MODERN THRACIANS.

Revolting Scenes in the Louisiana Legislature:

The Corrupt and Cowardly Lawmakers in Session.

PANDEMONIUM PERFECTED.

The Warmothites and Packard-Carterites Fully Armed and Legislate Under the Control of the Police and Military.

Details of the Governor's Arrest and the Charges and Affidavits.

Disgraceful Attitude of the Executive.

The Proclamation of the Governor and Its Riotous Effect on the People.

NEW ORLEANS, Jan. 5, 1872.

The excitement which began to manifest itself on Monday morning grew more threatening as the day advanced. The daring and bloody work of Pinchback on the same night, and the report on the streets, circulating the fact that Warmouth had made offers of alliance, offensive and defensive, with the democratic managers, awakened public apprehension as to the condition of things likely to follow. Tuesday morning, the second day of the session, revealed symptoms still more alarming, on the discovery that the proposal made to the democracy through Hugh J. Campbell was so properly and fearlessly denied, and as containing a clause which was still more expressive and defiant—viz., that the terms of coalition could only be accepted on the condition that Warmoth would resign. Tuesday morning, at an early hour, dense crowds of people gathered on Dryades street, in front of the State House, discussing the bloody work and cowardly conduct of Pinchback and his crew the night before. It was manifest to all that the day would reveal something neither creditable to the State nor the corrupt gang who control it. Large bodies of police in citizens' dress filled every avenue to the House. Orders were most emphatically given by Speaker Carter, who also denounced the evil intentions of the Warmoth faction, demanding the removal of the police altogether from the building. It ought to be remembered here that this body is entirely within the control of the Executive, the Lieutenant Governor being *ex officio* President of the Board, and may be turned upon the citizens at any moment to intimidate or slaughter them. Its organization, equipment and control are placed by the express provisions of the statute in his hands, and it can be subjected to his orders alone.

During the morning they continued to arrive in twos and threes, so as not to excite suspicion, and it was vaguely rumored that the military were under orders from other and equally dangerous men.

CARTER RISES TO EXPLAIN.

Soon after the assembling of the members of the House Speaker Carter, the head and front of the opposing faction in this body, vacated the chair, and demanded permission to address them on a question of privilege and personal explanation, in the course of which he labored earnestly to refute, with some show of success, the charges preferred against him of peculation and corruption in office. At its close a motion was made declaring the chair vacant, and appointing a Mr. Waters as Speaker. I do not remember anything in history, not even in Roman times, expressive of more brazen and high-handed villany than this. The cool audacity of a man, whom the Speaker openly and specifically charged with crimes of the worst description, is astounding, and but for its repetition a few moments after, when Carr and Dewees were similarly charged, by regular affidavit, properly and legally drawn up, I would hardly mention it in this remote connection. The following are the affirmations:—

TO THE HONORABLE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES:—

GENTLEMEN—I hereby charge Mortimer Carr, representing the parish of De Soto in the House of Representatives, with fraud and conspiracy to defraud the State, in that he, in conjunction with E. W. Dewees and others, did sign, as Speaker, certain warrants, on or about the 17th of November, and ante-date the same to the 30th day of January, 1871, as more particularly described in the accompanying affidavit of Expert McCullough, sworn officer of the honorable Eighth District Court, herewith attached.

J. B. WANDS.

I, the undersigned, William W. McCullough, one of the experts appointed by the Honorable the Eighth District Court to examine the vouchers and warrants issued for mileage per diem and contingent expenses of the General Assembly for 1871, to ascertain which, if any, were fraudulent, would state that on or about the 17th day of November, 1871, one E. W. Dewees, a member of the General Assembly, did sign three several warrants as chairman of the Committee on Contingent Expenses, said warrants purporting to be drawn by the order of John W. Madden, for $32, which said warrants are ante-dated January 30, 1871, with the object of defrauding the State.

W. W. McCULLOUGH.

Sworn to and subscribed this 3d day of January, 1872, before me—JOHN P. MONTAMAT, Third Justice of the Peace for the parish of Orleans.

TO THE HONORABLE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES:—

GENTLEMEN—I hereby charge R. W. Dewees, representing the parish of De Soto in the House of Representatives, with fraud and conspiracy to defraud the State, in that he, in conjunction with Mortimer Carr and others, did sign, as chairman of the Committee on Contingent Expenses, certain warrants, on or about the 17th of November, and ante-date the same to the 30th day of January, 1871, as more particularly described in the accompanying affidavit of Expert McCullough, sworn officer of the honorable Eighth District Court, herewith attached.

J. B. WANDS.

Mr. CARR, of course, moved that the lobby be cleared of all visitors.

A MODERN THRACIAN SCENE.

