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# THE NEW-ORLEANS RIOT.

## ITS OFFICIAL HISTORY.

"It was no Riot—It was an Absolute Massacre  
by the Police—A Murder Perpetrated  
by the Mayor."

### THE DISPATCHES OF GENS. SHERIDAN, GRANT, AND BAIRD— THE PRESIDENT ANSWERED.

WASHINGTON, Friday, Aug. 24, 1866.

The following is the official correspondence  
relating to the New-Orleans riots.

*Office United States Military Telegraph, }  
Hdqrs. War Department. }*

The following telegram was received at 9.25  
p. m., July 27, 1866:

New Orleans, La., July 27, 1866.

His Excellency PRESIDENT JOHNSON.

Sir: Gov. Wells has, in compliance with the  
proclamation of R. K. Howell, President pro  
tem., signed writs of election to fill the vacan-  
cies in the Convention, and forward the same to  
the office of the Secretary of State.

ALBERT VOORHIES,  
Lieut.-Governor of Louisiana.  
ANDREW J. HERRON,  
Attorney-General of Louisiana.

*Office United States Military Telegraph, }  
Hdqrs. War Department. }*

The following telegram, received 2 p. m., July  
28, 1866, from New Orleans, July 28, 1866.

PRESIDENT JOHNSON: Radical mass meeting  
composed mainly of large numbers of negroes  
last night ending in a riot. The Committee of  
Arrangements of said meeting assembling to-  
night, violent and incendiary speeches made, ne-  
groes called to arm themselves. You bitterly  
denounced; speakers—Field, Dostie, Hawkins,  
Henderson, Heir, Ward, and others. Gov. Wells

arrived last night, but sides with the Conven-  
tion. Move the whole matter before Grand  
Jury, but impossible to execute civil process  
without certainty of riot. Contemplated to  
have the members of the Convention under pro-  
cess from the criminal court of this district. Is  
the military to interfere to prevent process of  
court?

ALBERT VOORHIES,  
Lieut.-Gov. La.  
ANDREW J. HERRON,  
Attorney-Gen. La.

[Telegram.]

*Executive Mansion, }  
Washington, D. C., July 28, 1866. }*

To ALBERT VOORHIES, Lieut.-Gov. of Louisiana,  
New Orleans, La.

The military will be expected to sustain  
and not to obstruct or interfere with the pro-  
ceedings of the Court. A dispatch on the sub-  
ject of the Convention was sent to Gov. Wells  
this morning.

ANDREW JOHNSON.

[Telegram.]

*Executive Mansion, }  
Washington, D. C., July 28, 1866. }*

To His Excellency Gov. WELLS, New Orleans,  
La.

I have been advised that you have issued a

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*Daniel Murray  
Library of Congress*

proclamation convening the Convention elected in 1864. Please inform me under and by what authority this has been done, and by what authority this Convention can assume to represent the whole people of the State of Louisiana.

ANDREW JOHNSON.

*Office United States Military Telegraph, }  
Hdgrs. War Department. }*

The following telegram, received 8.30 p. m., July 28, 1866, from New Orleans, July 28, 1866:

PRESIDENT JOHNSON: Your telegram received. I have not issued a proclamation convening the Convention of 1864. This was done by the President of that body, by virtue of a resolution adjourning the Convention subject to his order, and in that case also authorizing him to call on the proper officers to issue writs of election in unrepresented parishes. My proclamation is in response to that call, ordering an election on the 3d of September. As soon as the vacancies can be ascertained, an election will be held to fill them, when the entire State will be represented.

Your obedient servant,

J. MADISON WELLS,  
Governor of Louisiana.

*Office U. S. Military Telegraph, }  
Hdgrs. War Department. }*

The following telegram, received 10.20 p. m., July 28, 1866, from New Orleans, La., July 28, 1866:

Hon. EDWIN M. STANTON, Secretary of War.

A Convention has been called, with the sanction of Gov. Wells, to meet here on Monday. The Lieutenant-Governor and city authorities think it unlawful, and propose to break it up by arresting the delegates. I have given no orders on the subject, but have warned the parties that I could not countenance or permit such action without instructions to that effect from the President. Please instruct me at once by telegraph.

A. BAIRD,  
Brevet Major-General.

*Office U. S. Military Telegraph, }  
Hdgrs. War Department. }*

The following telegram, received 4.40 p. m., July 30, 1866, from New Orleans, July 30, 1866:  
To the President of the United States.

We are in the midst of a terrible riot, caused by the assembling of the Convention. Owing to the mixed condition of affairs among the State officers, I see no hope of quiet without you give us a Military Governor. Cannot Gen. Granger be sent here?

F. J. HERRON,  
Late Major-Gen. U. S. A.

*Executive Mansion, }  
Washington, D. C., July 30, 1866. }*  
[Telegram.]

To ANDREW J. HERRON, Attorney-Gen. Louisiana, New Orleans.

You will call on Gen. Sheridan, or whomever may be in command, for sufficient force to sustain the civil authority in suppressing all illegal or unlawful assemblies who usurp or assume to exercise any power or authority without first having obtained the consent of the people of the State. If there is to be a Convention, let it be composed of delegates chosen fresh from the people of the whole State. The people must be first consulted in reference to changing the organic law of the State. Usurping will not be tolerated. The law and the Constitution must be sustained, and thereby peace and order.

ANDREW JOHNSON.

(Copy.)

*Office United States Military Telegraph, }  
Hdgrs. War Department. }*

The following telegram was received at 4.45 p. m., July 30, 1866, from New Orleans July 30, 1866:

To His Excellency PRESIDENT JOHNSON.

Convention met. A riot broke out in the city. So far the police have the upper hand. Several white and colored persons killed. Called on Gen. Baird for assistance, which is cheerfully tendered. Intense excitement. Convention broken up.

ALBERT VOORHIES,  
Lieut.-Gov. Louisiana.

*Office U. S. Military Telegraph, }  
Hdgrs. War Department. }*

The following telegram, received 12.45 p. m., July 31, 1866, from New Orleans, La., July 30, 9 p. m., 1866:

To Secretary of War.

A serious riot has occurred here to-day. I have been in full consultation with the city authorities, and have kept my troops well in hand for such an emergency. The riot commenced unexpectedly, and before the troops could reach the scene of action a number of persons were killed and wounded. I have felt compelled to declare martial law, and have appointed a Military Governor of the city. All is quiet now. Several prominent gentlemen connected with the Convention are killed or wounded.

A. BAIRD,  
Brevet Major-General.

*Headquarters, Department of Louisiana, }  
New Orleans, La., July 30th, 1866. }*

To the Hon. EDWIN M. STANTON, Secretary of War, Washington, D. C.

Sir:

I have the honor to inform you that a very



serious riot has occurred here to-day. I had not been applied to by the Convention for protection, but the Lieutenant-Governor and Mayor had freely consulted with me, and I was so fully convinced that it was so strongly the intent of the city authorities to preserve the peace in order to prevent military interference, that I did not regard an outbreak as a thing to be apprehended.

The Lieutenant-Governor had assured me that even if a writ of arrest was issued by the court, the Sheriff would not attempt to serve it without my permission, and for to-day they designed to suspend it. I ordered a steamer to be at Jackson Barracks, three miles below the city, at an early hour in the morning, and a tug to be ready to bear orders to the commanding officer of the First Infantry, stationed at that point.

At 11.30 o'clock, A. M., Lieutenant-Governor Voorhies came to see me, and after conversation, he feeling confident at the time of the ability of the police to preserve order, I proposed to bring to the city four companies, an hour in advance of the proposed meeting of the Convention, at 6 o'clock P. M., to be kept near by in case they should be required to keep clear the streets in the vicinity of the hall in which the Convention was to meet. He agreed with me that it would be very desirable, but left, not apprehending difficulty.

At 12 o'clock M., I drove too see Judge Howell, President of the Convention, to request that arrangements might be made to keep any crowd that might assemble to protect the Convention out of the streets, so as to avoid an accidental collision. When I reached his house I learned that the Convention was to meet at 12 o'clock M., and that he had gone to it. Returning to my headquarters, I soon received a letter from the Lieutenant-Governor, informing me that large parties of negroes were collecting from all quarters and coming into the center of the city. Yet, he was not sure of his information. However, I at once sent for the troops.

Very soon afterward, I learned that a riot had taken place near the Convention hall, and I sent a staff officer to investigate the facts. On his return, he reported having met Judge Howell, who said the Convention had adjourned for want of a quorum, but would meet again at 11.30 P. M. This reassured me, but I again sent to hasten the arrival of the troops.

Immediately after this riot assumed a serious character, the police, aided by the citizens, became the assailants, and from the evidence I am forced to believe, exercised great brutality in making their arrests. Finally they attacked the Convention hall and a protracted struggle ensued. The people inside the hall gave up some who surrendered, and were attacked afterward and brutally treated. Quite a large number were injured; I cannot say how many—Gov. Hahn, Dr. Dostie, Mr. Fish, and perhaps others, members of the Convention, among the number. On the arrival of the troops I soon cleared the streets, and quiet was restored.

From the evidence of bad feeling on the part of the citizens, and of sympathy with them on the part of the police, I felt compelled to declare martial law in the city, and appoint a Military Governor, from which I hope, good results will flow. I inclose herewith, copies of my correspondence with the Mayor, and a dispatch which the Lieutenant-Governor claims to have received from the President. I regret that no reply to my dispatch to you of Saturday has yet reached me. Gen. Sheridan is still absent in Texas. I remain, Sir, very respectfully, your obedient servant.

A. BAIRD,  
Brevet Major-General,  
Commanding Department.

Washington, D. C., July 28, 1866.

TO ALBERT VOORHIES, Lieut.-Governor of Louisiana:

The military will be expected to sustain and not obstruct or interfere with the proceedings of the courts. A dispatch on the subject of the Convention was sent to Governor Wells this morning.

ANDREW JOHNSON.

Office United States Military Telegraph, }  
Hqdrs. War Department. }

The following telegram received 4.30 P. M., July 31, 1866, from New Orleans, dated July 31, 1866:

Hon. EDWIN M. STANTON, Secretary of War:

All is now quiet in the city, but I still have my troops under arms, and shall keep them so for some days. Nearly all unite in attributing the chief blame to the police for the troubles yesterday. Thirty-seven persons are reported as killed, all belonging to the Convention or friendly to it.

A. BAIRD,  
Major-General.

Office United States Military Telegraph, }  
Hqdrs. War Department. }

The following telegram received 8.50 P. M., July 31, 1866, from New Orleans, La., July 31, 1866:

To the ADJUTANT-GENERAL United States Army, Washington:

Comparative quiet has been restored in this city by the military, who still occupy the streets. There is, however, apprehensions of slight disturbances in the lower faubourg of the city.

In consequence of the limited force at my command, I am compelled to make use of the city police, whose conduct in the riots of yesterday is most reprehensible. There is every reason to fear the imminent peril to which the lives and property of Union men of the city will be

subjected by restoration of the reins of power to the present civil authorities of the city.

A. BAIRD,  
Major-General.

*Office United States Military Telegraph, }  
Hdqs. War Department.*

The following telegram received 11.15 P. M., July 31, 1866, from New Orleans, La., July 31, 1866 :

Major-Gen. O. O. HOWARD :

The riot has been suppressed. I have declared martial law in this city. About 40 persons have been killed and a large number wounded, nearly all being friendly to the Convention.

A. BAIRD,  
Brevet Major-General.

*Office U. S. Military Telegraph, }  
Hdqs. War Department.*

The following telegram was received at 11.15 p. m., July 31, 1866, from New Orleans, July 31, 1866 :

His Excellency PRESIDENT JOHNSON :

Your dispatch received. Gen. Baird has declared martial law in this city. The Grand Jury has indicted the members of the Convention who met yesterday as an unlawful assembly. The process for their arrest in the hands of the Sheriff is suspended by Gen. Baird until he receives direct instructions from Washington. I showed him your dispatch to me.

ANDREW J. HERRON,  
Attorney-General.

*Office U. S. Military Telegraph, }  
Hdqs. War Department.*

The following telegram received 6.15 p. m., August 1, 1866, from New Orleans, La., August 1, 1866 :

U. S. GRANT,

*General:* You are doubtless aware of the serious riot which occurred in this city on the 30th. A political body, styling itself the Convention of 1864, met on the 30th, for, as it is alleged, the purpose of remodelling the present Constitution of the State. The leaders were political agitators and revolutionary men, and the action of the Convention was liable to produce breaches of the public peace.

I had made up my mind to arrest the head men, if the proceedings of the Convention were calculated to disturb the tranquillity of the Department; but I had no case for action until they committed the overt act. In the mean time, official duty called me to Texas, and the Mayor of the city, during my absence, suppressed the Convention by the use of their police force, and in so doing attacked the members of the Convention and a party of two hundred negroes, and with fire-arms, clubs, and knives, in a man-

ner so unnecessary and atrocious as to compel me to say that it was murder. About forty whites and blacks were thus killed, and about one hundred and sixty wounded. Everything is now quiet, but I deem it best to maintain a military supremacy in the city for a few days until the affair is fully investigated. I believe the sentiment of the general community is great regret at this unnecessary cruelty, and that the police could have made any arrests they saw fit without sacrificing lives.

P. H. SHERIDAN,  
Major-General Commanding.

*Office U. S. Military Headquarters, }  
War Department.*

The following telegram received at 6.40 p. m., August 1, 1866, from New Orleans, La., August 1, 1866 :

U. S. GRANT,

*General:* You need feel no uneasiness about the condition of affairs here. I think I can arrange matters without difficulty.

P. H. SHERIDAN,  
Major-General Commanding.

*War Department, }  
Washington City, August 1, 1866.*

Major-General BAIRD, New Orleans :

Please report immediately the condition of things at New Orleans, in cypher.

EDWIN M. STANTON,  
Secretary of War.

*Office United States Military Telegraph, }  
Hdqs. War Department.*

[Cypher.]

The following telegram was received at 9 a. m., August 3, 1866, from New Orleans, La., August 2, 1866 :

To the Hon. EDWIN M. STANTON, Secretary of War :

All is quiet upon the surface, but there are still slight disturbances in some localities. The police are still afraid to go up there singly, and some Radical citizens are afraid to sleep in their houses. The proclamation of martial-law was necessary, because the police are regarded by a large portion of the community as the rioters, and were feared.

I am confident it saved many lives and great excesses. Its administration extends only to holding the city authorities and the police under the supervision of the Military Governor. It should be kept until military investigation can determine whether any of the city officers are guilty. I would then advise its withdrawal. The Governor felt compelled to ask for a military guard for his protection.

A. BAIRD,  
Brevet Major-General.



*Executive Office,* }  
Washington, August 1, 1866. }  
To Major-Gen. ABRAHAM BAIRD, Commanding  
New Orleans, La. :

You will not interpose any obstacle in the way of the civil authorities, but render whatever aid may be required by them for the preservation of public peace.

The foregoing telegram is transmitted to you by order of the President. You will acknowledge its receipt.

E. D. TOWNSEND,  
Assistant Adjutant-General.

*War Department, Adjutant-General's Office,* }  
Washington, August 14, 1866. }  
Received 6 p. m.—[Cipher.]

*Office United States Mil. Telegraph,* }  
*Headquarters War Department.* }

The following telegram received 9.20 a. m., August 3, 1866, from New Orleans, La., August 2, 1866:

To Brevet Major-Gen. E. D. TOWNSEND, Assistant Adjutant General:

Your dispatch received. No obstacle will be imposed in the way of the civil authorities.

A. BAIRD,  
Brevet Major-Gen.

[Telegram.]

*Executive Office,* }  
Washington, August 1, 1866. }  
To ALBERT VOORHIES, Lieut.-Governor, or ANDREW J. HERRON, Attorney-General, New Orleans:

Were the civil authorities, State or Federal, conferred with by Gen. Baird before he declared martial law? Could not the civil authorities, State or Federal, enforce the law and preserve order with the aid of the military, without the aid of martial law? I hope that order has been restored and the riot not as disastrous as represented. Please show this dispatch to Gen. Baird. The foregoing telegram is transmitted to you by order of the President. You will please acknowledge its receipt.

E. D. TOWNSEND,  
Assistant Adjutant General,  
*War Department, Adjutant-General's Office,*  
Washington, August 1, 1866.  
Received 6.10 p. m.; sent 6.50 p. m.

*Office U. S. Military Telegraph,* }  
*Hdqs. War Department.* }

The following telegram, received 3.40 p. m., August 2, 1866, from New Orleans, La., August 2, 1866:

Brevet Major-Gen. E. D. TOWNSEND, Acting Assistant Adjutant-General, Washington, D. C.:

Dispatch received. Civil authorities were not

to our knowledge conferred with by Gen. Baird as to propriety of declaring martial law. Civil authorities could easily enforce the law and preserve order, with the aid of the military. Martial law wholly unnecessary. Order fully restored before arrival of troops. The rioting at most entirely confined to immediate vicinity of Mechanics' Institute, and *suppressed by the Police in less than two hours, and before the arrival of the troops.* Left copy of your dispatch at Gen. Baird's headquarters.

ALBERT VOORHIES,  
Lieut.-Governor.  
ANDREW J. HERRON,  
Attorney-General.

The following telegram, received 6 p. m., August 2, 1866, from New Orleans, La., August 2, 1866:

*Office United States Military Telegraph,* }  
*Hdqs. War Department.* }

[Cipher.]

