

The Louisianian.

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SATURDAY, DECEMBER 21, 1872.

CHRISTMAS.—Before another issue of our paper we shall have passed the return of another anniversary of that glad morning when the Angelic host announced to an expectant world, "Behold I bring you glad tidings of great joy, which shall be to you and to all nations, for unto you is born this day in the city of David a Savior which is Christ the Lord." Christmas with its legitimate rejoicings, social and domestic reunions on the one hand, and the frivolous hilarities to which the season has been perverted, will have come and gone. Hailing the return of this period and obeying the time honored practice, we wish our readers and friends a HAPPY, HAPPY CHRISTMAS.

THE STATE LEGISLATURE.—During the week the Houses have been engaged in perfecting and compacting their organization, and in the passage of laws demanded by the requirements of the case. Reform and Retrenchment in advance. A joint resolution extending the session has been passed and signed by the Governor. A law punishing bribery has also been passed. A number of other subjects are before the Houses but the principal question to be dealt with is the trial of Governor Warmoth.

Henry A. Corbin, Esq., has been appointed private secretary to Governor Pinchback. Mr. Corbin has served the Governor in business capacities for nearly two years, and this distinction is a frank recognition of Mr. C's merits and ability.

THE IMPEACHMENT TRIAL.—All the legal formalities having been gone through preparatory to the trial of Governor Warmoth before the Senate, that body sitting as a High Court, on Monday last, and presided over by Chief Justice Ludeling, transacted its first business and adjourned to Wednesday.

On Wednesday it met and called on the defendant, Henry Clay Warmoth, but he made default and it being so recorded, the High Court fixed the trial for Monday, December 23d, and adjourned to that time.

Barnum and his mammoth circus and menagerie are in our midst. The weather has been very unpropitious for parade and shows, nevertheless, he is exhibiting to the best of his ability, not, however, to such audiences as would in fair weather crowd his tents.

FIRE.—The Shakespeare Club, on the corner of Canal and Dryades streets, was discovered to be on fire on the first story, on Wednesday morning at a little after 3 o'clock. The fire engines were hauled to the scene as promptly as possible by hand, and every effort of the gallant firemen made to extinguish the flames was unavailing, and the building was burnt down, and the Club property destroyed, in all to the extent of about \$75,000. The firemen, however, prevented the spread of the flames further than to the partial consumption of the immediately adjoining building only recently repaired.

FOURTH DISTRICT COURT.—The bench of this tribunal has been taken possession of by the recently elected Judge, Hon. B. L. Lynch. There was not any actual lynching done in the process, but with some slight modifications, it might be said to be accomplished a la Elmore.

APROPRIOS OF THIS DEFUNCT FUNCTIONARY who is now no more, we have to chronicle the occupancy of his seat, now "THE SUPREMACY COURT," by Hon. Jacob Hawkins, that well known and highly respected lawyer of this city.

BETWEEN Tweed and Weed there's the difference of a letter, and our devil declares that but for this accident Weed would be Tweed to a T.

THE PRESS OF THE UNITED STATES ON LOUISIANA AFFAIRS.

As far as is revealed, the majority of the best and most reliable and influential papers of the country sustain the attitude assumed by the Federal Courts and the Federal Government in the vindication of the outraged rights of the Republicans of Louisiana. Not only is it regarded as a justifiable piece of sharp practice and giving a "Rowland for an Oliver," by meeting coups d'etat with similar counteractions, but squarely and manfully discussing the legality of the conduct of Judge Durell, Attorney General Williams, President Grant, and Congress itself in the matter, the conclusion has been forced on their minds that there has been no overstepping of boundaries, no encroachment on the vaunted "States Rights" figment in listening to the appeals of the oppressed, and enforcing decrees issued for the exclusive purpose of preventing the consummation of fraud before the appeals could be heard. Had the Returning Board and Governor Warmoth obeyed the orders of State or Federal Courts, and refrained, not only from sanctioning the unwarrantable acts of subordinates, and from using the police force to violently eject men from office, and threaten by every attitude to overawe the Legislature itself, there could not, and there would not have been any Federal interference; but any man of reason must know that however safe it might be to drag Judge Dibble out of his Court, it was a vastly different thing to contemn the authority of Judge Durell, behind whose legal actions the tremendous powers of the National Government stand, readily and willingly pledged to sustain and enforce.

