NEW ORLEANS DAILY BEE.

DUPOUR & LEBERT, PUBLISHERS.
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TERMS OF THE BEE.

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Weekly Edition.

TERMS—PER YEAR.....$5.

NEW ORLEANS:

TUESDAY MORNING, DEC. 6, 1870.

Amusements This Evening.

OPERA HOUSE—"Voyage on China," and "Une Tasse de Cafe."

VARIETIES THEATRE—"Enoch Arden." Mr. Edwin Adams.

ST. CHARLES THEATRE—"Beauty and the Beast," and "Lady Blake."

ACADEMY OF MUSIC—Lydia Thompson Troupe.

DAN RICE'S CIRCUS—Tivoli Circle.

GOV. WARMOTH'S IMPEACHMENT.

The investigation now going on in this city, in presence of the Congressional Committee, amounts to an impeachment trial of Governor Warmoth, and the testimony adduced against him is perfectly damning in its character. The policy of the Governor and his accomplices in conducting their defense is simply to shift their guilt and accuse their political opponents of the same crimes they are charged against themselves. It is assumed as a fact that it is only the political opponents of Gov. Warmoth who are the accusers in this trial. But the charges to which the Governor is now answering have been made by the people of Louisiana as a whole. They are the parties injured by his administration, and not any mere political faction. These charges the Governor must meet in a direct manner and disprove or submit to a judgment of condemnation. The people of this State are well aware that some of those members of the Legislature who call themselves Democrats—perhaps the majority of them—have participated in the corruption which has prevailed in that body since Gov. Warmoth came into power. But, admitting that Democrats are equally guilty with Republicans in prostituting their legislative functions, what does that prove? That the people at large are corrupt? By no means. We must call to mind in what manner the elections for members of the Legislature have been conducted since the Republican party governed the State. We must remember that the mass of the intelligent voting population of Louisiana have taken little or no interest in public affairs since the days of reconstruction, and that they are not fairly represented in the General Assembly. Whether their abstention from voting be right or wrong the fact is there. Because they regarded it useless to attempt turning the tide of corruption and mal-administration which they saw setting in with great violence, that is no reason why they should be made responsible for the crimes of others. Why does not Gov. Warmoth show to the Congressional Committee and to the public of this State what services of a beneficial character he and his colleagues have rendered during his administration of the government? Why does he not exhibit the results of the enormous expenditures made by the legislative branch of the government since he has been in power and dictated their proceedings? Why does he not turn upon his accusers and show what there is of value for the immense increase of the public debt? Where are the public benefits conferred by him upon the State and her people? When the people tell him he has stabbed public and private virtue to the heart he mocks and jeers at them and says, "You are as guilty as I am. Your politicians and leading men set me the example and united with me in doing that of which you complain." Is this a sufficient defense to an indictment such as the honest portion of the community have preferred against Gov. Warmoth?

Gov. Warmoth will have to make a better answer than this to the charges made against him if he desires an acquittal. The trade of himself and his accomplices, Campbell, Dibble, Carr and others, deceives nobody, nor will the fact that prominent lawyers and other citizens seek favors from Republican officers and to a certain extent associate with them, be sufficient to overcome the repugnance which the honorable portion of the community feel towards the officers of the State Government.

Gov. Warmoth's administration, we repeat, is on trial and must stand or fall according to the results it has achieved for the people. If on the whole this administration has been injurious, we do not see why Warmoth should escape from the verdict of his judges that he has been an unfaithful servant, because preceding administrations have failed in their duty. The Republican party undertook to reform the State Government. It was willing to be judged by results. We hold it to this self-imposed contract.

Important Admission of Gov. Warmoth.

During his examination yesterday before the Congressional Committee, Governor Warmoth being asked by a member why he called an extra session of the Legislature on the 6th day of December, 1871, when the regular session of the body would occur on the first Monday of January, 1872, or in less than thirty days, replied that there were several reasons for the call. The principal one was that if he (Gov. Warmoth) died, Col. Carter would become Governor of the State unless a President of the Senate were in the meantime elected. Gov. Warmoth said he could as easily have caused the election of Pinchback in January as in December. He had no fear of being defeated in this measure.

