

THE LOUISIANA LOTTERY: A HISTORY OF THE COMPANY.

THE Louisiana State Lottery Company was chartered by an act of the Louisiana legislature on August 11, 1868, the act becoming a law without the approval of the governor who permitted the ten days to pass without vetoing it.

The persons named as incorporators were Robert Bloomer, Jesse R. Irwin, John Considine, Charles H. Murray, F. F. Wilder, C. T. Howard, and Philip N. Luckett. John A. Morris subsequently acquired the interest of some of the others—how it is not definitely known; but there is now pending in the city of New York a suit against him by one Z. E. Simmons in which the story is told. The case of Ben. Wood and others against Morris and others which was filed in New York also will throw some light on it. This last-named suit was dismissed on the exception or demurrer of Morris that lottery gambling was contrary to good morals and public policy and could not be adjudicated upon by a court of justice.

By the terms of the act the lottery was to "be and continue for and during the term of twenty-five years from the first day of January, 1869." This would make the charter expire on December 31, 1893. The lottery company existed under this charter until the session of the legislature in 1878, when the act was repealed and the charter destroyed.

The lottery company disregarded this repealing act, claiming that its charter was a contract with the State which could not be repealed, and immediately went to work for a constitutional convention, which it succeeded in having called.

That convention met in 1879 and proceeded to put the lottery in the constitution of the State and to recognize its charter as a contract binding upon the State for the period therein specified. In this it succeeded by its usual majority of one, and by the aid of the solid negro vote in the convention. The lottery company was required to file a paper with the secretary of state surrendering its monopoly feature, as well as to pay money to the State each year for the benefit of

the Charity Hospital of New Orleans, an institution which had been in operation for thirty-five years before the lottery was thought of. This the lottery company did. But it has never permitted the chartering of any opposition lottery company, although numerous attempts have been made to do so, as permitted by the constitution until the year 1895, at which time the constitution declares that all charters granted by the legislature shall cease.

This was the condition of affairs when John A. Morris, who had become the lottery magnate, announced by means of a letter published in the newspapers in April or March, 1890, that he would apply to the legislature for an amendment to the constitution granting to him a lottery charter for the term of twenty-five years, offering to pay therefor the sum of \$500,000 per year.

Perhaps I should say here that the lottery has two sorts of drawings, the monthly drawing and the daily drawing. The monthly drawing takes place twelve times a year on the second Tuesday in each month; ten of the drawings are "ordinary" drawings the tickets of each of which amount to \$2,000,000 and the prizes to \$1,054,800, the difference going into the lottery's pocket. Two of the monthly drawings are "grand extraordinary" drawings, in each of which the price of the tickets amounts to twice as much as in each of the ordinary drawings, the prizes also amount to twice as much, and the lottery's profit to twice as much.

In addition to the monthly drawing for which the tickets are sold all over the country, the lottery has a daily drawing in the city of New Orleans. All over the city are policy shops "run" by the lottery company where a person may go in and play as low as twenty-five cents, or as high as five hundred dollars, getting a printed ticket with certain numbers on it, or if he desires it a ticket with any numbers he wish written upon it. At four o'clock every afternoon numbers from one to seventy-five (or sixty-nine) are put in the wheel and from twelve to fifteen (according to the number in the wheel) are drawn out. The chance of winning in this drawing is about one in 76,000. There are in the city of New Orleans, according to a count made by the police in October, 1891, one hundred and eight of these policy shops; and their receipts average sixty dollars per day each. They are open and sell tickets three hundred and thirteen days in the year. From these data can be calculated the immense sum drawn by them from the people of New Orleans every year. The lottery company claims that of the receipts from the sale of tickets in the monthly drawing,

only seven per cent comes from Louisiana and that the remaining ninety-three per cent is drawn from the other States in the Union.

One of the favorite ways of the lottery to reward a small politician who has served it is to give him one of these city policy shops which is run for him by a clerk in whose name it is kept, he paying the clerk a salary and taking the commissions for the sale of the tickets.

But to return to the history of the re-charter, or attempt to re-charter the lottery. When Morris made his announcement that he intended to apply for a re-charter and would offer \$500,000 per year for it, all the daily papers in the city of New Orleans and a large portion of the country press immediately advocated the adoption of the proposition. The lottery company had purchased as many of the papers as were for sale. Just at this time, or a little before, seven gentlemen, Messrs. Charles Parlange, C. Harrison Parker, Jno. C. Wickliffe, W. G. Vincent, Frank McGloin, Geo. W. Young, and the Rev. B. Carridine, a Methodist minister, met in the office of Mr. Parlange and formed the Anti-Lottery League of Louisiana, for the purpose of fighting the lottery. At first it was difficult to get people to join it, so great was the terror of the power of the lottery; but it grew until at last it opened the fight.