It is nonsense to talk of outraging the rights of the State by this course. No State has a right to oppress and defraud its citizens when the majority of all the States themselves have not only emphatically declared that it "shall not" be done, but has also endowed their Representatives in Congress with ample power to enforce that decree by appropriate legislation; and these Representatives have passed laws which Judge Durell is administering. If some people will not interpret the logic of events, why, in the language of a distinguished Washington Judge, they may rest assured the "logic of events will interpret them." And that's all.

FROM RACE COURSE TO CEMETERY.—The owners of the Metairie race track having abandoned its use as such, have resolved to utilize their grounds by converting it into a grave yard. It is proposed to lay out the grounds under competent supervision so as to rob the cemetery of as much of the old time miscellaneousness and gloom and all that, as possible. What we admire most is, that the creation of depositories for the dead outside of the heart of our populous city, will tend to relieve the air we breathe from the contaminations incident to the opening of tombs in our midst. The benefits of extra mural interments have, for many years, commended themselves to the most scientific men of the world and we hope that the conversion of the Metairie into a cemetery will tend to withdraw in the end, interments from the heart of New Orleans.

THE occasion of the assembling of the Episcopal Clergy in concert with their ministers everywhere to supplicate Divine aid "for the increase of Missionaries and for the success of Missions," was declared by the Times to be in behalf of Democratic success in Louisiana. But Bishop Wilmer demurs to this construction, and raps the Times over its knuckles.

OUR ANNIVERSARY.—Having completed the second year of our existence, the LOUISIANIAN starts out today with the first number of her third volume. There is much room for special reflection and comment on this subject and at this period, but the preoccupation of so much of our attention with other imperative considerations drives us to postpone what we have to say on this subject for a future number.

ONE VIEW OF OUR SITUATION.

The Independent of New York, in commenting on the Southern troubles, closes its article by observing that—

"These difficulties seem all to be at the South, where an ignorant and immoral class is easily cheated and bullied by unscrupulous politicians."

And continues—

"The remedy is a very slow one, but it is sure. Schools and churches, the spelling book and the bible; and to the application of this remedy we would urge Northern and Southern patriots, philanthropists, and Christians, with all the earnestness we can express. Christian people, there is no better way in which to expand your charities than in supporting the agencies of Christian enlightenment among the freedmen. There is no more urgent business before Congress than the enactment of a law which shall provide a National School Fund, to be expended in the ratio of illiteracy."

We must remind our contemporary that this is not the only remedy; because the troubles of the South do not owe their origin and continuance solely to the causes stated. But recognizing all the force of the above arguments, efforts were made in various States to enlighten the freedmen by the establishment of schools and churches in the Southern States; and how many ruthless murders of teachers and ministers, and burning down of school-houses and churches in nearly every Southern State, attest the existence of another prolific source of Southern troubles, that there is no use attempting to disguise, notwithstanding the New Orleans Times will persist in placing the boot on the wrong foot. That source of strife and turmoil is an avowed unwillingness to admit the freedman to the undisturbed enjoyment of his civil and political rights and equality; and the constant evidence of this determination in studied and remorseless repression, exclusion and persecution.

This course drives the ignorant and helpless freedman to form such alliances and enter into such combinations as are most calculated to aid him in securing and perpetuating his civil and political status. And the adoption of this resort, inuring as it does, to the benefit of the freedman and the discomfiture of his foes, constitutes now the peculiarly irritating source of all our strifes and conflicts.