Mr. Archer, of the committee, remarked to Gov. Warmoth that his answer was an admission of the charge brought against him by the people of the State that he exercised too great a power over the members of the General Assembly.

Gov. Warmoth also confessed that the appointing power of the Executive of Louisiana was altogether too extensive, especially when wielded by "a wicked man." Of course it was not in the hands of such a man when wielded by Gov. Warmoth!

The Claim of Benjamin Weil.

We have received the following statement of the claim of Benjamin Weil against the State of Louisiana, which Gov. Warmoth admitted yesterday before the Congressional Committee he had once rejected as a debt of the State, by virtue of an express provision of the Constitution.

As this claim has since been recognized by the Governor as a just claim against the State and has been purchased by his friend, Thomas C. Anderson, of St. Landry parish, for himself, John Lynch, H. C. Warmoth and others, at twenty cents on the dollar, we are left to the inference that the Governor's eyes were opened, not by any fresh evidence as to the legality of the claim, but by the profit which he saw would accrue to himself and his associates from its acknowledgment:

The claim amounted to	$140,694 82
Price paid for it to Weil, 20c.	28,178 96
Bonds issued to redeem the certification of indebtedness held by Weil, $140,694 82	301,276 51
Annual interest	16,122 36
Forty years interest	644,089 40
Total cost to the State	$3,326 21

According to this statement the people of Louisiana will be mulcted in the sum of eight hundred and forty-five thousand three hundred and fifty eight dollars to pay a claim the owner of which sold it to Warmoth and company for twenty-eight thousand one hundred and seventy-eight dollars.

Thanks to Mr. Holle, of the newspaper depot, Exchange Alley, for late pictorial weeklies, a large variety of which are regularly kept on hand by him.

The manufacture of gold pens in New Orleans has been for some time a fixed fact. Mr. A. M. Hill, at his factory, 5 St. Charles street, makes handsome eight diamond styles, which he guarantees equal in finish to any made elsewhere. Salesroom 16 Commercial Place. Try home manufactures.

CHEAPEST AND BEST.—Mrs. Whitcomb's Syrup for children is sold by druggists for 25 cents a bottle. It is an admirable preparation for infantile disorders.

The New Orleans Bee.

OFFICE 73 CHARTRES STREET. NEW ORLEANS, TUESDAY MORNING, FEBRUARY 6, 1872. 46th YEAR—Vol. XLV.—Whole—15,596.

THE CONGRESSIONAL INVESTIGATING COMMITTEE.

SEVENTH DAY.

The Committee met at 10 A. M. yesterday all the members present.

A communication was received from Henry C. Dibble, Judge of the Eighth District Court, in addition to his statement made to the Committee on Saturday, that the Governor had said to him that every member of the House, in 1871, had been paid to vote for the Levee bill, except Mr. Moncure. The Judge in his letter qualified that statement as follows:

"I have conversed with gentlemen who were present when the Governor made the remark, and from what they say, I am satisfied that I misquoted him; they assure me that his remark was, that if rumors and street talk were to be taken as evidence, that all except Mr. Moncure were interested, etc."

Henry C. Warmoth, Governor of the State, was the first witness examined this morning. He commenced by reading a very elaborate and lengthy statement and argument, which he had prepared, in vindication of himself as a partisan and as Chief Magistrate of the State. About two hours were consumed in reading the paper and documents referred to in it. The statement gave his version of the difficulty between himself and the Custom House people; the split in the party and the two conventions last summer; the coalitions formed and their objects; the reasons for calling an extra session of the Senate for the election of President and Lieutenant Governor; the rumors in the Legislature, resulting in the two Houses of Representatives and the measures the witness took to keep possession of the State House, when he called the police, the militia and the United States troops to his aid. It would be of very little, perhaps of no interest to the people here had they either read or heard the substance of the document or the whole it, relating, as it does, to events with which every newspaper reader in the city is familiar. Occasionally he made a statement in relation to matters not generally known, or gave his views of events, and in such cases, whatever was important in his statement is herein epitomized.

