

REPORT OF THE COMMISSIONER OF THE CONSERVATIVE STATE COMMITTEE ON LOUISIANA AFFAIRS.

We surrender all of our space on this page and crowd other departments of the paper for the purpose of publishing the following report of the Congressional Sub-Committee on Louisiana Affairs. This Committee was composed of Messrs. Charles Foster (Rep.) of Ohio, William Walter Phelps (Rep.) of New Jersey, and Clarkson N. Potter (Dem.) of New York. The report is a valuable document and has gone on record. It justifies the Democrats of Louisiana from the beginning to the end, in everything, except as to the organization of the House of Representatives.

Representative George F. Hoar, on behalf of the special committee from that portion of the President's message relative to the South, reported as follows:

In pursuance of the order of the full committee of December 22d, a special committee of three visited New Orleans and proceeded with an investigation, the result of which they report to the general committee as follows:

In pursuance of the order of the committee of December 22d the undersigned visited New Orleans, and there proceeded with all diligence to the examination directed by the committee. During the eight days they remained there they were attended throughout their sessions, which were public, by the counsel of the Republican and Conservative State committees. In that period they examined over ninety-five witnesses, besides taking a large amount of documentary evidence, amounting in all, it is estimated, to more than fifteen hundred printed pages.

In view of the exigency that now exists in the affairs of that State, and of the delay of weeks which must elapse before that testimony can be written out and printed, your committee has determined to state the conclusions at which they have arrived so far as they are unanimous in their conclusions.

The committee undertook no investigation of the election of 1872. Much evidence has already been taken by other committees of Congress upon that question, and the time allowed both for their action for the session of Congress seemed to be too short to call for their entering on that investigation. They announced this conclusion, and that therefore they would first proceed to an examination of the acts of the Returning Board of the State in respect to the late election, and then to an inquiry in reference to the White League.

The law provides that the Board shall consist of five persons, "representing all parties." It consisted at the opening of their last session of five Republicans. Upon the resignation of one of them (General Longstreet), Mr. Atroyo, a Conservative, was taken to fill the vacancy. After protesting against the action of the Board in secret session he resigned before the conclusion of their labors, and his place was not filled; so that, as our committee think, the law as to the constitution of the Board was not complied with.

The election laws of Louisiana provide for a superior of registration, who appoints his own deputies for each ward in New Orleans, and for one supervisor of registration for each parish in the State. These officers were all appointed by Governor Kellogg. In addition to these supervisors the police jurors (the local authorities of the parishes) appointed three commissioners of election for each parish in the parish, and three were two United States supervisors appointed by the district judge of the United States for each poll.

The law further provided that in case of such violence, intimidation, or corruption at or near either poll, either during registration or election, preventing a fair, free, peaceable, and full vote, the commissioners of election, if the occurrence was on election day, the supervisors of registration, if on the day of election, should make a full, verified statement of the occurrence, forward the same with annexed to the returns; and further provided that when the Returning Board, in canvassing the returns, should come to any poll where the returns were accompanied by such a protest they should not canvass, count or compile the statement of voters from such poll until the statement from all other polls had been canvassed and compiled.

The Conservative counsel objected that the Board, on receiving the returns from such protested polls, read and became informed of those returns before laying them aside to take up the other polls. They insisted that the purpose of the law was to prevent the commissioners from knowing what the results at the polls protested against were, in order that when they came to examine the poll protested against they might do so without being biased by knowing what was the result returned; and they objected that in these cases of protest the Board had proceeded to read the returns, and had compiled them, and therefore their determination of the case after having acquired knowledge of how the returns protested against would affect the election.

On the other hand, the Republican counsel insisted that such a course was impracticable; that the object of the law in deferring any determination of the result of the polls protested against until the returns from the other polls were canvassed, was merely to enable the Board to ascertain whether the result of the disputed returns would affect the election, however decided; so that if they would not the Board might be spared the labor of considering this protest.

In only three instances were there any protests accompanying the returns. The Returning Board was in session for many weeks. As finally announced, their findings gave, as Governor Kellogg reckoned it, fifty-three members to the Republicans, fifty members to the Democrats, of whom, however, one was designated as not "qualifying D-moral." The Board made no decision as to the remaining five seats.