U. S. GRANT, General, Washington, D. C.:

The more information I obtain of the affair of the 30th in this city the more revolting it becomes. IT WAS NO RIOT. IT WAS AN ABSOLUTE MASSACRE BY THE POLICE, WHICH WAS NOT EXCELLED IN MURDEROUS CRUELTY BY THAT OF FORT PILLOW. IT WAS A MURDER WHICH THE MAYOR AND POLICE OF THE CITY PERPETRATED WITHOUT THE SHADOW OF A NECESSITY.

Furthermore, I BELIEVE IT WAS PREMEDITATED, and every indication points to this. I recommend the removal of this bad man. I believe it would be hailed with the sincerest gratification by two-thirds of the population of the city. There has been a feeling of insecurity on the part of people here on account of this man, *which is now so much increased that the surety of life and property does not rest with the civil authority, but the military.*

P. H. SHERIDAN,  
Major-General Commanding.

*Office U. S. Military Telegraph,* }  
*Headquarters, War Department.* }

[Cipher.]

The following telegram, received 10 p. m., August 3, 1866, from New Orleans, La., August 3, 1866:

U. S. GRANT, General, Washington:

I have the honor to report quiet in this city, but considerable excitement in the public mind. There is no interference on the part of the military with the civil government, which performs all its duties without hindrance. I have permitted the retention of the Military Governor appointed during my absence, as it gives confidence and enables the military to know what is occurring in the city. He does not interfere with civil matters. *Unless good judgment is exercised, there will be an exodus of Northern capital*

and Union men which will be injurious to the city and to the whole country. I will remove the Military Governor in a day or two. I again strongly advise that some disposition be made to change the present Mayor, as I believe it would do more to restore confidence than anything that could be done. If the present Governor could be changed also it would not be amiss.

P. H. SHERIDAN,  
Major-General Commanding.

Headquarters Armies United States, }  
Washington, D. C., Aug. 3, 1866. }

Major-Gen. SHERIDAN, New Orleans, La.:

Continue to enforce martial law, so far as may be necessary to preserve the peace, and do not allow any of the civil authorities to act, if you deem such action dangerous to the public safety. Lose no time in investigating and reporting the causes that led to the riot and the facts which occurred.

U. S. GRANT,  
General.

Executive Mansion, }  
Washington, D. C., Aug. 4, 1866. }

To Major-General SHERIDAN, Commanding, &c.,  
at New Orleans:

We have been advised here that prior to the assembling of the *illegal and extinct Convention elected in 1864, inflammatory and insurrectionary speeches were made by a mob of white and colored persons, urging upon them to arm and equip themselves for the purpose of protecting and sustaining the Convention in its illegal and unauthorized proceedings intended and calculated to upturn and supersede the existing State Government of Louisiana, which had been recognized by the Government of the United States.* Further, did the mob? *Have not various individuals been assaulted and shot by persons connected with this mob, without good cause and in violation of the public peace and good order? Was not the mob assembled, and was it armed for the purpose of sustaining the Convention in its usurpation and revolutionary proceedings? Have any arms been taken from persons since the 30th ult. who were supposed or known to be connected with this mob? Have not various individuals been assaulted and shot by persons connected with this mob without good cause and in violation of the public peace and good order? Was not the assembling of this Convention and the gathering of the mob for its defense and protection a main cause of the riotous and unlawful proceedings of the civil authorities of New Orleans? Have steps been taken by the civil authorities to arrest and try any and all those who were engaged in this riot, and those who have committed offenses, in violation of law? Can ample justice be meted by the civil authorities to all offenders against the law?*

Will General Sheridan please furnish me a brief reply to above inquiries, with such other

information as he may be in possession of? Please answer by telegraph at your earliest convenience.

ANDREW JOHNSON,  
President of the United States.

Office U. S. Military Telegraph.

The following cipher telegram, received 4.30 p. m., August 6, 1866, from New Orleans, La., August 6, 12 m., 1866:

His Excellency ANDREW JOHNSON, President of the United States:

I have the honor to make the following reply to your dispatch of August 4. A very large number of colored people marched in procession on Friday night, July 27, and were addressed from the steps of the City Hall by Dr. Dostie, ex-Gov. Hahn, and others.

The speech of Dostie was intemperate in language and sentiment. The speeches of the others, as far as I can learn, were characterized by moderation. I have not given you the words of Dostie's speech, as the version published was denied; but from what I have learned of the man, I believe they were intemperate. The Convention assembled at 12 m., on the 30th, the timid members absented themselves, because the tone of the general public was ominous of trouble.

I think there were but about 26 members present. In front of the Mechanics' Institute, when the meeting was held, there was assembled some colored men, women, and children, perhaps 18 or 20, and in the Institute a number of colored men, probably 150. Among those outside and inside there might have been a pistol in the possession of every tenth man. About 1 p. m., a procession of say from 60 to 130 colored men marched up Burgundy Street and across Canal Street, toward the Convention, carrying an American flag.

These men had about one pistol to every ten men, and canes and clubs in addition. While crossing Canal Street a row occurred. There were many spectators on the streets, and their manner and tone toward the procession unfriendly. A shot was fired, by whom I am not able to state, but believe it to have been by a policeman or some colored man in the procession; this led to other shots, and a rush after the procession.

On arrival at the front of the Institute there was some throwing of brick-bats by both sides. The police, who had been held well in hand, were vigorously marched to the scene of disorder. The procession entered the Institute with the flag, about six or eight remaining outside. A row occurred between a policeman and one of the colored men, and a shot was again fired by one of the parties, which led to an indiscriminate fire on the building through the windows by the policemen.

This had been going on for a short time, when a white flag was displayed from the window of the Institute; whereupon the firing ceased, and the police rushed into the building. From the



testimony of wounded men and others who were inside the building, *the policemen opened an indiscriminate fire upon the audience until they had emptied their revolvers, when they retired, and those inside barricaded the doors.*

The door was broken in and the firing again commenced, when many of the colored and white people either escaped through the door or were passed out by the policemen inside, but as they came out, the policemen, who formed the circle nearest the building, fired upon them, and they were again fired upon by the citizens that formed the outer circle.

Many of those wounded and taken prisoners, and others who were prisoners and not wounded, were fired upon by their captors and by citizens. The wounded men were stabbed while lying on the ground, and their heads beaten with brick-bats. In the yard of the building, whither some of the colored men had escaped and partially secreted themselves, they were fired upon and killed or wounded by policemen; some men were killed and wounded several squares from the scene. Members of the Convention were wounded by the policemen while in their hands as prisoners, some of them mortally.

The immediate cause of this terrible affair was the assembling of this Convention. The remote cause was the bitter and antagonistic feeling which has been growing in this community since the advent of the present Mayor, who, in the organization of his police force, selected many desperate men, and some of them known murderers.

People of clear views were overawed by want of confidence in the Mayor and fear of the "Thugs," many of whom he had selected for his police force. I have frequently been applied to by prominent citizens on this subject, and have heard them express fear and want of confidence in Mayor Monroe ever since the intimidation of this last Convention. I must condemn the course of several of the city papers for supporting, by their articles, the bitter feeling of a bad man. *As to the merciless manner in which the Convention was broken up, I feel obliged to confess a strong repugnance.*

IT IS USELESS TO ATTEMPT TO DISGUISE THE HOSTILITY THAT EXISTS ON THE PART OF A GREAT MANY HERE TOWARD NORTHERN MEN; AND THIS UNFORTUNATE AFFAIR HAS SO PRECIPITATED MATTERS THAT THERE IS NOW A TEST OF WHAT SHALL BE THE STATUS OF NORTHERN MEN—WHETHER THEY CAN LIVE HERE WITHOUT BEING IN CONSTANT DREAD OR NOT; WHETHER THEY CAN BE PROTECTED IN LIFE AND PROPERTY, AND HAVE JUSTICE IN THE COURTS.

If the matter is permitted to pass over without a thorough and determined prosecution of those engaged in it, *we may look for frequent scenes of the same kind, not only here but in other places.*

No steps have, as yet, been taken by the civil authorities to arrest citizens who were engaged in this massacre, or policemen who perpetrated such cruelties. The members of the Convention have been indicted by the Grand Jury, and

many of them arrested and held to bail. As to whether the civil authorities can mete out ample justice to the guilty parties on both sides, I must say it is my opinion, unequivocally, that they cannot. Judge Abell, whose course I have closely watched for nearly a year, I now consider one of the most dangerous men that we have here to peace and quiet of the city.

The leading men of the Convention, King, Cutler, Hahn, and others, have been political agitators and are bad men. I regret to say that the course of Gov. Wells has been vacillating, and that, during the late trouble, he has shown very little of the man.

P. H. SHERIDAN,  
Major-General Commanding.

Office U. S. Military Telegraph, }  
Hdqs. War Department. }  
[Cipher.]

The following telegram, received at 4.10 p. m., Aug. 7, 1866, from New-Orleans, Aug. 6, 1866:  
U. S. GRANT, General:

I have the honor to report a rapid change for the better, throughout the city. There was much excitement on Sunday and Monday, in consequence of an unfounded rumor that there would be a collision between the whites and blacks yesterday. There was no good reason to expect such an event, however.

P. H. SHERIDAN,  
Major-General.

War Department, }  
Washington, D. C., Aug. 7, 1866. }

[Telegram.]

To Major-Gen. P. H. SHERIDAN, Commanding,  
etc., New Orleans, La.

The President directs me to acknowledge your telegram of the 6th inst., in answer to his inquiries of the 4th inst. On the 3d inst. instructions were sent you by Gen. Grant, in conformity with the President's directions, authorizing you to continue to enforce martial law so far as might be necessary to preserve the public peace, and ordering you not to allow any of the said authorities to act if you deem such action dangerous to the public safety, and also that no time be lost in investigating the causes that led to the riot and the facts which occurred.

By these instructions the President designed to vest in you, as the chief military commander, a full authority for the maintenance of the public peace and safety, and he does not see that anything more is needed pending the investigation with which you are intrusted; but if, in your judgment, your powers are inadequate to preserve the peace until the facts connected with the riot are ascertained, you will please report to this Department, for the information of the President.

EDWIN M. STANTON,  
Secretary of War.



## WHO IS TO BLAME FOR THE GARBLED DISPATCHES!

[Special Dispatch to the N. Y. Tribune.]

WASHINGTON, Aug. 30, 1866.

The following dispatch from the Tribune Bureau of New Orleans, has just been received at The Tribune Bureau here:

New Orleans, La., Aug. 30, 1866.—It may yet appear officially that Gen. Sheridan's dispatches have been further tampered with at Washington. The following important telegram to Gen. Grant has been for some reason omitted in the pretended publication of all the correspondence. Investigation may prove the suppression of the dispatch:

Headquarters Military Division of the Gulf. }  
Aug. 13, 1866. }

Gen. U. S. GRANT, Washington, D. C. :

The Military Board, called by Gen. Baird to investigate the occurrences in this city of July 13, is progressing as rapidly as possible. I see in the papers, by reports of an official character here, that an attempt was made to cast blame on the military for not being present on the 13th ult. There could have been no object in its being present, except to prevent the police from perpetrating a revolting massacre. Its absence, for this reason, I regret. From accounts of my own scouts, who saw the affair from first to last, from my own officers, from disinterested and faithful persons, I believe that at least nine-tenths of the casualties were perpetrated by the police and citizens by stabbing and smashing in the heads of many who had been already wounded or killed by policemen.

P. SHERIDAN,  
Major-General Commanding.

### THE GUILTY PARTY.

The personal friends of General Grant here indignantly deny the charge in *The New York Times* of to-day, that their Washington correspondent sent to *The Times* the garbled dispatch of Gen. Sheridan to Gen. Grant just as he, the correspondent, received it from Gen. Grant. The aforesaid dispatch was not received from Gen. Grant by *The Times* correspondent. Gen. Grant, after receiving the dispatch from Gen. Sheridan, took it immediately to the President, and that is the last he saw of it. *The Times* correspondent got the dispatch from the President, he being the only correspondent here who is admitted into the ring of the White House. All here agree that the dispatch was garbled at the White House. When the dispatch in its garbled form first appeared in *The Times*, Gen. Grant was heard to say by persons here, that an important sentence had been left out in the dispatch as printed in *The Times*. This, together with the dispatch of Gen. Sheridan to Gen. Grant, dated New Orleans, Aug 13, 1866, and which was

omitted by the President in the regular publication of the official correspondence, puts the President in a still worse predicament.

Extract from the Proceedings of a Special Meeting of the State Central Executive Committee of the Republican Party of Louisiana, August 8, 1866.

Whereas, On the 30th day of July, 1866, at New Orleans, La., an organized band of assassins did maliciously and brutally murder a large number of unarmed and unsuspecting Union citizens; and, whereas, in our opinion the same spirit which caused the late Rebellion against the Government of the United States animated the perpetrators of the atrocious murders of July 30; and, whereas, under circumstances equally favorable, other murders and outrages may be repeated from the same assassins; therefore,

Resolved, In the name of the loyal people of Louisiana, that we respectfully ask the Commander-in-Chief of the Army and Navy of the United States to maintain martial law over the city of New Orleans, at least until the authors and aiders and abettors of the late massacre shall have been brought to such punishment as will secure the observance of law and order, and protect the lives of the Union citizens of New Orleans.

Resolved, That a copy of the above preamble and resolution, which was unanimously adopted, be forwarded to Andrew Johnson, Commander-in-Chief of the Army and Navy of the United States.

### THE NEW ORLEANS MASSACRE.

It is not often we have as sad a story as that told in *THE TRIBUNE* this morning. A company of American citizens, holding representative positions in Louisiana, members of a Convention elected in 1864 by the loyal people of that State, legally assembling in pursuance of a call of the Governor, are besieged by a mob and some of them massacred. A riot in New Orleans is not an unusual occurrence. Now it is not a riot, but the uprising of the Rebel population against loyal citizens of the United States, engaged in the performance of loyal duties.

The accounts we have are mainly from Rebel sources—the agent of the Associated Press in New Orleans having been, we are informed, formerly a soldier in the Rebel army. His statements show his full sympathy with the rioters. We are told that the outbreak was occasioned by an assault of a negro upon a white man—a white man having been pushed along the sidewalk and tripped up during a procession! Considering how men are frequently pushed and tripped up whenever a militia regiment parades on Broadway, we can imagine the extent of the provocation necessary to excite Rebel malignity. The action of Mayor Monroe is more intelligible. We see him seriously proposing to arrest the



members of the Convention for daring to come together at the call of the Governor. Then he issues a proclamation which reads to us like an incentive to riot. He begins by speaking of the Convention as the Extinction Convention of 1864, and specially calls upon the young men to keep quiet and not molest said Convention, for he is satisfied by "recent dispatches from Washington, that the deliberations of the members thereof will receive no countenance from the President, and that he will sustain the agents of the present civil governments and vindicate its laws and acts to the satisfaction of the good people of the State." In other words, every Rebel in New Orleans is told by a Rebel Mayor that the President of the United States is in sympathy with him; that the members of the Convention are outlaws and not under Executive protection, and that whatever the rebels might do to vindicate the "Reconstruction Policy," would meet the President's approbation. Still, do nothing scandalous! Gen. Baird's patriotic determination was promptly overruled by a dispatch from the President, Edwin M. Stanton being Secretary of War. Every Rebel saw that the Mayor was sustained, and that the President was the Rebel's friend.

Read the dreadful story! The Convention meets. There are no soldiers in the assembly. The police—Rebel soldiers many of them—are "exemplary," and try to prevent "lynching and mobbing." One prominent member—a citizen of many years' standing—is dragged to jail. The President and members are gradually arrested and imprisoned. A procession of negroes approach. "Some whites" endeavor to "disperse" them, but are "repulsed." Shots are fired. "Three negroes are killed on Dryades-st., and two on Common-st." The Rebel mob surrounds the hall where the members are in session. A regular siege begins. "Every visible head in the building is fired upon." "Dr. A. P. Dostie and John Henderson, Jr., are brought out of the building dead, and carried off in carts." The first was an eminent physician, the second a well-known lawyer of New Orleans, conspicuous for their loyalty during the dark days of rebellion. They were carried off in carts, and it is doubtful if "many have gotten out of the hall alive." All this time Andrew Johnson President, and Edwin M. Stanton Secretary of War!

We are telling this story as it is told by Rebels. We can make but one comment. For all the blood shed in New Orleans we hold the Executive power responsible. The President knew the temper of these men. He had but to recall a very few years of his own history to find himself flying before a mob like that which murdered A. P. Dostie and his loyal associates. These rioters were precisely the manner of men that President Johnson claimed to be. They were loyal like him. They opposed Secession as he opposed it. They dared social ostracism and Rebel vengeance, not from the safe distance of

Washington—nor as the armed commanders of armies—but as plain citizens devoted to the flag. It was to reward such men as the murdered Dostie that we took the outlawed loyalist, Andrew Johnson, from the dust, and stamped him with a diadem. And in return we have our brothers and friends—more than brothers, indeed, by reason of their devotion during the War—butchered by a Rebel mob, in broad noon, with a Rebel Mayor inspiring the massacre, Rebel soldiers acting as "police," and Union soldiers, under Union officers, compelled to stand silent, by order of Andrew Johnson. The hands of the Rebels are again red with loyal blood; Rebel armies have once more begun the work of massacre, and the President of our choice, who has sworn to defend the laws and protect the people of the United States, is silent. Is it too much to say that this silence is a crime.—*From Daily Tribune, July 31.*

#### PRESIDENT JOHNSON'S RESPONSIBILITY.

If any doubt existed as to President Johnson's connection with the massacre in New Orleans, it will be removed by reading his dispatch to Attorney-General Herron of Louisiana. This dispatch, written with the knowledge that loyal citizens of the United States were dying from wounds received by a Rebel mob, assumes the full responsibility of the deed. The policy that prompted Mayor Monroe and his followers found its inspiration in Washington.