The wildest clamor ensued, twenty members were upon their feet demonstrating in the wildest manner; the dense crowd in the lobby evincing the most disorderly attitude and the army of police endeavoring to keep back the crowds as they moved in solid mass into the chamber. Carr then also moved that the chair be declared vacant, and followed the motion by a rush to the Speaker's stand, accompanied by about thirty others, clamoring "Yea, yea," when the invincible Carter thundered with his gavel against the table, declaring the movement a revolutionary one, and

DECLARING BY THE ETERNAL GOD

that he would put it down. "I should like to see the man," he bellowed with the lungs of a Stentor, "that would attempt to force me out of the Speaker's chair under any such circumstances or in the revolutionary manner now attempted." This language had the effect of quieting the frothy, demonstrative character of the accused, and he and his colleagues retired. The House broke up in confusion.

THE MIDNIGHT RABBLE.

Midnight showed that the same disquietude which had disturbed the minds of men for the preceding night had not abated in the least. Measures were going on to effect a proper resistance this morning against Warmoth's bold and mercenary police. Hundreds of people crowded the boulevards around Dryades street, discussing and gesticulating over the events which it was calculated the day would bring forth. Hours before the assembling of the Legislature excited men were seen in every direction upon the street, in evident excitement over the rumors of the night before. About half-past nine the Governor's carriage drove up to the entrance, and he alighted. No remark was passed by those idling about until it was discovered that during the night carpenters had been at work in the construction of a barrier to keep the crowds from the lobby. The police—those who were on duty all night, as well as those serving during the day—began to arrive in couples. Squads of those in citizen's dress and fully armed scattered themselves in all directions near the building, ready for call. About ten your reporter followed the United States Attorney, Mr. J. R. Beckwith, as he entered the Governor's office, knowing that something unusual was about to take place, as that gentleman very studiously avoids all collision or connection with politicians. Shortly after his departure all doubts were dispelled on the arrival of a Deputy United States Marshal, armed with the warrant for the arrest of the Governor and those in his pay.

ARREST OF WARMOTH AND HIS GANG.

There is no such thing as neutrality in an office-holder, high or low, at present in Louisiana. He must emphatically declare for either side, the slightest lukewarmness on his part insuring his speedy removal. The Commissioner on this occasion was a mere creature of the Packard-Carter faction, and although I have taken pains and some personal risk to satisfy myself whether the affidavit was of such a character and of such specific quality as would authorize an unprejudiced man to take such summary action under it, and was advised it was not. I nevertheless approve of the undertaking, even if a widespread and popular indignation is the only benefit received. I know that this very act itself was hatched in conspiracy, and that a certain Commissioner feigned sickness that this official might take the responsibility and have the honor of moving to the assistance of his party.

THE AFFIDAVIT.

UNITED STATES OF AMERICA, DISTRICT OF LOUISIANA.—Personally appeared before me at my office in the city of New Orleans, on the 4th day of January, 1872, F. Schumacher, Henry H. Stevens, Henry R. Kearson and J. P. Wilson, who, being duly sworn, say that they are citizens of the United States, that they have received reliable information, and veritably believe, and therefore charge the following persons, to wit:—

Henry C. Warmoth, P. B. S. Pinchback, Hugh J. Campbell, A. B. Harris, A. E. Harber, Mortimer Carr, E. W. Dewees, Charles W. Ringgold, Peter Harper, W. B. Barrett, L. W. Sauer, John Gartskamp, J. B. Stamps, James T. Houston, D. C. Stanton, DeWitt C. Brown, J. N. Bowan, Paulin Franklin, D. C. Cockrem, R. Blunt, Emerson Bently, Harry Mahoney, Walter R. Wheyland, J. A. Massicot, A. S. Badger, Captain F. Flanagan and Captain B. Edgeworth.

That they have in the city of New Orleans, on the 1st, 2d or 3d day of January, 1872, made an unlawful combination and conspiracy in the State of Louisiana, of a secret character, for the purpose of obstructing and hindering the execution of the laws thereof, and also those of the United States; the purpose of said conspiracy being to deprive the Representatives of the General Assembly of the State of Louisiana, both in their individual and representative character, of their rights, privileges and immunities as such under the laws and constitution both of the State of Louisiana and of the United States; that the constituted authorities of said State are unable in part and in part unwilling to protect them in the enjoyments thereof, thereby denying to said citizens and representatives equal rights under such constitutions and laws.

That by means of the said conspiracy the said parties have taken violent and illegal possession of the hall of the House of Representatives; have attempted violently to eject the Speaker of said House, and have been engaged in bribing and corrupting divers members of said House, and have used and are using means of intimidation to deter others from discharging their duties and to incite riot. All against the peace and dignity of the United States.

F. SCHUMACHER, M. D.
HARRY H. STEVENS.
H. R. REARSON.
J. P. WILSON.

Sworn to and subscribed before me, this 4th day of January, 1872—F. A. WOOLFLEY, United States Commissioner.

On this affidavit all the parties named were arrested and held, subject to call, on giving bonds in the sum of $600, the Governor being discharged on his own recognizance. It may not be improper to state here that it has often been strenuously contended that the Courts of the United States in Louisiana are not of the very purest character, and that such a proceeding, instituted within its jurisdiction, does not altogether insure a speedy condemnation.