The public sittings of the Returning Board were attended by the counsel of the Republican and Conservative State committees. Objections were received from the counsel of the respective parties to the returns from different polls. The objecting party was generally allowed to produce affidavits to support the objection, and the other party to reply by affidavits. A day was fixed when these proofs were to be closed. After these public sessions the Board went into private or, as they were called, executive sessions, where the proofs and matters in dispute were discussed, and a decision arrived at. The minutes of the Board are very meagre. They contain but a little more than a record of its meeting, going into executive session, and its adjournment, and some formal public orders. They contain no minutes whatever of the proceedings in executive session, and furnish, therefore, little light upon the findings of the Board.

The parish of Rapides chose three members to the Legislature. The returns elected all three Conservatives. When the proofs closed the only paper filed with the Returning Board was the affidavit of the United States supervisor that the election was in all respects fair, free, and true. It was not known in the parish that contest existed against these members. They left their homes and proceeded to New Orleans to be present at the opening of the Legislature—no intimation of contesting their seats or objection to their election having been given by their opponents. At one of their last sessions the Returning Board declared all the Republican members elected from that parish. When the papers of the Returning Board were produced before your committee there was found among them an affidavit by Mr. Wells, the president of the Board, declaring that in that parish, and in exactly the same manner, and that the returns from those polls should therefore be rejected. The counsel for the Democratic committee testified that they had no opportunity to contradict the statement of this paper; that they had never seen or known of it before, and that upon an examination of the papers before the Board, when the proofs closed, it was not among them. The counsel for the Republican committee reserved the right to make explanation upon this point, but offered none.

The affidavit was dated the 1st day of December, 1874. It appeared that Governor Wells was not himself in the parish on the day of the election, and though at the opening of their first session your committee declared their intention to examine into the action of the Returning Board, Governor Wells never came forward as a witness. At the close of our proceedings leave was asked that his deposition might be given to us. This was declined, and Mr. Wells was invited to appear before the committee, but he never came. Leave was also given for taking his testimony by commissioner if he declined, but was not availed of.

Your committee are therefore constrained to declare that the action of the Returning Board in rejecting these returns in the parish of Rapides and giving the seats for that parish to the Republican candidates was arbitrary, unfair, and without warrant of law. If the committee go behind the papers before the Board, and consider the alleged charge of intimidation upon the proofs before the committee, their finding would necessarily be the same.

It was asserted in Governor Wells' affidavit that the McEnery officials had usurped the office of the parish, and that they had intimidated voters. Immediately after the 14th of September, when the Kellogg authorities in New Orleans were put out by the Federal authorities, certain changes took place in some of the parishes. When the news from New Orleans reached these parishes the McEnery officials demanded their places of the Kellogg officials, and they were at once given up. When the Federal Government intervened and ousted the McEnery authorities the Kellogg officials demanded their places back. In Rapides some time seems to have elapsed before the Kellogg officials took their places back. Indeed, the McEnery register of deeds was still acting as such when your committee was in New Orleans, the Kellogg register never having come to reclaim the place, which was said to be worth nothing. Now, in Rapides the Kellogg clerk was Mr. Wells' son, having yielded his place to the McEnery competitor in September.

He does not appear to have reclaimed it, and he was accordingly sent for voters to come forth to come from his residence, some miles distant, to sign the returns of the election, which he did. Your committee are at a loss to see in their action any intimidation of Mr. Wells, still less of the electors of the parish.

It so happens that the parish was taken as a sample parish of intimidation. Many witnesses from both parties were examined with reference to it. They show beyond question that there was a free, full, fair, and peaceable election and registration there. There was no evidence of any intimidation of voters practiced on the day of election, although it was asserted that intimidation of colored men before the election had been effected by threats of refusal to employ them or discharge them if they voted the Republican ticket. No evidence either of discharge or of refusal to employ was produced. Certain witnesses, themselves every one office-holders, testified generally to such action; but hardly any one was able to specify a single instance in which he had seen any employer so threaten or discharge any voter, or know of any employer being so threatened or discharged. Not a single colored man throughout the entire parish was produced to testify either to such a threat or to the execution of such a purpose, whether before or after the election.

