Recorder First District, New Orleans.

The accused immediately surrendered and were admitted to bail for trial at a future time. Immediately following this proceeding the Governor repaired to the Eighth District Court and sued out injunctions against the Republican, prohibiting the promulgation in its columns of the result of any election—State or city—made out by the Board presided over by John Lynch.

Also, enjoining, through the Eighth Court the Returning Board composed of John Lynch, F. J. Herron, James Longstreet, and Jacob Hawkins from assuming to act as a canvassing and Returning Board.

On Tuesday, the hearing of the later injunction came up before Judge Dibble and he dismissed it, after a hearing.

THANKSGIVING PROCLAMATION.

WASHINGTON, Oct. 12.—The President has issued the following proclamation:

WHEREAS, the revolution of another year has again brought the time when it is usual to look back upon the past and publicly to thank the Almighty for his mercies and his blessings; and whereas, if any one people has more occasion than another for such thankfulness, it is the citizens of the United States, whose government is their creature, subject to their behests, who have reserved to themselves ample civil and religious freedom and equality before the law, who during the last twelve months have enjoyed exemption from any grievous or general calamity, and to whom prosperity in agriculture, manufactures and commerce has vouchsafed.

Now, therefore, by these considerations, I recommend that on Thursday, the 28th day of November next, the people meet in their respective places of worship and there make their acknowledgments to God for his kindness and bounty. In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this eleventh day of October, in the year of our Lord, one thousand eight hundred and seventy-two, and of the Independence of the United States the ninety-seventh.

By the President: U. S. GRANT. HAMILTON FRENK, Secretary of State.

An Irish housemaid who was sent to call a gentleman to dinner found him engaged in using a toothbrush. "Well, is he coming?" asked the lady. "Yes ma'am, directly: he's just sharpening his teeth."

PROTECTION OF THE CITIZEN.

The New York Independent furnishes the following quotation and comments which are worthy of note in these troublous times:—EN. LOUISIANIAN.

Speaker Blaine has the reputation of being a sagacious and far-seeing politician, thoroughly understanding the art of laying his plans and organizing his forces, so as to gain his end. Be this as it may, his speech last week, at the Cooper Institute, in this city, explaining the Fourteenth Amendment, and showing the rights and powers of the General Government under the amended Constitution, went to the very root of the matter in respect to the Democratic cry about "centralization." We quote a single passage:

"But I cannot make myself comprehend how it is that a government that has an arm long enough and strong enough to reach to the Mediterranean and snatch Martin Costa from the hands of the Austrian power, or take Dr. Howard from the hands of the Spanish Government, shall yet be told that, if you and I have our rights interfered with, our persons wronged, our property imperiled, on the soil of South Carolina, or Alabama, the Federal Government must not be asked to interfere, because that would be destroying the great Democratic doctrine of local self-government."

We confess ourselves to be in the same predicament. The truth is, the "Democratic doctrine of local self-government," which is simply Calhounism modernized, flies right in the face and eyes of the Constitution of the United States. It denies to the General Government powers which are bestowed upon it by the express words of this Constitution. It theoretically dispossesses the nation of all right on its own soil to protect the guaranteed rights of its own citizens. The General Government may do so everywhere else; but the moment it comes to act within the limits of its own jurisdiction then "local self-government" palsies its arm and turns it into a legal abam. Here the respective States have all the power, and the National Government has no power. This Democratic doctrine of State Rights has no basis in the Constitution and none in common sense.

The Colored Question—Judge Snell decides that all men are equal before the law.—Mr. Freund fined \$300.

