The New Orleans Bee.

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NEW ORLEANS DAILY BEE.

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TERMS OF THE BEE.

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Weekly Edition.

TERMS—PER YEAR.....$5.

NEW ORLEANS:

SUNDAY MORNING, FEB. 4, 1872.

Amusements This Evening.

OPERA HOUSE.—"Lucretia Borgia," "Les Forfaits de Pipermans" and "Une Tasse de Cafe."

ST. CHARLES THEATRE.—"Ticket of Leave Man."

ACADEMY OF MUSIC.—Lydia Thompson Troupe.

DAN RICE'S CIRCUS.—Tivoli Circle.

WHAT ABOUT REFORM?

The question of most moment to our people at the present time is the restoration substantially to them of a republican form of government, such as is guaranteed by the Constitution of the United States to every State in the Union. As a last resort, they hope to attain this through the immediate agency of the investigation now in progress by the Congressional Committee sitting in our city. It was hoped by the substantial and sober-minded people of the community that this end could be attained by appropriate legislation through the General Assembly now in session, in the event that said Assembly should promptly respond to the popular demand and meet the popular need by initiating and perfecting the political and economical reforms so unanimously demanded by our people. This hope is somewhat weakened and shadowed by the present anomalous attitude of the dominant political party or the reform movement. The State government, if described by its political complexion, is neither Democratic nor Republican in so far as these terms represent the constituencies of the State but is a hybrid distinctively and appropriately described as Warmouthean. Up to a late date the party in power was slow even to prefer reform to the people. Indeed the Executive made no advances in this direction until popular impatience and indignation impelled him to do so. But the professions of reform by the Governor have been accompanied by so much that is questionable and have been expressed in such equivocal forms as to throw suspicion upon his sincerity. The first professed evidence of reform furnished by him was the action of himself and Lieut. Gov. Pinchback when under the printing law they rescinded the contracts for public printing and entered with divers journals in the interior parishes of the State by the late Lieut. Gov. Dunn and Speaker Carter. This annullment of contracts for printing was ostentatiously claimed to be substantial reform. The facts will show the action of the Governor and his Lieutenant possess very little to claim public approval or to inspire confidence in them as *bona fide* reformers. In the first place the public printing involved in the contracts, viz: the journals and laws had already in each case been performed and the money already collected therefor from the State before the contracts were annulled; again—within a few days after the annullment claimed as so creditable, Warmouth and Pinchback gave out an equal number of contracts to their partizans in lieu of those taken from their political opponents, so that no money was saved to the taxpayers but the simple-hearted were hoodwinked by this Executive trick—though their burdens were continued. The next move for reform was made under the pressure of an enormous public indignation and outcry by the unconditional repeal of the Election, Registration, Printing and Constabulary laws, and the fact was promptly circulated among the people, through the Warmouth journals, that the repealing acts had been duly signed by the Governor. The haste of this action, though in the right direction, did not comport either with the efficiency of the work proposed to be done nor with sincerity in the purposes of the men who did it. If real reform was meant, Warmouth should have amended the obnoxious laws so as to cover popular necessities, eliminated the offensive features thereof and have attached a repealing clause to the act, so that the State would not only have been rid of bad laws, but have at the same time escaped from worse by having established wholesome statutes in the place of those repealed. As the matter stands at present, even if the repealing act is not void, worse laws than those of the past hitherto oppressed and wronged the people may be enacted and enforced. The removal of the evil is not a sufficient guarantee of the introduction of the good.

But a suspicious circumstance is found not only in the falsity of the announcement so noisily made by the Governor's organs, that the repealing acts had been signed, but further—the fact now appears that the Speaker of the Warmouth House and the President of the Senate to modify their previous constructions of the law relative to a quorum so as to fix the quorum in the respective Houses at such a figure as renders the repealing acts illegal and furnishes not only them an excuse for refusing to sign the same, but their executive master a reason for holding these bad laws in force as unrepealed. A further questionable development is found in this, that the substantial reform measures introduced by Senator Ray, and others, are being fought by the Governor's partisans, not only upon the floor of the respective Houses, but in the committees to which they have been referred. All the circumstances considered, the delay of tendering reform, the haste and insincerity with which the gravest matters are initiated and the duplicity and frivolity with which measures so vitally affecting the public weal are treated by the party controlling the General Assembly, argue little of good to the people of the State, and much of evil.

