

THE DONALDSONVILLE CHIEF.

OFFICIAL JOURNAL OF THE PARISH OF ASCENSION AND TOWN OF DONALDSONVILLE.

VOLUME 1

DONALDSONVILLE, LA., SATURDAY, JANUARY 13, 1872.

NUMBER 18.

Donaldsonville Chief.
Office in Crescent Place.

Published Every Saturday Morning

—AT—
Donaldsonville, La.,

—BY—
LINDEN E. BENTLEY,
EDITOR AND PROPRIETOR.

TERMS OF SUBSCRIPTION:

One copy, one year, \$3.00
"One copy, six months, 1.50
Single copies, 10 cts.
Payable invariably in advance.

ADVERTISING RATES:

[A square is seven lines Minion type.]

Space.	1 wk.	1 mo.	3 mos.	6 mos.	1 yr.
1 square	\$1.00	\$3.00	\$5.00	\$9.00	\$15.00
2 squares	2.00	6.00	10.00	18.00	30.00
4 squares	4.00	12.00	20.00	36.00	60.00
1 column	7.00	21.00	35.00	63.00	105.00
2 columns	14.00	42.00	70.00	126.00	210.00
1 column	25.00	75.00	125.00	225.00	375.00

Transient advertisements, \$1 per square first insertion; 75 cts. each subsequent insertion. All official advertisements \$1 per square each insertion.

Communications may be addressed simply to "Chief, Donaldsonville, La.," or to the editor and proprietor personally.

A large fire in Monroe, La., has destroyed the greater portion of the business part of the town. Total loss \$589,300; insurance, \$203,500.

The Hon. J. Henri Burch has at last earned a just and indisputed title to the initials R. C. M.—that is, if they stand for Renegade Colored Man.

News from Mexico is not at all reassuring to those who wish well to that distracted Republic. The revolution is fast spreading, and the people are paralyzed. President Juarez, in a speech to Congress, correctly states the case when he says that the country is consuming itself in a fruitless struggle of military against legal power. The fact is, there are too many military chieftains in Mexico, and the natural business of these idle men—who are just above the level of bandits—is to plot conspiracies and lead revolutions. The tone of the President's speech is less confident than we might have expected from him under circumstances not specially perilous.

NEWSPAPER LAWS.—The following synopsis of the newspaper laws, will be found interesting by those who receive papers by mail:

1. A Postmaster is required to give notice by letter (returning a paper does not answer the law) when a subscriber does not take his paper out of the office, and state the reasons for its not being taken; and a neglect to do so makes the Postmaster responsible to the publishers for the payment.

2. Any person who takes a paper from the Post-office, whether directed to his name or another, or whether he has subscribed or not, is responsible for the pay.

3. If a person orders his paper discontinued, he must pay all arrearages or the publisher may continue to send it until the payment is made.

4. If the subscriber orders his paper to be stopped at a certain time, and the publisher continues to send it, the subscriber is bound to pay for it if he takes it from the post-office. The law proceeds upon the ground that a man must pay for what he uses.

5. The courts have decided that refusing to take newspapers and periodicals from the postoffice, or removing and leaving them uncollected for, is prima facie evidence of intentional fraud.

EXCITING SCENES.—St. Stephens (Roman Catholic) church in New York, which is so famous for its superb music, was the scene of a disagreeable disturbance on Sunday last. Just as the congregation were engaged in the most solemn portion of the mass, an unearthly yell was heard, and the congregation turning round saw a man, respectably dressed, writhing in apparent agony in the central aisle. He was a howling maniac. From his lips came the most dreadful cries and oaths. He danced and swung his arms around his head and tore his hair. The services were of course suspended, and the man was forced from the church. He was sent to the hospital as a lunatic.