Its first move was to establish a newspaper, for without one the fight could not be carried on. Raising the money they purchased a plant, having organized a stock company, and started "The New Delta," with Messrs. Parker and Wickliffe as editors. The lottery and the lottery's subsidized press immediately opened a war on the new paper. But it fought back and eventually whipped out the opposition in its attempt to drive it to the wall; and now, from a little evening, four-page paper, it has become an eight-page morning paper with as large a business as any paper in the city.

The first issue of "The New Delta" appeared on May 12, 1890, the day the legislature assembled. When that body met, nearly two-thirds of each house were opposed to the proposition of Morris. The next day after the legislature met Morris raised his offer from \$500,000 to \$1,000,000 a year for the lottery privilege, and then went to work on the legislature. He established regular headquarters in Baton Rouge, the capital, and would send for members whom he desired to get over, using such arguments as were best suited for the accomplishment of his ends. An anti-lottery caucus of the two houses was formed and a majority of the members of the two houses signed a paper pledging themselves never under any circumstances to vote

for the lottery proposition, and agreed that, if they did so, that fact was to be conclusive evidence that they had been bribed to do it. Many men who signed that pledge finally voted for the bill. The fight against the passage of the bill through the legislature was led by the Hon. Murphy J. Foster, senator from the parish of St. Mary.

Finally the lottery company got the requisite number (two-thirds) pledged to its measure in the house, and the bill was introduced by S. O. Shattuck, the representative from Calcasieu. Three times the bill was put upon its passage before it could be accomplished. First one member was taken sick and could not attend; then another was stricken with paralysis as he rose in his seat to vote for the measure; and finally it was passed amid the most violent storm which had ever passed over Baton Rouge, and just as Shattuck, the member who introduced it, gave his vote the state-house was struck by lightning, extinguishing all the electric lights in the building.

It was then sent to the senate. There the same delays accompanied it; senator after senator was bought over to the support of the measure until at last the requisite two-thirds were had in the senate. It was then passed and was sent to the governor, Francis T. Nicholls, for approval. At the opening of the session in his message Governor Nicholls had strongly denounced the measure and advised against its passage. As soon as it reached him he vetoed it in a ringing message. In it he said: "I will never permit one of my hands to assist in destroying what the other was sacrificed in endeavoring to uphold—the honor of my native State. Should I affix my signature to this bill I should indeed be ashamed to let my left hand know what my right hand had done." The allusion will be appreciated when it is known that Governor Nicholls lost his left arm at the battle of Chancellorsville while commanding a Confederate brigade.

The house of representatives immediately passed the bill again over the veto and sent it to the senate. Here another check was met. J. Fisher Smith, one of the lottery senators, was dangerously ill. He could not be brought into the senate chamber. It was proposed to take the senate and go to his room and there hold a session and pass the bill over the governor's veto. This was defeated by his physician who said that the excitement would kill him. In the midst of the confusion Senator Smith died. The senate then adopted a resolution that the governor had no right to veto the bill and sent the bill back to the house of representatives. The house immediately rescinded its vote passing it over the veto, and adopted the resolution of the senate,

and sent the bill to the secretary of state for promulgation. This was three days before the session of the legislature expired by limitation. The legislature adjourned on July 11. Immediately after the adjournment it was discovered that all the constitutional requirements had not been complied with—such as entering the proposed amendment in full on the journal of the house and senate with the names of the members voting for it; nor did the journals show that it had been read in full on three different days in each house; all of which were required by the constitution of the State.

Immediately the secretary of the senate and the clerk of the house were telegraphed for to come to New Orleans. They came, and after a consultation they went to Baton Rouge, the capital, with Lloyd Posey, one of the lottery senators, and changed and altered the journals of the two houses so as to make them show that these formalities had been observed. The journals had already been printed, but not bound. They destroyed four forms of twelve pages each, forty-eight forms or pages in all, and had forty-eight new ones set up containing the changes. These facts were sworn to by the printers who did the work and by the foreman of the State printing office and were admitted on the witness stand by the secretary and the clerk themselves, in the suit which I shall describe further on.