The Independent is not, therefore, correct in leading its readers to infer that if the ignorance of the freedman were displaced by intelligence the Southern troubles would cease. They might be modified, but before the Southern States will or can be pacificated with their present mixed populations, the era of peace and order must be inaugurated indeed and in truth by the honest, enlightened, and patriotic men of the South, who, bursting the barriers of every ignoble prejudice, shaking themselves from the dust of gloomy despondency, and planting themselves squarely and manfully on the Constitution and laws of the United States as they are, recognizing the existence of forces in the current of truth and right which they can neither stem nor turn, devote their energies to the conservation of law and justice, the cultivation of mutual friendly relationships, the establishment of a peace so settled and so substantial that the repetition of such scenes as are now distracting Arkansas, Alabama and Louisiana, will be "known no more forever."

Attorney General Fields has been commissioned by Governor Pinchback, been recognized by the Supreme Court, and is in fact and in law, the Attorney General of Louisiana, the presence of another claimant in Washington, and eight or nine improvised ones in New Orleans, to the contrary notwithstanding.

TO THE LAW.—State Auditor Clinton draws the attention of State Tax Collectors to the law requiring them to call and settle "within ten days after the tenth day of December, in each year, and requires immediate action in the premises." We call on the Reformers to "spur" any delinquent up.

Judge Meunier has emulated the current example and possessed himself, with the aid of a Sheriff's posse, on Tuesday, of the Third District Court, to the exclusion of Judge Monroe, who protested stoutly, but ineffectually.

THE CARELESS AND IGNORANT CREW. THE CONTEMPT CASE.

A perusal of the testimony elicited on Monday last, in the U. S. Circuit Court, in the case of Kellogg vs. Warmoth, on the hearing of the injunction against Governor Warmoth and his Board of returning officers, cannot fail to satisfy the least enquiring mind that there is a singularly remarkable innocence about every one of the witnesses for the defence.

The whole drift of such testimony tending to exculpate Governor Warmoth from knowledge of and complicity in the count of votes, a proceeding going on in his office, where he was in and out, under the direction of his Secretary, who was acting under orders from himself; and all this after the issuance of the injunction.

These attempts are entirely "too thin." The contempt has been committed and committed wilfully and defiantly, and those who set their lives on the east, must stand the hazard of the die.

The Attakapas Register is amazed, and its wonder-struck Editor, roused from his complacency by the prompt, unexpected and decisive action of Judge Durell, in sustaining the action of State Courts, whose decisions were contemned and whose Judges were violently torn from their seats and ejected from office, and writhing under the pangs of disappointment and rage, exclaims: "Never in the history of any State has a political drama in time of profound peace been enacted that will equal, either the knavery, corruption, disregard of individual and corporate rights, on the part of a band of conspirators in their efforts to assume and exercise control of the government, the one we are called upon to chronicle to-day."

And then he goes on to narrate the overthrow of the machinations of his clique, and the action of the State Courts, Judge Durell, and the Washington authorities in the premises, all of which was done to the great disgust of the Register and "to the astonishment of the Fusionists." The language we have quoted, it will be observed, is exactly suitable to characterize the conduct and efforts of friend Bentley's coadjutors, and we can most truthfully tell him, out of thine own mouth will we condemn thee, for "never in the history of any State has a political drama in time of profound peace been enacted that will equal, either the knavery, corruption, disregard of individual and corporate rights, on the part of a band of conspirators in their efforts to assume and exercise control of the government, the one we are called upon to chronicle to-day."

Get hold of the facts in the case, friend—dispassionately consider, as far as you can—get on an elevation as near a Republican altitude as possible—survey the scene—take a comprehensive view of all the features of the case, and we vouch you will not consider our judgment harsh, even taking into consideration that "events crowd upon us" so thick and fast, that you ought to be excused for calling the struggles of the "imbroglio" of political rings in New Orleans, and go so far in after consideration as to admit the possibility of the "regeneration of good, wise government" from this "imbroglio."

OBITUARY.—We regret to notice the death of Hon. James Lynch, late Secretary of State of Mississippi State. Mr. Lynch was a cultivated gentleman and enjoyed the esteem of all who knew him. He was just elected to Congress from his State.