We are reluctantly forced to conclude that Gov. Warmouth's purposes are selfish and bad; that the people have been deceived; that their rights, invaded in the past, will be violated, in the future; that reform as the Executive conceives it and proposes to execute it is a mockery and a sham, and that the end of all our pains will be perpetuation in force of the evil laws and in power of the evil men who administer them in our midst, unless we obtain relief from the Federal authorities through the recommendations of the Committee now probing the wounds that weaken the health and jeopard the life of republican government in Louisiana.

CORRECTION.—In our report, contained in yesterday's paper, of the testimony given on Friday before the Congressional Investigating Committee, in relation to a certain bank check drawn by General Herron on the Louisiana Savings Bank, we were made, by a slip of the pen, to say that the check was drawn by "General Andrew S. Herron," when it should have been Francis J. Herron. General Andrew S. Herron is a distinguished lawyer of Baton Rouge, who has no connection with the present State Government. General Francis J. Herron, the individual who drew the check, is the acting Secretary of State appointed by Gov. Warmouth when he ousted Mr. Bovee from that office.

We regret to learn that our confrere, Mr. John F. Condon, who has since 1869 been a member of the editorial staff of the *Picayune*, has just closed his connection with that journal. Mr. Condon has for some time had charge of the Hosiery department of our contemporary, and has manifested marked ability in conducting it. He is greatly esteemed for his genial personal qualities by his brethren of the profession, who will be glad to learn that his talents are not to be lost to the journalism of our city.

We acknowledge the courtesy of the Committee of Arrangements of Southwarding to us cards of invitation to a grand fancy dress, masquerade and tramp ball, to be given by them at Odd Fellows' Hall on next Saturday evening.

INFANTS.—The most irritable and restless of these tender little household birds are charmed as it were into quiet and sweet repose by using Mrs. Whitcomb's Syrup.

The Congressional Investigation.

We are requested to call the attention of our readers to the investigation now going on before the Committee of Congress sitting in the United States court-room, in the Custom-house building, and to ask them to aid the committee in so far as to furnish them with the names of any private citizens who know and are willing to testify to facts sustaining the charges made against Gov. Warmouth and his office-holders. The committee are desirous of hearing testimony from persons who have had no connection with political parties, particularly with respect to the willingness of the community to abide by the changes effected in the Constitution since the war, and to the fact that the opposition to Gov. Warmouth is not on account of his political opinions, but to his wickedness as a man and his usurpations of power as a Governor. The committee desire to have the testimony of a few of our more eminent citizens not holding now or heretofore any public position, but who in their private capacity enjoy the esteem and the confidence of the people.

Names of such citizens may be handed to any member of the Congressional Committee.

We regard it the duty of every good man to aid in this investigation.

THE VARIETIES THEATRE.—The beautiful drama of "Enoch Arden," founded upon Tennyson's popular poem of that name, will be performed at this theatre on Monday night, February 5, and the five following nights, also at the Wednesday and Saturday matinées. This drama had a triumphant success at the St. Charles Theatre last season and wherever it has been performed. Mr. Edwin Adams personates the character of the hero of the drama, one of the noblest conceptions of the great English poet. Those who have witnessed the performance of "Enoch Arden" by Mr. Adams, regard it as one of his best representations. We anticipate, therefore a large attendance of the patrons of the Varieties during the coming week.

TO FAMILIES.—At the store of S. B. Churchill, No. 40 Magazine street, good sugar-cured hams can be obtained at the extraordinary low price of 10 and 12½ cents; shoulders at 7 cents. Also, McClellan saddles at $5.

ANDERSON'S PHOTOGRAPHIC STUDIO.—Among the most attractive photograph establishments of New-Orleans is that of Mr. Anderson, at 183 Canal street, where will be found all the latest improvements in the art. His pictures are certainly as fine specimens as can be seen anywhere, and that called the "Sun Pearl" is very much admired and sought after by those who seek to possess true likenesses of their relatives, and at the same time handsome ornaments for the parlor.

THE INVESTIGATING CONGRESSIONAL COMMITTEE.

SIXTH DAY.

The committee met yesterday, at 10 M., all the members present, and did not adjourn until it was nearly half-past four o'clock. The testimony taken in so lengthy an examination is very voluminous, and, moreover, is of a great deal of matter which it is necessary to lay before Congress, in the form of attested proof, but, in regard to which the people have already thoroughly informed, we give abstracts of such passages in the evidence of the witnesses as are of public interest.

