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GEORGE W. DUPRE, JOHN AUGUSTIN, H. J. HEARSEY, ALBERT G. JANIN.

H. J. HEARSEY, EDITOR.

NEW ORLEANS, JUNE 15, 1877. TILDEN AND HENDRICKS.

Governors Tilden and Hendricks, in their speeches at the Manhattan Club, uttered some very excellent sentiments and advanced some very wise propositions. They forgot or ignored, however, a truth which is the bedrock of all their eloquently advanced theories, and which Macaulay has embodied in this terse and vigorous sentiment: "Laws exist in vain for those who have not the courage to defend them."

Following in the same line, Gov. Hendricks said:

"The people cannot allow the selection of their chief magistrate to become a thing of chance or sharp practice; the fraud first triumphant in American history must be assigned to its proper place among the crimes against popular government, and made so odious that no party will dare attempt its repetition. He who is elected President must be inaugurated."

We have heard no higher or nobler expressions than these; yet how craven and contemptible has been the action of the men who gave them utterance! These expressions of Tilden and Hendricks are a denunciation and condemnation of themselves. If Gov. Tilden really believes that "evils in government grow by success and impunity, and that wrong will grow into a practice if condoned," and if Gov. Hendricks was sincere in the remarks we have quoted from his speech, why was it that, when the Republican conspirators were openly moving to overthrow the most important national election ever held in the country, no protest, no counsel of resistance was heard from either one of them?

The utterances of both these eminent gentlemen at the Manhattan Club are in irreconcilable antagonism to the policy pursued by both of them when the Republic was in danger, and daring and desperate politicians, demagogues and statesmen were plotting the overthrow of the constitution and the continuation, in spite of the expressed will of the people, of the oligarchy of corruption and military supremacy. Then, they ventured not to open their lips even in denunciation. The people waited for and expected them to take active and vigorous steps to maintain their own rights, the rights of the people, and the supremacy of the constitution. The West was ready to take up arms, the South waited but for the first Northern banner to be raised, or the first Northern shot to be fired, to marshal her followers in defense of the constitution under the leadership of Tilden. The first bold and resolute movement on the part of Tilden and his followers would have dismayed the conspirators and thwarted their revolutionary and scandalous proceedings. But that movement was never made. Tilden in the East and Hendricks in the West, with their lily-livered lieutenants in Washington, not only would not act, but repressed every movement on the part of the people. Mr. Tilden did not then say aloud "if the men in possession of the government can in one instance maintain themselves in power against an adverse decision of the elections, such an example will be imitated." He did not then say to his eager followers, "the institutions of our fathers are not to expire in shame; the sovereignty of the people shall be rescued from this peril." Nor did Gov. Hendricks then thunder forth from a Western rostrum the grand words he fired off in the Manhattan Club. Nay, had these two men spoken then as they spoke in the New York Club-house, their words had gone forth like a trumpet blast or a battle call. But their language was very different. Then they were for peace at any price. They or their spokesmen could conjure up in their imaginations no horror so terrible as civil war, and the fear of that, like a nightmare, benumbed and paralyzed their manhood.

It is disgraceful, indeed, that any man should occupy the seat of Washington and Jefferson through fraud; but, unhappily, that is only half our disgrace; it is equally as shameful that leaders honored by the people and entrusted by them with the maintenance of the constitution and the laws, had not the courage and the manhood to defend their holy charge against a band of political demagogues and desperadoes.

The liberties of a people are based upon the principle of resistance. When that principle is discarded by a people and they learn to prefer peace to a war in defense of their institutions, there is an end of constitutional freedom. Governors Tilden and Hendricks appear to understand this truth now, but they seem to have been utterly ignorant of it when the crisis existed in which all patriotic men should have acted upon it. Indeed, had

these two men, so honored, so trusted and so loved by the people, acted then upon the principles they recently expressed in New York, the most infamous of conspiracies against the constitution and the people would have been crushed in the bud, and there would have been no renewal of the attack during the next fifty years. But through their imbecility "a prosperous immunity has been granted to crime," and we have Tilden for it that, "if men can in one instance maintain themselves in power against an adverse decision of the elections such an example will be imitated." We shall not be surprised, therefore, if the same desperate conspirators who overthrew the election in 1876 shall rally their strength to overthrow that of 1880, and thereby finally overthrow the Government or plunge the country into a desperate civil war. Blaine, Morton and their followers have not given up the fight, and they will spare no effort during the succeeding four years to organize and strengthen their conspiracy and render it that which it was not in 1876—invincible.

