The New Orleans Bee.

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TERMS OF THE BEE.
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TERMS—PER YEAR.....$5.

NEW ORLEANS:
SATURDAY MORNING, JAN. 13, 1872.

History of Mr. Carter's Displacement from the Speakership.

The facts connected with the contest now in progress between Gov. Warmoth and the members of the Legislature in opposition to him have been grossly misrepresented to the Federal authorities at Washington and to the people of the Northern States. It is important they should be correctly understood and to this end we submit for the information of distant readers a brief account of the origin and progress of the opposition to Gov. Warmoth, which has sprung up in the General Assembly and ended in an open rupture of the relations which should exist between these co-ordinate departments of the same Government and brought about a condition of complete anarchy in this State.

For nearly a year past the Republican party of the State has been divided into two wings or factions—the one headed by Gov. Warmoth and the other by Mr. Carter, Speaker of the House of Representatives. The feud between these factions has been increasing in bitterness ever since the meeting of the Republicans in State Convention in August last. Each faction has been active in its efforts to destroy the other and in this attitude they stood when the Legislature assembled on the first day of January. The two parties were nearly equally divided, the Carter faction having obtained the support of nearly all the Democratic members of both Houses. This alliance was formed for two purposes—the impeachment of Gov. Warmoth and the carrying into execution a comprehensive plan of reform in the legislation of the State. In these circumstances it became important to Gov. Warmoth that he should secure the control of the General Assembly. The Senate was not in session for want of a quorum, such of its members (nearly one-half, as adhered to Mr. Carter's party, refusing to attend until they had obtained the necessary majority to carry out the measures determined upon. The House of Representatives was in session with a full attendance of members, and several votes had been taken to test the strength of parties. These resulted in majorities for the Carterites. A vote of confidence in their leader was declared by four majority. There was therefore a working majority in favor of the reform plan to which we have alluded. Warmoth's impeachment and suspension from office now became imminent. It was therefore necessary for him to unseat Speaker Carter and place in the chair one of his own followers. The Governor, to do this, resorted to extra-legal methods. The first step was to call together his adherents in the House of Representatives in an extra session without the knowledge of the opposition members. And this he did last Thursday afternoon, after the House had adjourned that day to meet again the next day. The Warmothites of the House therefore met in what the Governor termed an extra session, and passed a resolution declaring the chair of the speaker vacant, following up this resolution by another proposing the election of O. H. Brewster as his successor. The resolution was carried and Mr. Brewster was declared elected by this fractional portion of the House, the opposition members the election, as the minutes state, no persons were seated who had been legally excluded from the House previously, on the ground of being non-residents of the parishes they claimed to represent, or who had not been legally elected. The House was thus revolutionized. Next day Gov. Warmoth had the State House filled with his armed police and his hired bullies, and the approaches of the building were blocked by other bodies of the police for the purpose of excluding by force Mr. Speaker Carter and his adherents. Can it said under these circumstances that the proceedings of this fractional portion of the House have been legal, or that Speaker Carter has been lawfully removed from the chair?

To test the question as to whether the action of Gov. Warmoth in calling the House together in extra session pending a regular session and an adjournment thereof, let us suppose that a similar proceeding had taken place at Washington with this change that the parties were the President and the House of Representatives there. Let us suppose that the House of Representatives presided over by Mr. Speaker Blaine had adjourned on a specific day to meet again next day at the usual hour, and that pending said adjournment President Grant to avoid impeachment had issued his proclamation calling the members of the House together in extra session, and that in such extra session the House pretending to have a quorum had in the absence of many of its members unseated the Speaker and elected another Speaker. What would the people in the North think of that? Will any lawyer or any one not a lawyer possessed of ordinary intelligence and familiarity with legislative proceedings, assert that the Governor of a State has power to convene either or both Houses of the General Assembly in extraordinary session while a regular session is in progress. The power granted to the President of the United States by the Constitution thereof, to call an extra session of Congress, presupposes that Congress is not assembled in regular session, and that some emergency exists which imposes upon the President the necessity of asking the aid of the legislative department of the Government. The power given to the President so that during a recess of Congress he may have the benefit of their advice and sanction to the measures which he may recommend. Pending an adjournment from day to day Congress is supposed to be in session and ready to receive any message from the President. It is the same with the State Legislatures and the Governors.