MASSING TROOPS AT THE CUSTOM HOUSE.

In the meantime a large body of colored troops had been quartered in the Custom House, under the direction of the martial Packard. The City Guards, too, an independent organization, marched along Canal street, no doubt rebuking the base character of the presuming metropolitans.

ARMED MEMBERS OF THE LEGISLATURE.

Wild rumors were afloat as the members began to arrive. They were all armed, and compelled to elbow their way through the dense crowd that filled the staircase and hall. A long line of police, two deep, were ranged on either side of the entrance to the House, and it was questionable for some time if even the reporters would be admitted. Five hundred police at this time were scattered around. Just as the House was being called to order a loud altercation took place between some excited individual and the police, to whom they had refused admittance. Those who were sufficiently posted as to the condition of affairs had made up their minds in an instant that this was the prelude to a general melée. It is safe to say, however, that there were hundreds in the hall, along the staircase and in the street who could never believe that they were in great danger of their lives. Every one watched the struggle at the door. There was no violence resorted to, but soon it was announced to the Chair that the Sergeant-at-Arms had been refused admittance, when that caustic individual in thundering tones again denounced the Governor for his infamous policy by endeavoring to intimidate the Assembly and create a riot among the people.

SENDING FOR UNITED STATES TROOPS.

Messengers were immediately despatched by Speaker Carter for a sufficient number of United States troops as would effectually preserve the peace and control the police. The moment was decidedly a critical one. The Speaker's room at the back of the Chair was filled with willing and hopeful friends, who were ready at a moment's warning to act. The roll of the House was called—no quorum. Prayer proceeded and the roll was again called, fifty-two responding to their names—barely a quorum. The Deputy United States Marshal, who had waited upon the Speaker to know his wishes with regard to the disposition of the troops, had not yet returned, and the police continued in powerful phalanx to guard the doors and keep the lobby quiet. The members paced the chamber in wild disorder. Nobody sat down. All were armed and seemed perfectly willing to abide by anything that might result from their deliberation. The Packard-Carter faction were all present, only two or three of Warmoth's were there. This was a splendid opportunity for the Packard-Carterites, and immediately the Sergeant-at-Arms received orders to allow no member to leave the chamber. The chance was too good to be allowed to pass away without at least effecting something. A motion was made and carried to arraign the delinquent members before the Bar of the House. A Mr. Yorke arose and again demanded that the chair be vacated in pursuance of a suggestion made by the Speaker the day before. Clamorous members rose in their seats and claimed there was not a quorum present, while several voices (Carterites) were raised declaring that the Sergeant-at-Arms was allowing members to retire in order to break up the quorum and derange the House.

A REVOLTING SCENE.

At this juncture, a negro, black as night, named Murray (a warmothite), rose up and demanded vehemently to know what sort of legislation they intended to carry out. His voice was drowned in the successive shouts of derision, which proceeded from all parts of the House. The Speaker replied it was none of his business, whereupon the indignant Warmothite requested leave to retire. The Chair denied the request, and the individual demanded the "yeas and nays," which at once decided against him.

"I will be obliged to resign, if not allowed to go out."

"I care nothing about that; you may resign."

The motion recurring as to the absent members, a list of their names was made out and handed to the Sergeant-at-Arms to go and arrest them.

WARMOTH MEMBER—I must go out.

He succeeded in obtaining that privilege under a strong body guard. Twenty minutes elapsed, and he returned not. Meanwhile the Carterite interest was flourishing by the addition of four members, who were contesting seats with an equal number of the enemy. The report of the Committee on Elections was read, and the question of receiving and adopting it was in progress. The negro Murray had not yet returned.

Dr. WORRELL, a Warmothite of the meanest stripe, seeing no hope, asked the House to bring in the obstreperous member, stating that he had the proper medicines at hand and would cure him.

A messenger was despatched, who returned after some time with the startling intelligence that he "did not make a move yet."

The SPEAKER—Let the Sergeant-at-Arms go out and move him.

Again that functionary hurried out, followed by a troop of pages and supernumeraries. Presently loud voices were heard without, and struggles and exclamations attracted the attention of all present. The excited members, who paced the floor during the whole time, voting as their names were called, and canvassing, chuckling and glorying in their successes, stood still. Loud noises were heard behind the Speaker's chair. Angry and bitter were the exchanges made between the victorious Sergeant-at-Arms and his followers and their Warmoth captive, when, lo! the unfortunate, the strong, burly,

REPULSIVE AND MURDEROUS LOOKING VILLAIN

is, like the leper of old, "borne in on the arms of four." Long and loud were the cheers that went up as the train descended from the platform along the centre aisle. The scene was so touching and so scriptural that all began to forget that their revolvers were loaded in their pockets, and had no fear that they might fall to the boards at any moment and explode. The calculations and needful preparations for riot and bloody work in the morning were somewhat forgotten. The vote proceeded on receiving the report of the Committee on Elections. When the Warmothite doctor rose and attempted to explain his vote and the privileges under it by reading from Cushing's Manuel—"Who is Cushing? You must vote yea or nay; one or the other," cried some twenty voices. The Doctor succumbed, and of course voted as he should. He might as well offer publicly to sell his vote as on every occasion to "rise and explain." The rest of the House thought so. Everybody thought so, and himself thought so.

