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THE SITUATION IN LOUISIANA.

THE LEGISLATURE'S REPLY

TO

KELLOGG'S PRONUNCIAMENTO.

TO THE FRIENDS OF CONSTITUTIONAL LIBERTY
THROUGHOUT THE UNION :

A lengthy document, anonymously addressed, has lately appeared, purporting to come from the usurping Governor of this State, and is so well calculated to deceive and mislead the minds of our fellow-citizens beyond the limits of this Commonwealth, by its prevarications, misrepresentations, and suppressions of the true condition of affairs in the State of Louisiana, that we feel it incumbent on us, as representatives of the people, not to allow the numerous errors and misstatements therein contained to pass uncorrected and uncontradicted. To our own people, the details of the political condition of the State are so well known, as to need neither explanation nor comment at our hands. In examining the address, we find at every line much to contradict, much to denounce, nothing to applaud. Repelling with indignation the assertion therein contained that the people of this State formed any combination or coalition during the last canvass on any other basis or for any other purpose than to elect to the offices of the commonwealth honest, capable and deserving citizens by a fair ballot and correct return of the votes cast, we claim that we accomplished our

purpose fairly and honorably, as evidenced by the official returns, and established beyond a reasonable doubt by the report of the committee of the United States Senate. As the legally elected General Assembly of the State, we were exceedingly loath last January to entertain under these circumstances any propositions coming from a cabal usurping the Government under the protection of the bayonets of the United States Army, demanding a recognition of its legality, and attempting a dictation in the composition of a General Assembly. It is not true that the three parties forming the conservative coalition had agreed to accede to the dictation of one in pledging during the campaign their united support to Gov. Warmoth for the United States Senatorship; but, on the contrary, he had openly stated that he required and expected no such pledge at their hands.

Far different was his conduct then from that of the usurper who seemed in the demands now made of the legally elected representatives of the people to be superciliously arrogant, and to possess the most unblushing effrontery. Holding the welfare of the State, however, to be the paramount law to its representa-

tives in the discharge of their duty to the State, the General Assembly, considering well the circumstances by which it was surrounded, and weighing well the immense influence and power of the Federal Administration arrayed against it, gave to those propositions patient, careful, and oft repeated consideration. After a deliberate survey of the whole situation, and mature deliberation thereon, that body was forced to the conclusion that no good could be accomplished by a compromise which reduced its legally elected majority to a powerless minority, holding their seats by the sufferance of an Executive and a handful of his white personal retainers, most odious of all others to our people, holding the balance of power and masters of the situation. Coupled as this concession was with the degrading condition of the dishonorable and disgraceful abandonment of the eight Republican Senators who had so staunchly adhered to the cause of the people, after casting their lot with us, for which alone they had been expelled from their seats in the Dryades street body, the Legislature rejected the proposition, although those Senators, as well as all other members of the Assembly, promptly and positively demanded that no question of their future political status should form an obstacle to any feasible adjustment which might tend to the benefit of the State. Other reasons might be stated for the failure of the consummation of the compromise tendered, such as the repeated failures of the promised exhibition of proofs of the ability on the part of the usurpers to carry out the arrangement proposed. The main reason was, as we have stated, that it was plainly and painfully evident that no good to the people of Louisiana could be expected from an Executive, and a General Assembly composed at his dictation, who had already shown his utter disregard for the laws and a wanton neglect of the best interests of the State, and who in the very compromise proposed by establishing a white majority in the General Assembly, sought to betray the little confidence reposed in him by the colored population, who constituted nine-tenths of the party by whose votes he contends that he would have been elected had they been cast, and of which he claims to be the representative as the Chief Magistrate of the State. In his position as United States Senator he