He exhibited a paper purporting to have been addressed by Mr. Boyce, the suspended Secretary of State, to Senator Gallaher, in which the former offered the Senator five thousand dollars, at the extra session, if he would change his vote from Pinchback to Coupland, for the presidency of the Senate and Lieutenant-Governorship. This was exhibited to show the corruption of the Governor's opponents.

In regard to Col. Carter, he did not consider him a Republican. Judge Walker, editor of the *Times* newspaper of this city, stated to the Governor, at Pass Christian, last summer, in the presence of several persons whom the witness named, that Carter had told him (Walker) that he was not a Republican; that he had never been a Republican, and that his object in going into the party was to put the government into the hands of the virtuous and intelligent people of the State.

Witness had been informed that on the day Mr. Carr moved that the Speakership be declared vacant—and witness believed it—that Carter had twenty-five or thirty men in the Speaker's Room to protect by force of violence. Witness knew that Carr was going to make the motion, but took no steps to have armed men at his Mechanics Institute. He did not order the police force to be increased, and believed it was not increased. Only three or four policemen were on duty at the State House at the time. Did not know of policemen being present in citizens' clothes.

Judge Abell, of the First District Court — the witness described as a violent Democrat, who made stump speeches to Grand Juries; who was the Judge that, in 1868, recommended the Grand Inquest to indict the members of the Convention at the assemblage of which the great riot occurred. Witness referred to the discharge of the Grand Jury by the Judge last month, and the impanelling of another Grand Jury in its place as a politician measure, procured from the Judge by the Democratic Central Committee, by which such "the murderers of Wheyland go unwhipt of justice." Witness mentioning the liberation of Colonel Carter on bail by Judge Abell, added that Judge Abell, "feigning sickness," got another rampant Democrat, Judge Cooley of the Sixth District Court, to sit in his place and release on bail the McCormicks and McCullough, who were, with Carter, to be examined before a committing magistrate on the charge of having murdered Wheyland.

Witness called the extra session of the Senate to elect a President and *ex-officio* Lieut. Governor, because whoever fills that office is also one of the Commissioners of Public Printing and President of the Board of Police Commissioners.

Mr. Schofield—But it was only a few weeks before the Legislature was to meet in regular session. Was it necessary that there should be a Lieut. Governor before the Legislature met?

Governor—Another reason I had was that, in the event of my death, I wanted to see my people from having for Governor such a man as Carter.

Mr. Schofield—Not much chance of your dying in twenty-five days.

Governor—People have died in less time.

Mr. Schofield—Carr has said that, at the time he attempted to put Carter out of the Speakership, Mr. Wands was on the floor when Carr made the motion. You have stated that Mr. Carr took an appeal from the decision of Carter in the chair, that the motion would not be put. Mr. Carr himself says he did not appeal from the decision.

Governor—I have been informed that twenty members rose to appeal, and since Mr. Carr's memory has been refreshed he thinks he might have moved for an appeal.

As to the extra session of the House, at which Mr. Brewster was elected Speaker and Carter expelled, witness said that he made the session known by directing the Clerk and Sergeant-at-Arms of the House to notify the members. No effort was made to keep from Carter's friends a knowledge of the session. On the contrary witness thought having heard that Messrs. Yorke and Mathews were at a restaurant, he sent his friend, General Sheridan, to inform them of the session, and witness also directed the employment of a sufficient number of persons to serve the notices.

Mr. Schofield—But it happened that none of Mr. Carter's friends were present.

Answer—There were five Democrats present who had acted with the Custom-house coalition. Messrs. Yorke and Mathews were also there.

At a subsequent stage of the proceedings a paper was presented by Mr. Archer, which was signed by all the members cooperating with Col. Carter at the time, among whom were Messrs. Yorke and Mathews, declaring that they had had no notice of the extra session and knew nothing of it until it was over.