This conclusion fills us with inexpressible sadness, but we cannot resist the facts. It is a dreadful thing to arraign the President of the United States as being in any possible sympathy with the unlawful shedders of blood, but when a plain fact is to be stated the plainest words are the best. In the first place the President recognizes a usurped power to communicate his wishes. James M. Wells is the Governor of Louisiana, and the official representative of the State. To him the President should have spoken. But Gov. Wells, a duly elected governor by Rebel votes, had called this Convention together, and the President steps over the theory of State Rights, and sends his commands to an officer of his Cabinet—his Attorney-General—one Andrew J. Herron—a conspicuous Rebel in the days of treason. The President directs him to call upon Gen. Sheridan for "sufficient force to sustain the civil authorities in suppressing all illegal or unlawful assemblies." If the President really believes that States have rights, and Governors of States privileges, then his course in recognizing an officer of Gov. Wells's Cabinet as the proper authority to call out troops is a usurpation. What would have been said if Congress had requested Attorney-General Speed to call out the troops and perform the highest executive functions. Yet Mr. Speed had as much right to call out the troops of the United States as Mr.



Herron has to take command of the troops in Louisiana.

This is a small point in our argument, but it shows the tendency of the President. His dispatch recognizes a usurpation, and proceeds to defend the massacre. All "unlawful assemblies" must be suppressed. Well, this particular assembly was suppressed—and very effectually—for its leaders were murdered, and those who escaped murder are either lying in the prison or the hospital. According to the President, this Convention had not "obtained the consent of the people of the State." If it at all entered into our argument we might ask him what right had the President to determine this fact? Gov. Wells thought the Convention was legal, and, as he is Governor, what right has President Johnson with it? Who gives the President of the United States the power to traverse the decision of a State Executive, or to decide upon the competency of a State Convention? Would he be authorized in sending a dispatch to Gen. Barlow declaring the New York Legislature to be unlawful, and calling upon Gen. Hooker to disperse its members? According to the President's own theory—the theory that Louisiana is a sovereign State and her officers competent to govern it—he is guilty of the most flagrant assumption of executive power.

We pass beyond this theory, or indeed any theory of Presidential prerogative. The facts are that certain Union men—conspicuous for their loyalty during years of war—have been murdered by Rebels, who were conspicuous for treason in years of war. The men who did the deed are enabled to show warrant for their crime from the President of the United States.—When Gov. Brownlow asked for troops to compel the obedience of Executive commands, and to protect the Legislature in its legislative power, he was petulantly refused. In Tennessee the majority was loyal, and the President threw his influence with the minority. In Louisiana the majority was Rebel, and the President not only sustained it, but placed in its hands the army of the United States. If it was right to refuse aid to Brownlow in seeing that "the law and the Constitution were sustained, and thereby peace and order," then it was wrong to refuse aid to Gov. Wells and his Convention. If that Convention was unlawful, there were remedies in the Supreme Court. We have had a dozen Fenian Conventions in the last year—all unlawful—as organizing war upon a friendly power. The President permitted them to assemble, and sent no troops to disperse them. Why make an exception of loyal men in Louisiana, who, at the very worst, and accepting as truth the charges of the President, were no more illegal than the Senate of the Fenian Brotherhood.

It is folly to use soft phrases in speaking of this appalling crime. The policy of Andrew Johnson engendered the demon fury which has shed blood in the streets of the Crescent City. His statesmanship has once more raised Rebel

flags in New Orleans. His construction of Presidential duty has led him to commit an act of direct usurpation in Louisiana. His oath to protect and defend the nation finds expression in the unavenged assassination of men whose loyalty was as conspicuous and self-denying and sorely tried as his own. All that we have gained by the war comes to this: that in Louisiana an illustrious General of the Union army is compelled to accept the orders of a notorious punished Rebel. The time has come for the people to speak—and let it be in tones so distinct and unmistakable that even Andrew Johnson will not dare to disobey the warning.—*From Daily Tribune, August 1st, 1866.*

We to-day surrender space that we can ill spare to a reprint *verbatim* of *The Times's* report of the New Orleans massacre from the pen of its witnessing correspondent. We entreat every reader to take time to thoughtfully peruse and thoroughly master this statement. It may be no fuller or clearer than others already given in these columns; but it is *The Times's*, and therefore is free from even the suspicion of partiality for the martyrs and their cause. Here is an eye-witness whom our adversaries cannot impeach, and he fixes the guilt of that awful deed on the author and upholders of "My policy" beyond question or cavil. The unchanged Rebels of New Orleans deliberately conspired to murder the leading champions of Equal Rights in their city, and they achieved their fell purpose with a demoniac ferocity and fiendishness rarely paralleled. Again we say, Read the letter of *The Times's* correspondent!

### THE LATE RIOT.

*What The Times' Eye-Witness Says of the Affair.—The Massacre Preconcerted by Rebels.*

Correspondence of The N. Y. Times.

NEW ORLEANS, LA., Tuesday, July 31, 1866.

With the origin of the riot yesterday the readers of *The Times* are well aware. The appearance of the colored procession on Canal Street, composed of about 100 freedmen, was the signal for its commencement. *Some white bystanders attempted to take away the national flag which they were carrying*, and a shot was fired. The blacks claim that the whites fired it. The whites tell a contradictory story. I have seen responsible men who were present, but they fail to give an authoritative statement about this first shot. Immediately after it was fired, however, a bright yellow boy commenced haranguing his comrades in the procession, advising them to clear the streets of the "white ————." He was arrested by an aid of the Chief-of-Police. This was the first arrest made. The procession



then moved on, and turned into Dryades Street, halting in front of the Mechanics' Institute, now used as the State Capitol, where the Convention was in session. They were met with vociferous cheers from friends of both colors. They gave their version of the disturbance above mentioned, and were greeted with remarks of approval when they claimed to have repulsed their assailants. They were encouraged to take a firm stand for their "rights," and told to arm themselves and be ready for any emergency. These things I heard myself, and for the first time I felt serious apprehensions of a riot. The merchants commenced closing their stores, and I started from the building to the telegraph office. A squad of policemen were gathered on Baronne Street, in the rear of the Institute, and soon marched toward it.

The procession disturbance had been reported to Police headquarters, where, anticipating trouble, a large reserve force was stationed. Orders were immediately issued to arrest the negroes engaged in it. Sheriff (ex-Rebel Gen.) Hayes accompanied the force to the scene of action, and found Dryades Street, in front of the Institute, thronged with freedmen and their white friends. It was useless to try to get into the building while such a crowd remained in the front of it.

In the mean time, an immense concourse of people had congregated at the junction of Dryades and Canal, and more looking toward the Capitol, some of them shouting and blaspheming terribly. The whole city was in a tremble. Such excitement as the citizens exhibited I never witnessed before. The crowd just mentioned comprised men of every grade in society, including many young in years, who were brandishing revolvers in the air, and were seemingly anxious to be led on to the destruction of the Conventioners and all of the freedmen near and in the building. A similar crowd had also assembled in Common Street, at the other end of the block in which the Institute is located. Many members of the police force were mingled with these crowds. *They soon commenced firing at the freedmen in front of the building and drove them into it.*

When the freedmen, members of the Convention, spectators, and others had been driven into the building, the police advanced to the entrance and forced their way up-stairs to the door of the Hall of the House of Representatives, where the Convention had been assembled, and into which they and the freedmen had retreated. Several different tales are told as to what followed. Certain it is that one policeman was mortally wounded in the hall, while, as he claims, he was attempting to arrest a member. It was claimed by a member, who was wounded by this policeman, that he tried to shoot, but his pistol being knocked up, the ball sped harmlessly into the air, whereupon he seized the weapon by the barrel and struck the member on the temple with the butt end. It is said that all hands in the hall

fell on their faces, and after the police had expended their shots, got up and drove them out of the room with chairs, &c. After this, R. King Cutler is said to have demanded that every armed man leave the room. Capt. Burke, formerly Union Chief-of-Police, did so, and received a slight flesh wound in the side while passing out. Another version of this assault is, that the policemen, without demanding the surrender of any one, poked their pistols through the half-open door and fired promiscuously at the crowd inside; this, while a white flag was being displayed from a cane stuck up on the speaker's platform. It is certain that so much confusion prevailed inside, that each of the stories may have some foundation, for, with the hubbub occasioned by the firing and the shouting of the 100 or more men in the hall, no one could see or hear everything, or be able to tell exactly what occurred.

The mob and the police filled the sidewalk and the stairway of the building. Shots were fired through the windows from both in and outside, and bricks, and paving stones, clubs, and other missiles were thrown from both directions. A gentleman named Fox came down stairs and was arrested; but on stating that he was merely a spectator he was released and walked across the street, where he shielded himself on a doorstep. From his position he could see inside of the building which he had just left, and he states that *only one person after him came out without being killed or badly wounded as they came down stairs with the police and the mob of rioters accompanying them.* Gov. Hahn, who is lame and walks with a crutch, was met on the stairs as he came down, and escorted out to the curbstone by two policemen. On reaching the sidewalk he was surrounded by about twenty persons who beat him on the back of the head with clubs, and he received a severe stab in the back, also a pistol shot from behind. It is probable that this shot was fired by a policeman. On reaching Canal-st. he was placed in a carriage, and under the charge of the Chief of Police was safely taken to the lock-up. He owes his life to the Chief and his squad, as they prevented him from being lynched. Fish, Henderson, Shaw, and other members were treated likewise. On reaching the foot of the stairs they were beaten by the police and the mob, and after being rendered insensible were dragged off to jail. An attempt to lynch Fisk was made on Canal St., but the police in charge of him prevented it, although they nearly killed him themselves by beating him with the butts of their pistols. *But few freedmen were arrested coming out of the building, as they were nearly all shot dead at sight.* The Rev. Mr. Horton, a clergyman from New Hampshire, now in charge of a church in this city, officiated as chaplain of this Convention. I heard his prayer at the opening in which he asked fervently that the lives of the members might be spared, and thanked God that peace had been declared in Europe, praying for the same blessing in this country. In a habit



peculiarly ministerial, one which distinctly marked him as a clergyman, he came down stairs with a white handkerchief on his cane, intending to surrender himself peaceably. He was met, knocked down, trampled upon, kicked, and beaten nearly to death, while begging for mercy. The police and their rioting friends were his assailants. Dr. Dostie, intending to surrender himself, also came down. He was shot, stabbed, and treated in the same manner as Horton, although he implored the ruffians to take him prisoner and spare his life. It is probable that both Horton and Dostie will die. These details suffice to show how the arrests were made. R. King Cutler and Judge R. K. Howell escaped without much injury, and, chancing to fall into the hands of humane policemen, were conveyed to prison almost uninjured.

*On Common, Baronne, Dryades, St. Charles, Rampart and Carondelet Sts, freedmen were murdered by the police and the mob in cold blood.*

Standing in the door of the telegraph in Carondelet, I saw about 200 men chasing one negro along the sidewalk. Six policemen were nearest to him, and in advance of his pursuers. *They emptied their revolvers into his back, and finally another one, when he was near enough to his victim to lay his hand on his shoulder, shot him in the head, and he fell dead in an alley.* Another freedman trying to escape from the Institute, was climbing over a fence, when I saw him fall from a policeman's shot. *As he struck the ground at least a dozen police and rioters surrounded him and fired their pistols into his head and breast, at the same time pounding him with clubs and canes.* The blood flowed from wounds in his scalp, covering his entire face; but they continued their brutal assault until he breathed his last, although he several times raised his feeble and wounded arms to gesticulate for the mercy his tongue could not ask for. *I saw a white man draw a stiletto and strike it into the heart of a dying negro on Common St. The blood spirted out in great red jets, staining the murderer's clothing, face and hands. He got up and displayed the gory marks as though they were proud emblems of a praiseworthy deed.* These and other incidents which I saw, suffice to show you how the freedmen were treated in a majority of cases. It is due to justice, however, to say that some of the policemen treated even the freedmen with moderation, and rescued them from death at the hands of the mob.

The police behaved, as a general rule, with extraordinary bravery and extraordinary cruelty. Probably 50 of them were wounded, several of them mortally. They were nearly all doubly armed, and used their arms with great effect and indiscriminate execution. As I have before remarked, some of them did their duty in protecting their prisoners, and all the prisoners who are now alive owe their lives to this fact. The mob would have lynched every white man in the building, and brutally murdered every

black man, had it not been for a few gallant and chivalric policemen. From what I have already said, however, you must know that some of the force were the worst rioters present. A gentleman of my acquaintance spoke to one of them in the act of killing a freedman, asking him, "Why don't you arrest him?" "Don't kill him." The reply was, "Shut your mouth, you nigger-loving —, or I'll kill you." The force seems to be a mixture of cowardly brutes and respectable men. The few officers that I have conversed with since the riot do not pretend to deny what I have here stated about them, and I am willing to affirm that I have told nothing but the truth.

I saw a colored Corporal of an artillery regiment, apparently, walking in the middle of Baronne-st., while on his right hand an infuriated crowd were chasing a freedman down the sidewalk, and on his left hand another crowd were chasing one up the sidewalk. Each crowd were firing pistols, and throwing clubs and stones at their victim. The Corporal walked in the middle of the street, in full uniform, with side arms only, as steadily and soldierly as if on drill. He had been sent on an errand by one of his officers, and was returning. It was a scene that made my heart thrill with admiration for a brave man, although he was as black as ink.

I heard a Union man in the midst of a crowd of Rebel rioters, who were pounding a negro and shouting for Jeff. Davis, swear at them and call them traitors, and every epithet of ignominy that his tongue could command. Strange to say they allowed him to escape unhurt.

An old gray-headed Irishman, member of the Convention, named Haynes, did the same thing while passing through the crowd under guard, although they had ropes ready to hang him. He defied them to do their worst and threatened them to haunt them "wid his ghost" if they harmed a hair of his head.

When Fish, the first member that I saw arrested, was passing down Canal Street, a ruffian mounted a piece of scaffolding in front of a new building and attempted to throw a rope over his head. Another one hit him in the back with a brick-bat, whereupon he turned around and defied them in language remarkable more for its abusiveness than politeness.

I saw negro draymen, and other colored men, pursuing their regular business avocations, pass through the crowd of rioters unharmed. One old colored man attracted my attention particularly. He walked through the mob on the sidewalk with a bundle under his arm and an iron bar in his hand. His chin was firmly set and his eyes looked daggers. No one dared to molest him.

The Institute is now under guard of Company A, 1st United States Colored Troops. It is a large turreted brick building, located, as I telegraphed you yesterday, on Dryades Street, between Canal and Common. Since the destruction of the Capital building at Baton Rouge, it



has been used by the officials of the State Government for offices. The main hall, in which the Convention met, was capable of holding about 700 persons, being in the second story and embracing the full extent of the structure, except a large double stairway in front. The hall was erected for the use of public meetings, and, therefore, is surrounded on all sides with low windows, which reach up nearly to the ceiling. At the rear end of the hall is an elevated platform, on which the speaker's desk is located. The furniture in the room consisted of ordinary cane-bottom arm-chairs and a few desks for secretaries. A railing, called the "bar of the house," divides the room in half, partitioning off the lobby from the space in which the members had their seats. The office of the Governor and his retinue are in the first story. Yesterday morning everything about the building was scrupulously clean. *At night it was blood-stained and smeared with clots of human gore from one end of it to the other.* The stairway, the halls, the offices, in fact every apartment shows conclusive evidence of the desperation of the mob and the cruel violence of their slaughter. *Tangled and bloody knots of hair and crisp wool show how whites and blacks died together, struggling against infuriated implacable enemies.* The sidewalk in front of the Institute and on both sides of the street along the whole block is also bespattered with blood and brains, and the fences and even the sides of some of the dwelling-houses are in the same condition. A refreshing shower, which fell this morning, washed away some of the marks; but enough remain to shock even the casual passer by. The chairs and furniture in the Hall are broken in pieces, and the window-panes are shivered and shattered from the perfect rain of bricks. The building stands now, smoking under the rays of the hot sun which has followed the rain, a monument of disgrace to the city, the State, and the country in which such scenes can be enacted.

It is asked, was the riot preconcerted? *It plainly was!* There was no regularly organized premeditated attack at any one point of time, but there was a general understanding among all of the young bloods about town that a riot would occur, and they promised each other to be present and do their "duty" when the time came. I heard, for days before the occurrence, just such talk in the hotels and restaurants, and on the streets. I did not think the speakers were in earnest, nor do I now believe that they were; but, circumstances happening just as they did, they started for the Institute, revolver in hand, on the impulse of the moment, and *the whole affair seems now to have been regularly pre-arranged.* Just before 1 o'clock, when the firing had progressed but a short time, the fire-bell rang. A man in the street cried at the top of his voice, "Now the devil is to pay." Another said, "Look out for hot work." What authority those men had for the statements I know not, nor who rung the bell. The police were partly taken off duty the night before, and were armed better

than usual. When the fire-bell rang the Fourth District force appeared, moving toward the Institute, and in a short time every available policeman in the city was on the ground. Young men deserted their business everywhere, and hurried to the scene of action. The signal intended for the police was adopted by the rioters.