had avoided the responsibility of a vote on Senator Sumner's civil rights bill by absenting himself from his seat, and during the last campaign, he time and again counseled the defeat of Antoine and Brown, his colored colleagues upon the Republican ticket, by advising a support of their opponents by his white Republican retainers, and having Republican ballots thus altered, prepared and distributed, (h) as conclusively shown by the excess of his vote over those candidates. Nor did these efforts to betray the voters of color cease at the election, but were renewed by declarations that he would never commission Brown, and by constant intriguing to supersede Antoine by admitting the election of Lieut. Gov. Penn (a), as well as by using the whole Executive influence to defeat for the United States Senatorship Pinchback, who, with the infamous Durell, had been the chief instrument in paving the way for his usurpation. Subsequent events as well have approved the wisdom of our rejection of the terms of compromise then decided on, and have added conclusive evidence of how little reliance is to be placed on the most solemn promises of this political charlatan, who since then, in every instance where he has sought to seduce any portion of the people to allegiance to his rule by promises of local patronage, has proved faithless in the fulfillment of his pledges. In the parish of Grant, by his promise that he would, and the official announcement that he had, commissioned one set of parish officers, (g) his duplicity allowed a discharged colored captain, (h) with a company of disbanded colored militia, with arms and ammunition stolen from the State, to dominate for the space of a fortnight by every manner of outrage, oppression and outlawry, to seize and maintain armed possession of the public offices at the parish seat, during that time, while his official organ gloried in their supremacy and applauded from day to day their continued triumph, the pretended Governor looked on, if not with complacent satisfaction, at least as an inactive, indifferent and culpably negligent spectator; until at last the legally elected officials, with his assurance of their having been commissioned, finding their constituents outraged beyond endurance, resorted to force to reinstate the legally constituted authorities, and blood was shed, for each drop of which,

whether of white or black, the responsibility must rest upon his head. To other portions of the State, blessed with the most profound peace and good order, he has not hesitated, to dispatch, from the capital, the municipal police of the city—a force established and paid by its citizens for the protection of its property and peace (i)—armed with the most destructive implements of war, as a standing army, to intimidate the people, to install his parasites at the point of the bayonet, and force his will upon an unwilling State. To these violations of law, and infringements of the elemental rights of American citizenship, our people have opposed, mainly, a passive resistance, and only when confronted by a threatening armed force have they assumed arms in defense of their rights and liberties, and even then have remained strictly on the defensive, meeting every act of aggression with a calm and patient forbearance, wonderful in a people of martial temper, conscious of overwhelming numbers wherewith to punish the insolent bravado of his insignificant force (c). In all instances the utmost deference has been paid to the authority of the national forces, and the people have promptly complied, with ready and loyal obedience, to the process of the courts, and to the orders of the officers of the United States, although exercising functions, as they deemed, in plain derogation of their constitutional rights. Such is the character of the events which recently transpired in the parish of St. Martin, where, instead of the Republican candidates having been declared elected by both returning boards, and instead of being a largely Republican parish, as telegraphed by the United States Marshal to the President, there were no returns by either board, and the United States census of 1870 shows nearly an equally divided population of whites and blacks.

Such has been the disposition and such will continue to be the conduct of the citizens of this State. Under circumstances of the most trying nature, they have not failed to show to the world on all suitable occasions their deep detestation of the tyranny of the pretender attempted to be foisted on them, and to evince their firm determination never willingly to bend to the yoke and only to tolerate it in the last resort when imposed and retained by the irresistible force of the national will expressed

through Congress. In a few cases it is true that the incumbents of some of our judicial, and other parochial as well as municipal offices, have thought it necessary, in the interest of the people, to yield a reluctant and unwilling obedience to the pretended government, but in no instance has it been rendered on any other ground than that the usurper possessed the support and strength of the United States Army wherewith to dispossess them of their offices and to fill them with his own creatures, who would still further plunder the substance and add to the horrors of the distress and misery of the people. Revenues for the support of his Government have been cut off by the refusal of the tax-payers to contribute the amounts of their assessments levied by the usurper, and in spite of his boasts to the contrary scattered throughout the Union, a small proportion of the taxes only, in the shape of license dues, has been in the parishes of Orleans and Jefferson alone wrung from our impoverished citizens by the threat of arbitrary incarceration for contempt and the summary closing of their places of business without due judgment according to law, and thus to deprive them of the means of earning subsistence for themselves and their the Treasurer and sworn by the Auditor, (c.) instead of finding their way to the treasury, thence to be distributed among the legitimate creditors of the commonwealth according to law, in payment of its just debts, are intercepted and diverted to the unlawful purpose of creating a military emergency fund for the subjugation of the people of the State, or pounced upon by the rings of plunderers and satellites who surround the would-be Governor. In all these acts a prompt and ready support is tendered by a servile court, created for the purpose, its judge having been appointed by the usurper as a reward for returning his pretended Excellency as elected; and being vested with exclusive jurisdiction of suits concerning public matters, rushes with indecent haste to supplement by judicial dicta laws not deemed sufficient in their scope to suit his purposes or to brush from his path others which he may consider obstructive by a simple, general declaration of their unconstitutionality, (f) and is over over-zealously prompt by every species of unheard of and unprecedented extra-judicial orders invented for the