Witness in his statement referred to the society of "76," as having been notified to appear at the corner of Canal and Dryades streets, on the 13th January, to aid in an intended riot upon the Mechanics' Institute. This society, he said, was composed entirely of Democrats. There were not many in it, but they were all Democrats. He had no personal knowledge of the society. His information came from a prominent Democratic politician.

Mr. Archer—Name the politician.

Answer—I think I'd rather be excused. It might affect his standing with his party.

Witness gave the names of several citizens who, he had been informed, had said if he could not be got rid of in any other way, he would be assassinated.

Witness had never taken from any officer he appointed a resignation with blank date, except from Mayor Flanders and some of the Administrators of the City Government—Shaw, Bonzano, *et. al.* He gave his reasons for taking their resignations. They were much the same as those given by Judge Dibble on Saturday, that a resignation was required upon him for the administration of the City Government, and, with such responsibility, he deemed it proper that the Administrators should be subject to removal at any time, which could be accomplished by giving dates to the resignations. The idea never entered into his head, he said, until the Mayor and Administrators themselves made the suggestion, and when they made it he accepted it. The suggestion came to him first through General West, whom he had appointed Administrator of Improvements. It is not true that witness holds a resignation of General West's commission in the United States Senate. The thought never occurred to witness of such a thing. Having the General's resignation of the Senatorship, until Pachtard and Casey proposed to witness to fill up the blank in order that witness himself might be sent to the Senate, witness declined the proposition, because he did not have the resignation, because he had not the age to qualify him, and because if he wanted the place he knew that Casey and everybody knew that not influence enough to elect ally to Mr. Joseph H. Oglesby, but he declined, on account of the health of his wife, who was in Europe. Witness then gave it to Mr. Flanders. Witness still holds the blank resignation of Mr. Flanders. Although that gentleman and witness have not been in political intercourse some time, witness has not used the resignation.

Q.—But Mr. Flanders has since been elected Mayor by the people.

A.—I suppose by that election the unlimited power of attorney I held from him is of no effect.

Witness neither received nor asked a blank resignation from Mr. Walton, Administrator of Finance. He is an old citizen and a man of high character, and witness had no anxiety for a resignation for his faithful and efficient administration of the office to which he was assigned.

Democrats, in both Houses, voted for General West for the Senatorship, but no promise was made with them. We got the Democratic votes for him through Senator John R. Waller, who knew West in California, and through General West's brother, who is a prominent man in high society, and who is a Democrat; and through both the governors of such influence of the city, which therefore and the Democratic party, West was advertised to the Senatorship of Casey and Wheyland been with the witness. Witness had no interest in Casey. Casey the friends and to give an office to Hewitt's witness, on account of cause, then a and not finally the nominee. Casey had not been with the witness. Casey Wheyland, Lowell from the Postmaster-Office, Superintendent of Blanchard (the State Superintendent of Votors) he the

To the Honorable Members of the Senate [illegible]

[illegible]

Thirty-four days of your session have been discussed in vacation, the interest which I will not discuss now, but I do not feel familiar to the members of your honorable bodies, and which, perhaps we would have found much to do in the consideration of the measures made in your government.

I regard the necessity that needs me to come more address you, frankly, (frankly and sincerely) on questions of interest to the interests and feelings of the people of this State. This I shall do without unnecessary verbiage or circumlocution.

There are laws on the statute books which must be modified, and which you are charged in the most solemn manner to modify in a way that will make them acceptable to the great body of the people.

The public voice has spoken in this half of the same ground, and it is your duty, as representatives of the people, to give the force of law to the popular will without any further delay.

I will be candid with you, and state that your plighted faith is imputed to you which, when all much time is wasted, will be the cause of the disappointment of hopes by the people, to yourselves, and to myself, whose friends a large number of you are, requiring the modification of those laws should receive your prompt and undivided attention.

The condition of affairs in 1868, which induced and made necessary the enactment of most stringent laws on the subject of registration and election has ceased in a great measure to exist.