The affair commenced at 12.45, and, lasting three hours, ended at 3.45. *It did not end until every negro and white man in the Institute had been either killed or wounded and captured, with the exception of three or four whites.* As there were but 100 men of both classes in the building, and about 50 wounded outside, *the total casualties will amount to 125, of whom 50 were killed or have since died of their wounds. This estimate is moderate.*

The military force was encamped at Camp Jackson, five miles from the scene of the riot, and in the morning were told to be ready for any emergency. They did not arrive until quiet had been restored, and it was only restored when there was nothing left to kill or maim. It is certain that somebody was very derelict in ordering the troops into town. Gen. Sheridan was not in town, and Gen. Baird had command. I understand that one of his staff reported everything quiet when, at the time he was making his report, the massacre had begun and progressed for a quarter of an hour. His dereliction should be investigated.

The police impressed the baggage-wagons of an express firm in this city, to carry off the dead; *one load, consisting of eight or ten bodies, had two living men at the bottom.* They were wounded, and perhaps would have died; but they had life enough left in them to struggle for air. *An eye-witness, whose name I can furnish, says that a policeman mounted the cart, and shoving his revolver down between the bodies on top, killed the poor fellows, with one shot for each.* The fiendish thirst for blood which seemed to possess some of the rioters was too brutal for even the imagination of a savage. *Their eyes gleamed with it, and rolled in their sockets; their tongues protruded from their mouths, parched and shriveled almost, and their voices grew husky from demonic yells.* I have no doubt but that some of the policemen and rioting whites were wounded by members of their own party, as some of them seemed possessed with a desire to shoot at human beings, regardless of caste, color, or sex. No females were hurt, that I know of. Houses were pilaged, but the outrages were mostly confined to the immediate vicinity of the Institute. *One man in a livery stable deliberately took up a rifle and killed a negro who ran through the door looking for a place of refuge.*

It is impossible to give you any more details than I have without going beyond the limits of my desire to furnish only authoritative statements. *I saw, with my own eyes, almost everything that I have described, and have responsible witnesses for all the rest. I have not accepted any rumors; but as I was fortunately "on the spot," I am able to give you the facts.* E. P. B.



### JUDGE HOWELL'S STATEMENT.

#### *To the Loyal People of the Country:*

By virtue of a military order, the people of Louisiana were called upon, in 1864, to elect delegates to a Convention to revise and amend the Constitution of the State, so as to conform to the Constitution of the United States, and restore Louisiana to the Union. This Convention was to consist of 150 members, but only 93 or 96 were voted for, as, at the time, a large portion of the territory of the State was in the possession of the rebels, in which no such election could be held. Some who were elected never attended. The Convention assembled in New Orleans on the 6th of April, 1864, organized, fixed 76 as a quorum, proceeded to work, and adjourned on the 25th of July following, after adopting the following resolutions:

"*Resolved*, That when this Convention adjourn, it shall be at the call of the President, whose duty it shall be to reconvoke the Convention for any cause, or in case the Constitution should not be ratified, for the purpose of taking such measures as may be necessary for the formation of a civil government for the State of Louisiana. He shall also, in that case, call upon the proper officers of the State to cause elections to be held to fill any vacancies that may exist in the Convention, in parishes where the same may be practicable.

"*Resolved*, That in case of the ratification of the Constitution, it shall be in the power of the Legislature of the State, at its first session, to reconvoke the Convention, in like manner, in case it should be deemed expedient or necessary, for the purpose of making amendments or additions to the Constitution that may, in the opinion of the Legislature, require a reassembling of the Convention, or in case of the occurrence of any emergency requiring its action.

"*Resolved*, That no *per diem* of members shall be allowed during the adjournment."

It will be observed that the first resolution provides generally for reconvoking the Convention by the President for *any cause*, and also, by using a disjunctive conjunction, in case the Constitution should not be ratified; and that the second resolution authorizes the Legislature, at its first session after the ratification of the Constitution, to reconvoke the Convention. Thus, clearly and wisely contemplating its reassembling although the Constitution be ratified.

The second resolution not being inconsistent with, did not supersede the authority conferred by the first, and no limit as to time is fixed for the reassembling, except at the call of the Legislature, which could be done only at its first session under the Constitution. This action is *unusual*, but not wholly without precedent or parallel. A constitutional convention was assembled in Missouri during the war, which continued its existence and work from time to time, subject to call, for at least two years. The convention in North Carolina, called by President Johnson's Provisional Governor, continued its existence and powers for a considerable time by adjournments. The one in which Mississippi, created under a Provisional Governor, also continued its existence for six months after its adjournment. It could as well have made the time indefinite, limited only by the admission of the State into the Union, after which event the normal State

condition would be established, and the usual forms of State action become possible and regular.

All this rested upon the fact that these attempts to establish civil governments in the insurrectionary States were necessarily attended with irregularities growing out of a state of civil war.

Nothing, in regard to government, has been regular or usual in the Southern States since the presidential election in 1860, which was followed by a total subversion of all the State Governments by reckless conspirators and a four years' war to subvert the National Government; and it is very difficult to conceive any mode of restoration which would be free from most glaring irregularities, when tested by our former experience in State and National functions. Charges of irregularities, revolution, and conspiracy come with a bad grace from those who inaugurated the troubles and confusion which have convulsed and well-nigh destroyed our nation. Those who are now making all the noise are the authors of all the trouble, all the sad results. They should recollect the deception, fraud, and violence used by them in effecting secession, and the hundreds of thousands of lives and millions of property destroyed, for which they are justly held responsible by an impartial world.

The government thus established in Louisiana, and *not yet recognized as in harmony with the General Government*, was conducted by loyal men, until the summer and fall of 1865, when, after the collapse of the rebellion, the policy adopted by President Johnson caused another revolution, which resulted in placing each branch of the government, *so far as it could then be done*, in the hands of the "returned rebels." A system of social, business, and political proscription and terrorism severely enforced by them, the secret Confederate organizations, the un concealed hostility to the Union, and the prospect of restoration thus delayed, forced the loyal people to look around for some relief and a mode of getting the State into the Union. The unfortunate split between Congress and the President shut off all immediate hope in that direction from the General Government.

The plan of reassembling the Convention was frequently discussed, and, in April last, began to command attention and approval. President Johnson was then informed of the proposition, and has since been frequently spoken to in relation to it. Members of Congress were consulted. The President of the body addressed a telegram, in June last, to the Chairman of the Reconstruction Committee, asserting, in direct words, his power and right to reconvoke the Convention, and asking if Congress would act in a certain manner upon certain contingencies. Not receiving a reply, he declined to call the Convention, for reasons which did not deny its right to reassemble.

At a meeting, on the 26th of June, of forty of the members convened at the instance of the



Governor of the State, the undersigned member was chosen to act for them in reconvening the body. This raised a *question of form*, to be decided only by the members themselves, in case they should answer the call. That they never entertained, for a moment, the insane idea of usurping or overturning the powers of government is shown by all their proceedings and the objects in view, as publicly avowed in the proclamation of the 7th of July, by the President *pro tem.*, which declares that, "by the wise, just, and patriotic policy developed by the Congress now in session, it is essential that the organic law of the State of Louisiana should be revised and amended, so as to form a civil government in harmony with the General Government, establish impartial justice, insure domestic tranquility, secure the blessings of liberty to all citizens alike, and restore the State to a proper and permanent position in the great Union of States, with ample guarantees against any future disturbance of that Union."

Believing that the Convention existed and had the right to reassemble, they contemplated doing nothing more than other constitutional conventions had done or could rightfully do, as representatives of the people. Their former course in submitting their work to the people, is a guarantee that they would again do so; but my position enabled me to know that such was their determination and that, following the example of the Convention of 1845, they would submit it to all who are now legal voters and also those to whom the right of suffrage would be extended by their action.

But the Convention had first to assemble and reorganize, before it could do any work. To do this, it was necessary that the Governor and people should take some part. It was officially known how many parishes were not represented in consequence of rebel occupation in 1864. To have these duly represented, the Governor was called upon to order the requisite elections. Owing to his temporary absence from the city, his proclamation for that purpose was not published until three days before the day of assembling. This meeting, in advance of the elections, was necessary in order to ascertain what vacancies, by death or otherwise, had occurred in the body since the adjournment under the above resolutions, and give official notice thereof to the Governor, who was to issue *special writs*, on shorter notice to the voters, so as to have all the elections about the same time, and the Convention would then adjourn until after the elections, when the whole State would thus be represented, and the Convention be authoritatively recognized by the people, if any such recognition were necessary.

That the existence of the Convention and the necessity for its reassembling were admitted and sanctioned by the Governor, I need only refer to his election proclamation of the 27th of July last, and his able, calm address of the 7th inst. That the Union sentiments of the State favored and demanded the movement, I had satisfactory evidence in the constant encouragement I received

from Union men in every station of life. Many who had opposed "equal suffrage," now expressed the opinion that it is the only solution of the question, and there seemed to be a conviction among all, that the reassembling of this Convention presented the last and only hope of deliverance from existing troubles, and of the restoration of the State on just and true republican principles, with the rights of all citizens alike recognized and securely protected.

It is, of course, impossible to say with certainty, what would be the precise action of a body of one hundred and fifty members thus chosen; but the secessionists now in office seemed to apprehend that it would necessarily result in their displacement, and hence their predetermined, violent resistance, which being directed against the authority of the Chief Executive, may well be termed rebellion. Whatever the result, it would have flown from the will of the whole loyal people, and not from any usurpation on the part of the Convention, whose action would have been no more revolutionary than that of any other constitutional convention.

The loyal people of the State are the proper arbiters in this case, and the friends of the movement had no apprehension as to their decision in maintaining the Convention and true principles of republican government.

It was this spirit of resistance and intolerance, exhibited in originating and prosecuting the late rebellion against the United States, rekindled by the policy of the President and inflamed by an incendiary press and the dread of seeing justice to an oppressed people established, that produced the fearful massacre of July 30, 1866.

The members of the Convention well knew that violence could result only in the defeat of their objects, and hence could have had no part in provoking or inviting it. Any attempt to connect the Convention with, or hold it responsible for language *alleged* to have been uttered by one or two individuals at a mass meeting, prior to its assembling, will be pronounced vain and preposterous by all reflecting persons. Not having attended, I cannot decide, if it were important, between the conflicting reports of the character of the two speeches referred to at said meeting.

So far as my knowledge extends, the members did not, on the morning of July 30, "expect, and they were not prepared for any violent disturbance of the Convention." They relied upon the proper authorities to preserve peace and order. They had learned that a Grand Jury, in session on that day for the purpose, might, under the charge of the Judge, indict them as an "unlawful assembly," and that the Sheriff might arrest them; and it was understood among them that, although there was no law against such assemblies, they would quietly submit to any attempted arrest, however unwarranted by law, give bail and proceed in their efforts to obtain a quorum. They were not aware of the agreement which three prominent officials say they had already made with Gen. Baird in regard to the arrest. It is well here to



state the fact, that the Grand Jury did not find "a true bill" against any of the members until after the adjournment on the 30th of July and after the police and mob had begun their work of death. The Jury did not receive a list of those present until after the adjournment.

A few minutes past 12 o'clock the meeting was called to order; prayer was offered by the Rev. J. W. Horton; the roll was called amid perfect quiet, and, only twenty-five answering to their names, a motion to adjourn for an hour was adopted, to procure the attendance of many who were known to be in the city. It was expected that several days might be occupied in obtaining a quorum.

When the scenes of violence and bloodshed were commenced in the streets, about 1 o'clock, the meeting had adjourned and nearly one-half of those who answered to the roll-call had gone out of the room. Upon hearing the pistol shooting outside, I went down stairs to the Governor's office, in the same building, to consult with him as to the necessity and means of preventing or stopping the trouble; but not finding him, and seeing the attack then made by the police on the building, I remained with several other gentlemen, in the Governor's parlor, expecting every moment the doors to be burst open and all of us murdered. Providentially the minds of the mob were not directed to that room, and after the military seemed to have control, I quietly walked out (about 5 p. m.), through the private Secretary's office, and a policeman standing at the front door of the building declared me to be his prisoner, and calling another to his assistance, conducted me to the lock-up, amid their rejoicings over the number who had been killed and wounded (mentioning my name among the latter). \*

I did not request the military to protect the Convention, because I did not think it necessary. I could not realize the necessity nor probability of such a disturbance. Those composing the Convention had an undoubted right to meet as they did, and they could be properly disturbed in the exercise of that right only when they abused it by doing something in violation of law or public order. The simple act of assembling was no offense, and certainly no excuse nor warrant for their murder. Up to the time of the attack, these present had done absolutely nothing, except to answer to their names, direct the absent members to be sent for (which by the rules any ten could do), and adjourn.

Surely 25 men, one-sixth of a yet unassembled Convention, meeting publicly in the Capitol building, could do very little toward overturning the government of the great State of Louisiana, and it is wonderful how much terror they created among the recent destroyers of the State and National Governments!

Had they not been so savagely and summarily

"dispersed," there is reason to believe that a quorum might have been obtained, that the elections would have taken place, and the "National Democracy" taken part therein, and that the Convention, after having its numbers completed, would have performed its work (including, probably, the adoption of "equal suffrage"), and submitted it to the people for ratification; which would have been followed by the admission of Louisiana as a loyal State into the Union.

It was to prevent this that the massacre of that day was perpetrated by the opponents of the Convention and the Union.

But if the "assembly" had not attained the proportions and authority of a Constitutional Convention, it could have done no harm, nor endangered the public peace. Gen. Baird, in his admirable and unanswerable letter to the Mayor, presents the whole question in one sentence: "If the assemblage in question has the legal right to remodel the State Government, it should be protected in doing so; if it has not, then its labors must be looked upon as a harmless pleasantry to which no one ought to object."

Even if it was "an unlawful assembly," there was no excuse, no palliation for the course adopted for its suppression, and the *official maiming and massacre* of its members and perhaps hundreds of its friends or supposed friends. There is no proof yet that one of the assailing party was killed.\*

The members were perfectly willing to submit the legal question to any *proper tribunal*. They, in advance, appealed to the Governor and the people, without whose co-operation they knew they could do nothing. They did not expect, however, to be condemned and executed without a hearing.

As to the reassembling of the Convention, about which I am so frequently questioned by Union men, I must say that I consider the telegram of President Johnson to the State Attorney-General, as an *ex parte* decision in favor of the rebel side of the question, without citation or hearing on our part, and as authority to that officer to use the United States military forces to prevent, for the present, another meeting of a body which he has *in advance* decided to be illegal.

But there is a power above even the President—THE LOYAL PEOPLE OF THE NATION—to whom, in this contest between loyalty and disloyalty, Unionism and Disunionism, we, as loyal citizens, take our appeal, in perfect confidence as to their decision, and the ultimate establishment of peace, harmony, and good will.

B. K. HOWELL.

New Orleans, August 15, 1866.

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\* One lad was killed, as I have since learned.



## "MY POLICY" IN NEW ORLEANS.

*Great Union Meeting in Philadelphia, August 31st.—Address of the Hon. Thomas J. Durant, of New Orleans.*

Special Dispatch to The N. Y. Tribune.

PHILADELPHIA, Friday, Aug. 31, 1866.

The meeting in front of the Union League House, Broad and Sansom Streets, this day, was very large. The crowd stretched from Sansom to Walnut Streets, and was composed not only of prominent citizens, but of many ladies. The lowering night did not prevent the attendance of the loyal masses. The meeting was called to order by Judge Kelley in the following speech:

### JUDGE KELLEY'S SPEECH.

FELLOW-CITIZENS:—Whether designedly or otherwise, the fact stands forth as history, that the Convention of muzzled conspirators against the liberty of the South and peace of the country, lately convened in this city, most aptly commemorated the anniversary of an incident of fearful import to the whole American people. [Applause.] It assembled on the 14th of August, and in three brief sessions, consuming together but about six hours without debate, made a formal proclamation to the people in a narrow circle, in which, under a pain of Presidential displeasure, vulgar denunciation, and other personalities, they might think and speak on political subjects. [Applause.] And the President, in confirmation of the doings of that Convention, is now stumping the country and denouncing as traitors all who hold opinions which, from every round in "Ambition's ladder," he has earnestly proclaimed. [Some groans for Johnson.] Five years ago, on the 14th of August, 1861, the heartless despot and vanquished foe, but the pampered guest of the nation, who organized the horrors of Andersonville, Salisbury, Florence, Libby, and Belle Isle, and could have mitigated them by a word, issued a proclamation identical in import with the despotic management and manifestoes of the Davis-Johnson, or, perhaps, in deference to a high office, I should say, Johnson-Davis Convention. Let me detain you by a recital of its terms. They are brief, but, oh! how ample their scope for evil. Listen to them:

"Now, therefore, I, Jefferson Davis, President of the Confederate States of America, do issue this my proclamation, and I do hereby warn and require every male citizen of these States of the age of 14 years and upward now within the Confederate States and adhering to the Government of the United States, and acknowledging the authority of the same, and not being a citizen of the Confederate States, to depart from the Confederate States within 40 days from the date of this proclamation; and I do warn all persons above described who shall remain within the Confederate States after the expiration of the said 40 days, that they will be treated as alien enemies."