occasion to do his master's bidding. From this tribunal there is an appeal to the Supreme Court, but that bench, early in this contest, as the dispatch of the Collector of the Port showed, became partisans and participants in the plot of usurpation, and have since shown no disposition to change its course. (d.)

To all these oppressions, usurpations, malfeasances, and manifold uses of the appliances of tyranny the people of the State continue to oppose a patient bearing, and wait with a confident trust that the National Congress will yet grant them that relief which the report of the Senate committee recommended, and through which a returning sense of justice, fortified by an intelligent knowledge of the facts of our case, must sooner or later compel the people of the Union to insure to us the blessings of a republican form of government.

We do not believe that the Clerk of the House of Representatives has placed on the rolls of that body the names of persons holding Kellogg's certificates of election in advance of the decision of the House itself.

Nor do we believe that any other branch of the Federal Government can much longer sustain the continuance of the present régime over us, which grows day by day to be an increasing reproach to the Government, and a disgraceful scandal to the nation.

True it is that the President in the support, as he claimed, of a judicial order of a United States Court, lent the strong assistance of the Federal Government to the installation of the usurpation, and that he has continued to foster its pretensions, but we must not overlook the fact that he has solicited from the Senate a revision of his action and a change in the attitude of the Government if that body so desired, from that into which he had been led, it may be by hasty counsel, based on the illegal decrees of a partisan judge, upheld by unscrupulous mendacity which dinned into his ear with persistency that the large body of the tax-payers supported the usurping government from its inception, and that the remainder would soon acquiesce in allegiance to the new order of things, and that by a continued sanction of the usurper the national executive would find the shortest road to peace for distressed Louisiana. Of the fallacy of such state-

ments and reasoning he must ere this have been convinced, and have become persuaded that the people of this State firm in the conviction of the righteousness of their cause and confident of ultimate justice, will never "weary of resistance" to the spoliation of their inalienable rights as a free people, which they, in common with their brethren of the rest of the American Union, derived from their fathers, and least of all will they basely abandon a struggle for their liberties and their rights before the contest is decided, and while it is yet pending in judgment of an arbitrator which has already given earnest of a fair and impartial determination of a cause in which to-day the weakness of Louisiana has made her plaintiff, but in which it may be tomorrow some other uprising pretender may make any other State of the American Union a fellow-sufferer and a party complainant.

For Legislative Caucus:

EDW. BOOTH, Chairman.

F. C. ZACHARIE, Secretary.

APPENDIX.

(a) Packard telegraphs as follows:

FEBRUARY 26, 1873.

Deputy Marshal De Klyne:

Tell Kellogg again to keep his shirt on. He only irritates the authorities. When Congress adjourns the McEnery organization must be dispersed. The only compromise is for the McEnery members to take vacant seats in the Legislature, and the latter must, upon the contest, seat the few Fusion members entitled, whose seats are now filled by Republicans. The Penn compromise mentioned in Kellogg's letters will not be tolerated, and I want to hear no more about it.

PACKARD,
U. S. Marshal.

(b) In Gen. James Longstreet's report, as Adjutant General, for the year ending December 31, 1871, page 4, occurs the following passage:

GRANT PARISH.

