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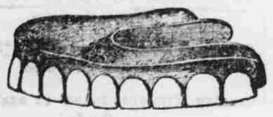

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LOUISIANA

Address of the Committee.

Washington, Dec. 20.—The Louisiana Committee have issued an address to the people of the United States who they believe are not unconcerned spectators of the events now transpiring within the limits of that State, and to which, it is probable, no parallel can be found in history. The Committee repel as utterly false the insinuation that they are mere allies of Gov. Warmoth. They are not representatives of any personal or party interest whatever. So far as Warmoth's past conduct is concerned, few, if any of them, have not been among his pronounced opponents; while in those measures for which he has been most loudly denounced, he had for advisers associates, coadjutors the very men who now assail him, including, especially, Pinchback, Antoine, and others, whose names figure most conspicuously in these proceedings. The Committee declare, in reply to an other insinuation that they are not parties to and have no knowledge of any political trickery intended to defeat the true voice of the people that they do not believe any such existed, and that they would not be here unless they could proclaim conscienously their conviction, that the men who have been foisted into the offices of the State have not merely been irregularly and unlawfully installed, but were not elected by the people, and were not and are not the choice of the voting population of Louisiana. The Committee add that all they have asked of the Government is to make a candid and impartial investigation of the facts; and then they proceed to give a detailed statement af all the facts connected with the election, including the various injunctions by courts, and with the organization of the partial Legislature which impeached Governor Warmoth and placed Pinchback in his stead.

Steps having been taken, say the Committee, by Governor Warmoth to secure a revision by the Supreme Court of the United States of the chancery orders of the United States Circuit Court this body forhwith adopted resolutions to dismiss these proceedings. The militia was placed under command of General Longstreet, and the arsenals taken possession of by the aid of the United States army. A civil revolution was accomplished within a month, under the orders of Chancery Court, in suits over which the courts have no jurisdiction at all. The Circuit Court of the United States is a Court of limited jurisdiction, and without any authority to enter into civil suits between citizens of the same State, unless the case arises directly under the Constitution and laws of the United States, and jurisdiction is vested by acts of Congress. Congress has no power to confer jurisdiction in any other case between such citizens. It has no authority to give jurisdiction over a suit of a citizen of the State against the State. Under the act of Congress of 1870, upon a single condition of facts, a citizen of a State may maintain a suit for an office of a State within the Courts of United States, but the State Legislature is specially excepted from the operations of this act, in the same clause that excepts members of Congress and Presidential Electors; The organization of the Legislature is by chancery order. Had there been resistance to to the execution of the orders, and riot and bloodshed had followed, upon whom would have fallen the responsibility? By whose forbearance was it that a bloody catastrophe has not been exhibited as a scandal to the land? It sometimes happens that the Executive Department is tolerated, excused, or justified in acts of administration which exceed their legal powers. The arguments derived from the terms of State necessity, public welfare, or convienence here have a sooting influence, but judiciary action is not entitled to any benefit from such arguments. The damage which ensues from their employment of judiciary power to accomplish other than judicial acts of administration cannot be calculated, and it is impossible to justify a Court on determining that to be legal which is merely desirable, or that to be right which is only profitable. The order in the Kellogg case was *ex parte*; it was placed in the hands of the Marshal without notice to the parties. It proceeded for an alleged contempt by no legal proceedure usual in matters of the sort, and we are not aware of any imminence of danger to the public peace, which justifies the seizure of the State Capitol in a chancery cause in a suit between Kellogg and a Canvassing Board, a suit professedly brought to perpetuate testimony The case of Antoine displays with more distinctness than that of Kellogg the use that has been made of judical orders to accomplish the results of which the judiciary had no cognizance. Antoine was a candidate for Lieutenant Governor and was entitled his office January next, had he been elected. With a disputed title, a month in advance he filed this bill and obtained the order we have cited, placing under an interdict the Governor, Secretary of State, the members elect of both branches of the General Assembly, all Boards and Officers and men of the police, the members of the two Canvassing Boards, and upon this *ex parte* order, the organization of the General Assembly was regulated and directed.