Thenceforth no word in favor of the Union, its Constitution, or its flag, was to be lawful within the wide limits of the Confederacy. For such transgressions the traitor's doom awaited the citizen of the Confederacy, and the tender mercies of Jefferson Davis and his creatures awarded to alien enemies, were to be inflicted on unhappy citizens of the United States, who, falling into their hands, would not forswear their country. By proclamation of the 14th August, 1861, these penalties were denounced on citizens of the South who sympathized with the Union men of the North, and by the commemorative Convention of the 14th August, 1866, banishment from place and power, and the sacred precincts of the White House, with undefined terrors in future, are proposed for citizens of the North who dare sympathize with outraged Union men of the South. Let us thank God that we are yet free-men, and dare withstand the threats as we are to defeat the treacherous purposes of Andrew Johnson. [Great applause.] Unawed by his power, we are here to honor a Southern Union man, who, having braved the power of the Confederacy, found himself unable to withstand the dangerous power of "my policy." Yes, fellow-citizens, throughout the war such was the respect of the people of New Orleans for the professional learning, unbending integrity, and spotless life of Thomas J. Durant, that, notwithstanding his pronounced devotion to the Union, he was safe among them. But Andrew Johnson has subjected that community to new and more aggravated horrors. Under his malign influence it is torn by newer and wilder furies, and on the 30th of last month the old home of Mr. Durant was broken into and his life sought by the murderers of the lamented Dostie and other Union men. But I detain you too long, and must not trespass upon the domain of our distinguished guest. [Cries of "Go on," to which Mr. Kelley firmly replied "No."] Permit me, therefore, to introduce to you Thomas J. Durant, Esq., of New Orleans.

### SPEECH OF THE HON. THOMAS J. DURANT.

The Hon. Thomas J. Durant spoke as follows:

Before this powerful gathering of loyal and patriotic men, I rise, fellow-citizens, with the deepest emotions, to express the overpowering sense of gratitude I feel for the warm reception you have given me on this occasion. I would be doing injustice to myself did I not in the outset express the gratitude I feel to these gentlemen who have accorded me, with so much kindness, the great privilege of addressing this night so respectable an assemblage of my fellow-citizens of the State of Pennsylvania. To you, too, I tender the acknowledgment of my warmest thanks for the greeting you have given me, and I know well that I am by no means to attribute it to any humble merit which I may have appeared to possess, but that I am to attribute it to that noble influence of Unionism in the South which, for the moment, finds in me a most unworthy representative. [Applause.] A great

statesman of Pennsylvania, one who illustrated the walks of politics and science, one whom Pennsylvania sent to the Continental Congress to aid the immortal Jefferson in framing that declaration which has become a charter of human rights, that illustrious statesman once said: "Where liberty dwells there is my country." [Applause.] And now escaping from cold and averted looks, but meeting with warm greetings, fleeing from the assassin's knife which was placed at my throat, and that of every Union man, I come to the shores of the Delaware, and say, with that illustrious statesman, here liberty dwells, and here is my country. [Loud applause.] You must not, I assure you, fellow-citizens, expect to be entertained, in the mode in which you might hope to be, from the flattering introduction I have received this evening from my learned and honorable friend who has just addressed you. I propose, on the invitation of these conspicuous citizens of Pennsylvania who have so kindly honored me, to attempt to say something on the subject they have indicated in their invitation, to say something of that dire event which darkened the 30th of July in New Orleans; of the causes which produced that horrid result, and the remedy which, in my judgment, ought to be provided to prevent its repetition. In the current of my discourse it is quite possible I may say things that may be unaccustomed to your ears; it may fall to my lot to make some remarks that you might not think altogether correct; but, fellow-citizens, I implore your indulgence in advance, for I assure you, whatever I do say will be in obedience to the conscientious dictates of my heart and judgment. [Applause.] The events which preceded 30th of July in Louisiana have passed into the domain of history, and, no doubt, are familiar to you all. When, in 1862, that gallant old viking of the modern seas brought his fleet before the rebel forts, which they vainly thought protected New Orleans, and laid it across the Crescent City so as to bring that rebel population under his guns,—when that was achieved, the flag of the Union once more greeted the longing sight of the Union men of New Orleans. We hailed it as the harbinger of safety, as the flag of freedom, and the symbol of the restoration of our rights. It passed on, and the military chieftain, who had been appointed by the late lamented President to superintend the affairs of that Department, was removed, and another substituted in his place, to whom it seemed good, under authority vested in him from Washington, to call together a portion of the people of Louisiana, dwelling in New Orleans and the parishes immediately surrounding it, for the purpose of forming a constitution and frame of government under which, it was hoped, Louisiana might ultimately be admitted to her original position as a sister State of the Union. This movement, fellow-citizens, did not fully meet the approbation of men who were then, and still are, in New Orleans, denounced and treated as Radicals.

The main objection to the movement was, that it was an emanation of the Executive will, and that it did not flow from an act of Congress; for these men said at that time that the reconstruction of the Union and the restoration of the insurrectionary States, is the business of the Legislative Department of the General Government, and not of the Executive. [Loud applause.] But their opinion was overruled. The Commanding-General of the Department, by virtue of the military authority which he possessed to govern the people inhabiting it, ordered, as I have said, the Convention. It proceeded to its labors. It framed a Constitution, which was submitted to that portion of the people who were within the Union lines. Proclamations were made, and the officers who were elected—(I refer to the Executive officers)—to administer that government entered upon the discharge of their functions. When that Convention adjourned, it did so with a resolution authorizing its present President, under certain circumstances specified therein, to call the Convention together when the emergencies arose for which the resolution itself provided. That was the cause, that the motive, and that the origin of the reconvo-cation of the Convention, which was made the pretext for the wholesale slaughter of Union men in New Orleans on the 30th of July. After that, the Governor, who was first elected under that Constitution (the Hon. Michael Hahn), and who was also elected by the Legislature, also under it, to a seat in the Senate of the United States, the Lieut.-Governor of the State, Mr. Wells, of the parish of Rapide, succeeded to the Executive chair, under instructions, as it was said, from the Executive at Washington. He used the full measure of his official patronage to promote the welfare of those who had most largely striven to overthrow the Government of the United States. Under his administration, every office in his gift was filled with an incumbent who had served in the Rebel army, or who had done service under the Vigilance Committee, or had made himself conspicuous in civil life by his adhesion to the Confederate cause, and so well did this master of policy carry out his work, that when, in the ensuing Fall, the elections for the Legislature came on, there was, as far as my knowledge goes, and I believe I am correct in what I say, not one man elected to either branch who would call himself a Union man. Nay, more, not one who would not have felt it a deep offense, if any one had applied that designation to him. Hence the State passed completely under the rule of men who had used their best efforts to overthrow the Government of the United States, and who had plunged Louisiana into the vortex of rebellion. Immediately were seen the natural consequences in the legislation thenceforth of the body I have described. The most oppressive laws were passed with regard to the labor of the newly-emancipated people; odious distinctions were made in every direction. The whole scheme of



government—the executive, legislative, and judiciary—was established and constituted, that justice or right in the case of a citizen of African descent, or a citizen of conspicuous Union sentiments, in most questions of the State, could not be obtained. These distinctions to many became insufferable, and they turned their attention to those resolutions which I have just referred to, which authorized the President of the Constitutional Convention of 1864 to reconvoke it. When the idea of reconvoking this Convention was first put forth, and up to the time when it was in a degree consummated, some objection was presented to the minds of Radical men that had existed when the Convention was originally convened under the orders of the Major-General Commanding the Department of the Gulf. They viewed it as an improper thing in itself that a Convention should spring from the Executive Department of the Government. They thought it impolitic that the Union men of the State should attempt to march faster than the Congress of the United States seemed willing to move, for it became evident to all men of reflection, that if, in any of the insurrectionary States, the Union men attempted to go further than the limit assigned to them by Congress, they would be exposed to all the evils of Rebel vengeance and Executive neglect. [Applause.] They really became exposed to much worse; but you will perceive, citizens, that neither of these objections, either on the score of legality or policy, were or could be made by the partisans of the Executive theory of reconstruction, because that portion of the people and the Executive had taken the exactly opposite ground, and it did not lie in their mouths to make such objections. Candor compels me to say, also, that there was a large body of men among the Unionists in Louisiana as well able to judge as those who were styled most radical, and as able to grapple with questions of law, who thought that it was entirely illegal to recall that Convention into being. I have never heard that the former President of that Convention, Judge Durell, of the District Court of the United States in Louisiana, ever objected to recall it into being on the ground that the call would be illegal. The gentleman who was chosen to preside over the preliminary deliberations in the absence of Judge Durell was a Judge of the Supreme Court of Louisiana, a native of the adjoining State of Mississippi, and a life-long resident of Louisiana. I refer to the name of the Hon. R. K. Howell, and all who have been in Louisiana will bear me out when I say, in presenting his name, I mention a man of spotless integrity, of blameless life, of high judicial honors and legal knowledge. He gave the movement the sanction of his name, and he, as I have said, lent to it the appearance of legality, by presiding over its preliminary meetings and deliberations. Nor was there wanting other men who added respectability to the movement. Mr. Hahn, himself a lawyer of high standing at the bar of New Orleans, and a

man of most extraordinary attainments, who had been honored by the friendship of the late Chief Magistrate of the United States, and who enjoyed the respect of all Union men in New Orleans, he also sanctioned the movement, although there was dissent, both on the ground of legality and on that of expediency, among the sincere friends of the Union in Louisiana, as to the reconconvocation of that Convention. Yet the opinions were equally balanced, and no man was presumptuous enough to say that the recalling of the Convention was so utterly illegal that it was plainly immoral or improper to attempt it. But, fellow-citizens, what did that Convention do? It assembled, in the first place, in order to ascertain what number of its members could still be secured in attendance, and its only act was to call upon the Governor of the State of Louisiana to issue writs of election for the purpose of securing a representation to those parishes which, at the time of the original assembling, had been under the control of the Confederate authorities, and where no election to a Union Convention could then be held. I wish now, in the most impressive manner, to arrest your attention to a great fact, the appearance of which silences forever all opposition and all right to question the loyalty of that Convention in the mind of the Chief Executive officer of the United States, and in the opinion of every citizen of any State outside of the limits of Louisiana. It is that toward the end of July, in answer to the request of this Constitutional Convention, the Governor of Louisiana, in his official capacity, issued writs of election to fill up the vacancies of those parishes where no elections had been held; and I declare it, on the strength of what reputation I may have for being able to interpret the laws of my country, that when the Executive of a State proclaims an election, and orders his sheriff in a parish or county to hold it, no power outside of that State can question his act. [Applause and cheers.] What would be thought, fellow-citizens, if the people or the Governor of New York should question the right of the Governor of Pennsylvania to order an election in his State? What would be thought if the President of the United States should inquire of the Governor of Massachusetts why he ordered a particular election in the old Bay State? What answer would be given to such an interrogatory? It is plain, fellow-citizens, that there could be but one—that it did not lie within the province or the function of him who put the interrogatory to inquire into the matter at all. [Applause.] The Chief Magistrate of the Union deals with States only through their Executive or Legislative Departments. He can come in contact officially with the people and the government of a State in no other way. The fourth section of the fourth article of the Constitution of the United States declares that the United States shall protect each State in the Union from domestic violence on the application of the Legislature, or, if the Legislature cannot be convened, on the applica-

tion of the Executive. It, therefore, follows as an irresistible conclusion, that even in the emergency of domestic violence, the President of the United States cannot interpose, unless the Legislature if it be in session, or the Governor in its absence, shall call upon that high officer to do so. Now, it is known to you all that the honored Chief Magistrate of this nation has repeatedly recognized Louisiana as a State in the Union; that he has declared the rebellion in that State to be at an end; that he has proclaimed it restored to all its original functions and prerogatives as a State in the Union, and he has even upbraided the Congress of the United States because that body was not prompt enough, in his opinion, in coinciding with his judgment, and admitting Senators and Representatives from that State. Therefore, from the point of view of the Executive in interfering in Louisiana with the writs of election ordered by her Chief Executive Magistrate must, with due deference be it said, be treated as a mere act of Executive usurpation. [Loud applause.] In the case of Louisiana no call from the Executive was made, no Legislature was in session, and, therefore, the exigency provided for by the Constitution had not arisen, and the question propounded to Governor Wells by the President of the United States was one which, within the terms of that instrument, he had no right to propound. But, fellow-citizens what was the consequence. I trust I understand too well my duty as an American citizen to speak in terms that would be in the slightest degree disrespectful to the President of the United States. I know too well that here, where every citizen is a part of the Government, a becoming self-respect requires each one to treat that high officer in no other terms than those of courtesy and deference. It is impossible that he should have meditated any harm. Has he not himself, fellow-citizens, often announced to us, in terms that are unmistakable, and that impressed themselves on the memory, that he had "trode the paths of glory, and sounded the depths of honor; that he had nothing more to hope from his country, and that his career of glory was run?" [At this point the approach of the "Republican Invincibles" compelled the speaker to yield for a few moments.]

JUDGE KELLEY.—Fellow-citizens: I propose three cheers for the Republican Invincibles. (Cheers and applause.) Gentlemen of the Invincibles: The speaker to whom you will listen is the Hon. Thomas J. Durant, of Louisiana, whose name drew you here. [Applause.]

I was saying, fellow-citizens, that in our Republic, where each man feels that he himself is a part and parcel of the Government, a becoming self-respect forbids him to treat the Chief Magistrate of his country in any other mode than that of the most courteous deference. And indeed if he were not the Chief Magistrate, it is our bounden duty to treat every opponent in debate as an antagonist surely, but not as an enemy. With his motives we are not concerned, but as to the bearing of his conduct and the consequences of

his measure we have a right to make full inquiry, and it is our duty to criticize them in a spirit of fairness and candor. I regret deeply to be compelled to say, as one who was an eye-witness of these scenes in New Orleans, which have sent a thrill of horror through the loyal heart of the nation, that the interposition of the Chief Magistrate of the country in the affairs of Louisiana, most flagrantly misunderstood by those to whom he addressed himself, has produced the most terrible results of the 30th of July. On that day, citizens, the glowing sun rose majestically over the city of New Orleans. All nature glowed under his bounteous beams; the Queen City of the Valley of the Mississippi lay there bathed in a glorious sunlight, like a rich diamond in a monarch's crown, or as the brightest jewel in the girdle of the Republic. No indication in the heavens showed the dark fatality that was to approach that day. The Union citizen in pursuit of his business avocations went to his desk, his workshop, and his store. If there was any thought of apprehension in any man's mind, it was immediately silenced, for there floated the American flag over New Orleans, the guarantee of perfection, and there stood the American General, with an American army to shield the American citizen if in peril. The union man, unmindful of harm, was pursuing his daily business of life; but, what was that sound that smote upon his ear? Did you not hear it? It was like the stifled cry of the distant multitude. No, it was but the wind, or the car rattling o'er the stony street. He faces the flag that is protecting him again. He turns once more to the business of the day. But hark, that heavy sound breaks in once more. He starts. He listens more attentively. Hark again. Nearer than before that shout is heard. The streets are filled with the infuriated populace. A band of assassins in the garb of policemen, headed by the prince of murderers, the Mayor of New Orleans [cheers and groans], appears in the streets to seek the long account of smoldering vengeance. A procession of citizens, peaceably bearing the American flag, attempted to appear upon the streets to do honor to a Convention which, it was said, was to bestow upon them the natural rights from which their race had long been excluded in our country. A band of citizens were assaulted on the public streets, and dispersed. Members of the Convention considering there, had heard sounds of tumult also, but they were without apprehension. Oh, did not the American flag float over them [applause], and was there not an American General there to protect them? They ordered their Sergeant-at-arms to proceed to the houses of absent citizens to secure their attendance. As he puts his foot upon the sidewalk, as he is emerging from the building, a murderous and traitorous shot salutes him in the back, and he falls down weltering in his blood. A native of Louisiana, a gallant man, who had taken up arms under the flag of our country, who served honorably in a Louisiana Union regiment, falls from the steps to the streets, slaughtered when in the peaceable



execution of his duty. A friend conveys him to his vehicle. He hears the shouts of the savage mob as he drive on, as he is yet alive, though he never lives to reach his home. He hears the cry of the multitude in the distance. He hears it but he heeds it not. His eye is where his heart is, and that is far away with his dear wife and children at home, who are waiting there for their dying father. With his expiring hand he claps the shoulder of the friend who drives his vehicle, and says, with fainting heart: "Give my love to my dear wife and children." He expires before he reaches home. A reverend man who opened the proceedings with prayer that morning, who sat beside me on the 4th of July, when we commemorate the universal day of our Union—this reverend man, fresh from the service of his Maker—descending with the emblem of peace in his hands to still the furious men, is also slaughtered in cold blood. This under the blows of these more than savages, Richard Horton sank to the ground. He barely reached home to receive the consolations of his wife and children; he receives in vain the best surgical aid; he sinks back into the bosom of his father and his God. But how is it that I saw men dragged by me? how is it that I saw men slaughtered in front of my own place of business? But who is that man who, with hair disheveled, his garments torn to fragments, his face ghastly, his whole countenance streaming with blood,—who is he whom a ruthless mob drags through the streets? Four ruffians have him, crippled as he is. It is a man who has been a Governor of Louisiana, under that very Constitution which has been proclaimed to be so sacred and inviolate—so incapable of change. He is a man who has enjoyed the confidence of Mr. Lincoln, our late revered Chief Magistrate. [Great applause.] He was the Hon. Michael Hahn who is dragged through the streets of the leading city, the capital city of the State of which he has once been the Governor. Oh, I cannot dilate on these horrors. The dispatches to the press have made you familiar with them. It would require the strongest force to tell you all without a tear, and I do not wish to impress upon your minds that the whole mass of the population of New Orleans who joined in the Confederate movement are men of this stamp. There are many, numerous honorable exceptions. There are men who made the lives of Union men safe; and I tell you I hope to sit in judgment when these well-meaning, honorable men can control the savage element that elevated them to power. They, in the hands of that mob, had no power to restrain it. In the heat of the moment, you must know that not a meeting of the respectable citizens of New Orleans, has yet been held to denounce these bloody and most atrocious murders. Can it be that they have not excited sufficient indignation or sympathy here in the free north? I will not permit myself to believe it. I will not for one moment so asperse your good name as to believe that there is less sympathy evinced for the sufferers in this

atrocious tragedy because the greater part of them were men of African descent. (Cries of No! No! and cheers.) And each one of these black victims, mangled and mutilated, was a man as we are. [Applause.] He had hung on a woman's breast in infancy, the same dear creatures loved him and talked to him of love; they attended his dying moments with the same sympathies which on like circumstances are bestowed on you. [Applause.] The Congress of the United States, in the exercise of its Constitutional powers, has proclaimed the black man in the South and everywhere where this flag (pointing to the flag overhead) floats to be a citizen of the United States. [Great applause.] He is entitled in the fullest sense of the word to the enjoyment of his civil rights and his privileges as such. Therefore I will not suppose that one tear the less has been shed, that one sigh the less of sympathy has heaved the bosom of the loyal North, because the bloody subjects of the vengeance of an infuriated people in New Orleans at this time were citizens of African descent. It cannot be that you sympathize the less for that reason.