Arms were shipped to this parish last October, in charge of an officer, who was supposed to be discreet and of proper judgment, with instructions that the arms were to be carefully stored and held subject to your orders. In violation of the law and of our standing orders, these arms were issued to a militia company of that parish, and reports have reached us that the men of that company have been parading with their arms in a semi-military organization, committing deeds highly prejudicial to good order and to the general interests of the community at large. A board of officers was ordered to that parish in No-

member, with instructions to investigate and report the facts. The report of the board was fully submitted to your Excellency.

I am, sir, very respectfully, your most obedient servant,

JAMES LONGSTREET,
Adjutant General L. S. M.

This "officer" of "supposed discreet and proper judgment" was William Ward, Captain C. A. 6th Regiment Infantry Louisiana State Militia, who, immediately after the issuance of the arms to his negro followers, which they conveyed each one to his cabin, was in the habit of convoking them and running wild over the parish. Men were halted and arrested, one killed outright for refusing so to do, by these "militia men," without warrant and order, and their outrages compelled the following action, found on page 47 of the same report:

STATE OF LOUISIANA, }
Adjutant General's Office, }
New Orleans, Nov. 2, 1871. }

[Special Orders, No. 50.]

I. A board of officers, to consist of Col. Henry Street, Assistant Adjutant General, and Lieut. Col. W. J. Beban, Louisiana Field Artillery, will assemble at Colfax, Grant parish, on Monday, the 6th inst., at 10 o'clock, A. M., or as soon thereafter as practicable, to investigate and report the facts connected with outrages alleged to have been committed in burning the house of W. B. Phillips, Parish Judge, and at the same time killing Mr. D. W. White.

II. The board is also authorized and directed to extend its investigations so as to include and report facts that may lead to the exposure of lawless organizations gotten up for such purposes of intimidation, arson and murder.

III. The junior member of the board will act as recorder.

By command of the Commander-in-Chief: JAMES LONGSTREET,
Adjutant General.

This court of inquiry reported the facts we have already shown, and in pursuance to its recommendation came the following order, found on page 48 of the same document:

STATE OF LOUISIANA, }
Adjutant General's Office, }
New Orleans, Dec. 11, 1871. }

[Special Orders No. 52.]

I. Capt. William Ward, of Company A, 6th Regiment of State Militia, having armed and paraded his company in violation of the laws of the State and the orders governing the State militia, as also the special orders of Major J. S. Rivers of the Major General's staff, he is hereby placed under arrest.

II. The Major General commanding division of the Louisiana State

militia, will designate an officer of his staff, with orders to proceed without unnecessary delay to Grant parish, with official notice to Capt. Ward of his arrest and suspension from all rank and authority in the State militia.

III. The officer designated for this service will also receive detailed instructions from his chief, to proceed against Capt. Ward in the courts of the State, as authorized and directed by its laws.

By command of the Commander-in-Chief: JAMES LONGSTREET,
Adjutant General.

In Henry Street's (purporting to be Adjutant General) report for the year ending December 31, 1872, (page 1.) occurs the following:

DISCHARGES, ETC.

On the 28th day of June last general order No. 35 was issued from this office, discharging from service the following named organizations of the First Division, Louisiana State militia:

1st Regiment of Infantry.
2d Battalion of Infantry.
3d Battalion of Infantry.
4th Regiment of Infantry.
5th Battalion of Infantry.
1st Regiment Louisiana Field Artillery.

Company A, 1st Regiment Cavalry.
Company A, 6th Regiment Infantry.
Several of the companies thus discharged had served only a portion of the term for which they were mustered in; for instance, some had only served nine, some twelve and some fifteen months, and in every command there were members who had only served a short time; but by that order they were all discharged from further service.

Which order is as follows (p. 27):

STATE OF LOUISIANA, }
Adjutant General's Office, }
New Orleans, June 28, 1872. }

[General Orders, No. 35.]

I. The term of service of the following named commands, as provided in section 15 of an act entitled "An act to organize, arm and equip a uniformed militia," having expired, they are hereby honorably discharged from the service, and under the law shall be exempt from serving in the militia, unless when called into the service of the United States:

1st Regiment of Infantry.
2d Battalion of Infantry.
3d Battalion of Infantry.
4th Regiment of Infantry.
Battalion 5th Regiment Infantry.
1st Regiment Louisiana Field Artillery.