What General Herron Said and Did.

Mr. J. B. Alcée Gauthreaux, sworn—Resides in the city. At the time of the last session of the Legislature he was Speaker of Assumption, and was editing the *Pioneer of Assumption*, which was published there. By personal observation, and from the statements of others had knowledge of a good many frauds connected with the elections. At one of the polls (the Napoleonville poll) two votes were cast for the Democrats, whose duty it was to keep account of the number of votes polled. At that poll 771 votes were polled and 1286 counted.

Q. Who was returned from that parish?

A. George Washington and Joseph S. Douglas of the House, and H. L. Swords of the Senate.

Q. During the late troubles in this city, were you here?

A. I was.

Q. Please state what occured there on that day.

A. Subsequent to a meeting addressed by Messrs. Carter, Moncure and others, in front of the Custom-house, a committee was appointed to wait on General Emory, and a crowd of 1500 or 3000 citizens followed the committee to General Emory's house. They bore the United States flag at their head. On reaching the house, those bearing the flag went into the hall of the house, and, after waiting, the General. He was absent, and they came out. After a few minutes General Emory came up and said as he ascended the steps, "What in the hell is this crowd doing here? I want you to disperse." Some one stated that the crowd came up to ask his assistance, or something to that effect. He then said: "I refuse to communicate with such a crowd." And God—d—n you, if you don't disperse I'll disperse you with grape shot." Some one cried out from the crowd, "Give us martial law." The General was very much excited at the time, and talked very loud. I was not near enough to hear the reply of the General to the bill setting forth the grievances of the people and the outrages committed upon them. Witness did not know whether Mr. Sherman responded to the invitation, but he was on the steps with him, General Emory within three feet of him when he used this language, and Mr. Sherman, from the tone of my own acquaintance to swear to these facts as I did.

Q. By Mr. Smith—Did you think it proper for such a crowd to go up to the General's house?

A. I certainly think it was proper to get redress; whether or not it would for the evils that were oppressing us.

Q. Was the crowd peaceable, or did it go with any intention to intimidate the General, and thereby intimidate him?

A. The crowd was very peaceable, and went there through confidence in the United States, thinking of obtaining relief. Far from trying to intimidate the General, he was cheered when he was seen.

Q. Was not his conduct that of a brave man?

A. No, sir; had he been conscious of being right, he would never have used such language. Witness left in disgust after hearing the General speak to the people in the manner related.

Testimony of Senator and Deputy Collector Herwig.

Mr. P. N. Herwig sworn. Is Deputy Collector of the port and one of the State Senators representing the parish of Orleans. Was present at examination in regard to the Senators being on board the revenue cutter Wilderness; the cause of the difficulty between what is known as the "Custom-House Ring" of the Republican party, or "Carterites," and the Warmouthites. He knew of no agreement between the Carterites and the Democrats in the Legislature to impeach and thereby suspend the Governor. The agreement only went to the extent of voting to repeal obnoxious laws—Metropolitan police law, the Registry law, &c. Senators Ingraham, Copeland and O'Hara are Federal employés. Senators Kendall and Barber hold State offices by appointment of the Governor. Witness performed his duties as Deputy Collector, during the session of the Legislature, but did not draw the salary of the office. The salary of Deputy Collector is $4,000 a year. The pay of a member of the Legislature is $5 per day. Witness lost money by being in the Legislature—that is his pay as a Senator was less than the pay of Deputy Collector. Some of the Senators holding offices received their appointments before being elected to the Senate; some after they had been elected. Had never been offered a bribe to vote for a measure in the Legislature. Did not know or had not heard of a Senator being bribed or offered a bribe. Was not aware that the Senators supplanted in the Custom House performed their duties in the latter position or not. The Collector of the Port, Col. Casey, gave the use of the revenue cutter to the Senators as it is customary to give the use of her to distinguished persons. Committee on Levees lately had the use of also said her. Witness believes the Collector is a stockholder in the Louisiana Levee Company. Was formerly a stockholder. Federal officers have a stock interest in Warmouth. General Emory was not, nor, witness was under the impression, was the U. S. District Attorney, Mr. Beckwith. Both were regarded as favorable to Warmouth.

The Mysterious Bank Check.