"Fleecy locks and black complexion  
Cannot forfeit nature's claim;  
But true worth and pure affection  
Dwell in white and black the same."

[Applause.] And from what took place on that cruel day, and from all that we have learned since, the mind of a reflecting man is deeply impressed with the fact, and his intellect forces him to the conclusion, with the full strength in mathematical demonstration, that the reconvenation of the Convention was a pretext for the concentrated slaughter of the leading Union men in the City of New Orleans. [Cheers, and cries of "That's so."] It is known, by the manner in which the murders were carried out; it is known by the judgment of those placed in authority there; they proclaimed it by their publication to all the world. You have all seen the dispatches of the gallant soldier and illustrious gentleman who commands in that Department, and you have seen a soldier, not a Radical in his political proclivities, or not a man who had been prominent in parties or taken sides in parties, who announces as his deliberate conviction that a pretext was taken for a concerted slaughter of loyal men, black and white, in New Orleans. [Applause.] And now, citizens, what remedies are there for these cries? These unfortunate men, whose circumstances permit them, are now flying from their homes in the South to seek refuge and hospitality in freedom of voting and discussion here in the North. How long is this to continue? How long is it before the loyal people of the Union will give the loyal man in the South a government where opinion is free, where every man shall have the right to express his sentiments in vote and in words, where he shall have the right and the privilege of communicating in every respectful way what he thinks and what he has to say? Do you not know that now the

liberty of speech and the liberty of the press is dead in New Orleans? Do you not know that American citizens are slaughtered in the streets of New Orleans, under the American flag, without provocation? There is no liberty in discussion unless you discuss the merits of the President's policy, or the glories of Lee and Davis. That is the way in New Orleans; but you are the men who are to remove the old principles and the old memories. On the skirts of the loyal North is found the blood of the men who fell in New Orleans. You have too long bowed down in spirit to the abominable prejudices of *caste*. [Applause.] You have not proclaimed that principle which gave your cause strength. I will give the full measure of justice to the loyal men of the South, and I say again, on the skirts of the loyal North is found the blood of Union men who have been sacrificed to savage vengeance in the Southern States. [Applause.] The stain is on your hands; not all the waves of the ocean can wash it out. The stain that is on your hands is like those on the hands of the tragic queen which would *encarnadine* the multitudinous seas to wash them white before those hands can do justice to the loyal men of the South. [Applause.] When the Southern States plunged into rebellion, and passed their ordinances of secession, they became, in fact, no part in the American Union as States, though they remained such in law. They voluntarily declared, by the action of their Governor in Louisiana, and the action of their authorities throughout every insurrectionary State, that they were no part of the Government of the United States; that they spat upon the Constitution; that they hated the flag of the country, for it was the flag of liberty—(great applause)—and they intended to found their government on the slavery of the working classes. They had discovered a sublime principle in political government; they had discovered that the true theory should be that the laborers should be owned by the capitalists. To them, slavery of the working classes was the corner-stone of republican liberty. [Laughter.] They declared themselves out of the Union, and then formed a government which had no relation to the Constitution of the United States, which we suppose was therefore all blotted out by the Rebellion. Now, as to this point, there is no difference of opinion between the Executive and Congress; they both stand on the common ground, that the act of Rebellion had done away with any State government that could be recognized by the Constitution, and that when the armies of the rebellion were put on foot, no State government was left that could be recognized by the authorities of the United States. All the acts of Congress are to this effect; both the Executive and Congress say the same thing, and the difference of opinion is not as to the fact, but it is as to the question as in whom lies the power of effecting a restoration—the President claiming the power for himself, and Congress declaring that it is their sole function, the President only

participating as he does in other acts of legislation. If the idea which possesses the President is carried out there will be results in the South like those you have already seen, and it will have sooner or later to be abandoned. The whole voting population, and that only, should take the matter in charge. There can be no government existing in the South, where those who are called Radicals are marked with the seal of Secession reprobation, and those who have a black skin are unsafe in their persons, their lives, their property. This has been demonstrated in almost every State. Nay, it is fully demonstrated in every State where restoration on the President's theory has been adopted. If we were to say that the Governments of the late insurrectionary States should be restored on this basis, and this only, of giving to the Union men a proper and just representation in these States when we could, then we would not hand over the Government to a handful of men, who might be considered a mere oligarchy; but as it is now, these Union men could only sustain themselves by the arms of the Union, and they could not, after the withdrawal of their protection, sustain themselves for a single month in any of the late insurrectionary States. For it is a fact that cannot be denied that the great mass of the Union men in the Southern States, or at least those who called themselves such at the epoch of Secession, abandoned their principles, and went over, at least every State did, except Tennessee, almost unanimously in a body, to the support of the Rebel cause. In the city of New Orleans, at the election which resulted in the choice of Mr. Lincoln, the bulk voted for Douglas or Bell, exceeding by more than two to one the vote cast for Breckinridge, the secession candidate; yet within ten days, as soon as the result of the election was known, the whole Bell party, almost the whole Douglas party, went over immediately to secession. They acquiesced in the secession movement; their leaders stood fast under the Confederate and State Governments. Only a handful of men were left faithful to the Union cause. These men are not now sufficient to form such a government as would stand unsupported by the armies of the United States, in any of the late insurrectionary States, and these loyal men it has been decided to totally exclude from the plan of reconstruction. It is decided that the bulk of the loyal people we have here are too ignorant to enjoy the right of suffrage. Aristocracy always says that the democratic workingman is too ignorant to enjoy the right of suffrage; but ignorant as they may be, they know what their masters do not know, that it is the best policy to uphold the Government of the United States. [Great applause.] That they were indeed ignorant, and still are so for the greater part, I admit; but whose fault is it? Who made those laws that forbid them to be instructed? Why did the loyal North tolerate a state of society in which body and soul were debased by forbidding the spread of the benefits



of education. Chill penury repressed their noble rage and froze the genial current of the soul, and under any circumstances did the faint and hungry fugitive appeal in vain to the black man for shelter or to serve him as a pioneer to freedom and safety? [Applause.] Never was a Union scout betrayed by a black guide. [Applause.] If you were opposed to their being enrolled as soldiers, how did they act when they were enrolled? And they are now being enrolled on the lists of citizens with votes to save the nation. That position we must stand on sooner or later. [Applause long continued.] And without the aid of the black man, the loyal Union men in the Southern States—at least I know it is so in Louisiana—cannot erect a State Government which will be in harmony with the principles that are based on the rights of man, universal suffrage, and equality before the law. Until then there will be no peace in this country. [Great cheering.] Fellow-citizens of Pennsylvania, will you who are of the loyal masses of the loyal States, and upon whom depends the issue of this struggle, remember that you have a weapon that is stronger than the bayonet. It is the ballot. Remember that ideas are more potent than artillery; that our ideas will ultimately prevail if you are true to yourselves. [Applause.] Citizens of that Commonwealth, which is proudly called the center of the great political arch, will you be true to yourselves in this great struggle? [Universal exclamation—"We will! we will!"] Soldiers of the Republic who carried the ensign of liberty with Grant into the Rebel Capitol, or with Sherman to the borders of the Mexican Gulf, rise once more and revenge once more the wrongs of those, who, in behalf of your principles were slaughtered in the streets of New Orleans and Memphis. It is you who raised Congresses, it is you who create Executives. When you answer in your strength, the arm of disaffection will be paralyzed and sink powerless. Executive and Congress will both obey you. [Applause.] Citizens of my native State, I implore you, in the name of freedom and common humanity to rescue from danger and destruction the Union men of the South. Speak in voices of thunder to your Congress that it may enact laws that must be obeyed, and that it may proclaim universal equality and freedom, wherever the starry banner floats. [Applause.] Then will you achieve fully that for which you have fought on the field of battle; then you will have established that government, which, in the language of the illustrious apostles of Democracy, the sage of the Hermitage, will alone keep these States for all ages united, prosperous, and free.

Judge Kelley made a few remarks, and introduced Gov. Brownlow, of Tennessee, who was received with immense cheering. Gov. Brownlow said he had come expressly to hear the distinguished gentleman from New Orleans. He had long been familiar with the history of an Andrew who was hero of New Orleans, and he was equally familiar with the history of another Andrew, the hero of New Orleans. He had traveled 1,000 miles in the last forty-eight hours as one of the delegation to the loyal Convention,

a Convention that would have to caress and entreat two or three to resign to produce harmony. [Applause.] In 1860, during the campaign for the Presidency, he heard Andrew Johnson denounce Douglas as corrupt and designing. By-the-by, he had helped to nominate Johnson, and he was here before the public to acknowledge the sin. [Laughter.] He had repented. [A voice]—"What are the prospects for black men in the South?" Mr. Brownlow—He has no show whatever, under Johnson and his administration. There was still a rebellious spirit in the South which was likely to break out at any time; and, he continued, if we had to invade the South to put down a second rebellion, I want to say something about the division of our plans. The next time I would divide the great army into three grand divisions; let the first go fully armed and equipped, as the laws and regulations of the army require; let it be well supplied with plenty of small arms and artillery; let it be the largest division, and let it do all the killing. [Applause.] Let a second grand division come after the first; let it be supplied with torches and spirits of turpentine. [Laughter.] Let that division do the burning. Let a third go down provided with surveyors, compasses, and measuring lines, survey all the land, and sell it to pay the expenses of the war—do anything with it; settle it with the men who have fought under our glorious banner. His speech was received with ultimate laughter and applause.

#### SHERIDAN'S DISPATCHES.

*The New York Times* does not meet the point we make about the Sheridan "dispatch," printed August 3—in that journal exclusively. It says:

"What right has *The Tribune* to challenge or deny a dispatch, the literal fidelity of which the distinguished soldier to whom it was addressed has not called in question? On what pretense of right does *The Tribune* 'demand that the real dispatch be published,' when 'the real dispatch' has already appeared in these columns? Does *The Tribune* allege that Gen. Grant is a party to forging or garbling, or to whom else is the charge intended to apply? Does *The Tribune* intend to convey the idea that Gen. Grant has for five days allowed a dispatch to stand as having been received by him if it was not so received, or that he has permitted Gen. Sheridan's official communication to be tampered with, without protest or attempt to obtain redress?"

—We only exercised the common right of criticism. The evidence was too conclusive to be overlooked. The dispatch in *The Times* made it appear that Gen. Sheridan absolutely condemned the Convention, with no rebuke for the rioters, and no sympathy for murdered negroes. It made Sheridan appear as unequivocally indorsing the President's whole course, even to the sepersedure of Gov. Wells by the law-officer of his cabinet, and of himself by a Rebel jail-bird named Monroe. This was the impression the first dispatch made, and it was the impression the authorities in Washington intended to make. —*New York Daily Tribune*, Aug. 9.

# OFFICIAL REPORT OF MAJOR-GENERAL BAIRD.

*The Police could have suppressed the Riot had they not been the Rioters.—The responsibility of the Crime fixed upon the Rebel authorities.*

*Headquarters Department Louisiana, }  
NEW ORLEANS, La., August, 1866. }*

Lieut.-Col. GEO. LEE,

*Assistant Adjutant-General :*

*Colonel :* I have the honor to submit for the information of the Major-General commanding the following report concerning the riot of the 30th ultimo.

It was a matter of public notoriety that the Convention of 1864 was to meet here on that date.

Some weeks previously it had been in session, and had continued its meetings during several days. It had excited much opposition, and there were threats of breaking it up; yet it remained undisturbed, and to one unacquainted with the political views and considerations by which the persons hostile to it were influenced, there was no reason to suppose that the proposed assemblage would not be passed by in the same peaceable manner.

Since the riot, I have been informed by gentlemen of the highest character—the planters of wealth and influence, belonging to the party inimical to the Convention—that the question of its meeting had been by them fully discussed in all of its bearings; that it had been proposed, first, to treat it with ridicule, next to go into the movement, and, by superior numbers, to send delegates to overwhelm and control it. But upon reflecting that the members already elected would be the judges as to the qualifications of new ones, it was feared that this purpose might be frustrated, and it was then determined to treat the meeting as an unlawful assemblage, and as such to break it up at all hazards.

I mention these facts to show that, while to those outside the political arena the dangers of disturbance might have appeared imminent, to one like myself—entirely outside of the ring, keeping myself so from a sense of duty—no such view could have presented itself.

They go also to show that the ground I took as to the right of the Convention to operate, so long as no overt act of hostility to the established State government was committed, was not until a recent date disputed, and it is now maintained by many prominent lawyers in this city.

As to the Convention itself, being personally acquainted with but two or three of its members, and as I had no intercourse with them, I may not have understood properly the object it had in view. My information concerning it was nearly all derived from unfriendly sources, but from the little knowledge I had upon the subject, I could not perceive that the gentlemen composing this Convention had any more authority to remodel the State government than any other assemblage of citizens. Yet I believed they had a right to meet and to talk and to resolve,

provided they committed no breach of the peace.

Had the result been to obstruct any officer of the State in the exercise of his office, or an attempt upon the part of any person to exercise the functions of a State office, unless authorized to do so by the President of the United States, I should have regarded this as an overt act, calling for military interference, provided the civil powers were unable to defend themselves and punish the aggressor.

I believe, further, to arrest these citizens and hold them to bail prior to the commission of any overt act of crime, was a violation of their rights, and had the civil courts failed to relieve them promptly from such duress, upon a writ of habeas corpus, it would become my duty, if called upon in conformity with the requirements of the recent order of the Lieutenant-General commanding the armies designed for the protection of American citizens, to interfere with military force for their relief, and possibly to take into custody and hold in military confinement those who had committed the wrong. This idea in relation to my duties, under the order of Gen. Grant, I endeavored to convey to the gentlemen who came to see me in relation to breaking up the Convention.

On the 25th of July I received from the Hon. John T. Monroe, of the city of New Orleans, a letter, of which the following is a copy :

*Mayoralty of New Orleans, }  
City Hall, July 25, 1866. }*

Brevet Major-Gen. BAIRD, Commanding, &c. :

*General :* A body of men, claiming to be members of the Convention of 1864, and whose avowed object is to subvert the Municipal and State Governments, will, I learn, assemble in this city on Monday next.

The laws and ordinances of the city, which my oath of office makes obligatory upon me to see faithfully executed, declare all assemblies calculated to disturb the public peace and tranquility unlawful, and, as such, to be dispersed by the Mayor, and the participants held responsible for violating the same.

It is my intention, to disperse this unlawful assemblage if found within the corporate limits of the city by arresting the members thereof and holding them accountable to existing municipal law, provided they meet without the sanction of the military authorities.

I will esteem it a favor, General, if, at your earliest convenience, you will inform me whether the projected meeting has your approbation, so that I may act accordingly. I am, General, very respectfully,

JOHN T. MONROE, Mayor.

*Headquarters Department of Louisiana, }  
New Orleans, La., July 26, 1866. }*

Hon. JOHN T. MONROE, Mayor of the City of New Orleans :

*Sir :* I have received your communication of the 25th inst., informing me that a body of men, claiming to be members of the Convention of



1864, whose avowed object is to subvert the present Municipal and State Governments, is about to assemble in this city, and regarding this assemblage as one of those described in the law as calculated to disturb the public peace and tranquillity, and therefore unlawful, you believe it to be your duty, and that it is your intention, to disperse this unlawful assembly, if found within the corporate limits of the city, by arresting the members thereof, and holding them accountable to the existing municipal laws, provided they meet without the sanction of the military authorities.

You also inquire whether the projected meeting has my approbation, so that you may act accordingly.