Ludicrously as such bodies conduct business, it is perfectly insulting to see people read from authorities, or insist on parliamentary usages, especially when in such a notoriously corrupt sink as the Legislature of Louisiana, where nothing but blood is wanted to give color to the base practices and the bitter animosities of two renegade factions. The scenes on the floor every day, enacted in any State north of the Ohio, would certainly close with the exciting afterpiece of the lyncher's rope.

Speaker CARTER again rose to explain. "I want this House, by solemn resolution, to instruct me to keep the police outside of this building and outside of the reach of any intimidation to the gentlemen assembled on this floor." ("Hear, hear.")

LIFE INSURANCE COMPANIES DISCOUNTED.

The WARMOUTH DOCTOR—I will agree to that on this condition. I am opposed to everything in the way of intimidation, but at the same time I want that another resolution be passed. There is no member here whose life is safe to-day. I would not insure the life of any man on this floor at this time, and the resolution I speak of is, that the Sergeant-at-Arms be empowered to search every member of this House for arms before we proceed to business every day. (Bitter sneers were exchanged with the Doctor. Cries of "Adjourn, adjourn," were raised.)

Speaker CARTER—I shall appoint extra Sergeants-at-Arms. They shall not be cut-throats, or thieves, or loafers; but I shall appoint white and colored gentlemen, and I myself will see that no police will interfere with or intimidate any member of this House.

Adjourned.

CONFUSION IN TRIUMPH.

Confusion, defeat and bitterness of spirit were distinctly depicted on the faces of the Warmoth faction. Triumph and exultation ring from the Carterite mob. The children of darkness are singing hosannahs and mourning in alternation. The State Penitentiary knows them not, neither does the gallows. The measure of their iniquity at this hour ascends up from the swollen breasts of what was once a happy people. The scourges of Egypt were as thin air when contrasted with the foul dishonor, the barbarous and sickening corruption of this single plague. The democracy, like Miriam of the fair damsels of Israel, go out and sing on tabrets and harps to the praise of the Carterite, and rejoice in having an opportunity to resist the War moth marriage, as a rite of heathenism. Their little successes will only serve to ruin them. If they gain anything by the infamous quarrel which is now so wildly epidemic it is not owing to any capacity in them. On proper consideration they will find that their followers are a helpless minority in the State, and will ever remain so as long as can be distinguished the black from the white. Their party throughout the country is moribund, and for its own and the country's good we pray it may never recover. Until the last vestiges of the two parties are swept away and the principles and measures which they have built up are wrecked and cast over with the dead relics of the past, the dawn of a proper and universal civil reform throughout the country will be retarded and driven back upon its own resources, to await the consequences of another and, perhaps, bloodier revolution.

SATURDAY MORNING.

Affairs are thickening and the excitement increases. Dryades street is blocked up by double lines of police at both ends, and only the members or their backers are permitted to the enclosure. Yesterday evening, after the adjournment, the Governor, yet smarting under the indignity forced upon him, issued the following proclamation to the members of the Assembly, copies, however, being only served on the creatures of his own party. It speaks for itself:—

GOVERNOR WARMOTH'S PROCLAMATION.

STATE OF LOUISIANA, EXECUTIVE DEPARTMENT,
NEW ORLEANS, Jan. 4, 1872—1:30 P. M.

Whereas a conspiracy has developed itself to overthrow the government by illegal and revolutionary means which were shown by the arrest of the Governor, Lieutenant Governor and a member of the House of Representatives at the moment of assembly by the United States Marshals on a writ of a United States Commissioner, upon a false and frivolous charge; and whereas, while these said officers and members of the General Assembly were detained in arrest, an illegal and revolutionary attempt was made to eject certain members of the House of Representatives and seat other persons in their stead, there being at no time during these proceedings a quorum present; and deeming that the present condition of public affairs presents an extraordinary occasion, I do hereby, in virtue of the power in me vested by the constitution and the laws enacted thereunto, convene the General Assembly of the State of Louisiana in extra session, at half-past four P. M. this 4th day of January, 1872, to take such steps as may be necessary to preserve the peace and protect the interest of the Commonwealth.

Given under my hand and seal, on the 4th day of January, 1872.

H. C. WARMOTH, Governor of Louisiana.

J. W. FAIRFAX, Assistant Secretary of State.

At four o'clock they met. Stormy and bitter were the denunciations, and the resolutions adopted resembling in their character and extraordinary hastiness the effective measures of the Corps Legislatif in Paris on the disasters of Sedan. This was followed immediately after by a troop of deputy United States Marshals bearing off eighteen of the belligerent members. At this session the Warmothites were signally victorious. The chair was declared vacant by a large majority and a Warmothite installed.