Since the meeting in New Orleans, under which the Committee was appointed, we have been met with the suggestion that these orders and acts are facts accomplished, and that their revocation or recession would not restore the *statu quo*, and that our complaints, therefore, are unseasonable. If this we have be correct, such a condition ought not to effect our action or conduct When the King of Great Brittain established arbitrarily a Government in one of the colonies, the remaining colonies took alarm least it might serve as a precedent as well as an instrument to establish such governments elsewhere Besides, men are less patient under wrongful orders and acts of a judiciary tribunal than even violence from other sources of authority. A government which rests for its organization upon an illegal judicial order, executed by the Marshal with companies of soldiers does not command as much respect or authority as if judical appendages had been dispensed with, and the army had set up a government with a strong and usurping hand.

The Committee take the liberty to say they had no connection with these suits as parties or attorneys. Neither do they claim any of the offices in dispute. They have not heretofore been confined in controversies among political classes, which have endangered the peace of, and brought scandal upon the State. They affirm that, during the last four years, there has not been a good Government in Louisiana. There has been extravagance, prodigalty, dishonesty, and waste in the public expenditures. The public debt has been enormously increased with but little corresponding benefit. The credit of the State has been given to speculating corporations for personal aims, The taxes on property have assumed such proportions that they might be called rents paid by proprietors to the State for its occupation and use. The taxes upon business oppress the commercial and laboring classes. The laws to control election, corporations, and public institutions stimulate these excesses of office holders, and the consequence is depression and discontent. The State needs an honest, and faithful and responsible Government, conducted to attain public objects, and not to enrich its members, or to perpetuate their power. There was an earnest effort to obtain such a Government at the last election. We affirm without fear of contradiction, that the foregoing statement exhibits, on the part of the United States Court, the most unparalleled and baseless usurpation of jurisdiction and authority of which the annals of jurisprudence afford any example. The action of the Returning Board, recognized and vested with all its powers by this Court, has been equally unprecedented. Without any official returns before them, without any official data on which alone their action could have been rightfully based, they have presumed to proclaim the results of the election. The declaration by them of the votes cast in the different parishes is as purely fanciful as is no election whatever had been held. They have arbitrarily reduced and increased the votes on one side or the other in different parishes to suit their purposes. In Several parishes while returning, or even adding to the votes cast for their candidates, they have simply annhilated or stricken out entifely the votes cast for their opponents. In other parishes they have exactly reversed the returns, giving to their candidates the majority which had really been returned for their opponents. They have not pretended to furnish the public with any statement of the basis on which they proceeded, or theory on which they acted. Their whole conduct is without reasonable explanation. We submit to the people of the United States that such proceedings reach a point at which the whole theory of popular Government is reversed and overthrown. The means by which such results have been reached are enough to startle the public mind, but the results themselves are not less appalling. Aside from general affairs of State, we find the Legislature of the State delivered over into the hands of men who were not not elected, and who were utterly unfit for positions of such responsibility. As originally composed at its organization, it comprised sixty-eight persons of color, most of them totally uneducated, with a very small minority of whites. Since that time they have members whose seats were uncontested they have unseated members returned elected by their own Board, and seated their defeated opponents on the simple ground that the former had not appeared to claim their seats. The result is, that originrlly bad as the Legislature was, it makes itself worse day by day, and the prospect is that soon the Conservative element of the State will have no representation whatever, To those who flatter themselves with the hops that Mr. Kellogg would not willingly abet any schemes of outrageous misgovernment, it is now apparant that, even supposing this to be true, the power of restraining has passed entirely beyond his control, and that, should he attempt to thwart the schemes of this Legislature, his own impeachment would be a probable event of his future.