We do not assert that Speaker Carter might not have been removed at a full session from the chair by a majority vote on the ground of want of confidence. But we know of no precedent, no authority for such action as was taken in extra session by a fractional portion of the House last Thursday afternoon. We regard that action as null and void, because taken in violation of the Constitution and the usage of the Legislature of Louisiana, as well as of all other legislative assemblies, and we are sure that all impartial persons, upon an examination of the facts will come to the same conclusion.

NEW ORLEANS MUTUAL INSURANCE CO. In this issue we publish the twelfth annual statement of the New Orleans Mutual Insurance Company showing its operations from the 1st day of January, 1871, to the 1st day of January, 1872. The result is thus summed up:

Net earned premiums	$274,635 30
Losses, re-insurances, taxes, licenses, expenses, interest and rebates	353,943 95
Profit	$81,888 35
Assets	$992,579 90
Liabilities	$804,579 90

At a meeting of the Board of Directors, held on 11th January, 1872, it was resolved to declare the following dividend, on the net earned premiums pertaining to the year ending on the 31st December, 1871, for which certificates will be issued on and after the 2d Monday of March next, viz:

Thirty per cent. on fire premiums.
Ten per cent. on river premiums.

It was also resolved to pay 6 per cent. interest on all outstanding borrowbacks of scrip and 10 per cent. on balance of the issue of 1866 per scrip, to the legal holders thereof on and after the 2d Monday of March next.

Mr. Jas. F. Tayes is the President of the Company, and Mr. J. W. Hincks is the Secretary.

To Nervous and Nursing—Mrs. Winslow's Soothing Syrup for Children, while teething, whether for infants in the cradle or other causes, is the safest and best remedy.

Amusements—This Evening.

OPERA HOUSE—"Le Trouvere."
ACADEMY OF MUSIC—At noon, "Christie John stone." At night, "In the Toll, or the Fatal Secret."
VARIETIES—At noon and night, "Hy Yan Whinie."
ST. CHARLES THEATRE—At noon, "Saint Lyons." At night, "Spy of St. Mare" and "Jonathan Bradford."

History Repeated—The Bond of Commissioned Guilt.

Thucydides in his History of the Peloponnesian War, describes a condition of society in Greece very similar to that now existing in New Orleans. We have here prominent citizens associated with Gov. Warmoth in "a bond of commissioned guilt," which prevents them from taking the part of the people at large and compels them to protect that bad man from the consequences of his crimes. We forbear from naming the persons to whom we allude. They are known to the community as having their pockets full of State securities or certificates of stock in some speculative scheme gotten up by Warmoth or his associates, or interested in some other way in the perpetuation of his power. Of course such disinterested citizens see no necessity for martial law or for any change in our government which has for its object the termination of Warmoth's career.

"The men of large influence in communities" of whom Thucydides speaks, have an enormous responsibility, when they undertake to resist the popular will. Says the historian:

"Men now, who were allied in blood, were less valued or esteemed, than such as were connected by voluntary combination; since the latter, unscrupulous, and unimpulsive, were more ready to cast back in any scheme whatever. For new associations were not formed for such mutual advantage as is consistent with, but for the execution of such rapines as are contrary to human laws. *In matters of trust they persisted, not out of any regard to religious obligation, but from the bond of commissioned guilt.*"

The source of all these evils is a thirst of power, in consequence either of rapacious or ambitious passions. The mind, when actuated by, such, is ever ready to engage in party feuds. *For the men of large influence in communities arming on both sides a specious cause, some standing up for the public equality of law, others for the fair decorum of the* ARISTOCRATICAL *government, by artful sounds embarrassed those communities for their own private lucre.*

[COMMUNICATED.]

NEW ORLEANS, January 12, 1872.

To the Editors of the New Orleans Bee:

Gentlemen — Messrs. Kennard, Clarke, Pritchard, Adams and Oglesby, members of the Citizen's Committee of Fifty-one published in the *Picayune* yesterday their protest against the action of the committee in recommending to the Federal authorities to declare martial law in New Orleans and for grounds of protest, among many other reasons, assign:

1. That thereby the committee have transcended the mandate under which they were constituted.

2. That the existing state is not warranted by any present necessity.

Many of the constituents of those gentlemen would like them to answer these questions:

1. What remedy do you then propose for the evils under which we labor?

2. What are the "many other reasons" for which you are opposed to martial law?

3. Do you desire Gov. Warmoth to continue in the possession of his present powers under the Election, Registration, Militia, Constabulary and Metropolitan Police Laws?