The action of the Returning Board in the parish of Rapides alone charged the political complexion of the lower House, but their action in other parishes was equally objectionable. In the parish of Iberville parish it was claimed before your committee that the vote of Poll No. 1 in that parish had been rejected on account of intimidation; but the papers produced by the clerk of the Board showed no such proof whatever. One of the

counsel, Mr. Ray, produced some affidavits, which he declared had been submitted to the Board by another of the counsel, General Campbell. The Conservative counsel insisted that these papers had never been before the Board. Opportunity was given to the Republican counsel to show that the papers had been submitted, and the testimony offered for that purpose by them so far, however, from establishing that fact, establishes the reverse.

It was then asserted that the returns were rejected because the accounts of the election were not delivered to the supervisor of registration within twenty-four hours after the close of the election, which was 6 o'clock on the 3d day of November, whereas it appeared that both in the morning and afternoon of the 3d of November search was made for the supervisor of registration for that parish in order to deliver to him these returns, and he was not to be found until after 6 o'clock, but that as soon as he could be found on the eve of that day they were there to him and again refused to be received. Yet this same supervisor of registration received other Republican returns after he had refused to receive these Conservative ones on the ground that they were too late, and the Returning Board, although it had held as to the other polls in the State that the returns were not to be rejected merely because they were sent too late, rejected the returns from this poll, thereby changing the representation of the parish from Conservative to Republican.

So in the parish of De Soto the returns showed a Conservative elected by over 1,000 majority. It was alleged that the supervisor of registration had brought the returns to New Orleans, and had left them with a woman of bad character, who offered to produce them on payment of \$1,000. The Conservative committee took legal proceedings to compel their production, but the court held that it had no jurisdiction to that end. They then ceased to be produced before the Board the duplicates of those returns from the office of the Secretary of State, together with the tally-sheets, poll-lists, &c., had been according to law, and the returns were accordingly accepted with the alleged result of the compiled returns which that woman had produced, and of these alleged facts undisputed proof was also submitted to the Board. Nevertheless, the Board refused to count the vote for that parish.

So in Wynn parish, where 404 Conservatives and 164 Republicans votes were cast upon a verbal protest that the registrar of elections was not properly qualified, of which the only proof was that he had failed to forward his oath of office to the Secretary of State. Although there was no protest that the election was not a free representation of the will of the people, the whole vote of the parish was rejected, and the case referred to the Legislature.

So in Terrebonne parish, where there was a Conservative majority, it was proved that the commissioners of election, through misapprehension of their duties, closed all the returns in the ballot-boxes and deposited them with the clerk of the court, with whom the law required the boxes to be left. The Judge of the court thereupon issued a mandamus commanding the clerk to take the returns from the boxes and forward them to the Secretary of State, which was done. Nevertheless, the Board rejected the returns from these polls, thereby giving the parish to the Republicans, with the result of choosing a Republican senator, two Republican members of the Legislature, and the Republican parish officers.

Without now referring to other instances we are constrained to declare that the action of the Returning Board, on the whole, was arbitrary, unjust, and, in our opinion, illegal; and that this arbitrary, unjust, and illegal action alone prevented the voters by the Board of a majority of the Conservative members to the lower house.

Upon the general subject of the state of affairs in the State, and as to whether the alleged wrongs to colored citizens for political offences are real or were asserted without due foundation, your committee took such proof as the opportunity offered. Both parties agreed upon four parishes as samples of the condition of affairs in that respect in the State. Of these, owing to the impossibility of procuring witnesses in the locality in time, your committee were obliged to confine their special examination to two parishes most accessible. As to these parishes they received all the testimony that was offered, and in addition they received all the testimony that was then on hand in New Orleans offered by either party as to the condition of affairs in other parts of the State.

As a whole they are constrained to say that the intention charged is not borne out by the facts before us. No general intimidation of Republican voters was established, no colored man was produced who had been threatened or assaulted by any Conservative because of political opinion, or discharged from employment, or refused employment. Of all those who testified to intimidation there was hardly any one who of his own knowledge could specify a reliable instance of such acts; and of the white men who were produced to testify generally on such subjects, very nearly all, if not every single one, was the holder of an office.