In reply, I have the honor to state that the assemblage to which you refer has not, so far as I am aware, the sanction or approbation of any military authority for its meetings.

I presume the gentlemen comprising it have never asked for such authority to meet, as the military commanders, since I have been in the State, have held themselves strictly aloof from all interference with the political movement of the citizens of Louisiana. For my own part, I have carefully refrained from any expression of opinion upon either side of the many questions relating to the reconstruction of the State Government. When asked if I intended to furnish the Convention a military guard, I have replied, "No;" the Mayor of the city and its police will "amply protect its sittings." If these persons assemble, as you say is intended, it will be, I presume, in virtue of the universally conceded right of all loyal citizens of the United States to meet peaceably and discuss freely questions concerning their civil governments—a right which is not restricted by the fact that the movement proposed might terminate in a change of the existing institutions.

If the assemblage in question has the legal right to remodel the State Government, it should be protected in so doing. If it has not, then its labors must be looked upon as harmless pleasantries, to which no one ought to object. As to your conception of the duty imposed by your oath of office, I regret to differ from you entirely. I cannot understand how the mayor of a city can undertake to decide so important and delicate a question as the legal authority upon which a Convention, claiming to represent the people of an entire State, bases its action.

This, doubtless, will, in due time, be properly decided upon by the legal branches of the United States Government. At all events, the government of the State would seem to be more directly called upon to take the initiative in a step of this kind, if it was proper and necessary. What we most want at the present time is, the maintenance of perfect order and the suppression of violence. If, when you speak of the projected meeting, as one calculated to disturb the public peace and tranquillity, I am to understand that you regard the number of persons who differ in opinion from those who will constitute it as so

large, and the lawlessness of their character so well established, that you doubt the ability of your small force of police to control them, you have, in such cases, only to call upon me, and I will bring to your assistance not only troops now present in the city, but, if necessary, the entire force which it may be in my power to assemble, either upon the land or upon the water. Lawless violence must be suppressed, and, in this connection, the recent order of the Lieutenant-General, designed for the protection of citizens of the United States, deserves careful consideration. It imposes high obligations for military interference to protect those who, having violated no ordinance of the State, are engaged in peaceful avocations.

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

A. BAIRD,

Brevet Maj.-General,

Commanding Department of Louisiana.

These letters require little comment. The Mayor announced his intention to break up the assembly as an unlawful assembly, and I reply that I cannot regard it as within the scope of his duties, as a municipal officer, to decide that question; but, on the contrary, that I do regard it to be his duty, as custodian of the public peace, to protect the assembly as long as no disorder is committed.

On Friday night, July 27, a meeting of Radical persons was held in the Mechanics' Institute. It was composed largely of colored people, and was addressed by ex-Gov. Hahn, Dr. Dostie, and others. At a later hour a torchlight procession of the same individuals was addressed in front of the City Hall, by Dr. Dostie. All of these speeches, except those of Dr. Dostie, are said to have been temperate. Of this, the only report which we have is to be found in opposition papers, and its authenticity is denied. The words put into his mouth by his enemies were violent and indiscreet, and, as the version of his remarks was widely disseminated, it did, undoubtedly, have much effect in exciting the public mind. In the same category with the speech attributed to Dr. Dostie must be placed the charges of Judge Abell to the Grand Jury of the Parish, in relation to the Convention. The extraordinary sentiments which he then put forth, the occasion which he selected for their utterance, and the intemperate language in which they were clad, were all calculated to breed popular tumult.

To the Major-General commanding the Division, who has had so much longer time to observe the character of the prominent men of this community, I need not speak of the unscrupulous character of this gentleman, as displayed in his official capacity.

We have only to lament that we find in his position a person ready to prevent the sanctity with which we all wish to enshroud the law to the accomplishment of political party ends.

On Saturday, the 28th of July, I had a call from a member of the Convention, the only direct communication I have had with any person con-

nected with it. Our interview was quite brief. He informed me that they designed to meet on Monday, and that it was understood they might be interfered with by the city authorities. He told me nothing with regard to their views and objects. In reply I informed him that I had but a correspondence with the Mayor upon the subject, and that after what had passed between us I did not think the Convention men need fear violence.

Almost immediately on his departure I was visited by Mayor Monroe, accompanied by Lieut.-Governor Voorhees. The impression made upon my mind after some few minutes' conversation with them was, that the Lieutenant-Governor had come with the Mayor in order to lend the appearance of representing in the interview with me the office of Chief Executive of the State. I had suggested, as will be observed in my letter to the Mayor, that the Governor would be the most proper person to initiate the steps which they proposed, if such steps became necessary. Gov. Wells had for some time been absent from the city, and notwithstanding that there was a rumor of his return, these gentlemen informed me that those who had sought interviews with him had been unable to find him, that he did not appear in his office to discharge ordinary duties in the customary way, and by inference therefrom the opinions of the officer next to him in rank might carry with them much of the weight which is properly attached to the incumbent of the highest office in the State. I did not so regard it. I was very soon informed that the plan of breaking up the Convention by having the Mayor and City Police to arrest the members had been abandoned, and that it was now designed to have them indicted by the Grand Jury of the Parish, and upon this process would issue to the Sheriff to make the arrests. I replied at once that I did not see that this could change the condition of affairs or my responsibilities. What I desired was to hold the military force in strict neutrality between the political factions, and only to interfere with them when it became necessary for the preservation of the peace. I also wished carefully to put aside any complication which might result in compelling me to interfere. I said that as the case presented itself to my view, it was one between the political parties fighting bitterly for the ascendancy, and that one happened to hold certain judicial and municipal offices which it sought to use, as I thought, improperly, in order to secure its superiority over the other. I said, further, as my conviction was clear that these men had a right to assemble, and that to arrest them for so doing would be a violation of their rights as citizens, the inevitable consequence would be an appeal to me upon the failure of the Courts to give them prompt redress, and that I would be compelled, by the order of Gen. Grant, to release them, and, perhaps, to arrest the Sheriff, or those engaged in committing such act of violence. I therefore begged that the Sheriff, in case he should receive such a writ, would not attempt to execute it. I said that we

were all subject to a higher authority, and that in a very short time we could communicate with my military superiors, and receive instructions. Should it be found to be the policy of the Government to have the meeting of the Convention prevented we could do it; if not, we should permit it to take its course, and inasmuch as the arrests could be made on Tuesday as well as on Monday, the party opposed to the Convention could have no cause to complain of the delay.

With this proposition the Lieutenant-Governor readily acquiesced, and having informed me that he had already telegraphed to the President, I agreed to telegraph immediately to the Secretary of War, and to communicate my instructions as soon as received to the civil authorities. Gov. Voorhees at the same time promised that the Sheriff should bring any writ that he might receive to me for my approval before proceeding to its execution. Every possible contingency from which trouble could be anticipated, seemed thus to be provided for, unless it might be the attack upon the Convention and supporters by unruly citizens opposed to it. I mentioned this, and remarked that such a disturbance, should it call for the interference of the troops to suppress it, would be highly injurious to the party which these gallant gentlemen represented. Gov. Voorhees replied that it would be fatal, and undertook to have all persons not friendly to the proposed assemblage warned through the public prints to avoid the streets in the vicinity of Mechanics' Institute while the meeting was going on. With this the interview closed. The conversation was carried on chiefly by Lieut.-Gov. Voorhees and myself, Mayor Monroe making but few remarks; but I understood him to acquiesce in all that was said by the Lieutenant-Governor and in the arrangements agreed upon between him and myself.

No application whatever was made to me for the assistance of troops; and all that was said in relation to troops on this occasion was my remark that I would hold my men in hand and that the contending parties must be careful not to come into collision or I would intervene between them. By a glance at Mayor Monroe's letter of the 25th, it will be seen that he makes no request for military assistance, but on the contrary desires the military to keep out of the way and permit him to carry out his purpose without interruption. The object of the visit to me on Saturday was to make a similar request, only that it was the Sheriff and his posse instead of the Mayor and his police that was to operate in the latter case; not the slightest doubt was expressed as to the ability of either of these forces to make the arrests and close up the Convention without disorder; indeed, it is not probable that persons asking permission to perform an act such as was proposed, would acknowledge the possibility of its creating a riot by asking for the presence of troops. I did remark that the Sheriff must be very sure in case he undertook to execute a writ of arrest that it was done without disturbance of the peace; and I was assured in



reply that he would, in such case simply walk alone into the hall and read his warrant to the assembly, summoning the members to submit to the mandate of the court.

I was so well satisfied in parting with these gentlemen that every effort would be made to prevent popular commotion upon the meeting of the Convention, and that all exciting subjects would be laid aside until the orders of higher authority could be obtained, that I could not refrain from expressing to the Lieutenant-Governor the pleasure which the interview had occasioned me. As soon as they departed I dispatched to the Hon. Secretary of War a telegram, of which the following is a copy:

*Headquarters Department of Louisiana, }*  
*New Orleans, La., July 28, 1866. }*

To the Hon. E. M. STANTON, Secretary of war,  
 Washington, D. C.

A Convention has been called, with the sanction of Gov. Wells, to meet here on Monday. The Lieutenant-Governor and city authorities think it unlawful, and propose to break it up by arresting the delegates. I have given no orders on the subject, but have warned the parties that I should not countenance or permit such action without instructions to that effect from the President. Please instruct me by telegraph.

A. BAIRD, Brevet Major-Gen. Com.

To this, up to the present day, I have received no reply, nor has its receipt been acknowledged.

During the day of Sunday the 29th, I gave orders to the troops—one regiment of which, a colored regiment, was quartered in the upper part of the city, and the other, a regiment of regular infantry, together with the battery at Jackson Barracks, at the lower end of the city—to hold themselves throughout the day of Monday, in readiness to march at a moment's notice, to remain, however, within the limits of their respective camps. I also made arrangements for having a steamer at the Barracks early in the morning, to keep up steam and be ready to bring forward the troops rapidly to the points required. A swift tug was kept at the foot of Canal Street, as the speediest method of conveying a message to the officer in command, should his services be called for. These dispositions for keeping our soldiers out of the streets of the city, were made as much to prevent the excitement which any ostentation of military movement would have produced as to keep the men in readiness for service. For the same reason the steamer sent to Jackson Barracks was directed to move there at an hour when not likely to attract the attention of the public, so important did it appear in order to quiet down the growing excitement, that military parade should be avoided.

It will be observed, as I will show hereafter, that Lieut.-Gov. Voorhees, even up to the hour of noon on Monday did not, as he informed me, anticipate a breach of the peace. No member of the Convention, or friends of it, if attack was feared, came to me to represent the fact and to

ask provision for its safety. Judge Howell, the President, whom I have seen, asked why they did not notify me of their danger, replied they had no conception of it themselves; he and the rest were there unarmed, not sure that they might not be arrested or the meeting otherwise broken up, but with no idea that they would be subjected to violence. The large body of police belonging to the city was amply competent at any time by thrusting itself between the two antagonistic parties to separate them and arrest quietly the disorderly on both sides. It was strong enough to have held a force equal to both the parties in the streets in subjection until the hour when the troops held in reserve could come up. Indeed, there was no hour during the continuance of the riot when perfect order might not have been restored by a command to the police from its chiefs to put up their pistols, and turn round to request its friends and coadjutors in the work of riot to desist, to clear the streets, and return to their homes. That the police force itself, the chosen guardian of the law, the conservator of the public peace, should become the terrible rioter, which it did, was not to be calculated upon. We knew that there were bad men in that organization, and that its feelings were hostile to the Convention; but we believed them to be subject to the control of their officers, and, with all our knowledge of the depravity of the human heart, we could not have imagined them capable of such atrocities as were committed by them and their friends against helpless negroes and Union white people.

The commander who executed his move within proper supporting distance is not to be blamed for so doing, because his front line of troops put out to meet and fight the enemy basely passed over to him. This is the sole parallel that military history can afford for such treachery. Had I to prepare again for similar events, with the same light upon me, I would make the same disposition. Those who contend that the violent deeds of the 30th ult. were planned, contrived, and determined upon beforehand in the office of the Mayor, and the orders given out from that quarter, were careful to give me no such information in advance, and to convey no caution to me as to the want of fidelity of the police. To those persons connected with the civil government who assert that they called for military assistance (which is incorrect) and complain that it was not given them, is sufficient to answer: To ask against whom could the troops have operated? Against no one but their own organized forces, whom, by a word of command, they could have removed from the scene and thus restored order. On Monday morning, the 30th ult., I read in the city papers the warning of the Mayor to those hostile to the Convention to keep away from its vicinity. This was in accordance with our agreement on Saturday, and as I did not doubt that its effects would be good in preventing disorder, I was much gratified; I also saw published the following telegram, purporting to come from the President:

WASHINGTON, July 28, 1866.

ALBERT VOORHEES, *Lieut.-Governor, Louisiana* :

Sir,—The military will be expected to sustain and not obstruct or interfere with the proceedings of the courts. A dispatch on the subject of the Convention was sent to Gov. Wells this morning.

ANDREW JOHNSON.

The authority of this dispatch I saw no reason to doubt, but it was ambiguous as to the wishes of the Government in relation to the Convention. The difficulty lay in determining who were the legal authorities whom the military were expected to support and sustain. Judge Abell, of one of the State Courts, had but recently, in a charge to the Grand Jury of his district, denounced the Convention of 1864 as unlawful, and for this, as well as for the sentiments expressed by him, he had been arrested by the United States Commissioner and bound over for trial at the next session of the United States Courts. The question then arose as between Judge Abell and Judge Shannon, which was the military authority to recognize as the Court intended by the President. The journals which published the dispatch referred to, in commenting upon it, remarked that while the Department Commander would doubtless give any assistance that might be required to the civil officers in breaking up the Convention, that none would be asked for, as none would be required.

At about 11 o'clock of that day I was again called upon by Lieut.-Gov. Voorhees, and after a short conversation I informed him that I had as yet received no instructions from the War Department; that I had no doubt as to my duty, and that I saw no reason for changing my course of action. I said, moreover (I am quite sure it was at this interview I said it), that apart from the military considerations, by which alone I was governed, I thought it a very grave step for the friends of the President to take—to hang about his neck the responsibility of breaking up a Convention sanctioned by the Governor, with knowing certainly that he (the President) desired it. Without instructions to that effect I could not approve it.

Finding I did not propose to deviate from the course which we had agreed to take, upon Saturday it was reiterated in all its particulars. At this juncture, after having explained the dispositions which I had made of the troops; that they were ready at Jackson Barracks—three miles from Canal Street; that I had a steamer ready to bring them up, and a tug by which to send word to them the very moment I might be informed that a crisis demanding their presence was likely to arise—I remarked that, were not afraid my motives in bringing soldiers into the streets might be misunderstood, and regarded as a design to give military guardianship to the Convention, I would be glad to post a few men in the street on either side of Mechanics' Institute, at a distance of one or two squares from it. The Lieutenant-Governor seemed to be pleased with

this proposition, and promised that such action should not be misinterpreted by his friends, as a violation of the neutrality, which I wished to preserve. This acceptance of the services of troops proffered by me, not demanded from me, was the first thing approaching to an understanding or proposition relative to the presence of soldiers, that passed between us, or between me and any one. This, it may be observed, took place after the proposition to arrest the members of the Convention, first by the Mayor and then by the Sheriff, had been given up, and the determination to permit the meeting to go on until instructions to the contrary had been received, decided upon. Can it be possible that the police had the men detailed as a Sheriff posse, having been instructed already to act upon the other hypothesis—that of preventing the assembly—were prepared and in position for that purpose, and for this reason were feared by their own leaders, now that another course was to be pursued? however this may be, I agreed to send to the barracks for four companies, and to have them somewhere in the street, nearly one hour before the Convention should meet. I had acquired the impression, although I cannot now say who informed me, that the Convention was not to meet until 6 o'clock in the evening. It may be that the hour of meeting was not mentioned during the interview which I now describe, but as it was then fast approaching 12 o'clock, the Lieut.-Governor must have perceived that my proposition to send for the troops and have them on the ground in advance of the actual hour at which the meeting was to take place (if he understood it to be 12 o'clock), was impossible, yet the erroneous impression was not corrected. Had the object of this call upon me been, as has been told in the public prints, to ask from the military support for the civil force in a crisis which it was seen was likely to approach, the hour when the troops would be needed would not have been left in doubt, nor would other details of arrangements have been overlooked.

The truth is the Lieutenant-Governor left me, declaring the belief that the day would pass off peaceably, and I was satisfied he was sincere. The real object in view was to induce me to recede from the position I had taken on Saturday, in consequence of the telegram from the President, and to lend my sanction for dissolving the Convention.

As soon as he had departed I sent an officer to Jackson Barracks to bring up the available men of the First Infantry Regiment, and to locate them near the levee on Canal Street, so as to be out of the way, yet to be within reach if required.