Governors Tilden and Hendricks have covered themselves with contempt and it ill becomes them to abuse and vilify Mr. Hayes. With the right upon their side; with the constitution, the law and the people at their backs, they disgracefully failed to accomplish anything for the country and, for aught they did, Louisiana, Mississippi, Alabama and South Carolina would to-day be under the heel of the army. On the other hand, Mr. Hayes, utterly in the wrong, with the constitution and the laws and a vast popular majority against him, has emancipated those States and restored the supremacy of the constitution in every section of the Union.

Fortunately the force and power of the Democratic sentiment was so strong that it has triumphed even through an administration created by fraud. And yet if Mr. Hayes had not been a braver and more courageous man than Tilden, the evil influences which brought his administration into existence might have dominated it and prolonged the years of wrong and oppression in the South and of corruption throughout the Union.

THE PLAQUEMINES FRAUDS - A SCRAP OF HISTORY.

One of the most hopeless of tasks is that of disproving the mendacious fictions invented by political parties during an exciting campaign. When one of these lies gets firmly fixed in the memories of passionate and prejudiced partisans it becomes, like a cancer, a constitutional disease, which is only extirpated by the death of the patient. One of the most flagrant of these party calumnies we indulged the hope had been eliminated from our history. The death of the old Whig party, we imagined, had involved the extinction of the old Plaquemines fraud story, so current and used with such effect by the Whig party in 1844, and the subsequent years of the existence of that party. But it appears we were mistaken, and the moldy old fiction has been revived and reproduced with grosser falsity and exaggeration than characterized its first appearance at the period of violent partisan excitement in which it originated.

Mr. Charles Francis Adams having in a recent letter described the process by which Mr. Hayes attained the Presidency as the first triumphant fraud in our political history, some ancient but very inaccurate Old Line Whig, by way of offset and palliation for the great fraud of the Radical party, reproduces the old Plaquemines fabrication as a precedent of greater fraud and falsity than that of our Returning Board Election Commission outrage. The statement of this writer purports to be based upon assertions of the late Horace Greeley, of which, however, we should demand better evidence than the writer's averment. Though a violent partisan and, at times, rash and reckless in his partisan charges and assaults, Mr. Greeley was hardly capable of such gross and palpable misstatements as are imputed to him by this writer. The preposterous allegation that Mr. Polk was chosen President by the six electoral votes of Louisiana which were obtained through frauds in the parish of Plaquemines, is contradicted by a reference to any political almanac or other record of the times, and by the knowledge of any school boy that without the vote of Louisiana the electoral majority of Mr. Polk was fifty-three. This patent error does not interest us as much as that which would perpetuate a gross slander upon our State and people by the singularly perverse falsity and erroneousness of the presentation of the facts of the alleged Plaquemines frauds of 1844, as made by parties not unfriendly to our State.

Thus the New York Sun, which assails Mr. Hayes with great bitterness for the fraudulent method of his installation, undertakes to mitigate or modify the repulsive features, invented by violent partisans, of the Plaquemines case, by a version which falls a little short in erroneousness and defamation of the original slander.

This is the Sun's version: Moreover, the truth about that year's voting in Plaquemines is that it was all performed in strict accordance with the law of Louisiana, and that every vote cast there was a legitimate vote. At that time every citizen of Louisiana had the right to vote in any and every parish of the State in which he owned land. The Plaquemines voting which Mr. Greeley complained of, was organized by John Sildell, a Democratic politician of celebrity, afterward a Senator of the United States, and still later sent to Europe along with John M. Mason, of Virginia, as a representative of the Confederate Government. Sildell bet \$20,000 with Dr. Duncan, of Natchez, Miss., that Clay would be defeated and Polk elected. He then bought at a trifling price a tract of swamp land in Plaquemines, selected his men, and gave each of them a deed of a piece of

this swamp land, so that each was made a landholder, and thus became entitled to vote in Plaquemines, in addition to his right to vote in New Orleans. Then Mr. Sildell hired a steamboat; and on the day of the election, after they had all voted in New Orleans, the men were taken on this boat and carried to Plaquemines, where they voted again, as the law gave them a right to do; and the State was evenly divided between the two parties that the addition of these 697 new landholders to the regular voters of the parish carried Louisiana for Polk. The money from Dr. Duncan, which was in most of the States, but it was in accord with the law and the usage of Louisiana. It was a sharp political trick, having its expenses paid by the money won from Dr. Duncan; but it was not illegal, and cannot be correctly described as an act of fraud. Besides, as we have said, Polk would have been elected without it.