We lament also the death of Mr. Antoine Lange of Baton Rouge, La. Mr. Lange was a mild-mannered worthy gentleman, and his many friends mourn his untimely removal from their midst.

THREE WELCOME.—A number of passengers on the new steamboat, John B. Maude, Capt. John F. Noel, signal the new and welcome feature of her being "the first boat that has ever shown a colored passenger respect," by recommending their friends who travel between New Orleans and Vicksburg, to travel on her. Presuming that the statements are correct, we had the accomplishment of this much, and recommend this pioneer to the patronage of ALL REPUBLICANS.

DEMOCRATIC INGRATITUDE.

While Mr. Ogden is assuring the Washington authorities that both Governor Warmoth and Senator Kellogg are equal "strangers to our people," and the city papers are cutting loose from their endorsement and complete admiration of and affiliation with the late Executive, the Louisiana Sugar Bowl comes out in this style, in summing up its review of the situation:

"To us, this is but a mutual consequence of the recent unhealthy alliance of the conservatives with that corrupt man, Warmoth. We have no doubt that if the votes were honestly counted, the Fusion State ticket would be found elected; but the fact that we were associated with such a scoundrel as Warmoth, who boasted he could manipulate the votes as he wished, gives the other party a pretext for their recent action."

In all the gloom that now prevails, in consequence of this (to the masses) unexpected turn of events, we are glad to find some good citizen who even think, that as a people we are yet to be benefited by this change. They argue that we have at last got rid of Warmoth, and as we would not well have a worse Governor, there is a prospect of getting a better one. Of this we have very grave doubts. Had he elected our ticket independently, and without the avowed assistance of Warmoth, there would have been some hope for us; and it has all along been our opinion that all he pretended to do for us only injured, as it was too apparent he was only seeking to promote his own political power.

THAT COMMITTEE.—The committee of an unknown number, that started from Canal street on Sunday afternoon last, that diminished that number when it reached Elysian Fields street, and then went on "booming through the swamps of Alabama," and enjoying all the cold comfort of such a journey to Washington, have arrived at the National headquarters and seen and talked with the President. At last accounts they had done as much as the man who walked up a hill, the next will be that they are walking down again.

The races closed at the Pair Grounds on Tuesday last, with an unusually slim attendance. Indeed, though the stables this season were first class, and well worthy the patronage of lovers of the turf, the presence of the horse disease, the almost entire cessation of vehicular conveyance to the grounds, the political commotions and lastly, the intense fog of Tuesday, all contributed to defeat the races. The disappointment is purely attributable to circumstances over which there was no human control.

MR. THURLOW WEED'S SUGGESTIONS TO AN ELECTOR.

[From Albany Journal Dec. 10.] The recent meeting of the Presidential Electoral College in this city recalls an incident which occurred in the last Republican State Convention at Utica. The nomination of Gen. Dix for Governor, as will be seen by the incident we are about to mention, was not the only good thing inspired by Mr. Weed, who although in retirement, was unexpectedly, while on a visit to the late Governor Seward, chosen a delegate from the Assembly District in which he resides. Among the names of well-known Republicans that occurred to delegates as suitable to be placed on the ticket for Electors at large, was that of Mr. Weed. But it was known that if consulted on the subject, he would peremptorily decline, and, therefore, the thing was to be done on "the sly."

A delegate, however, shortly before the Convention reached that order of business, dropped into Mr. Weed's room and let out the secret. Mr. Weed immediately sent for several influential delegates, who, he well knew, must be at the bottom of the movement, and to whom he said: "This is very kind in you, and I appreciate the honor so highly that if I do not suggest a better name I will consent to leave the Convention do as it pleases." His friends admitted that this was fair, but expressed doubts whether any other name would be acceptable. Mr. Weed replied that he felt assured, that they would cordially approve of the name he was about to suggest, adding that, "in his judgment the best name in the State, to be associated with Gerrit Smith as a candidate for an Elector at large, was that of Frederick Douglass." This was received with great satisfaction by Mr. Weed's friends, and was responded to by acclamation in the Convention.