The evening passed off quietly. People began to apprehend that the affairs of the three preceding days had arrived at a crisis and would culminate in bloodshed this morning. The police were more communicative, but more insolent than before. It was freely admitted to your reporter by members of that body, on his speaking of the United States troops, that any untoward movement on the Governor, either by the citizens or the federal authorities, would be met with decisive rebuke and summary punishment. The picket lines posted at each end of the street were impregnable. No one was allowed to approach. Only well known reporters were permitted to pass, and this through four ordeals of a similar character before they reached the House.

POLITICAL MOVEMENTS AND VIEWS.

Politics in Richmond County—The Reformers After Corrupt Officials.

The reform party on Staten Island held a grand mass meeting, last evening, at the village hall, at Stapleton. The room was well filled by a respectable class of people, with a sprinkling of the "old rounders" of the ring. The meeting opened with Mr. Dix in the chair. He stated the object of the call and urged all good citizens to help and purify the politics of the county. He was followed by several others, who were loudly cheered at the close. A committee of five from each township (five in all) were appointed to investigate into the state of affairs in their respective districts, and report at a meeting to be held on Saturday evening next. At this meeting several corrupt officials will be shown up.

The reformers made one mistake by making public their plans and hinting about those whom they intend to look after, thereby giving them (the officials) an opportunity to "square up" their books if possible.

Progress in Mississippi.

Governor Powers, of Mississippi, is severe upon the carriers of concealed weapons. In his Message to the Legislature he says:—

I desire to call your attention to the necessity of a law to prohibit the carrying of concealed weapons. The great number of belted knights of spurious courage who are daily seen in public places, ready on slight provocations, under the inspiration of evil spirits, to display implements of war, is a standing menace against the laws of the country and a reflection upon the manly courage and personal prowess of a chivalrous people. I recommend that any one found bearing upon his person a concealed weapon shall be immediately arrested, without warrant, and taken before the nearest magistrate or Mayor and subjected to a fine of $10 for the first offence and $25 for each additional offence. I further recommend that any sheriff, deputy sheriff, constable, town marshal, policeman or alderman who shall fail to execute this law shall be subject to arrest on complaint of any person cognizant of the fact, and fined in the sum of $50, and also be subject to indictment and dismissed from office for criminal neglect of duty.

The Acting Governor of Georgia Bound to "Stick."

[From the Savannah Republican (democratic), Jan. 7.]

The impression is general that Conley will promptly vacate the executive chair upon the inauguration of Smith as Governor; but the following extract from the radical organ at Atlanta, assuming it to be informed regarding Conley's intentions, looks a little singular, though we regard it as wholly unimportant:—

It is hardly probable, under all the circumstances, that Smith will push his claims further than a formal demand for possession of the office. We cannot believe that he will make any further issue, when less than three-twentieths of the vote of the State, and considerably less than one-half the vote of his own party, is at his back. It would be a very damaging showing to go abroad, especially in the face of the well known fact that the vacancy is already filled in the manner and by the means constitutionally appointed.

We have seen much of this bluff game in Georgia before, and have come to regard it as amounting to nothing. Completely routed and disgraced, the radicals must say something—give some sort of indication of life, but there it all ends. If the election was constitutionally ordered; and there can be no real question about it; and if it was legally held—which no one doubts—it matters not whether Smith received one vote or a hundred thousand. His election as Governor would be as legal and binding with the former as it would be with the latter.

Curious Emigration Movement Among Colored People.

[From the Toledo Blade, Jan. 8.]

The colored residents of Madison and Macoupin counties, Illinois, it is said, are making extensive preparations for emigrating to the States bordering on the Lower Mississippi and the Gulf of Mexico. These emigrants are thrifty, industrious, free born Africans, and are farmers, mechanics and laborers. They are going with their families to the South, intending to make that region their home. This movement has not been undertaken without due deliberation and examination, as some of the most intelligent and trustworthy of the colored people were sent down South for the express purpose of ascertaining the exact condition of affairs, and the inducements to emigration.

Miscellaneous.

An enterprising firm have had the courage to start a democratic paper in Henderson, Sibley county, Minnesota. It is not stated whether it is passive or impassive in politics.

The official majorities for State officers of Minnesota were as follows:—Governor—Horace Austin, 14,895. Lieutenant Governor—W. H. Yale, 16,738. Secretary of State—S. P. Jennison, 12,372. State Treasurer—William Seeger, 16,193. Attorney General—F. R. E. Cornell, 16,196. Judges of the Supreme Court—J. M. Berry, 15,653; S. J. R. McMillen, 14,947.

An analysis of the occupations and nativity of the Legislature of Minnesota, just organized at St. Paul, shows that 104 of the 147 members are native Americans; and that one-half the members of the House and nearly one-third of the Senate are farmers. The merchants are about one-sixth of either body; while the lawyers, who form one-fifth of the Senate, are less than a tenth of the House. There are only four mechanics in the entire Legislature.