4. Are you opposed to a Convention of the State and the establishment of a new Constitution?

CITIZEN.

The Killing of Walter B. Wheyland.

An Inquest by Judge Abell.

It is Proved that a Policeman Killed Wheyland.

Colonel Carter Admitted to Bail.

The Remarks of Judge Abell.

Colonel George W. Carter, Speaker of the House of Representatives, having learned that a *capias* had issued from the First District Court for his arrest, upon a charge of being accessory to the alleged murder of Walter B. Wheyland, a member of the Warmoth gathering of members of the House of Representatives at the Mechanics' Institute, who was shot on Canal street, near the corner of Burgundy street, on Tuesday evening, went to the First District Court yesterday morning at 11 o'clock and surrendered himself to the Sheriff. As the sanction Colonel Carter's counsel, Judge J. B. Cotton, Mr. H. C. Castellanos and Messrs. Billings & Hughes appeared before the First District Court, Judge Abell presiding, and made an application for their client to be admitted to bail, upon the grounds that if the parties accused of being principles to the homicide had committed it, he was not responsible for their act, although they had commissions from him as Assistant Sergeants-at-Arms of the House of Representatives, and that the excited man who committed the homicide was not committed by them, but by a policeman, for whose acts there was no color of law for holding Colonel Carter accountable. Counsel proposed to take evidence upon these points and the Attorney General being present and assenting, the court ordered the inquest to be proceeded with, whereupon Mr. McArthur, the Recorder of the Second District, who was present, was ordered by the court to produce the evidence taken before the Coroner, and the *proces verbal* in the case, which was done and said evidence and *proces verbal* were submitted by the Attorney General as the proof upon which the accusation was based.

The witnesses first examined were Mr. W. H. Rodgers, a member of the Bar of this city, and Representatives J. C. Monicure, from Caddo; James M. Thompson, from St. Tammany, and James B. Waade, from Tangipahoa. The evidence of all these witnesses was that Colonel Carter was at the House of Representatives, sitting at the Gem, on Royal street, on Tuesday evening, when the news came that Wheyland had been shot; that then there was a general expression of regret, in which Colonel Carter participated, that blood had been shed or any act of violence had occurred.

It was also testified by these witnesses, Mr. Rogers having been frequently in the House while it was sitting, as well as others who were members, that when Colonel Carter issued commissions to persons as Assistant Sergeants-at-Arms, he invariably instructed them to avoid violence in arresting persons, and to approach them and deal with them courteously.

The testimony in the case of Col. Carter.

In regard to the authority of Colonel Carter to issue commissions and to direct the the arrest of absentees, the evidence of Messrs. Demarre, Thompson and Wand was, essentially, as follows:

1st. On Thursday, the fourth day of the session of the House and the 4th of the present month, the House met at 12 m., and upon the roll being called by the Clerk, he announced that 36 members had answered to their names. A full House, if every parish were represented, is composed of 105 members, but since the election in November, 1870, four members have died one was refused admission at the session of 1871, and his place has not been filled. The whole number of members therefore is 104, and 105, a quorum, being more than half the number.

On that day, when the House was sitting in the Hall of the Mechanics' Institute, Mr. Wands called the attention of the Committee on Elections, which was formed by Messrs. Antoine, Thompson, Stevens, Wands and Hamilton, and which recommended that L. C. Lanaliser, of St. Martin; P. B. McFarland, of St. Mary's, W. E. Wheyland, of the Second, and L. J. Scott, of Avoyelles, be unseated, because they were not residents of the parishes they claimed to represent, or who had not been legally elected. The report was adopted, together with a resolution declaring their seats vacated, and directing the Sheriffs of the parishes who had nominated other parties. Only one of those contestants appeared, Mr. Lanaliser, who was received in place of Mr. Lanaliser, who was received in place of Mr. Lanaliser, who was received in place of