A still more serious disturbance took place at the Roman Catholic church, near the corner of Thompson and Canal streets, on Christmas morning. Just as the priest was about pronouncing the benediction a drunken man named Ellis staggered up the aisle, and in a loud and abusive way denounced the priest and congregation, and when ordered out by the sexton dared any one to try and put him out. In an instant twenty men sprang from their seats and made for Ellis, confusion and consternation reigned. Some of the women screamed, while others fainted. Ellis backed up against a pew, and drawing a knife dared them to come on. A man named Knapp then advanced upon Ellis, and he plunged his knife into Knapp's shoulder. Ellis was then knocked down and stabbed by some unknown persons, and then taken to the station-house.

ANNUAL MESSAGE

OF
Governor H. C. Warmoth,
TO THE
General Assembly of Louisiana,
SESSION OF 1872.

STATE OF LOUISIANA,
Executive Department,
New Orleans, January 1, 1872.
Gentlemen of the Senate and House of Representatives of the State of Louisiana:

In compliance with my duty, under the constitution, I have the honor to lay before you the following information respecting the general condition of affairs in the State, with the recommendation of such measures as I have deemed of sufficient importance to merit your special consideration:

PUBLIC DEBT.

The State Auditor persists in publishing to the world that our debt is \$41,194,473.91, which he makes up by adding to the actual debt of the State, which is \$22,295,790.58, an amount which he calls a "contingent debt" of \$18,898,683.33. This last is indeed contingent. It is contingent in that it becoming actual debt is entirely dependent—first, upon the construction of certain railroads, for which the State has agreed to indorse second mortgage bonds for \$12,500 per mile; the companies having the right to issue first mortgage bonds for the same amount; and, second, upon the foolish presumption that these roads, with all their franchises, rolling stock, fixtures, trade, etc., will not be worth \$5,000 per mile, the aggregate of the first and second mortgage bonds. This is no more a debt, to be employed as such at the expense of our State credit, than is the indorsement of a promissory note by an individual who is secured for the liability he assumes, by a pledge of five-twenty bonds or real estate, in the proportion of four dollars to one.

In the first place, there is not the slightest probability that any of these roads, except the New Orleans, Mobile and Texas railroad will be constructed; and, in the second place, if every one of them should be built, the State would be amply secured from ever having to pay the indorsement, for the reason that the roads chartered, if constructed, would be worth four times the amount guaranteed.

This unwise course of the Auditor has tended to depreciate our securities, and has given the enemies of reconstruction capital from which to misrepresent our government and to throw discredit upon us abroad.

In 1868 our debt was \$10,157,882.12. In 1868, when the present administration came into power, it was \$14,347,051.02, and it is now about \$23,045,790.58. This increase consists in three million dollars employed for the repair of levees; three million to take up the floating debt which had been incurred prior to the inauguration of the present government; two and a half millions subscribed for stock to the New Orleans, Mobile & Texas Railroad Company, and seven hundred and fifty thousand dollars subsidy granted to the same company. The present administration is not properly chargeable with the three million dollars for floating debt because it was mostly, if not entirely, created before its inauguration. So that the real increase of the debt by the present government has been only about six and a half million dollars, and the wisdom of the several acts involving the increase is generally conceded and almost universally approved.

The bonded debt on which interest is being paid is \$19,858,300, the annual interest on which amounts to \$1,403,820. Of this debt, \$1,357,000 in State bonds have been purchased, and are held by certain trust funds in the treasury, which, if cancelled, would reduce our interest paying debt to \$18,501,300, and the annual interest to \$1,322,400.

FINANCES.

The condition of our State finances demands your most serious attention. The report of the State Auditor will show a deficit for the past year of nearly two millions of dollars. This has been caused by the inefficiency of tax collectors and the enormous appropriations made at the last session of the General Assembly in excess of the revenue. To meet this deficiency two things are necessary: First, a reduction to the minimum of all the expenses of the government; and second, a rigorous and efficient collection of the revenue. This is practicable, and the best solution to the problem I have been able to devise.

The amount necessary to pay salaries of officers need not exceed \$320,000; that for mileage and per diem of members and the contingent expenses of the General Assembly need not exceed \$125,000; while all other expenses, payable from the general fund, including those necessary for the support of the militia, of public institutions of a charitable character, such as institutions for the deaf, dumb and blind, the Insane Asylum and the Charity Hospital of New Orleans, and for the rent of public buildings, etc., need not exceed \$420,650.