Miss Eliza Webber, of Winona, has been chosen Enrolling Clerk of the Minnesota Legislature, over Charles F. Johnson, a Scandinavian.

The Roseburg (Oregon) *Plaindealer* of the 15th ult. says of the veteran General Joseph Lane:—

Yesterday this eminent soldier, patriot and statesman reached the ripe age of three score and ten and we are happy to state that he is in the enjoyment of good health, physically and mentally. Although retired from political life he has lost none of his interest in his country's welfare, and his friends enjoy no greater pleasure than to listen to the conversation of his leisure hours in his mountain home.

A JERSEY MURDER MYSTERY.

The Sussex murder mystery is briefly as follows:—On the 4th inst. the body of Daniel Everment was found frozen stiff in a cut of the Midland Railway in Hamburg village. The skull was cracked. A coroner's inquest revealed the fact that, though he had been drinking on the day named, he could not have fallen into the cut. The belief is that he was murdered by robbers.

CUBA.

Property and Personal Reclamations in Behalf of a Sentenced American Citizen.

Valmaseda's Policy—The News of His Recall—Reminiscences of Concha's Rule—Power of the Spanish Insular Executive—General Crespo and His Successor in Office—Gubernatorial Accusations Against American Marine Captains—The Rebellion Extending—Church Consolation from America—King's Day.

HAVANA, Jan. 6, 1872.

The efforts of Consul General Torbert in behalf of Dr. Howard have proved unavailing, as also of no effect the petition of his daughters for the restitution of their father's confiscated property. Captain General Valmaseda has approved the sentence of eight years' hard labor in the chain gang. By this unjust sentence the daughters of Dr. Howard see themselves suddenly bereft of a father's care and protection and what slender means of subsistence his property might have afforded them. The Captain General asserts that at Washington is the proper place to make reclamations, as the Spanish Minister will be fully informed of the case, and is the proper person to apply to; and furthermore, takes the ground that Dr. Howard is a Spanish subject, had always resided and been known as such in Cienfuegos, and that his father, one of the first founders of the town, was a Spanish colonist and received from the government titles and grants of lands, besides holding a petty official position. But this position of the authorities is said to be entirely untenable, as Dr. Howard is abundantly able to prove that—First, he is a native born American citizen, having been born and baptized in the city of Philadelphia about the year 1810 and resided there until he became of age. He embraced the profession of medicine and obtained his diploma in 1843. Afterwards came to Cuba, and, wishing to continue the practice of his profession, was obliged, in accordance with the Spanish law, to be examined and obtain a license or diploma from the Royal University at Havana. This diploma is dated in 1844, and distinctly states Dr. Howard to be a native of Philadelphia, consequently an American citizen. As to being known as a Spanish citizen, Dr. Howard has, on the contrary, always associated with the Americans in Cienfuegos—shipmasters, merchants and others—and has always been recognized as an American, never holding any official position. As to the statement of Dr. Howard's father having once held a subordinate official position under the Spanish government, even if true—which it is decidedly denied to be—should in no wise affect the rights of his son. It is to be hoped that the United States government will take a strong interest in this subject, and refute some of the assertions that it is indifferent to the protection of its citizens abroad.

VALMASEDA'S POSITION.

The machinations of Valmaseda's enemies, who are comprised in the ultra-radical wing of the Spanish party in Cuba—those who believe in the old *regime* of slave dealing and kindred occupations—are singing victory, asserting that the order for the relief of the Count has come from Madrid. This order, like all other disagreeable news, has not, of course, been made public, but is known only to the few. It is well authenticated that for a long time past there has been a contrariety of opinions, a division among those who are among the magnates and governors of this island. One party, who wishes first to subdue the insurrection with some attention and propriety for the rules of civilization, and carry the country forward in the path of progress and reform initiated by the revolution of September, 1868, in Spain, and in accordance with the ideas of the age, and the other, the tories of the island, who prefer to have things as they were before—and, although desirous of putting down the insurrection, yet are reckless as to the means they take for that purpose. Valmaseda has obtained the position he expected and schemed to obtain when General Rodas was first appointed. The intrigues by his party for his advancement were carried on for a long time, and now he is not so ready to resign the power which he obtained with so much difficulty. As soon as the telegram was received advising him of his probable relief, and that his successor would be General Concha, he determined to make a struggle to retain his office, called before him his friends and partisans, and set forth the many difficulties that the cause of Spain would encounter in a change of commanders, plans, &c.; that his plan of campaign for the winter was perfected, all the details well studied, and if allowed to carry it through he would assure the termination of the insurrection and pacification of the island within six months, and advised his friends to take measures to communicate with the home government to that effect; and in order that there should not appear to have been any undue influence or interference on the part of the authorities for that purpose he proposed that a committee should cross over to Key West, and from thence communicate by telegraph with Spain for the desired purpose.

Valmaseda has lost much of his prestige even among his most ardent admirers of former times. He is not now the adored hero of "El Cauto." In the administration of affairs here he has made every effort to continue in the politic course which made him so popular while in active operations against the insurgents, but has not been successful.