Company A, 1st Regiment Cavalry.
Company A, 6th Regiment Infantry.
II. The commissions of the officers of these organizations, field, staff and hue, respectively, terminate with the discharge of their commands.

III. To such portions of the commands as are desirous of continuing their organization, or of reorganizing, muster

rolls will be furnished, and they will be mustered and received, subject to section 29 of said act, and the approval of the Commander-in-Chief.

IV. The Commander-in-Chief takes this occasion, at the termination of their service, to congratulate the officers and men of the volunteer militia for the patriotism which they have manifested by organizing under the law, to thank them for the services which they have rendered to the State, and to commend them for the good discipline which they have always maintained, and the promptness and alacrity with which they have obeyed all orders.

By order of the Commander-in-Chief.
W. P. HARPER,
Adjutant General.

And on p. 24, in schedule F in the same document headed "List of Officers Discharged by General Orders No. 35," appears:

"Ward, William, Capt. Sixth Regiment Infantry."

These orders were conveyed by an officer to whom the arms were ordered to be delivered. But Ward and his banditti refused to comply with this order, retained their arms and continued their course of robbery, pillage and outrage, until, emboldened by their success, they endeavored to seize by force the government of the parish, in imitation of Kellogg, and to have themselves recognized as *de facto*, although they were in mutiny and insubordination against the State, and should have been indicted, tried, committed and imprisoned in the State Penitentiary for their crimes and offenses, among which mutiny, riot and theft, and embezzlement of the State property were the least; arson, murder, burglary, and rape and treason, the greatest.

(d.) Collector of the Port's dispatch to President Grant, December 12, 1872:

The Supreme Court is known to be in sympathy with the Republican State Government.

(Signed) JAS. F. CASEY.

(Louisiana Investigation, page 59.)

(c) In an interview with the reporter of the New York *Herald* Col. Badger, commanding metropolitan police at St. Martinsville, is reported as having said:

"I suppose Col. De Blanc has been acting more with a view of creating public opinion against Kellogg than with the intention of taking us, as he certainly has had the force to accomplish more, and from his reputation, should have done so, had he desired."

(c) The New Orleans *Herald* reports the Treasurer in a stated interview as follows:

The first question propounded was:

1. Is it to your knowledge that State tax collectors of the city have deposited their collections with the Auditor?

Ans.—I cannot say that I know that they have, of my personal knowledge.

2. Have you ever had an interview with Kellogg, Clinton, Field and Hawkins, or either of them, regarding the funding bill, act No. 81.

A. Yes, they all contended that the Treasurer should disregard the law.

The conversation extended over three-quarters of an hour. In considering the fourth question in a general way, Mr. F. Dubuclet answered that they had not drawn money out of the fund in question from the treasury, inasmuch as the Treasurer had ever declined to receive any moneys for this fund.

To the fifth question Mr. Dubuclet stated that he had no means of knowing of the facts personally.

To the sixth question Mr. Dubuclet stated that he knew that such settlements had been made by the Auditor; but, although he had an impression that in one case, at least, the securities were solvent, he could not swear to their solvency.

In the case of State of Louisiana *ex rel. Auguste vs. State Tax Collectors*, Charles Clinton, Auditor, sworn for respondent, says—I am Auditor of Public Accounts. Mr. Folger offered to settle with me before the 6th of this month. I did not settle with him because I could not. It was the same way with all the other city tax collectors. I did not see their funds. They had warrants. The chief reason why I could not settle and receive their warrants was because of an injunction by this court and the pending of a certain suit regarding the validity of act No. 81, of 1872, providing for the registration and payment of State warrants and certificates of indebtedness.

I allude to the injunction issued restraining tax collectors from paying preferred warrants in settlement of licenses. To the best of my knowledge the tax collectors came for the purpose of settling. They were then ready, and are now ready. The reason why I did not settle was for the cause above stated.