It was now about 12 o'clock, and being convinced from the many assurances I had received that citizens hostile to the meeting, would, in obedience to the request of the civil authorities, keep out of the way, and that the police force would be on the ground to take in custody those guilty of the first disorders, I saw no chance for



a disturbance unless it might arise from the accidental collision with disorderly white men of some of the colored persons, who, it was said, might collect outside the building to protect the Convention. I was satisfied, from the natural peacefulness of their character, that the negroes would never be aggressive, but felt that their appearance at such a time might provoke attack from low and ignorant white men, to whom they are always an object of hatred. To remove this last chance, as I supposed, of disorder, I desired to find some persons belonging to the Convention to request that the members of the body themselves would meet with as little display as possible. Not knowing the residence of any of them except Judge Howell, I took a carriage and drove to his house. On my arrival I learned, much to my surprise, that the Convention had actually already met, and that the Judge had already gone to it. I then returned immediately to my office and soon after information was brought in with respect to the first acts of disorder on Canal Street. At once a second messenger was dispatched to hasten forward the troops that had been sent for, and also to bring up the artillery. I likewise sent a staff-officer to the Hall of Assembly to procure information as to the actual state of affairs. On his return he informed me that he met Judge Howell in the Governor's Room and learned from him that the Convention had met soon after the hour of noon and had adjourned for want of a quorum, but that it would again assemble at 1½ o'clock, and if no quorum was then present would adjourn over to the next day. He spoke of the disturbance that had taken place in the street, but did not seem to anticipate anything more serious. This report reassured me considerably as to the condition of affairs. About the same time a letter of Lieut.-Gov. Voorhees, of which the following is a copy, was brought to me by a special messenger:

*New Orleans, La., July 30, 1866.*

Major-Gen. BAIRD, New Orleans.

Sir: I am informed that squads of the colored population are going about in the Third District of the city; that they have abandoned their work; and that others are coming into the city, also, from the Upper Post and from Jefferson. How reliable this news is—or, at least, to what extent—I cannot say positively: at all events, I would suggest that an inquiry be made. The colored population is not answerable for these things; for, goaded as they are by inflammatory appeals to their passions and prejudices, it is astonishing that they have not already fallen into excesses. After leaving you, I called upon the Mayor, who was pleased to know what co-operation he would have from the Military Department. As a measure of prudence it would be well—should you, however, concur in this view—to have a military force disseminated throughout the city, to act in concert with the city police; but by all means in the vicinity of Mechanics' Institute. At this very moment my

messenger comes in and brings the information that a large number of freedmen are at the Mechanics' Hall, and that a great number of white people are in the vicinity. The excitement is increasing. The appearance of soldiers with policemen, at this moment, would be very beneficial.

I remain, very respectfully,

Your obedient servant,

ALBERT VOORHEES,

Lieut.-Gov. La.

In delivering it he remarks that the Lieutenant-Governor was not sure of the correctness of the reports which he made, since they were founded on rumors brought in to him; yet he thought it well to give me the information. In reply, I stated that I had already sent two messengers for the troops, and that I expected them every moment to arrive.

From this time forward messengers continued constantly to come in bringing news of the renewal of the riot, of the arrival of fresh bodies of police on the ground, and finally of the attack on the building itself. Among the last of these was Mayor Monroe, who came in hurriedly a little after 2 o'clock, and inquired, "When the troops I proposed to bring up would arrive?" I replied that by that very time they should be on Canal Street. He then asked, rather "anxiously," "Will they be white troops?" "Will they act along with my police?" I replied that I would have some white troops, and that I would suppress the riot, no matter who were engaged in it. The interview lasted but a few moments, and these three interrogations, together with my replies to him, constituted the substance of the entire conversation which passed between us on the occasion. They furnish a key to what was passing in his mind at a time when he knew his police had gone beyond all bounds that could be justified by people of any party and felt the heavy weight which responsibility for their acts would impose upon those accountable for them. The statement he has since made, as to telling me then that he held me responsible for the bloodshed of that day, is entirely erroneous.

The error may have been worked up in his mind by the excitement of the occasion in confounding subsequent thoughts with the events as they transpired. It is not probable that I would have received such an accusation without resenting it, nor would he have neglected, in stating his remarks, in giving my replies, had I made any. I immediately mounted my horse and rode to Canal Street, where the soldiers were then arriving. This was about 2.40 o'clock. The troops were at once moved up Canal Street to the City Hall, where the Assembly had met, but on the way encountered a large crowd of white men and boys, generally armed with pistols, and many of them drunk and prepared for further disorder. These were dispersed by sending strong patrols to clear the various streets and warn people to retire to their homes. The Mechanics' Institute was already in the possession

of the police, most of those who had been within its walls having been either killed, wounded, or captured and sent to prison. It would not be proper, in a report of this character, to state positively and minutely what did occur during the riot. The testimony of sworn witnesses, which is now being taken by a Board appointed for the purpose, will establish these facts beyond a doubt. It is enough for our present purpose to state that, according to the information we received, the first act of disorder occurred as a procession of about 150 colored men was moving through Canal Street. These men were generally armed with clubs or sticks, and perhaps one in ten had a pistol. The procession was preceded with music and the American flag. It was fired upon, and the most trustworthy evidence goes to show that the shot came from a restaurant on Canal Street. Another account states that the shot was fired by a negro in the procession at some one who attempted to take the flag from them. A rush was then made upon the procession by policemen and citizens, and, perhaps, a few more pistol shots were exchanged, but I find no evidence to that effect. In a few moments all was over and quiet restored; the police made three arrests and carried off their prisoners, while the colored men passed on to the Mechanics' Institute. There were very few persons injured in this encounter, probably not more than two or three. It was a very trifling affair and was suppressed easily.

After this the colored people who were not inside the Mechanics' Institute were assembled in front of that building in Dryades Street, occupying that position between Common and Canal Streets. At the same time the hostile citizens were collecting in Canal and Common Streets, but slightly separated from the negro gathering. The entire number of persons, including the Convention and those friendly to it, both inside and outside of the building, I estimate at about 500 or 600 men.

While things remained in this condition, at about 1½ o'clock, as nearly as I can ascertain the hour, a body of police came up Dauphine Street into Canal Street, and passing through the crowd of citizens, entered thence into Dryades Street, which brought them upon the collection of negroes in front of the Institute.

Simultaneously with this, my staff officer met a party of near 100 police going down Carondelet Street, whose officer informed him they were going to suppress the riot. This party turned down Common Street, and on reaching Baronne Street, detached a portion of its force to occupy the rear outlet of Mechanics' Institute on that street. The rest passed on to Dryades Street, where it came upon the colored crowd on the side opposite to those who came from Canal. These bodies of police are said to have been summoned to the spot by the ringing of the city bells. Everything shows preconcerted action. The police, armed with pistols and clubs, followed and supported by citizens, charged upon the negroes, having given no notice to disperse,

and having made no attempt to peaceably arrest them. There was a pile of bricks at hand, and the colored people defended themselves with these and their sticks as well as with such pistols as they had, less than one to every tenth man. They were soon overpowered, and those who could do so found a refuge within the Convention hall. The building was afterward assaulted, the police firing their pistols into the windows, and when an entrance was effected, they forced their way up to the landing on the second story, and there found the door of the hall barricaded.

At length, by some strategy, those in the hall were induced to open the door, when the police rushed in and emptied their revolvers into the assemblage. Those within, being feebly armed, could make but little resistance; and the policemen, retiring to reload, returned to repeat the same operation. When any of the Conventionists succeeded in being passed out to the front of the building, they were there met by a cordon of police, surrounded by another cordon of citizens, and attempting to surrender to the first, they were frequently shot down by the men whom they begged to take them into custody. This course was continued until the work was completed.

During the riot, a fire company arrived in rear of the building, by which passage many were trying to escape, and at once halted to unite with the policemen there, and take part in the work of slaughter. Other large bodies of police, regularly organized, also came in from the station-houses, sooner or later, to unite with the forces already engaged. It is also reported that men were passed through the crowd by friendly policemen, who tied about their necks white handkerchiefs as an evidence that they belonged to some one of the organizations of the citizens present. I do not report these things as perfectly correct in every particular, for I hold my judgment in abeyance until access can be had to the evidence which the commission will adduce. They are, however, credibly reported to me, and they leave no room to doubt that the riots of the 30th ult. present a picture of atrocity having no parallel in American history.

At the time when I located the troops in the center of the city and cleared the crowds from the adjacent streets, I was, of course, ignorant of most of the particular incidents of the riot, but the evidence was overwhelming that the police had been faithless to its duty, and had been riotous throughout; that, in truth, it led the riot, and it was, therefore, necessary to take this force under control. All negroes, all Union citizens of Louisiana, and all Northern men, so far as I could learn, were in a state of terror. The approach of a policeman they regarded as that of an executioner. Prominent citizens sought refuge or concealment in the houses of friends, and even the Governor of the State, during the night, sent for a guard, to protect his life. For days subsequent to the riot the meeting of two or three of the police, near the house of a Union man was regarded as sufficient



to justify a removal at night or a demand for a military guard, and with this state of feeling, whether it had any just foundation or not, a renewal of riot and disorder might at any moment have been anticipated. Persons being frightened would naturally, at the approach of fancied danger, gather together for defense, and bloodshed would probably follow. It was necessary to reassure them, which could only be done by an announcement of military protection, and notice to the police that they were taken under the supervision of a power that would hold them to accountability for their acts. To accomplish this object I issued an order proclaiming martial law. It was not one of the ordinary cases calling for such a step, where the civil force, having resisted to the last degree the violence of the mob, and is overcome, asks for assistance, and puts itself under the protection of the military power; but the very unusual case of the civil force becoming the aggressor, and giving way to excesses which had to be restrained.

There can be no question that it was necessary, and I am confident that great loss of life, and much destruction of property during Monday night, was prevented thereby. That a crisis had arisen demanding some extraordinary step is admitted in the following proclamation of Mayor Monroe, given to the public about the time I issued my order:

*Mayoralty of New Orleans, }*  
City Hall, July 30, 1866. *{*

*Whereas*, The city is in a state of great agitation, arising out of the riots precipitated by a revolutionary faction; and, *whereas*, it is absolutely necessary that order should be restored and violence suppressed; therefore, I, John T. Monroe, Mayor of the city of New Orleans, do call on all such citizens as are willing to assist in maintaining the peace, to appear at City Hall, this day, at 6 p. m., to be sworn in as extra policemen. No one not holding my authority will be allowed to make any arrest.

All good citizens, with the exception of those on duty, are requested to retire to their homes, and not to assemble in crowds in the public streets.

JOHN T. MONROE,  
Mayor.

No man has been injured by this declaration of martial law, while many have been benefited, and I recommend that it be maintained until a full report in relation to the riot, together with evidence which is being taken, can be submitted to the Government for such order as the wisdom of the President may dictate. In the evening on Monday, about the time I declared the city under military control, Sheriff Hays brought to me, on the street, a warrant for the arrest of the prominent members of the Convention. It was at a time when no further exciting movements could be permitted with safety, and telling him that it could not be done, I made upon the writ the following endorsement:

"The Sheriff will withhold action on this. Wait until further orders. "A. BAIRD,  
"Brevet Major-General,  
"Commanding Department."

Two days subsequently I received from the Adjutant-General a telegram, of which the following is a copy:

[By Telegraph from Washington.]

To Gen. A. BAIRD, Commanding Department of Louisiana:

You will not interpose any obstacle in the way of the civil authorities, but render whatever aid may be required by them for the preservation of the public peace. The foregoing telegram is transmitted to you by order of the President. You will acknowledge its receipt.

E. D. TOWNSEND,  
Assist. Adjt.-General.

On the receipt of this, I sent for the writ still in the hands of the Sheriff, and wrote beneath my former endorsement as follows:

*Hdqrs. Department of Louisiana, }*  
New Orleans, Aug. 2, 1866. *{*

The necessity for the above order having ceased to exist, no further impediment will be placed in the way of executing the writ.

A. BAIRD,  
Brevet Major-General,  
Com'g Dep't.

In consequence of this, I am informed that the arrests were soon after made. But Major-General Kautz, having been appointed Military Governor of the city, gave early attention to the condition of the wounded and prisoners, with whom the cells of all the prisons and station-houses were filled. The officers sent out for the purpose found the wounded and the well crowded together in a disgusting and sickening manner, without any proper care for their sufferings. They were, however, being rapidly paroled and released by order of the civil authorities. Against many there were no charges whatever, and against no one was it charged that he had been accessory to the killing of any one during the day. I have yet likewise to learn that a single individual of those hostile to the Convention had been arrested. The officers made diligent inquiry, and could hear of no one. Upon their report, Gen. Kautz then ordered that the work commenced by the civil government should be continued, and that all persons arrested against whom there was no accusation of crime should be released. In order to ascertain the number of killed and wounded upon either side, I have caused Surgeon Hartsuff, U. S. A., to make an investigation and report. He called upon the proper city officials for their statement, and has sought for information in every quarter. No doubt there were men killed and wounded concerning whom he could obtain no information. The following is his report:

## NAMES, NATURE OF WOUNDS, &amp;C., OBTAINED.

	Killed.	Severely.	Slightly.	Pistol wounds.	Incised wounds.	Contusions.	Total.
Members of Convention.....	1	4	4	4	1	8	9
White citizens attending Convention.....	2	4	5	8	2	4	11
Colored citizens do. do. ....	34	40	79	44	30	45	153
Total.....	37	48	88	51	33	52	173
Policemen.....	1	10	7	1	2	10	1
White citizens with police.....	1	1	1	1	1	1	1
Total known.....	38	48	95	58	34	54	184

Positive evidence concerning these could not be obtained:

Supposed in addition to above, Colored citizens attending Convention.....	10	20	*	...	...	...	30
Total.....	48	68	98	58	34	54	214

This exposition of 37 certainly, and 2 more probably killed, on the side of the Convention against a single citizen on the side of the city authorities; of 48 severely wounded on the side of the Convention, and not a single man in that category upon the other side, and of 88 certain, and 20 more probable cases of slight wounds among the friends of the Convention, and but 10 such cases among the police and its friends, is highly significant. In a report which has been submitted to the President, signed by Lieutenant-Governor

Voorhies, Attorney-General Herron, and Mayor Monroe, it is stated that "the collision was, in every instance, brought about by the armed mob sustaining the Convention;" likewise, that they were well armed, since "forty-two" policemen and several "citizens" were either killed or wounded by them. Seeing this, Dr. Hartsuff called upon the Chief of Police for a list of casualties, and, in reply, received a statement that 22 had been injured—one of these had died from over-fatigue.

Dr. Hartsuff visited the rest and found some uninjured, while but the 10 he reports were well enough to be on duty the next day. It will be remembered, in this connection, that the police assaulted a building in which the so-called rioters had barricaded themselves, and, while the wall of this building opposite the entrance was covered with bullet marks, but three or four can be found on the side by which the police entered.

Most of those killed received one or more pistol-shots, and of the wounded, Dr. Hartsuff found 51 such wounds on the part of the Convention party against 7 on the part of the police.

All of this goes to establish which party was armed and organized, and which exercised the violence, notwithstanding that nearly every policeman swears that they were generally unarmed, and that he did not see a shot fired by them. I am, sir, your obedient servant,

A. BAIRD,

Brevet Major-General, Commanding Department

## THE GARBLED DISPATCH.

[From the New York Tribune, August 27.]

The publication of the correspondence between Gen. Sheridan and the President, enables us to justify our expressed suspicion that the dispatches of Gen. Sheridan had been tampered with for base uses. We now print the doubted dispatch as it appeared in *The Times*, and also a true copy from the official correspondence:

## THE GARBLED DISPATCH.

*The Times*, Aug. 3.

NEW ORLEANS, Aug. 1.—1.30 p. m.

Gen. U. S. GRANT, Washington, D. C.

You are doubtless aware of the serious riot which occurred in this city on the 30th. A political body, styling itself the Convention of 1864, met on the 30th for, as it is alleged, the purpose of remodeling the present Constitution of the State. The leaders were political agitators and revolutionary men, and the action of the Convention was liable to produce breaches of the public peace. I had made up my mind to arrest the head men if the proceedings of the Convention were calculated to disturb the tranquillity of the Department, but I had no cause for action until they committed the overt act. About 40 Whites and Blacks were killed, and about 160 wounded. Everything is now quiet, but I deem it best to maintain a military supremacy in the city for a few days, until the affair is fully investigated. I believe the sentiment of the general community is great regret at this unnecessary cruelty, and that the police could have made any arrest they saw fit without sacrificing lives.

P. H. SHERIDAN,  
Maj.-Gen. Commanding.

## THE TRUE DISPATCH.

*From the Correspondence.*

NEW ORLEANS, Aug. 1.

U. S. GRANT—General: You are doubtless aware of the serious riot which occurred in this city on the 30th. A political body, styling itself the Convention of 1864, met on the 30th for, as it is alleged, the purpose of remodeling the present Constitution of the State. The leaders were political agitators and revolutionary men, and the action of the Convention was liable to produce breaches of the public peace. I had made up my mind to arrest the head men if the proceedings of the Convention were calculated to disturb the tranquillity of the Department, but I had no cause for action until they committed the overt act. *In the mean time, official duty called me to Texas, and the Mayor of the city, during my absence, suppressed the Convention by the use of their police force, and in so doing attacked the members of the Convention and a party of two hundred negroes, and with fire-arms, clubs, and knives, in a manner so unnecessary and atrocious as to compel me to say that it was murder.* About 40 Whites and Blacks were thus killed, and about 160 wounded. Everything is now quiet, but I deem it best to maintain a military supremacy in the city for a few days, until the affair is fully investigated. I believe the sentiment of the general community is great regret at this unnecessary cruelty, and that the police could have made any arrest they saw fit without sacrificing lives.

P. H. SHERIDAN,  
Maj.-Gen. Commanding.

If the reader will look at these dispatches critically, he will find that the copy in *The Times* was, as we suspected at the time, a forgery.