EXECUTIVE POWER.

The position of Captain General of Cuba, while nominally that of a governor of a province, is really that of Viceroy, with almost unlimited powers. He can make and unmake laws, and at his discretion—as has often occurred—fail to put into execution the laws made for his government. Valmaseda knows all this, has had a large and long experience of the island, and will "stick" as long as possible.

CONCHA'S PUBLIC CAREER.

General Jose Gutierrez de la Concha, Marquis of Havana, Valmaseda's probable successor, has already been Captain General of Cuba for two terms—the first from 1850 to 1852, at the time of Lopez's expeditions, which ended so disastrously for that brave leader, and again from 1854 to 1859. After his first term he was created Marquis of Havana, and, after his second, Duke de la Victoria. Concha is popularly supposed to have a cruel, inflexible nature, and, if Valmaseda has been styled the "butcher," and compared to a tiger in his operations against the insurgents, Concha would prove himself "a thug and the deadly leopard." In the suppression of the insurrection of 1851 many cruel deeds emanating through his orders were secretly executed. When Narciso Lopez was captured Concha led his former companions in arms (having formerly served in the same regiment) to believe that he would endeavor to save his life, but instead signed the death warrant which condemned him to the garrote. Concha has also been accused of favoring the slave trade and considered a protector of that traffic. Many of the leading spirits here who schemed to put Valmaseda in place and whose creature he is supposed to be, finding that their expectations of the reopening of the slave trade—upon which, as on a hinge, almost every other question revolves—have not been realized, will probably desert him and endeavor to obtain another officer more to their minds.

RESIGNATION.

The new recently appointed political Governor, Moreno, has already resigned his position. He found himself to be too honest and conscientious a man to sully the reputation he had acquired in the courts of justice and tolerate the jobbing going on.

CRESPO'S "RELIEF."

General Romaldo Crespo, the Segundo Cabo and during the recent volunteer disturbances which brought about the death of the students, Acting Captain General, has been relieved, and General Felix Ferrer appointed in his place to take charge temporarily until the arrival from Spain of a new Segundo Cabo or is himself confirmed in the position. This is the Ferrer who has sometimes been called the Cuban General, having been born at Santiago de Cuba, and who has obtained honors and advancement from the government for his persistent persecution of the insurgents. He was quite recently the recipient of a cross of honor from King Amadeus, and was promoted to be Field Marshal.

ARMY DISCIPLINE FOR SPAIN.

The supreme government of Spain has condemned to suspension from pay for four months Brigadier Campos, the defender, and all the officers who composed the court martial of Gonzalo Boet. This Boet will be remembered as one of the Spanish leaders in the Eastern Department. The shooting of twenty-one residents of Santiago de Cuba, taken by him to a farm near the above named city for trial, accused of disloyalty, was done under his immediate orders. The order of suspension has not been put into effect.

INSURRECTIONARY AGENCIES.

Notwithstanding the strict scrutiny of the officials here copies of insurrectionary documents and papers printed in the United States constantly make their appearance. Valmaseda declares that "they are introduced by the officers of American steamers, and if he is satisfied of the guilt of any of them he will shoot 'em," if he catches them ashore.

CESPEDES.

A subscription for a reward for the capture of Cespedes has been opened, and the names and amounts of the subscribers are published in the *Diario*. It is expected that $100,000 will be subscribed for the head of the Cuban President, dead or alive.

BOUNDARY OF THE REBELLION.

The Spaniards are not by any means confined to the limits which it was fondly trusted by Spaniards the famous "*trocha militar*" (military cordon) would make for them. A party of about fifty, under the leadership of Juan Bentene Gomez, crossed over it into the vicinity of Santa Clara. Tarita, the commander of the Spanish forces in that district, succeeded in making a surprise attack on their camp on the 2d inst., and according to accounts killed four and took seven prisoners, capturing twenty-three firearms of the Remington, Peabody and Spencer patterns. As the result of this operation Gomez, with nine others of his band, surrendered the next day and delivered up eight Remington rifles, with a quantity of ammunition.

The Spaniards have made an important capture in the person of Eduardo Saavedra, a young man, secretary to General Ynelan of the insurgents in the Eastern Department.

The Spanish journals are daily reporting the usual number of engagements, skirmishes and surrenders, but the insurrection does not decrease in vitality. The Spaniards are very particular in reporting insurgent losses, but omit to state their own, which are proportionately larger. Rumors of the landing of arms for the insurgents have been circulated.

THE AMERICAN CHURCH.

For some weeks past, since the arrival of the young divine, the Rev. Edward Kenney, from the House of Bishops, Americans and other church-loving folks have been able to hear the Word of God preached. Service has been held regularly every Sunday since his arrival, upon the American war vessels in port, and has been quite numerously attended. The transient visitors at Havana, shipmasters and their wives and others, are cordially invited and expected to attend. It is proposed to continue holding regular service throughout the year, and, failing a suitable vessel, to hold it at some of the Consulates.