Throughout the rural districts of the State the white Republicans were very few; they hardly extended beyond those holding offices and those connected with them. No witnesses, we believe, succeeded in naming in any parish five Republicans who supported the Kellogg government who were not themselves office-holders, or related to office-holders, or those having official employment.

On the other hand, applications to the United States commissioners in the various parishes not only for the alleged crimes, but because of alleged threats of discharge, non-employment, or other interference with political preferences, were frequent. Upon these applications warrants were then issued and white citizens arrested and bound over for trial. In many localities the Federal troops were detained for service under the marshals, and assistant marshals, and not only made large arrests immediately before the election, but the reports that they were coming to particular neighborhoods about the election-time for the purpose of such arrests served, as the witnesses testified, to intimidate and sometimes even to produce a stampede among the white voters. How differently the two parties look upon the same fact will appear from

the testimony of Mr. Biddle. He was a United States commissioner in the parish of Iberville shortly before the election, upon the application of colored citizens, he issued a large number of warrants.

He considered it his duty, upon the arrest of persons charged, to require bail from sureties who possessed landed property within the parish, certified to by the assessor of the parish to be of sufficient value, and of which the title was approved by the register of deeds. The rule necessarily produced delay in procuring bail for the persons arrested, and was wanted on in one case by a process of citizens, who offered him a bond signed by every man in the procession. This he regarded as a derision of his proceeding, and he refused to receive the bond. He was called as a witness to prove the intimidation that existed in that parish. He had himself no knowledge of any act of the kind except this procession, which he thought was calculated to intimidate the colored voters. He had no idea that the arrests made on his warrants had any effect in intimidating the colored voters. On the other hand, the Conservatives in that neighborhood thought about this just the reverse. Indeed, the reports of the military officers in command of the forces of the United States in the country, though generally indicating a condition of quiet and order, take somewhat an entirely different view of the situation.

On the other hand, it was in evidence that blacks who sought to vote with the Conservative party were on their part sometimes exposed to entreaties and abuse. In the interior one colored man was shot for making a conservative speech, and in New Orleans it appears from the testimony that colored men who sought to cooperate with the Conservatives were subjected to so much abuse from the police and otherwise that an association of lawyers volunteered to protect them, but with little effect.

The general condition of affairs in the State of Louisiana seems to be as follows: The conviction has been general among the whites since 1872 that the Kellogg government was an usurpation. This conviction has been strengthened by the acts of the Kellogg Legislature abolishing existing courts and substituting others, and by the fact that Kellogg, having extraordinary and exclusive jurisdiction over political questions; by changes in the Governor centralizing in the Governor every form of political control, including the suspension of the elections; by continuing the Returning Board with absolute power over the returns of elections; by the extraordinary provision exacted for the trial of tit-tad claims to office; by the conversion of the police force maintained at the expense of the city of New Orleans into an armed brigade of State militia, subject to the command of the Governor; by the creation in some places of new courts in markets, game laws, water works and ferries, cleaning yards, removing filth, and doing work as wharf-gang; by the abolition of courts with election judges and the substitution of other courts with judges appointed by Kellogg; in evasion of the Constitution of the State; by enactments punishing criminally all persons who attempted to fill official positions unless returned by the Returning Board; by unduly appropriating for the payment of militia expenses and for the payment of legislative warrants, voters, and other officials, the moneys of the State for 1872; by laws declaring that no person in arrears for taxes, after default published, shall bring any suit in any court of the State, or be allowed to be a witness in his own behalf—measures which, when coupled with the extraordinary burdens of taxation, have seemed to vest, in the language of Governor Kellogg's counsel, "a degree of power in the Governor of a State scarcely exercised by any sovereign in the world."

With this conviction is a general want of confidence in the integrity of the existing State and local officials. It is a conviction, not of the quality of their purpose and in their personal, which is accompanied by the paralysis of business and destruction of values. The most hopeful witness pronounced by the Kellogg party, while he declared that business was in a sound condition than ever before because there was less credit, has since declared that "there was no prosperity." The securities of the State have fallen in two years from 70 or 80 to 25 of the city of New Orleans from 20 or 30 to 10 or 15, while the fall in real estate, railway shares, city and other corporate securities, have in a degree corresponded.