The interest on our State debt amounts to \$1,403,820 per annum. It requires \$400,000 to maintain our public school system.

The four mills assessed for the general fund is believed to be sufficient to pay the salaries of officers and the current expenses of the machinery of the government. It is doubtless enough

to do so with economy, but it should not be expected to bear the draft of four millions of dollars in appropriations, as was assumed by the legislation of the last session.

I would, therefore, recommend that during the present session of your honorable body an act be passed making a general appropriation for payment of salaries of officers, interest on the public debt, expenses of public education and the public charities, which act shall be a general law and remain in operation until modified or repealed by the General Assembly. Should this be done, we shall avoid the evil which has heretofore prevailed, of crowding into this bill a large number of obnoxious appropriations and coercing unwilling members to vote for its passage under the threat of defeating the necessary appropriations for the year.

I desire to call your particular attention to the decision of the Supreme Court in the case of "The State ex rel Solomon and Simpson vs. James Graham, State Auditor," in which the doctrine relative to appropriations is laid down in the following language: "But it is contended by the relators that the appropriation does not create a debt because the money is presumed to be in the treasury." This raises the very serious question, whether or not the Legislature can make appropriations unless there be money to meet the warrants authorized thereby, either actually in the treasury or provided for by the revenue bill. The power of appropriation is the right to apply to public purposes money in the treasury. Article 104 of the constitution declares, "No money shall be drawn from the treasury but in pursuance of specific appropriations made by law." An appropriation is an authorization to the Auditor to check upon the treasury for moneys there deposited. If, therefore, the revenues be inadequate to meet the interest of the public debt and the current expenses of the necessary State agencies to preserve the government, an appropriation (whereby the liabilities of the State are increased) for any other purpose than for the support and maintenance of the machinery of government, is a debt within the meaning of the constitutional amendment, which declares "that prior to the first of January, 1890, the debt of the State shall not be increased so as to exceed twenty-five millions of dollars."

From this it will be seen that the Legislature has no power to make any appropriation for any purpose whatever, "unless there be money to meet the warrants authorized thereby, either actually in the treasury or provided for by the revenue bill." In other words, when an appropriation is made its payment must also be provided for by the assessment of an additional tax or the act will be obnoxious to the constitutional amendment limiting the State debt to \$25,000,000 prior to 1890.

Nor do I believe that under this decision of the Supreme Court the State Auditor has authority to issue any warrant upon the general fund for other than the necessary expenses of the government, until it is ascertained that the portion of the revenue which is set apart for the general fund will be in excess of the total amount required for such legitimate expenses of government.

The credit of our State abroad has sustained, without great loss however, a severe shock during the past year. The reckless manner in which appropriations were made for the improvement of real and imaginary bayous, real and fictitious claims against the State, private charitable associations and enormous compensation to officials, in the manner in which \$750,000 was squandered by the House of Representatives, together with other incidents, have told heavily upon our credit both at home and abroad. While the government has been extravagant, almost criminally so, in its expenditures, productive in itself of the most mischievous effects on our credit, another interest, thinking to combat extremes by others quite as insane and disreputable, took upon itself, at the suggestion of some ambitious politician or server of some opposition railroad interest, to commit a number of gentlemen to the silly attempt to forestall the action of the Supreme Court; to pass judgment on questions then before it—to declare the unconstitutionality of laws subsequently decided constitutional by our Supreme Court, and to affirm that such debts as were contracted in excess of a certain amount in aid of railroads, etc., were unconstitutional and would not be paid.

The gentlemen who were deceived into signing this circular now see that while they have only temporarily affected the credit of the State and delayed the negotiation of our bonds abroad, they, in their private interests, have not escaped, but are already experiencing the evil effects of their carelessness. They delayed, and came near defeating entirely, the construction of a railroad the importance of which to the city of New Orleans and to the State can not now be fully estimated. Many of these gentlemen inform me that they were misled, and that it was farthest from their wish to cause the embarrassments which the originator of the paper intended, and which it did actually produce.