This is a mass of errors. There never was a law in Louisiana that a man could vote in any and every parish in which he had land. Nor did Mr. Sildell organize this plan of voting in Plaquemines persons who had already voted in New Orleans; nor had he anything to do with buying a tract of land in Plaquemines and giving lots to voters to be voted on after they had voted in New Orleans; nor did he hire a boat to conduct these voters to the polling places in Plaquemines.

As for Mr. Sildell's bets, we think the Sun is equally at fault. That Mr. Sildell had bet on the election, we think highly probable, as it was the fashion at the time, but our impression is that his bets were only made with Mr. Alexander Barron, then a Senator from this State, and were on the general result of the presidential contest. Mr. Sildell was an active and ambitious political chieftain, but he was a prudent and adroit man, who always strove to keep within the law. He was not the plotter of the Plaquemines scheme. It had been arranged before he returned to the State from Washington. Its chief author was Judge Gilbert Leonard, of Plaquemines, who was a candidate for the United States Senate. The plan was laid to evade the requirement of the old constitution of a property qualification for voting.

It was Judge Leonard who bought the tract of land that was laid out, as the town of Plaquemines, in small lots which were sold to voters who had the other qualifications for a dollar a lot, and on which a tax of twenty-five cents was paid. It was on these tax receipts that the votes were admitted. The holders of the deeds and receipts were required to pay for the same, which they did, but they had to show that they were otherwise good voters. This plan had originated with the Whigs, who had located their town in Baton Rouge parish. Under this arrangement the vote of the parish of Plaquemines was greatly increased, as a large class of the people of that parish were fishermen and oystermen who had no land and paid no taxes. Judge Leonard chartered a small steamer and other resorts of this class, managed to collect and transport these people to the polls and thus succeeded in polling an unusual vote. It was always contended, and it was so reported by a committee of the Legislature, that these were legal votes. The whole business was managed by Judge Leonard, and Mr. Sildell had no knowledge of or participation in this part of the plan.

The other feature of the plan of voting in Plaquemines some two hundred and fifty voters who were residents of New Orleans was suggested and carried out by a committee of Democrats in this city, several of whom were lawyers of good standing. They were all good voters, but had been deprived of their votes in the city by the absurdly inadequate regulations of the election, which limited the whole city to three polling places and closed the polls at 3 p. m. By these arrangements several hundred voters were shut out and, being advised that they were entitled to vote anywhere for Presidential electors, many of them, of both parties, proceeded up and down the river to the nearest polls in the adjacent parishes, where the polls were kept open for three days. This was done openly and without any consciousness of any illegality in the proceeding.

Citizens thought they were entitled to vote somewhere in the State for President. They had been excluded from the polls of their domicile by no fault of theirs. In most of the parishes, however, they were rejected and thus lost their votes, but in Plaquemines, to which the Democrats had sent their surplus of city rejected or excluded voters, it was urged by the late Judge Larue, and other distinguished lawyers, that these votes could be received under a fair construction of the law, as Plaquemines was a part of the old county of Orleans, wherein any citizen had the right to vote for presidential electors. Under this construction, these residents of the city, on proof of their qualifications, were admitted as voters in Plaquemines, and thus added some two or three hundred to the lawful resident vote of the parish. But they were not persons who had already voted. Doubtless there were some illegalities and frauds in the conduct of the election in the parish, but they were not of the serious character charged and did not produce any effect upon the general result.