In conclusion we would state that we have attempted to perform the duty of our mission in the purest non-partisan spirit; that we have not sought to furnish capital to any political party, or to excite popular clamor in the interest of any faction. We have laid our case before the President and his Attorney General, and we willingly testify that we have been courteously received and patiently listened to. While they have refused the specific measures of relief for which we applied, they have given reasons for such refusal in no manner implying their indisposition to see justice done. They have referred us to Congress, and we feel assured that we shall have his co-operation in any measures of relief which Congress may adopt after a just investigation. The people of Louisiana, ignoring party and conscious of an honorable effort to place in office men of tried probity, seek justice not genorosity. They ask for a calm, impartial examination of the recent extraordinary events within their borders, and that there may be a speedy correction of the dangerous evils now threatening the very life of their State.

(Signed) J. A Campbell, J. Alridge, August Bohn, Joseph Bowling, N. Barnett, A. Chiapella, J. S. Copes, H. W. Connor, Coleman, John Fairbanks, C. E. Fenner, E. B. Wheelock, A. B. Griswold, G. Kohn, H. McCloskey, G. W. Knott, H. V. Odgen, W. S. Pike, John C. Potts, John F Pollock J. Turyes, Wallace, Walker Fearn, D. C. Sabott, H. O. Seixas, J. W. Sabouisse, D. West, Richard Taylor, Mayor Stern, R. P. Shlestern, R. Pugh, George W, Squires, F. A. Haber, H. Gartes, P. M. Baker, Albert C. Janin, S. Hernsheim, T. H. Kennedy, J. M. Scott, Alfred Millenberger, H. G. Darcy, Sella Martin, U. Markes, C. M. Wilcox, H. R. Craler.

ANOTHER ANCIENT ACCOUNT OF THE DELUGE.

Our readers who have pursued, with deep interest, the account of the deluge deciphered from tablets found at Nineveh, published in the *Observer*, will be glad to have before them the account of the same event, as given by Berosus, a priest of Babylon, who lived and wrote nearly three centuries before Christain era. He was the author of several books—Babylonian-Chaldean history—which have all perished, with the exceptions of some fragments preserved in the writings of Josephus, Eusebius, and others. We copy from the paper of Mr. George Smith, in the Nineveh tablets. Mr. Smith says:

The Chaldean account of the Flood, as given by Berosus, I have taken from Cory's Ancient Fragments, page 26 to 29, as follows:—

"After the death of Ardates, his son Xisuthrus reigned eighteen sari. In his time happened a great deluge, the history of which is thus described: The Deity, Chronos, appeared to him in a vision, and warned him that upon the fifteenth day of the month Dæsius there would be a flood, by which mankind would be destroyed. He, therethere enjoined him to write a history of the beginning, procedure, and conclusion of all things; and to bury it in the city of the sun at Sippara; and to build a vessel, and take with him into it his friends and relations; and to convey on board everything necessary to sustain life, together with all the different animals, both birds and quadrupeds, and trust himself fearlessly to the deep. Having asked the Deity whither he was to sail? he was answered, 'to the Gods,' upon which he offered up a prayer for the good of mankind. He then obeyed the Devine admonition, and built a a vessel five stadia in length, and two in breadth. Into this he put everything which he had prepared; and last of all conveyed into it his wife, his children, and his friends.

"After the Flood had been upon the earth, and was time abated, Xisuthrus sent out birds from the vessel, which not finding any food, nor any place whereupon they might rest their feet, returned to him again. After an interval of some days he sent them forth a second time, and they now returned with their feet tinged with mud. He made a trial a third time with these birds, but they returned to him no more; from whence he judged that the surface of the earth had appeared above waters. He therefore, made an opening in the vessel, and upon looking out found that it was stranded upon the side of some mountain upon which he immediately quitted it with his wife, his daughter, and the pilot. Xisuthrus then paid his adoration to the earth, and having constructed an alter offered sacrifices to the gods, and, with those who had come out the vessel with him disappeared.

"They who remained finding that their companions did not return, quitted the vessel with many lamentations, and

Continued to fourth page.