A COLLEGE IN THE INTEREST OF AGRICULTURE AND THE MECHANIC ARTS.

By act of Congress, approved July 2, 1862, and the amendments thereto, the United States donated to the State

of Louisiana land scrip amounting to 30,000 acres, for each member the State had then in Congress.

The grant was conditioned on its formal acceptance by the State, and in compliance with the terms on which it was made.

The State accepted the donation by act of the Legislature, approved March 5, 1869. This act designated the Governor, Chief Justice and a commissioner, to be appointed by them, to act in behalf of the State. Senator John Lynch was appointed commissioner, and the commission thus formed received from the Secretary of the Interior scrip for 209,920 acres. The State should have received 210,000 acres, but there is a provision in the act making the grant which provides that the scrip shall be issued in denominations of one hundred and sixty acres. The commissioner of the general land office in Washington therefore refused to issue scrip for the eighty odd acres due Louisiana.

The scrip was sold at eighty-seven cents per acre, as high, if not the highest price, I believe, received by any State at that time for scrip thus issued.

The 209,920 acres sold at this rate gave net, after deducting \$317.37 commission paid in New York for delivering the scrip there, \$182,313.03. This amount, in compliance with the act of Congress, was invested in Louisiana State bonds, as follows:

\$250,000 Louisiana State six per cent. bonds at 64 cents.....\$160,000 00
\$36,000 Louisiana State six per cent. bonds at 61 cents..... 21,960 00

\$286,000 bonds for.....\$181,960 00

This leaves a balance to the credit of the commission in bank of \$3553.03. It is hoped that this amount will be increased by interest falling due next month, on bonds already bought, to an amount sufficient to enable the commission to buy \$14,000 more bonds, and thus swell the fund to \$300,000 in six per cent. bonds. This will give an annual income of \$18,000 to be used in sustaining a college in the interest of agriculture and the mechanic arts.

The commission will make a full and detailed report to your honorable body at an early day.

The State is to be congratulated on the manner in which the scrip has been disposed of and the proceeds invested. It is to be hoped that the Legislature will be equally wise in developing a plan for the establishing of the college. As this subject is one fraught with such interest to the State, especially as it furnishes an important aid in giving completeness to the educational system, I bespeak for it your most careful consideration.

RAILROADS.

I am encouraged that your faith in the New Orleans, Mobile & Texas Railroad Company is about to be most liberally rewarded, and that, notwithstanding the most violent opposition at home and abroad, we are to have speedily constructed a railroad from New Orleans to Houston, in Texas, and another to Shreveport, in our own State. At the time it was feared the enterprise would prove a failure, and that we should lose the large sums already advanced in aid of the company. In Europe and in all the money centres of our own country, the appearance of a circular, numerously signed by the friends and partisans of opposition railroad interests, having for its object the defeat of the negotiation of the bonds given by the State in aid of the company, caused a temporary embarrassment, and came near defeating the enterprise.

The company for this reason, was forced, for a time, to suspend work, and, indeed, the payment of its employees. The stockholders have, however, recently met and subscribed for the bonds among themselves, the entire amount being readily taken. In addition to this, Mr. Charles Morgan, owning and controlling the rival railroad interest, has been induced to compromise his opposition and to unite with the company by subscribing for a large part of its stock and its securities.

By this combination we shall secure more speedily than was anticipated, not only the road to Houston, Texas, via Donaldsonville and Vermilionville, but also a road from Berwick's Bay, via Vermilionville and Alexandria, to Shreveport.

I deem this the most important epoch in the history of our State, and if we can, as I believe we shall, at the close of our administration, be able to point to the achievements of these two great enterprises, I shall feel that we have done more for the material interests of the people than could have been expected at the commencement, even under the most favorable auspices. The wisdom of our legislation on the subject will be fully vindicated, and the aid, at one time believed to be extravagant, will be approved by our whole population.