Throughout the rural districts of the State, the negroes, reared in the habit of reliance upon their masters for support, and in a community in which the members are always ready to divide the necessities of life with each other, not regarding such action as very evil, and having immunity from punishment from the nature of the local officials, had come to feeling and stealing fruit, vegetables, and poultry so generally, as Bishop Wilmoth states without contradiction from any source, that the raising of these articles had to be entirely abandoned, to the great distress of the white people, while within the parishes as well as in New Orleans the taxation had been carried almost literally to the extent of confiscation.

In New Orleans the assessors are paid a commission on the amount assessed, and houses and stores are to be laid there for the taxes. In Natchitoches taxation reaches about eight per cent of the assessed value on the property. In many parishes all the white Republicans are all the office holders belong to the same family. There are five of the Greens in office in Louisiana. There are seven of the Bonites in office in Natchitoches. As the people saw taxation increase and prosperity diminish as they grew poor while officials grew rich—they became naturally sore. That they loved their masters cannot be pretended.

The Kellogg Government claims to have reduced taxation. This has been alleged in part by establishing a new rate of land tax of the State of sixty per cent of its assessed value. This measure aroused great hostility, not so much because of the reduction of its acknowledged debts as because it gave to the funding board, whose powers seem to be absolute and without review, discretionary authority in order to be landed some six millions of debt alleged to be fraudulent, so that under the guise of reducing the acknowledged debt it gave opportunity to the fraudulent debt against the State. This nominal reduction of the State taxes has been

accompanied by a provision that the parish taxes shall not exceed the State. But the parishes have, notwithstanding, created a habit of judgments being incurred on them, the courts have directed taxes to be levied for their payment, and thus the actual taxes have been carried far beyond the authorized rate.

Bills have been passed in parishes composed of the parish officers, their relatives, and of co-operating Democrats, who would buy up these obligations, put them in judgments, and cause them to be enforced, to the great distress of the neighborhood—distress so general that the sales of land for tax have become almost absolutely impossible. But the reduction of wages, the non-fulfillment of personal or political pledges, the misfeasance of some local officials, disputes among the leading colored persons in other localities, the loss or embezzlement in some cases of the school funds, and the failure of the Freedmen's Bank, all combined to divide the views of colored voters during the last campaign. An effort was accordingly made by the Conservatives to procure a part of the negro vote. With that it was sought, in many quarters, to propagate them. Frequent arrests by the United States marshals for intimidation or threats of non-employment, and the apprehension that was felt that the Returning Board would count out their men, if excuse for such a course was offered, all combined, especially after the 14th of September, to put the Conservatives on their guard; and the result was that in November, 1874, the people of the State of Louisiana did not have a free, peaceable, and full registration and election, in which a clear Conservative majority was elected to the lower house of the Legislature, which majority the Conservatives were deprived by the unjust, illegal, and arbitrary action of the Returning Board.

That there were turbulent spirits cannot be denied. Those returned to office by the Returning Board in violation of the wishes of the people are especially odious. In one instance the editor of the Shreveport News, in anticipation of the frustration by the Returning Board of the will of the people, openly declared that the only remedy was to declare this to be the sentiment of the Conservatives of his section of the State. But beyond a newspaper editor or two no declaration even of that sort was brought to our own notice, although it was admitted on all hands the white people of the whole State felt greatly outraged by the action of the Returning Board. Indeed, it is conceded by all parties that the Kellogg Government is only upheld by the Federal military. Withdraw the military and that government will go down. This was true before the 4th of January as well as now. Governor Kellogg says this is owing to the doubts that Congress has permitted about the legality of his government. The Conservatives say that this is not only because his government is illegal, but because it has been abused and corrupted.