The nomination of Gen. Dix for Governor, and that of Frederick Douglass for Presidential Elector, possessed national significance. Gen. Dix struck the first high, clear, ringing note for the Union in his order to "shoot the first man who attempts to haul down the American flag." Frederick Douglass, who possessed not only the courage to emancipate himself from slavery but an intellectual equality with the most gifted of our more favored race, had fairly earned the distinction which his nomination conferred.

Such a recognition by the Republicans of the Empire State of a reputable and enlightened freedman, appealed forcibly and successfully to colored electors throughout the Union. And the Electoral College, with appreciative good sense, perfected the idea by designating Mr. Douglass as the messenger to convey the vote of New York to Washington.

ARTICLES OF IMPEACHMENT.

ARTICLE I.

That the said Henry C. Warmoth, Governor of the State of Louisiana, at New Orleans, in the State of Louisiana on or about the twenty-ninth day of August, 1871, unmindful of the high duties of his office and of his oath of office, and in violation of the constitution and laws of the State of Louisiana, did forcibly, violently and against the free will and consent of George E. Bovee, remove and expel said George E. Bovee, Secretary of State of the State of Louisiana, from the office of Secretary of State of the State of Louisiana, to which he had been legally elected and commissioned, and then and there, in violation of the constitution and laws of the State of Louisiana, did issue and deliver a commission as Secretary of State of the State of Louisiana to Francis J. Herron, and did forcibly and against the will of said George E. Bovee put said Francis J. Herron, in possession of the office books, archives, seal and other effects belonging to the office of the Secretary of the State and under the control and custody of said George E. Bovee, Secretary of State, whereby said Henry C. Warmoth, Governor of the State of Louisiana, did commit and was guilty of a high crime and misdemeanor in office.

ARTICLE II.

That the said Henry C. Warmoth, Governor of the State of Louisiana, at New Orleans, Louisiana, unmindful of the duties of his high office, and of his oath of office, and in violation of the constitution and laws of the State of Louisiana, did, on or about the eighteenth day of April, A. D. 1870, after the adjournment of the General Assembly, including the Senate of the State of Louisiana, and in vacation, appoint one John Evans State tax collector for the parish of Tangipahoa, when said John Evans had been, during the last and preceding session of the General Assembly, nominated by Henry C. Warmoth, Governor as aforesaid, to the Senate for the same office, to wit: tax collector for the parish of Tangipahoa, and whose nomination had been rejected by the Senate, whereby the said Henry C. Warmoth, Governor of the State of Louisiana, did then and there commit a violation of the constitution of this State and a high crime and misdemeanor in office.

ARTICLE III.

That said Henry C. Warmoth, Governor of the State of Louisiana, at New Orleans, Louisiana, unmindful of the high duties of his office, and of his oath of office, and in violation of the constitution and laws of the State, on or about the twenty-first day of November, A. D. 1872, issued a commission to H. N. Ogden as Attorney General of the State of Louisiana as having been elected to said office on the fourth day of November, A. D. 1872, when no return of the election had been legally made by the legal returning officers to the Secretary of State as required by law, showing that said Ogden had been so elected Attorney General, and when in truth and in fact the returns made by the legal returning officers of said election show that said Ogden had not been elected, and on or about the twentieth day of November, A. D. 1872, said Henry C. Warmoth, Governor as aforesaid, did issue to and in favor of William A. Elmore a commission as judge of the Eighth District Court for the parish of Orleans, Louisiana, as having been elected judge of said court on the fourth day of November, A. D. 1872, when at the time of the issuance of said commission no legal returns of election for said office of judge had been made by the legal returning officer of said election, and that at the same time and place he, the said Warmoth, Governor, did issue a commission to W. P. Harper for the office of