"KING'S DAY."

To-day in Havana is a memorable holiday—"King's Day"—and while your correspondent is writing his ears are assailed by the beating of the drums, tom-toms and other instruments of the African negroes, who parade to-day, with their national dances.

Valmaseda to-day receives the military and civic corporations, foreign Consuls, &c.

STOKES IN HIS CELL.

Now that the excitement of the past few days in regard to the shooting of James Fisk has somewhat died away, and the inquest having been concluded, Stokes is beginning to feel more at ease, and his quarters are far more comfortable than those of any other prisoner in the Tombs. His cell, which is located on the west side of the prison, on the second tier, has been furnished very handsomely within the past two days, at the expense of Stokes himself, and at present it has more the appearance of a young lady's boudoir than the look of a prisoner's cell, who has been committed for a capital offence to await the action of the Grand Jury. Stokes has got a handsome black walnut bedstead, and the bed linen is of the very finest quality, the coverlet being trimmed with lace and the pillow cases fringed with the same material. There are several pretty pictures hung up on the walls and a sweet smelling nosegay occupies a place on the shelf and makes the narrow and confined cell redolent of perfume. There are also several bottles of perfumery, which Mr. Stokes uses when making his toilet. Altogether the cell is as pretty a place as can well be imagined, and as Stokes has his meals furnished by Mrs. Stacom, the wife of the Warden of the prison, he will no doubt become used to the good fare here, which is quite as substantial, if not so delicate, as the viands at the Hoffman House.

Stokes has received several articles of clothing through his friends, which have been conveyed to him from his former residence. He does not hold any communication whatever with Mrs. Mansfield, his counsel having resolved that she must not visit their client, as he has already suffered more than enough by her fatal acquaintance. It is, therefore, untrue that Mrs. Mansfield has been sent for by Mr. Stokes, nor has she made manifest any intention to pay her late admirer any visit at the Tombs. In the present state of public feeling it would be ruinous to Stokes to have this Messalina of the century call on this man in the cell to which she has been the principal means of sending him.

Mrs. Stokes, a true, good and beautiful lady, is on her way home from Europe, and will be here in a few days. She has had no inkling of the dreadful tidings which will greet her on landing in her own native city, and the meeting which will take place between the husband, who has placed himself under the ban of the law, and the loving, confiding and betrayed wife, can be imagined better than described. It is stated that Mrs. Mansfield some months ago endeavored to get Stokes to procure a divorce from this good woman; but in this she failed, as Stokes was not so lost to all fine feelings as to discard the wife of his bosom. The last letter written to Stokes by his wife was a model of forgiving conjugal affection, and should Mrs. Mansfield be compelled by the force of public opinion to leave the city, the poor, heart-broken lady, Mrs. Stokes, may find some rest and balm after her troubles of the last twelve months. Mrs. Mansfield is at present at her residence, No. 359 West Twenty-third street, eating, sleeping and living quite luxuriously, although the Police Commissioners, by a stretch of authority and to prevent, it is said, the carrying away of the duplicate copies of the scandalous Fisk letters, have placed her house under a system of police espionage and surveillance that savors of Paris and the Man of Sedan. It is probable that Stokes will not be tried until the February term of the Criminal Courts, as his counsel have asked for time to prepare the case, and to allow public feeling to subside somewhat in order that he may be tried without prejudice and fairly before twelve men. But at present his counsel think that it would be most difficult to find an unbiassed jury on New York Island to try their client, and it is only charitable that time should be granted them to make ready for what will be one of the most celebrated cases in New York criminal records.

THE FISK-MANSFIELD LIBEL CASE.

Its Disposition and What Justice Bixby Has To Say About It.

On next Saturday the charge of libel upon which Mrs. Helen Josephine Mansfield had caused the arrest of the late Mr. Fisk was to have come up for a final hearing in the Yorkville Police Court. It was set down for that day by Justice Bixby, the counsel for both parties to the case having so agreed. How little they, or, in fact, any one then present in the court room, thought what the final disposition of the case would be. In a conversation held by a HERALD reporter yesterday with Justice Bixby, he said that of course the death of Mr. Fisk, the person charged with the alleged misdemeanor, ended the case, and, so far as his Court was concerned, it stood now as if it had never been recorded on his books.

The pile of testimony taken in the different examinations of the case and now in the hands of the Judge is therefore of no more value than if it were only so much waste paper—that is, in a legal sense—and worth preserving only because it would make an interesting chapter or two of "free love" literature, in which is recorded the eventful lives of two prominent votaries of that rather loose religion.

Justice Bixby, in answer to an inquiry made by the reporter before leaving, gave it as his opinion that he was almost certain Stokes had no intention of killing Fisk when he left the Court, at least on that day, and only made up his mind to do it after he had been informed of his indictment by the Grand Jury on a charge of blackmailing. Notwithstanding the fact that the Judge is so firm in this opinion, there are many of those who were present at the examination last