A committee of the Legislature, after a full investigation, came to this conclusion. It was shown that with the usual vote of the parish of Plaquemines there would have been a majority for Polk, and that the electoral votes of Louisiana, even if given to Clay, would have left him some fifty votes behind in the Presidential contest. But so great was the irritation and disgust of the Whigs at the defeat of their great chieftain, that they raised a huge clamor and pursued with ferocity all parties who were suspected of any agency in producing that result. Their fiercest maledictions were showered especially

upon the actors in Plaquemines; Judge Leonard, a gallant creole gentleman, was the first victim of the bad feeling excited. He became involved in a duel with a Whig leader of his parish and was shot through the heart. Mr. Sildell was the next object of indignation, but he bore himself with so much moderation and calm in the midst of the storm that he rode it down and, indeed, so strengthened himself in the confidence of his party, as to become its acknowledged chieftain, and he led the Democracy with great success and skill through the succeeding contests in spite of much opposition and prejudice within his own party. His great fidelity to his party and his friends, his tact, industry and courage, and his insensibility to political and personal vituperation, set off many grave faults and errors, neutralized some repellent personal and political characteristics, and made him one of the ablest political leaders this country has produced.

THOSE CHATTANOOGA BONDS.

The Funding Board acted very properly and emphatically in rejecting the application of Mr. F. Ames for the funding of the \$2,500,000 of bonds issued to the Chattanooga Railroad Company. These bonds were issued under an act of the Legislature passed during Warmoth's administration, and which authorized the Governor to issue that amount in payment of stock in the company on the prolongation of the road from Vermilionville to Shreveport. There had been a previous contract with the State by which this amount was to be issued to the company, to be secured as a second mortgage on the road at the rate of \$23,000 per mile. But the company wanted the bonds in advance of the execution of the work and without encumbering the road with this mortgage.

So this act was concocted, substituting stock for the second mortgage, and under it the bonds were issued by Warmoth. The legality of this issue was, however, questioned after the funding act went into operation, and was referred to the late Supreme Court, which decided that the conditions upon which the bonds were to be issued had never been executed by the company; that not a mile of the road had ever been laid, and that the bonds, which have always remained in the hands of the company, were illegal, null and void. The Legislature also passed an act forbidding the funding of these bonds, and in every other form in which the question could be brought up they have been declared to have been issued in fraud, and to be void and of no sort of legal value or effect. Mr. Ames made his application to the Funding Board with a view, it is intimated, of making a new case for the courts. Nobody objects to his incurring the expense of further litigation, but one thing is very certain, and that is that all the skill and ingenuity his attorneys may bring to bear will not avail to secure a reversal of the former decision of the Supreme Court on this palpably fraudulent issue of bonds.

The company, after receiving several millions from the State for a railroad which has never been built more than seventy miles, sought to impose upon taxpayers this additional two and a half millions for a projected road which they never had the slightest idea of constructing. The action of the Funding Board on Wednesday in rejecting the application of the holders of these bonds will give the quietus to this utterly unfounded and fraudulent claim.

Speculators have too long held up this issue as a menace of the increase of the consolidated debt beyond the estimate which has been made of it by those most conversant with the financial condition of the State. With this addition it was apprehended that the issue of consols would reach within two or three millions of the constitutional limit of fifteen millions. But now that the rejection of these bonds is placed beyond all doubt and the impossibility of the funding of any portion of them made a certainty, it is believed that the issue of consols will not exceed eleven millions, if it should indeed reach that amount. The effect of this reduction, with the guarantees secured by the constitution, by the acts of the Legislature, by the prudent and careful action of our Funding Board, and the honest collection and application of the taxes, will be to place these bonds in the front rank of solid securities for safe and permanent investment.

It is utterly useless for parties to send us communications unaccompanied with their real names. We decline to print the letter in relation to the railroad extension signed "Louisiana Avenue," until we are informed of its authorship.

Georgia is to have a constitutional convention and a constitution framed in the interest and for the protection of her people. This is what Louisiana very much needs.

Grant prefers the races and the fine dinners in England to the degree of D. C. L. Grant's strong point is his hard horse sense, and we think he has shown it in this instance. Grant is about as much entitled to the degree as a Berkshire hog is to ruffle shirts, and the most conspicuous thing in the whole affair is the flunkysm of the University.

DIED: POLK—On Thursday, June 14, 1877, at Decatur, Ala., Dr. Thos. G. Polk, of Columbia, Tenn.

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