civil sheriff of the parish of Orleans as if the said Harper had been elected to said office, when in law and in fact no return of the election held on the fourth of November, A. D. 1872, had been made; and he the said Warmoth, Governor, did then and there commit with the said Elmore and Harper, other evil disposed persons, to organize a large body of men, and did cause the said Elmore and Harper, and said Elmore and Harper, to procure the morning of the twenty-second day of November, A. D. 1872, in the Eighth District Court for the parish of Orleans; and did commit with said persons and Elmore and Harper, to forcibly and violently eject the Hon. Henry C. Dibble, Judge of the Eighth District Court for the parish of Orleans, from said office, with the intent and purpose of seeing possession of said court, and overpowering the intent of aiding him, the said Warmoth, in a scheme in his unconstitutional and illegal efforts to remove and set aside the board of officers organized by him to correct compile and return the vote of the election held on the fourth of November, A. D. 1872; and that said Warmoth, Governor as aforesaid, did issue commissions to sundry various persons, as having been elected to offices, State, parish and municipal, without any legal returns having been made by the legal returning officers showing that such persons had been elected, all in furtherance of his unconstitutional and illegal efforts to remove and set aside the board of returning officers organized by law to canvass, compile and return the election held on the fourth day of November, A. D. 1872, all of which will be shown on the trial of this case, whereby the said Henry C. Warmoth, Governor of the State of Louisiana, did then and there, and in the case in this article mentioned, commit and was guilty of high crimes and misdemeanors in office.

ARTICLE IV.

That said Henry C. Warmoth, Governor of the State of Louisiana, at New Orleans, Louisiana, unmindful of the high duties of his office and of his oath of office, and in violation of the constitution and laws of this State, on or about the ninth day of December, A. D. 1872, and about the hour of one o'clock in the morning of said day at the residence of P. S. S. Pinchback, Lieutenant Governor of the State of Louisiana, appear and offered to the said P. S. S. Pinchback, Lieutenant Governor as aforesaid, by the offer of him of \$50,000, if he, said Pinchback, would enter into and join a conspiracy to organize the Senate of the State of Louisiana on that day, the ninth of December, A. D. 1872, in the interest of said Warmoth, and to break down the opposition to the Fusion party in the Legislature, and to place himself under the direction and control of said Warmoth, Governor as aforesaid, whereby the said Henry C. Warmoth, Governor of the State of Louisiana, did then and there commit said high crime and misdemeanor in office.

ARTICLE V.

That the said Henry C. Warmoth, Governor of the State of Louisiana, unmindful of the high duties of his office and of his oath of office and in violation of the constitution and laws of this State, with the intention of frauding the legal voters of this State out of their votes, of defrauding the majority or the legal voters of the State out of their choice of officers, and with view of defrauding the presidential electors favorable to the election of U. S. Grant for President and Henry Wilson for Vice President of the United States and of the Republican candidates, to wit: William P. Kellogg for Governor and C. C. Anderson, Lieutenant Governor of the State of Louisiana, and others, out of their election for the offices for which they were candidates, that he, the said Henry C. Warmoth, Governor as aforesaid, did by the promise of patronage, threats of dismissal from office and by bribery induce and promise the supervisors of registration in this State to refuse to register large numbers of legal voters, and by not affording facilities sufficient to enable the registered voters to vote in many parishes, whereby a large number of the legal voters of this State were prevented from voting, and after the votes were cast in abstracting the votes so cast from the ballot boxes, and inserting other votes therein and counting the same, and after the count was made in returning the votes delivered from the count thereof, whereby the said Henry C. Warmoth, Governor of the State of Louisiana, did then and there commit a high crime and misdemeanor in office.

ARTICLE VI.

That said Henry C. Warmoth, Governor of the State of Louisiana, at the city of New Orleans, unmindful of the duties of his office and of his oath of office, in violation of the constitution and laws of this State, on or about the first of September, A. D. 1872, did offer to bribe W. B. Chadburn, supervisor of registration for the parish of St. Charles, by offering to secure for him