The New Orleans and Northeastern Railroad Company, the New Orleans, Metairie and Lake Railroad Company, the Right Bank Railroad and Freight Transferring Company, the Louisiana and Arkansas Railroad Company, the New Orleans, Baton Rouge and Vicksburg Railroad Company, the Alexandria, Homer and Fulton Railroad Company and the Arkansas and Delta Railroad Company have all failed so far to do anything. I, therefore, recommend the passage of an act providing that unless work on these roads is begun within six months and regularly prosecuted the charters be

repealed. They stand in the way of capitalists who can and would do the work, and should be removed.

THE LEVEES.

On this important subject I have much to say. Upon these works depends the prosperity of our State in her agricultural and railroad interests. Possibly New Orleans might exist upon the commerce passing between the great North-west and the outer world, because of her position on the Mississippi river; but the wealth of the State depends upon the completeness and safety of our levee system, and it deserves and should have, as it has heretofore, your most earnest consideration. For the first time in the history of Louisiana, one comprehensive plan has been adopted, and let us hope it will be effective.

The various laws passed since the settlement of Louisiana to 1871 have all proved ineffectual to stop crevasses, and occasionally vast destruction of property; and if they were even then proper to trust to the old riparian proprietor plan, all such ideas are now obsolete, from the change of the labor system; and the only way to compass the object was decided to be either by a constitutional amendment making the levee tax perpetual, or by contract with a private company or corporation for a term of years, that some plan could be developed for permanent security, instead of the vacillating policy which has heretofore been followed.

The first contract proposed and passed by the Legislature of 1870 was subject to many constitutional objections, and I was compelled to veto it. The next act, No. 4 of 1871, for the same purpose, had and has several objectionable features, and the additional act or contract, known as act No. 27, approved February 28, was required to obviate these objections, and still the two bills do not properly harmonize. You may, therefore, during this session, be asked for supplemental legislation to make the system complete and effective. Act No. 4 provided for the issue of one million of dollars in State bonds, but as the constitutional limit of indebtedness has been reached, this assistance could not be given to the company. They were also authorized to issue five hundred thousand dollars of their own bonds, on the anticipated estimates. This was not permitted to be done, and the company were either unable or indisposed to commence the work of building the levees until since October 1. While probably without my sphere of duty, strictly construed, yet I felt constrained to take an interest in the management of the affairs of the Louisiana Levee Company, and I hope my interference has insured to the benefit of the State, as well as the company, for their interests are now identical, and it is to be hoped that under the present management our alluvial lands will be protected, our railroad communications preserved, and our State resources developed, according to the prophecies of the most sanguine friends of the present levee system. The "outlet" and "the cut-off" advocates are the most bitter opponents of the present system, and I have directed the State Engineer to prepare papers on these subjects, which will be embodied in his annual report.

In Act No. 7, approved February 24, 1871, creating the Board of State Engineers and abolishing the Board of Public Works, you allowed one hundred thousand cubic yards to complete the existing contracts of the Board of Public Works. This was not sufficient, as appears from the report of the State engineers, and you are asked for an appropriation of \$53,584.76 to pay the certificates of indebtedness issued by the Auditor for the one hundred thousand cubic yards, and \$57,853.79 in payment of the certificates of indebtedness issued by the State engineers to complete the works.

During the high water last spring a number of crevasses occurred, and as the Levee company had not taken charge of the works, and there had been no legal provisions for such a contingency, I was compelled to provide means to close, or attempt to close the breaks. For this purpose the Citizens' Bank advanced sixty thousand dollars, and the Louisiana National Bank twenty thousand dollars, which money was expended by the State engineers, assisted by Senator Lynch as disbursing agent, with the result you will read in the State Engineer's report, and the special report of Mr. Lynch on this subject.

That promptitude of action and the assistance given by these banks prevented a vast destruction of property, is evident, and I would ask you to make the proper appropriation to refund the money as early as practicable. No special appropriation was made at the last session to defray the expenses of the engineer corps, and much inconvenience was the result. It is hoped that this important matter will not be overlooked at this session, for upon the activity and efficiency of this department depends the protection of the State in levee matters, as well as all other internal improvements.

