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DAVID O. CALDER,
EDITOR AND PUBLISHER.

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LOUISIANA AFFAIRS!

Special Message of President Grant.

WASHINGTON, 13.—The President's special message begins by saying that to state that lawlessness, turbulence, and bloodshed have characterized the political affairs of Louisiana since its organization under the reconstruction acts, is only to repeat what has become well known as part of its history. The fraudulent election of '68, and the bloody riots of '68, he says, show that disorders there are not due to any recent causes, or to any late action of the federal authorities preparatory to the election of '72, during which, he says, a shameful and undisguised conspiracy was formed to carry the state against the republicans, and to accomplish which the most glaring frauds and forgeries were committed in the returns, after many negroes had been denied registry, and others intimidated from casting their votes.

He then briefly reviews the history of Kellogg's action in the U. S. circuit court against Warmouth and others, and of the temporary restraining order issued by that court, which order was treated with contempt and disregarded by those to whom it was directed. These proceedings, he says, have been widely denounced as an unwarrantable interference of the federal judiciary with the State elections, but he argues that they were strictly in accordance with the constitution and its amendments, with the decisions of the Supreme Court thereon, and with the provisions of an act of May, 1870, to prevent a denial or abridgment of the right of suffrage on account of color, &c., and concludes that if Kellogg's bill in the above case does not present a case for equitable interposition by a U. S. court under the act, as provided therein, no such case can arise under it.

The President holds that the right of the U. S. courts to interfere in various ways with State elections, so as to maintain political equality and rights therein irrespective of race or color, while comparatively new, and to some perhaps a startling idea, results as clearly from the fifteenth amendment and the acts passed to enforce it, as does the abrogation of the States laws upholding slavery. While asserting the jurisdiction of the court in this case, however, he says, it seems that some of the orders made by the judge in that and the kindred case of Antoine against Warmouth, were held to be illegal, but he adds it is not to be forgotten that the manifesto of his court had been contemptuously defied, and were made while wild scenes of anarchy were sweeping away all restraint of law and order. Doubtless the Judge of this court made grave mistakes, but the law allows a chancellor

great latitude, not only in punishing those who condemn his orders and injunctions, but in preventing the consummation of a wrong which he has judicially forbidden. Whatever may be said or thought of these matters, the President says it was only made known to him that the process of the U. S. court was resisted, and he, acting in accordance with law, ordered the army to see such process executed, and as the result, Kellogg was declared governor, and he, in the discharge of his duty under sec. 4, article 4 of the constitution, had recognized him as governor. As to whether he was elected he says may be a question, as the whole election was a gigantic fraud, and there are no reliable returns of its result.

The President then quotes from the reports of the Senate committee on elections in '73, that the manipulation of the election machinery by Warmouth and others was equivalent to 20,000 votes, and that to recognize the McEnery government would be to recognize a government based upon fraud, in defiance of the wishes and intentions of the voters of the State, and says the great crime in Louisiana, about which so much has been said and done, is, that one man is holding the office of governor, who was cheated out of twenty thousand votes, against another whose title to office is based upon fraud and in defiance of the wishes of voters.

The President then refers to the outrages committed on the republicans in various parts of the State, and the displacement and murder of Kellogg officials by the supporters of McEnery, rehearsing the story of the Colfax massacre and the Coushatta troubles at length, and concludes that, while it would be unjust to a great part of the people of Louisiana to say that the murder of negroes or white republicans is not considered by them a crime, it is true that the spirit of hatred and violence there is stronger than law, and consequently the perpetrators of these crimes went still unpunished.

The President then takes up the condition of affairs in the State last fall, and recounts the history of the September riot in New Orleans, and quotes from newspaper articles and proclamations of the people of Shreveport to show the spirit of the White Leaguers and of the opponents of Kellogg.

He next refers to the action of the returning board, and says he has no information of their proceedings except what is found in their published report, but it is matter of public information that a great part of the time taken to canvass the votes was consumed by the arguments of lawyers, several of whom represented each party before the board. He says—"I have no evidence that the proceedings of the board were not in accordance with the law under which they acted. Whether, in excluding from their count certain returns, they were right or wrong, is a question that depends upon the evidence they had before them, but it is very clear that the law gives them power, if they choose to exercise it, to decide that way, and, *prima facie*, the persons whom they return as elected, are entitled to the offices for which they were candidates."