Cross-Examined—As Auditor I am authorized to receive effects of the State under the revenue law. I think they did all present a sworn statement to me. If they did, of which I am not certain, I told them that I was not ready. I think I had a right at that time to tell those gentlemen that I was not ready to receive them. I can't swear that any one of those tax collectors presented a sworn statement. My impression is they did. I undertook to tell them that I was not ready, because I thought it was to the interest of the State.

These tax collectors gave me individually, not officially, some of the money for safe keeping, collected by them for taxes.

The tax collectors paid to me in the aggregate about \$13,000 in cash—no warrants. There was, perhaps, more than that. I told them that they should send me some money, that the deposit should be made into the treasury so that I could pay the necessary expenses of the Government. I refused a full settlement because I lost the suit wherein the validity of act No. 81 was in question—the full amount would be absorbed. I did not do it officially and the tax collectors could refuse to do the same if they felt like it.

I had the constitutional officers, payment of judges, militia, and for the suppression of those rebel skunks out in the parishes, to pay.

I did not get more than \$13,000 because I did not want it.

The tax collectors did not make their settlement because I was not ready.

There was no injunction against me as to these warrants.

It is my business to take care of the State and protect its administration.

I do not say that in my settlement with tax collectors I objected to their paying in money. I would not object to any collector paying in cash.

I said that the tax collectors had those warrants, and because they had these was why they could not settle.

That they had accepted warrants in payment of taxes, and that they could not settle except in warrants.

One cause was the injunction before referred to. When a tax collector came to make a settlement I make out a statement to the Treasurer and state to what fund this money is to be applied—so much to the school fund, "general fund," etc.

Mr. Field, Attorney General, in his argument, stated that he did not arise for the purpose of defending the action of the State Auditor. The latter was only a witness, and he (the Attorney General) was not responsible for any remarks made by the witness. He did not believe in dragging politics into questions as regards judicial matters. Any man whose political prejudices interfered with his official duties was not a fit representative of the people. He then went on to sustain the grounds taken by respondents that inasmuch as they presented their respective accounts to the Auditor within the time required by law, they had fully fulfilled their duties, and were not amenable to a writ of mandamus.

After argument the mandamus was made peremptory.

(f) *New Orleans Herald*, May 14th:

The whole case showed that the tax collectors, although prohibited by an injunction of the Superior Court to receive warrants in payment of taxes, had done so, and are now screened by the Auditor. After several little tiffs between Judge Hawkins and the Attorney General, in which the Attorney General claimed the right to differ from the opinion of the Superior Court, the

Judge made the mandamus peremptory, commanding the tax collectors to make a settlement with the Auditor, and took occasion to reaffirm his decision with regard to bill No. 81, and denied the right of the tax collectors to refuse obedience thereto, even under the advice of the Attorney General. They must make a schedule of what they have received, and offer to pay this in. If it is in warrants, the Treasurer will have to refuse to receive it.

* * * * *

ACT NO. 81.

This act provides, in simple and untechnical phrase, that the past due taxes, collectable previous to 1872, should be made a special fund to pay the warrants issued previous to January 1, 1872, which warrants were ordered to be duly registered by the State Auditor. In case the taxes so collected were insufficient to pay the warrants (a pretty certain contingency,) then a special tax was authorized to be levied to supply the deficiency. Of course the object of this law was to assist those who had invested in that description of warrants. Some ring was to be profited thereby. Still it was an act of the Legislature, and embodied a pledge of the faith of the State. There were honest people, operators and investors, who accepted it as an assurance of this character, and who were enticed to hazard their money in such well secured warrants.

It is impossible to conceive of a clearer pledge and obligation of a State to apply a particular fund to a particular class of debts than is expressed in this law.

But time moves on, and the Kellogg dynasty usurps the Government of the State, and among its first acts places Hawkins on the bench, which has exclusive jurisdiction over all suits against the State or its officials. Through the same usurpation Clinton is foisted into the Auditorship. Quickly after the consummation of this stupendous fraud it is discovered that the general fund of the State, that which could be honestly drawn upon to support this usurpation to enrich its followers and supporters, was as empty as a village charity box.