The relations between the white and colored citizens of this State—then unsettled and hostile—have now been established on a basis of quiet and growing respect for the rights of each other. I barely allude to the scenes of 1868. I have no wish to refer to them, except to say that what may have been then necessary is unnecessary now. In no State of the Union do the people in more determined spirit assume all chance to maintain the rights of our colored citizens than in Louisiana at the present time. As a result, mutual confidence is rapidly springing up between the two races, in place of the bitterness, jealousy and apprehension formerly existing between them.

The stringent provisions of the election and registration laws, enacted to meet this political condition of affairs, should no longer be permitted to remain on the statute book, but should be made to conform to the more enlightened condition of public sentiment.

Care should be taken while modifying these laws to retain every provision that may be necessary to protect and secure the voter in the exercise of his rights in full, free and equal advantage to vote for the men of their choice for office. Without this the laws would be a mockery. The law becomes a delusion and a curse to been.

The other provisions, that make the machinery one-sided, partisan and dangerous to the liberties of the people when wielded by an ambitious executive, should be modified so as to prevent the execution of unfairness should not attach to a victory achieved by either party at the polls.

It would be much better for the interests of society and the perpetuity of free institutions that the Republican party should be defeated rather than that the opinion should prevail that its success has been obtained by a fraudulent use of official complaints, and unfair dealing in the manipulation of the votes and suffrages of the people. If such a law is required to be enacted and sustained by the publican party in this State, I am free to say I had rather it would perish.

Allow me to express my views of mine, but simply a restatement of my annual message of 1870, more fully made in my annual message of this year, and which I now direct your attention to, and which I have divided with a printed copy not more than five minutes'.

Mr. Edmunds wanted time to look over, read and study the several copies before he was able to vote upon the bill. The Senate had been in session two days to have been a resident of the parish for twelve months before his appointment; that he should be ineligible for any elective office during the term of his appointment, and that the expense of registration should be paid by each parish.

Mr. Edmunds—The election law be so amended as to give to the parochial authorities the selection of the commissioner of election in such a manner as to secure a representation of each political party at each polling place. No half dozen commissioners should be allowed to receive votes; that the ballots should be opened and published immediately after the close of the election and on the spot, in the presence of any and everybody who may desire to be present. That the return should be made out in duplicate, one to be forwarded to the Secretary of State, and the other to the city parish government. That the voting parish should be established by the parish government, and that not be changed without the consent of the public to be given. That the board of commissioners shall be either abolished or selected from citizens of the parish where they are called and in the end that each political party shall be fully represented in such body. That the case of contestation before the Board of elections should be borne by the parochial government.

Third—It is recommend that the office of Chief Constable in each parish be abolished; and the return of the civil power to the Sheriff; or at least an amendment of the law, giving compensation only when in active service.

Fourth—The revenue law should be amended. The emoluments of officers for assessing and collecting the revenues must be reduced, and the fees be entirely abolished. I refer you to the following extracts from my annual message:

9. I recommend a reduction in the compensation given for assessment and collection of the taxes of the State, and the $6000 paid county tax collectors for listing the property be reduced to $600 each. Such sum to be a fixed salary, and officers for the city of New Orleans at a salary of $6000 each, which shall be the maximum compensation for any city or the State; that the Board shall also furnish a copy of the rolls to the city, which shall will be such modifications as the city may make, the tax rolls on which the taxes shall be collected, and that the Administration of Assessments of the city of New Orleans shall be constituted *ex officio* President of the Board.

I again submit to you the other specific recommendations contained in my annual message:

4. I recommend that all fees allowed the Auditor of Public Accounts, amounting, it is believed, to about $25,000 per annum, be collected by him and paid into the State Treasury to the credit of the "interest tax fund," to be employed in paying the interest and principal of our debt.

5. That the not giving the State Treasurer $2000 per annum as receiver of moneys on public lands be repealed. To receive these moneys is legitimately a part of his duty as State Treasurer.

6. That the Clerk of the First District Court in the parish of Orleans be paid a salary of $6000 per annum by the city of New Orleans, and that he be allowed no fees from the State or city, other than the salary of his services. Without this provision