Respecting the alleged interference of the military with the organization of the Legislature of Louisiana on the 4th inst., he says—"I have no knowledge or information which has not been received by me since that time, and published. My first information was from the papers of the morning of the 5th of January. I did not know that any such thing was anticipated, and no orders nor suggestions were ever given to any military officer in that State upon that subject prior to the occurrence. I am well aware that any military interference by the officers or troops, of the U. S., with the organization of a State Legislature, or any of its proceedings, or with any civil department of the government is repugnant to our ideas of government. I can conceive of no case, not involving rebellion or insurrection, where such interference by

authority of the general government ought to be permitted or can be justified, but there are circumstances connected with the late legislature embroglio in Louisiana which seem to exempt the military from any intentional wrong in the matter, knowing that they had been placed in Louisiana to prevent domestic violence, and to aid to repress it.

"The stationing of troops in various parts of the State to sustain the U. S. Marshals in their duty of keeping peace at elections is justified by section eight of the Act of Feb. '71, by which the U. S. Marshal is empowered to call for troops to aid in the enforcement of the State laws," and the President says, "The officers and troops of the U. S. may well have supposed that it was their duty to act when called upon by the Government for that purpose."

The President admits that each branch of the legislature is judge of the election and qualification of its members, and he states the remedy of the Governor, in case the legislature is sought to be obtained possession of by mob, which is first, by calling on the local constabulary and, if this is insufficient, on the militia; but he says, that in this case neither course was practicable without involving bloodshed, and both parties relied upon the U. S. troops as conservators of the public peace. The first call was made by the democrats, to remove persons obnoxious to them from the legislative hall; the second was from the republicans, to remove persons who had usurped seats in the legislature without legal certificates, and in sufficient number to change the majority. Nobody was disturbed by the military who had a legal right at that time to occupy a seat in the legislature.

Referring to the action of the conservatives in organizing the legislature he says—"I am credibly informed that these violent proceedings were part of a premeditated plan to have the house organized and in this way to recognize the McEnery senate, then to depose governor Kellogg and to revolutionize the State government. Whether it was wrong for the governor at the request of the majority of the members returned as elected, to use such means as were in his power to defeat these lawless and revolutionary proceedings, is perhaps a debatable question, but it is quite certain that there would have been no trouble if those who now complain of illegal interference had allowed the House to be organized in a lawful and regular manner."

In reference to Sheridan's presence in New Orleans he says—"He was requested by me to go to Louisiana to observe and report the situation there and, in his opinion it was necessary, to assume command, which he did on the fourth inst., after the legislative disturbances had occurred. No party motives nor prejudices can reasonably be imputed to him, but, honestly convinced by what he has seen and heard there, he has characterized the leaders of the white leagues in severe terms, and has suggested summary modes of procedure against them, which, though they cannot be adopted, would, if legal, soon put an end to the troubles and disorder in that State."

The President says he has no desire to have the U. S. troops interfere in the domestic concerns of Louisiana or any other State, and he has always avoided ordering or permitting such interference except when it seemed his imperative duty, and he would rejoice if all the necessity for the presence of the troops in the south could be removed, but he adds—"I regret, however, to say that this state of things does not exist, nor does its existence seem to be desired in certain localities, and as to those, it may be proper for me to say that to the extent that Congress has conferred power on me to prevent it, neither kuklux klans, white leagues nor any other association using arms and violence to execute their unlawful purposes can be permitted in that way to govern any part of this country, nor can I see with indifference union men or republicans ostracized, persecuted and murdered on account of their

opinions, as they now are in some localities." The President says that the inaction of Congress in Louisiana has, in his opinion, added to the troubles there.

He then reviews the action of McEnery and Penn's supporters in September last, in deposing Kellogg, and his (President's) action in reinstating Kellogg, and says that though the insurgents were dispersed, they have never disarmed nor abandoned their organization, and are liable to be called out at any hour to resist the State government. Under these circumstances the same military force has been continued in Louisiana as was sent under the first call, and under the same general instructions. He says, "I repeat that the task assumed by the troops is not a pleasant one to them, that the army is not composed of lawyers capable of judging at a moment's notice of just how far they can go in the maintenance of law and order, and that it is impossible to give specific instructions providing for all possible contingencies that may arise; hence the troops are bound to act upon the judgment of the commanding officers upon each sudden contingency that may arise, or to wait instructions which could only reach them after the threatened wrongs had been committed which they were called to prevent."