But there were special trust funds which were flowing gradually into the various apartments of the treasury. As long as the laws forbade the use of these funds, except for certain purposes, that pink of piety, the Auditor of the State, and that trimmest of trimmers, the usurping Governor, were greatly incommoded in their designs. How could they get the money to maintain their army and navy, to satisfy the appetites of their Carondelet street brokers, and the ring holding the interest coupons of the State, to say nothing of paying the retinue of official retainers? Were all these to be left to "lick their dry chops," whilst the special fund set aside by a solemn act of the Legislature, to pay a special class of debts, was filled to overflowing?

The act St. that hateful anti-republican act, so flagrantly violative of the fourteenth and fifteenth constitutional amendments, must be set aside, made naught, and the creditors who invested on the faith thereof must take their chances with the miscellaneous and howling crowd of warrant-holders around the public crib. Let the abominable statute be nailed to the block. To this end a mandamus was hatched against the Auditor, to compel him to place this fund in the general treasury, so that it might be reached in the manner and for the purposes, classes and individuals named.

Yesterday the mandamus was heard. The stout old acting Attorney General, innocent of the motive and end of the set-up game, vigorously defended the Auditor against the demand, and insisted that the law should be maintained and the special fund preserved. The Auditor did not appear to enter into the spirit and zeal of this defense. On the contrary, his face was lit up with a radiant and joyful expression, when Hawkins cut short all discussion by deciding in an opinion of impenetrable muddiness that the act St. was clearly unconstitutional, inasmuch as it violated the faith pledged to its creditors, who must all be treated alike, who occupied a plane of Republican equality, and that the State, which had the same obligation as individuals, being a mere corporation, could not make preferences among its creditors. All must be paid alike, and out of the same funds.

The precise articles in the constitution authorizing this conclusion were not indicated, but the world was given to understand that they were clearly known to the Judge of the Superior Court, and that was enough for the purposes of justice, truth and Kellogg.

(g.) As Mr. Kellogg and the New Orleans *Republican* have been engaged in lying about the appointments of the former in Grant parish, and as Kellogg recently telegraphed Attorney General Williams, at Washington, that "the statement that he had issued commissions to the Fusion officials in Grant, or to any except those first commissioned, is untrue," we reproduce the following from the *Natchitoches Times* :

"Mr. Kellogg told the editor of this paper that he did issue these second commissions—in the office of the Secretary of State, the same thing was incidentally admitted—Judge Rutland says it is a fact—and the New Orleans *Republican* published them at the time as having been made."

Mr. Puckette, the editor of the *Times*, is a gentleman of the highest character and undoubted veracity, and his statement above brands the lie in great, glaring, burning letters on W. Pitt Kellogg's dispatch. Will the *Southwestern-Telegram* give us its opinion on this difference between its Governor and Mr. Puckette.

[Shreveport Times

Mr. Puckette was the Senator from the Natchitoches District.

(h) R. H. Penners vs. W. P. Kellogg, Sixth District Court, was a suit for the cost of printing 116,000 tickets, thus split, printed by Kellogg's order, as well as that of Sypher and others. Kellogg has paid his share of the amount, \$116 and some odd cents, since the institution of the suit.

(i) MAYORALTY, New Orleans, (}
May 14, 1873. }

Messrs. Fenner & Mott, Attorneys for Messrs. Folsom Bros.

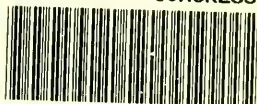
Gentlemen—Your note of May 13th, notifying me of the claim of your clients, Messrs. Folsom Bros., dealers in arms and ammunition, for damages suffered from the depredations of a mob, Tuesday, May 6, inst., at night, to the amount of \$27,049, will be submitted to the Council. In other similar cases the Council concurred with me in the opinion that the city should not be held liable for results of a mob violence, being divested entirely of police powers by State laws.

I have the honor to remain, etc.,

LOUIS A. WILTZ, Mayor.

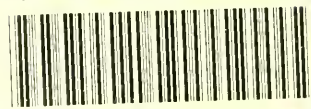
The Grand Jury of the parish of Orleans, of which several colored Republicans were members, have reported against Kellogg, Longstreet, Badger and others, for removing the Metropolitan Police from their duties in the city.

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