In this connection we refer to the White League mentioned in the message of the President. In the last campaign in Louisiana the Opposition was composed of various elements—Democrats, Reformers, dissatisfied Republicans, liberal Republicans, old Whigs—and, in order to induce the co-operation of all, some of whom refused to unite with an organization called the "People's Party"—called in some localities the "Conservative Party," in others the "White Man's Party," in others the "White League"—and had ordinary political clubs under these names throughout the rural districts, which were ordinary political clubs, and nothing more—neither secret nor armed, nor otherwise different from usual political organizations. These must not, however, be confounded, from similarity of name, with the White League of the city of New Orleans. That League is an organization not of citizens, but of a mob, numbering in all between 2,500 and 2,800; the members of which have provided arms for themselves, and with or without arms engage in military drill. They have no uniforms, and the arms are the property of the individuals, not of the organization.

They compose a large number of reputable citizens and property-holders in Louisiana. Their purpose they declare to be simply protective—a necessity occasioned by the existence of the White League in New Orleans. They were organized by the Kellogg government, arrayed the black against the white race; of the want of security to peaceable citizens and their families, which existed for those reasons, and because, also, of the peculiar formation of the police brigade.

On the other hand, the Republicans assert that this is an armed body of volunteers existing for the purpose of intimidating the blacks and overthrowing the Kellogg government. That it had any considerable relations outside of the city of New Orleans, or that it was intended in any way to interfere with the rights of the colored citizens, did not appear. Nor on the other hand, did it appear that there was any extensive secret league amongst the blacks of any kind. That the White League would readily cooperate in any feasible scheme for overthrowing the Kellogg government your committee do not doubt. So will substantially all the white citizens of Louisiana. Such organizations may be dangerous, but are very rarely to be justified.

The affair of the 14th of September is an illustration of this. The members of the White League were invited to the arms; the police had seized these arms without process of law, taking them forcibly from the merchants who had sold them from the members who had bought them. A contingent of arms was to arrive by the steamer Mississippi. The League were called out on the morning of the 14th to go and take them in a body; the police undertook to seize the arms; the two bodies came into collision on the wharf, with loss of several killed and wounded. There were then hardly any Federal troops in New Orleans, and the disintegration of the Kellogg party was such that before Penn and his associates had only to take possession of the executive offices without a struggle.

The movement was everywhere quietly accepted by the whites throughout the State until the Federal Government intervened, when Penn and his associates at once surrendered. If Louisiana were a country by itself McEnery and his associates would at once be installed in power; but the Conservatives of Louisiana do not propose to fight the Federal Government. They submit, not because

they want to, but because they must; not because they proclaim any enmity against the flag, nor because free labor has not been found to be profitable; but because of any hostility to the colored people because colored, but because they regard themselves as defrauded out of the election of 1872, and yet more, out of the last election, and because they think their State government has been to the last degree destructive and corrupt.

Indeed, in our judgment, the substantial citizens of the State will submit to any fair determination of the question of the late elections, or to anything by which they can secure a firm and good government. What they seek is peace and an opportunity for prosperity, and to that end they will support any form of government that will afford them just protection. In this distress they got beyond any mere question of political party.

After your committee had announced their intention not to investigate the election of 1872 they received a letter from Governor Kellogg expressing a desire that they should investigate that subject. Later, they received a letter from McEnery, Penn, and associates, proposing to submit their claims to the State officers to the committee as arbitrators. In view of the assurance that a like submission was desired on the part of Messrs. Kellogg and Antoine and their associates the committee addressed a letter to each of these gentlemen desiring to know explicitly whether each one would submit to the determination of the committee, and if they found he was not duly elected he would resign his office for all claim to the office and would not enter upon it during the term for which he claimed to have been elected. To this communication they received a reply from Mr. McEnery and those associated with him assenting to the submission; and in the course of his examination before the committee Governor Kellogg expressed the same intention and his opinion that those associated with him ought to consent to the arrangement. His formal reply has been received since our return, and we see by the public press that Mr. Antoine has expressed his willingness to accede to the arrangement.