In the Police Court on Saturday Judge Snell delivered his opinion in the case of Mr. Freund, charged with refusing to entertain colored people in his restaurant. The Judge fined the defendant \$100. After reviewing the facts in the case the Judge said: The court is satisfied the charge of \$2 for a single ice cream was a pretext, within the meanings of the 3d section of this act, for a refusal to serve the complainants. Webster defines pretext to be the "ostensible reason or motive." No illustration of the legal meaning of the word pretext could be more apposite than that furnished by the conduct of the defendant. He was unwilling to make a direct and positive refusal to serve the complainant in terms; and as color or cover for the real reason he sought an ostensible reason, which he hoped would shield him from the legal consequences of direct and positive action. It was precisely this the law was intended to prevent. Several cases in different forms, but involving the same principle, the absolute equality of all men before the law, have been before this court; and it is to be hoped that a speedy adjudication of the questions raised by them may be reached in the Supreme Court of the District. It is the duty of courts to take judicial notice of the constitution of the country and the law of the land. This act is in apparent harmony with both. It would seem to be the part of sound philosophy and good sense to accept with liberality and good faith that which has become both history and established law; but if communities or individuals, misled by prejudice or other considerations, however tempting, fail to recognize the logic of events, it is quite certain the logic of events will not fail to recognize them. Rights which have cost a revolution will not stand aside for pretext. The defendant is adjudged guilty, and the fine and penalty are imposed.

Mr. Miles Dean, counsel for defendant, gave notice of an appeal, and the court fixed the bond at \$300. Chronicle, Nov. 4.

New Testimony to the Good Women Suffrage in Wyoming.

Laramie city is one of the most rising in its appearance of any new cities we have seen since leaving Omaha, and the people are an excellent class. One feels home as soon as he gets here, no longer feels it so great a world to away out here among the mountains. The fact is, since the opening of the Pacific railroad and the other places along its line, once so far away, are now comparatively near even to the dwellers on the Atlantic coast. There is nothing which perhaps explains the marvellous condition of society in Laramie City. Women voted in Wyoming Territory and hold their place as the men; and we are told that there is no commotion or confusion at the polls. On the contrary, the highest respect is shown the men to the woman voters, and we are assured that if any should offer the slightest disparagement or insult to a woman at the polls, it would be summarily dealt with on the spot. Women act as jurymen, one gentleman who was instrumental in bringing about this state of things gave us an interesting account of the moral influence which the women jurors have exerted on the sterner sex. It appears that the women; mindful of their duties, and solemn responsibilities, endeavored to prepare themselves for the work of each day by humbly seeking Divine assistance, by prayer—a service which it was understood was not specially observed by the men. The result was, however, that in a short time all the judges began the duties of the day by joining in the religious services of the morning. Our informant also told us that a western man never brings forward the argument that the voting by women is going to occasion discord and unhappiness in a family. He would be ashamed thereby admit that he was unwilling to have his wife hold opinions, which they might differ from his own; and the western man never brings forward the argument or statement that it is no place for woman at the polls, because of the violence of the place, or of the persons there assembled, for he would be ashamed thereby admit that he or the mass of his sex are so low that they do not fit to meet women in public. And so the woman question seems to be neatly settled for the present in Wyoming, or at least in Laramie City. I ought to add that one happy result of the prominent place which has been accorded to women in Laramie has been to entirely wipe the place of drinking saloons, blocks of questionable character, blockades and the whole race of promiscuous candidates for the prison and the halter.—Letter to the New York Post.

Geofrancistrain has received a letter from the other set-back, and this time from Woodhull. The "N. P. A." (National Profranchise Association) professed to become bondman for the appearance of Vic, at her trial, but refused to accept the offer.

NOTICE.

BOOKS COMMITTEE OF THE CONDUCT OF THE LATE ELECTION, No. 13 Dryades Street, New Orleans, Nov. 18, 1872. To whom it may be pointed to collect and collate evidence of the frauds, intimidation and refusal to register the qualified voters at the late election (November 4, 1872), where all persons desiring to assist the committee in its labors are requested to call upon such information as they may personally acquire at a clerk will be found present from nine o'clock A. M. to five P. M. daily. The following gentlemen comprise the SUB-EXECUTIVE COMMITTEE: J. H. Burch, Chairman; F. G. Deane, J. A. Sear, R. B. Bagot, W. G. Brown, G. Y. Kelo. FINANCE COMMITTEE: Antoine Dubouché, Chairman; V. E. Meary, J. H. Ingalls. By order of the Committee, P. B. S. PINCHBACK, President. R. E. Bagot, Recording Secretary. Papers favorable to the movement will be placed on file.

P. B. S. PINCHBACK, COMMISSIONER-MERCHANT, 114 Carondelet Street, New Orleans.

Liberal Advances made on Guaranties only. Prompt attention given to all sales and purchases. Consignments covered by Insurance as soon as possible, unless otherwise directed on the Bill of Lading.