You will find a condensed and comprehensive view of the magnitude and importance of the levee system in the report of the Board of Engineers. You will see that Engineer Van Pelt estimates that over four millions of cubic yards are required to repair the levees

from Red River to Fort Jackson. You will find that Generals Humphrey and Abbott estimate that over six millions of yards will be required to raise the levees to their old grade, and over thirty-five millions of cubic yards to the new grade. You will find that there has been built under the Board of Public Works 6,380,000 cubic yards. You will find that over eight millions of cubic yards have been built in the parishes of Madison, Carroll, Tensas, Concordia and Pointe Coupee since the war, and that over fourteen millions of cubic yards have been built in the State during this time. You will also find the cause of this vast increase in quantity over the estimates of former years.

The Louisiana Levee Company has lately reorganized, with some of the strongest financial men in the State as directors. Mr. Gaines, of the Citizens' Bank, is its president, while Mr. Duncan F. Kenner, one of the oldest planters on the Mississippi river, and a man of great practical experience and knowledge of the levee subject, is its vice-president and active business manager. The company has now a cash capital of \$500,000, and has assumed the payment of all work contracted for or authorized by me during the late season of uncertainty and delay of the company to prosecute the work. I have great confidence now that the work will be done promptly.

MILITIA.

I have again to speak in terms of the highest praise of the State militia. The valuable service they have rendered in preserving the peace, and the spirit and enterprise which they have manifested in keeping up their organizations under many difficulties and at great individual expense, entitle them to the highest commendation and to the encouragement of the State. I hope that you will make an appropriation sufficient to enable them to make an appearance creditable to the State.

PUBLIC EDUCATION.

At the commencement of this administration the State possessed no system of public education. Whatever facilities were afforded prior to the war had been well nigh obliterated, leaving, outside of the city of New Orleans, only here and there a solitary school. The Freedmen's Bureau under the direction of the general government, had established a number of schools, which were independent of State control, and were designed for the benefit of a single class of citizens.

The Legislature of 1869 enacted a general school law, which, it was believed, would meet the necessities of the people. It differed in many points from the recommendation of the Superintendent of Public Education, which had been transmitted to your honorable body with my endorsement, and experience proved how unwise was that divergence. The law lacked the elements of directness and simplicity which were needed to insure its efficiency, and although under it a successful commencement was made in public education, the State Superintendent found it necessary to apply to the succeeding Legislature—that of 1870—for such modifications of the law as would give the State educational authorities an actual in place of a merely nominal control of the school work in the State. Too timid to grant all that was asked, that Legislature, through its committees, rejected the simple yet complete system proposed by the State Board of Education, and left the cumbersome machinery demanded by the former law almost intact. Still much was accomplished during the following year notwithstanding these disadvantages. The foundation of subsequent success was laid, but through an expenditure of labor and at an expense which would have been avoided had not a fear of centralizing power, where alone power could be efficiently employed, deterred the Legislature from passing the bill proposed by the Superintendent of Education.

At this juncture the present members of your honorable body were elected, and during the session of 1871 the school act was so amended as to give the directness and simplicity which had been vainly sought from the action of the previous Legislature, and it is gratifying to know that the success attained under it has equalled the expectations of the advocates of those amendments. Information furnished by the Superintendent of Public Education enables me to state the towns and rural districts of the State, where, at the commencement of this administration, only here and there a solitary school existed, now six hundred and forty may be found fully organized, equipped with teachers and moderately supplied with the appliances of education. So successful has been the workings of the present law that no hand should be allowed to disturb it. Its simplicity and effectiveness are sufficient arguments in its behalf; and a law which is sustained in every feature by the approval of the Board of Education, should not be changed at the demand of any theorist unacquainted with the practical difficulties that are to be overcome.

Obstacles, a few years since deemed absolutely insurmountable, have under this law, been overcome, and a general good will has been secured for the educational system of the State. Kindly feelings have supplanted

[CONTINUED ON FOURTH PAGE.]