As to the proceeding on the 4th of January, about which the committee desired a statement, we now add that your committee, on the invitation of the Democratic Conservative Committee of the State of Louisiana, visited the hall of the House of Representatives and witnessed the canvassing of the Louisiana House of Representatives. Mr. Potter, refusing to enter the hall, remained outside, while Messrs. Foster and Phelps were seated inside, and near to the Speaker's chair. Mr. Potter remained only until Wiltz was elected Speaker, and states nothing as to what subsequently occurred. Mr. Foster remained perhaps an hour, and Mr. Phelps remained an hour longer, until he learned that the military were about to enter under Governor Kellogg's orders. The damages in the State House on the 4th of January, as seen by the committee, or subsequently in evidence, were substantially as follows:

At 12 o'clock noon William Vigers, the clerk of the last House, called the Assembly to order, and proceeded to call the roll of members as made up from the returns of the Returning Board. This roll contained the names of 109 members, classed by Governor Kellogg as 23 Republicans and 86 Democrats, but it is claimed that one of the Democrats was not an "staying" Democrat.

The Republicans claimed that one of their members—A. G. Cousin—had been kidnapped and forcibly taken to a distant parish to prevent his presence at the organization of the House. Your committee were about to investigate this charge when, in public session, it was claimed by the Democratic counsel, and admitted by the Republican counsel, that the arrest was under legal process and by the hands of the sheriff. It was further claimed, and not denied, that the privilege of his office did not exclude him from arrest. The charge was unavailing.

The full House would contain 113 members, of which 56 would be a quorum. On the first call of the roll 102 answered to their names. It is claimed by the Republicans, and we believe succeeded by the Democrats, that 50 of those answering to their names were Democrats and 52 were Republicans. The instant the clerk finished the roll-call several members rose to their feet, but the floor was successfully held by Mr. Billson, who said that he nominated L. A. Wiltz as temporary chairman. The clerk sang that the legal motion was to elect a Speaker. Mr. Billson himself paying attention to the clerk, proceeded hurriedly to put his own motion, which was received by loud voices and followed by as loud voices, and declared it carried.

Mr. Wiltz sprang instantly to the platform, took from the clerk the gavel, was quickly sworn in by Justice Houston, who followed him to the platform, and then rapped the House, which during this time had been in great confusion, into a temporary quiet. Mr. Wiltz, as temporary chairman, administered the oath to the members of the House, who rose to receive it. Some member made a motion to elect Trevant clerk. Wiltz put the motion, and declared it carried. Trevant at once came forward and took the clerk's chair. Immediately after, and with the same haste, a Mr. Flood was elected sergeant-at-arms, and at once, whether on motion or not your committee do not remember, a number of assistant sergeant-at-arms were appointed, who promptly appeared, wearing badges on which were printed "Sergeant-at-Arms."

While the above-mentioned motions were being put, members objected and called for the yeas and nays, all of which were disregarded and pronounced out of order by the acting chairman, Col. Lowell, a Republican, made the point of order that the Constitution of the State allowed any ten members to call for the yeas and nays on any motion; but the temporary chairman decided that the point was not well taken until a motion for permanent organization.

Next, a motion to go into an election for a permanent organization was offered and declared premature. Against this motion the Republicans protested. A motion to send the Democratic members alleged to be elected was immediately made and carried. During this stage there was much disorder. The Republican members protested, but their protests were disregarded. These gentlemen then appeared and were sworn in. A motion to adjourn was then put and declared lost. Mr. Lowell (Republican) moved that the House proceed to permanent

organization, and that the vote be taken upon the roll of the Returning Board. This motion was declared lost. Mr. Lowell protesting. Mr. Matthews (Republican) then nominated Mr. Lowell as temporary chairman, put the motion and great confusion, and declared it carried. Mr. Lowell declined to accept. The House then proceeded to elect a speaker. The roll was called by the clerk (Trevant), who reported fifty-five votes for Wiltz, two votes for Hahn, and one (Mr. Wiltz's own) blank.