The President calls the attention of Congress to the fact that upon his recognition of the Kellogg government, he reported it to them, and asked action in the matter, otherwise he should regard their silence as an acquiescence in his course. No action was taken by Congress, and he has maintained the position then occupied. He concludes as follows:

"If error has been committed by the army in these matters, it has always been on the side of the preservation of good order, the maintenance of law and the protection of life, and reflects credit upon the soldiers; and if wrong has resulted the blame is with the turbulent elements surrounding them. I now earnestly ask that such action be taken by congress as to leave my duties perfectly clear in dealing with affairs in Louisiana, giving the assurance at the same time, that whatever may be done by that body in the premises, will be executed according to the spirit and letter of the law, without fear or favor. I herewith transmit copies of documents, containing more specific information as to the subject matter of the resolution.

(Signed)
"U. S. GRANT."

Our Country Contemporaries.

Ogden Junction, Jan. 11—

Mr. Jude Allen, of Call's Fort, Box Elder County, informs us by letter, dated Jan. 9th, that last Wednesday a son of James May went to the canyon for a drag of wood, taking with him a mare for the purpose of bringing down the drag. On the way home the animal became frightened and ran away, breaking her fore leg. The mare had to be killed, causing a loss of \$175 to the owner.

Nephi 9.

A sad accident occurred about 4 o'clock this p.m., which cast a gloom over our city. While one of our citizens, George Ostler, accompanied by his little daughter, aged 10 years, was riding on a wagon loaded with chaff and coming down in a hollow, the father slid off from the load and fell immediately behind the horses, one of the wheels passing over his leg and bruising it severely. The little girl, seeing her father fall, leaned over towards him and also fell off, one of the wheels passing over her shoulder. It is believed that her neck was broken in the fall, as she expired almost immediately.

Ogden Junction, Jan. 12—

Sunday evening, a little girl, seven years old, the daughter of Mr. Wm. Chappel, who resides on the bench, was sitting in a chair by the fire when she suddenly expired. The poor little girl had been suffering for some time with whooping

cough and inflammation of the lungs supervened. She was known to be in a dangerous condition, and was under medical treatment, but her sudden death took her parents and friends by surprise, and the family is plunged into the deepest grief.

Look out for a tonguey bilk. He is pleasant in manner, a great admirer of the "Mormons," has been persecuted on account of vindicating their cause, and is at present in deep distress in consequence of being burnt out, in a fire at Eastport, Maine, in which he lost the hotel he was keeping, and a little girl, with all he had in the world. He is hunting for a friend in Utah, named Donald McRae, who will care for him as soon as he can find him, and if you can only assist him to a dollar or two, he will return it without fail in a very short time. It does him good to ask of a person of such an evidently generous disposition as you, and you will be blest in assisting him. So speaks Mr. Starr, or Hunt, or what ever name he chooses to assume. He will tell you a bogus story of how he detected Ann Eliza in certain bad tricks, and his eyes will water while he strokes his big brown beard and tries to stay all night with you, or borrow a little money. Look out for him, he is a bilk of the first water.

Snowslides in Cottonwood—Four Men Killed and Others Injured.

Editor Deseret News—

ALTA CITY, Jan. 12. 5.25 p. m. A snowslide occurred on Honeycomb Gulch at two o'clock yesterday, carrying away the Annie tunnel house and killed four men, James Renfrey, James Glasson, John Trenberth and John Cox. Two men in the tunnel escaped and went to Silver Springs. A force of men from Antelope and Prince of Wales mine has gone to recover the bodies.

At three o'clock to-day a slide occurred, demolishing the Vallejo boarding and ore houses; also two sections of tramway, and burying the men in the tunnel, who were dug out. Two were slightly injured; Jackson, colored cook, is missing and supposed to be killed. One of the slides passed over the South Star and Titus buildings, slightly damaging them.

A Great Misfortune.

It is a great misfortune that United States bayonets have again appeared in Louisiana political affairs. It is every way matter for serious regret that these bayonets have entered the halls of legislation and been employed to change the course of political action therein. Unless there is clear proof furnished that such action was absolutely necessary the proceeding may be classed among those blunders that are worse than crimes. Even if that proof is promptly furnished, the odium of military interference with the proceedings of a State Legislature will remain, and will do incalculable mischief to the political party in whose interests the interference was presumed to be made. The entry of General De Trobriand in the Louisiana House of Representatives, and his proceedings when there, have too much resemblance to the sudden appearance of Cromwell in the Long Parliament. A representation on canvass of the scene, even with a full explanation of the causes appended, would be a picture few believers in popular government would like to see displayed for public consideration. * * We are to have a revival of the old situation when two rival legislatures were sitting at the same time, and United States cannon prevented the contending factions flying at each other's throats.

"Thus bad begins, and worse remains behind."

—Cleveland Herald.

A paper has this advertisement: "Two sisters want washing." We fear that a billions of brothers are in the same predicament.