Mr. W. Van Norden, President of the Louisiana Savings Bank, sworn. This witness was interrogated at length, in regard to the check for $2500 drawn by General F. J. Herron, upon that bank, in the first days of January, and which the paying teller, after certifying the check as good, was instructed not to pay unless it was endorsed by General Herron, although it was payable "to bearer." Mr. Van Norden said he did not know the person who presented the check. He instructed paying any evidence in regard to the request of General Herron for the endorsement of the check had been communicated to him. It should not be paid without the endorsement. Witness declined to give the name of the person who presented the check, but referred to the number of the check. Witness declined to state whether the person who presented the check was a friend of Herron or not. Declined stating whether he had a belief on the subject or not.

Question by Mr. Schofield—It is alleged that this check was given for a dishonorable purpose by General Herron. The character of several persons is at stake. Are you willing to let us know the truth or falsity of this allegation?

The witness replied with considerable circumlocution that the transactions between the bank and General Herron, as between the bank and other customers were of a purely mercantile nature. General Herron's checks were presented and paid, and, in the bank, they knew nothing more about it and did not seek to know any more. General Herron kept an account with the bank in a private and not in an official capacity. Mr. Van Norden closed his evidence by saying: "You gentlemen have an idea that I know a great deal about these dealing. Really, I know very little. I have nothing to do with politics, and, in refusing to answer some of your questions, I have acted upon general principles as a banker."

Mr. Carr Again—His Partnership With Mr. Bovee.

Mr. Mortimer Carr, recalled.—Produced the check which he gave for stock in the Crescent Gas Company. It was for $1500, and payable to the order of Mr. Dewees. Mr. Dewees deposited the check and drew against the fund to pay for his own stock in the stock. Mr. J. C. Sherman, and for that of the witness. Mr. Sherman appeared in the legislative act as one of the corporators of the company. Witness did not know who put it in. Mr. Sherman was not put in to represent the interest of witness. Witness did not know whether Mr. Sherman succeeded the interest of Mr. Dewees or not. Sherman did not subscribe for any stock. Witness knows him very well. Since that he has become the father-in-law of Mr. Dewees, Mr. D. having married his daughter. He is not engaged in any business. He is retired from business and independent. Don't know if any stock was issued without being paid for. Witness has 1000 shares now. Thinks Mr. Dewees has 700. Does not believe that any of the stock was issued for a corrupt purpose. When witness gave the check for $1500, witness charged $1000 against him, the amount due by the witness on the stock being $500 only.

Mr. Smith. Then you fellows on the ground floor fared no better than the fellows in the garret?

Ans. We paid the same as the others.

Dr. G. W. Avery never spoke to witness about a bribe to pass a bill in which one Dumas was interested, nor upon any subject connected with money. Had not received $1000 from S. W. Scott for passing the bill to sell the State interest in the Jackson Railroad. Did not receive anything but a free ticket on the road for the remainder of the year, after the bill was passed. Have had conversations with him in relation to Scott and Merchant's Bank in relation to a proposition to pass a bill to pay the banks of New Orleans the moneys deposited by them with State in the beginning of the war. The President did not offer any money. He spoke to witness about the proposition, and witness told him he could not be prevailed upon to vote to pay a rebel debt for any sum. Had no conversation on the subject at any time with Scott, except at the Merchants' Bank or Mr. Bernard Avegno. They did not offer a hundred thousand dollars to witness to secure the passage of such a bill. "Put your bottom dollar," said the witness, "if I am to go into it." He would not say that any person should be by "as not acquainted with Mr. Avegno until about a year ago. Knew little about him. Did not think Mr. President, of the Merchants' Bank would talk about such a matter, for "he was too much of a gentleman to do it."

Mr. Speer—I don't believe that we've met so few gentlemen since we came down here.

Witness—There are as many here as you have in Pennsylvania.

Mr. Speer—If there are as many here as you have in the Legislature.

Witness was on the City Police, for about two months, during the administration of Mayor Heath. Was turnkey at the Parish Prison, First District. Does not remember having seen Dewees imprisoned there on a charge of burglary. Did not inspect the Rogues gallery at the police station, then or since. Does not know whether Dewees' portrait is in the gallery or not. Didn't know Dewees until 1868, when witness met him in the Legislature. Witness, as Speaker of the House, appointed Dewees chairman of the Committee on Contingent Expenses. There was an investigation of charges against Dewees of fraud in his accounts. Except that the books and vouchers had disappeared and could never be found. The report of the committee was in favor of Dewees