This result was ascertained by the clerk by simply keeping a tally of the members voting as they answered to their names. No roll of members voting was kept, neither were tellers ordered, or any such other means employed than calling the roll to ascertain the number voting. This tally includes the five members who had been sworn in to fill vacancies. During this roll call, when Mr. Hahn's name was called he rose and asked to be excused from voting and to be allowed to state his reasons. Objection was made, and then the Speaker pro tem, asked for a unanimous consent to his explanation. Consent was given, and Mr. Hahn spoke at some length. After the announcement by the clerk of the vote Wiltz was sworn in as Speaker, and proceeded to swear in those present, so far as they could be forward to his seat. Those thus sworn in were a id to number sixty in all, made up of fifty Conservatives and five Republicans, who were returned by the Returning Board, and the five Democratic members who had just been admitted. Outside the bar of the legislative hall in the State House there were a large number of the police supported by the Federal troops. No person was permitted in the State House except through the orders of Governor Kellogg. Within the bar of the House were permitted only the gentlemen returned by the Returning Board, and the clerk and sergeant-at-arms of the former Legislature; ten persons allowed to the Conservatives as messengers, who suddenly became their aistant sergeants-at-arms, and a few other persons, such as were admitted by courtesy to the floor.

Without the bar in the public hall stood the contestants and other persons admitted. They numbered by actual count 127. Besides these the door of the hall was kept by twenty-seven police. Wiltz maintained control of the Assembly until some time after he was chosen Speaker, when the Conservatives made a motion to withdraw from the hall. Wiltz gave instructions to the sergeant-at-arms not to allow any one to pass out or enter the hall. Then the disturbance without the bar at once increased, and pistols were displayed. Then at this juncture a Conservative member moved that the Speaker be requested to ask Colonel De Trobriand to preserve order. A committee was appointed to wait on Colonel De Trobriand and request his compliance. Colonel De Trobriand soon came to the bar unaccompanied except by one aid, whom he left there, and then approached the Speaker. The Speaker requested him to ask for order in the lobby. Colonel De Trobriand did so, and order was then restored. The Speaker thanked him in the name of the House for his courtesy, and he withdrew.

The action of the body proceeded for an hour or so without interruption, during which time a committee on contested elections was appointed, and debate held, but no message was sent to the Senate or Governor notifying them that the House was organized and ready to proceed to business; when, at length, Colonel De Trobriand returned and advised his aid orders to remove the five members sworn in who had not been returned by the Returning Board, and after the protestant resistance of Mr. Wiltz to the persons referred to, and General Campbell had been sent for to point them out, they were removed by the United States soldiers. Wiltz then left the chair as Vigers, to organize the House, began to call the roll of the Returning Board. Two Democratic members had answered to their names, when Wiltz interrupted the clerk and called upon the Conservative members to refuse to answer and to leave the hall. The interruption over, Vigers began anew his roll-call, and obtained only fifty responses; but as the two Democratic members had just before answered on the roll-call which was interrupted he assumed it right to announce that fifty-four members had answered to their names. Those who remained after Mr. Wiltz and his friends withdrew elected Hahn Speaker by acclamation, and proceeded to the business of the Legislature. There was no subsequent roll-call by which the number of those members whose names were returned by the Returning Board who still remained present at these deliberations could be determined.

Your committee have not been able to agree upon any recommendation, but upon the situation in Louisiana as it appeared before us we are all agreed.

CHARLES FOSTER,
WILLIAM WALTER PHELPS,
CLARKSON N. POTTER,
JANUARY 14, 1875.

The evidence upon which the subcommittee base their conclusions, not being written out, will be submitted hereafter if it shall be desirable. The committee themselves voted to adopt the report, and also to refer the same to the House with their recommendation that the same be printed and re-committed.

For the committee,
GEORGE F. HOAR, Chairman.

TO ALL THOSE WHO THINK OF THEIR OWN INTEREST AND THE WELFARE OF THEIR FRIENDS AND FAMILY.

We are now offering great inducements to buyers of our... We are continually receiving new additions to our already large stock and we are thankful to be able to offer you the greatest variety of goods and stock. They are admirably selected to suit the wants of the public, and we have no hesitation in saying that we have never before... We are continually receiving new additions to our already large stock and we are thankful to be able to offer you the greatest variety of goods and stock. They are admirably selected to suit the wants of the public, and we have no hesitation in saying that we have never before... We are continually receiving new additions to our already large stock and we are thankful to be able to offer you the greatest variety of goods and stock. They are admirably selected to suit the wants of the public, and we have no hesitation in saying that we have never before...