Matters were standing thus when the anti-lottery league called a State convention to be held in Baton Rouge August 7, 1890, to be composed of delegates from all the parishes in the State. That convention met, and out of the fifty-nine parishes in the State only one was unrepresented. The State farmers' alliance was in session at that place at the time, and that body united as a whole with the anti-lottery convention on the lottery question. That convention was in session two days and adjourned after issuing an address to the union and appointing a committee to conduct the campaign against the lottery. That committee immediately organized by electing Charles Parlange chairman, Murphy J. Foster vice-chairman, Jno. C. Wickliffe secretary, and E. B. Kruttschnitt treasurer, and went to work to organize the people of the State against the lottery.

The secretary of state refused to promulgate the act passed by the legislature and to advertise it for election by the people on the ground that it had not passed as the law requires. John A. Morris immediately, that is in the fall, after the secretary had formally refused to promulgate it, brought suit against him to compel him to do so. The case was tried before a judge who was a lottery man, yet the proof

was so overwhelming that he decided the case against the lottery. Morris then appealed to the supreme court of the State. After hearing the case, wherein all the proof I have set forth above was made, the court decided that the governor had no power to veto a constitutional amendment, and that the officers of the two houses had a right to change the record, after the adjournment. The change was proved to have been made July 16, five days after the adjournment. The decision of the court was three to two; one of the three judges who decided in favor of the lottery was Judge Samuel D. McEnery who is now the lottery's candidate for governor at the ensuing election.

The Anti-Lottery State Committee inaugurated a vigorous campaign by means of "The New Delta" and by meetings and speeches all over the State. The lottery company began its campaign through the newspapers it had bought, and later sent out a corps of hired orators through the State speaking in favor of it. It also organized the "Progressive League," an organization whose avowed purpose was to secure the adoption of the amendment by the people at the election next April, paying the salaries of the officers and the expenses of the organization, which were and are great. This league flooded the State with literature in favor of the lottery and had unlimited funds. The Anti-Lottery League and the committee were restricted to such funds as were contributed by private subscription. The ladies organized the "Women's Anti-Lottery League" and have done good work.

The anti-lottery men have made a combination with the farmers' union inside of the Democratic party and have agreed to support for governor, treasurer, and superintendent of public schools men named by the farmer delegates to the Democratic convention.

The lottery men have made a combination with the "city-ward-boss" element in New Orleans and the professional politicians in the country; and so the situation stands to-day.

There are various other matters connected with this lottery fight which are interesting, but there are so many of them that it is hard to tell where to begin to relate them; nor can they be given in chronological order. For instance, several years ago one of the lottery crowd filed in the federal court in New Orleans a suit against Morris, Howard, and the rest of the lottery crowd, praying for an accounting. The plaintiff was one DaPonta, who is still here and is a prominent lottery man. In that petition he alleges that large sums were used by Morris and his partners in bribing legislators and other State officers; and the allegations were supported by the affidavits of the

plaintiff and of one of the agents who did the bribery. That suit was never tried but was settled amicably out of court, and Morris's plea has been stolen from the record.

Just after the adjournment of the legislature which passed the lottery bill in July 1890, one of the senators, who had been an anti-lottery man and who was the last man converted to the lottery side, died at the Hotel Dieu in this city. He was a man who never had a dollar in his life. He was one of those men whom you have sometimes met that were born about one thousand dollars behindhand and who never caught up. He was deeply in debt and had been so ever since he was a man. From his dead body was taken a money-belt which contained \$18,000 in one-thousand-dollar bills, all new. Another also, a member of the house, who was the same sort of a man, died very soon after the adjournment and a large sum of money was found in his possession also.

Another member of the house, Joseph St. Amant, of Ascension, was arrested during the session under an information for receiving a bribe filed by the district-attorney. The evidence was as conclusive as circumstantial evidence could well be. The lottery officers were summoned to attend the trial and to produce the books and vouchers of the lottery company. They disobeyed the subpoena and went to the State of Mississippi beyond the jurisdiction of the court. The judge called the case up after ten o'clock at night on the last day of the term of court and ordered the district-attorney to proceed with the trial, despite the district-attorney's showing that the witnesses for the State had refused to obey the summons to attend and testify and that the books of the lottery company were not in court. The judge peremptorily ordered him to go on with the case. This the district-attorney refused to do, and, in order to prevent the defendant from having a good plea of former jeopardy, entered a *nolle prosequi*, thus reserving to the State the right to indict him again.

Every time the lottery has come before any representative assembly it has commanded the support of every purchasable man in that body. In every legislature and in the constitutional convention it has received the solid support of the negro members. It has dozens of men who have been and are in public life upon its pay-roll, giving them stipulated sums *per annum*, for services heretofore rendered. Those it can buy it buys; and those it cannot buy it seeks to destroy. It has no politics and knows no party. It numbers among its servants Democrats and Republicans. It has traded with all parties and has

supported all parties. It has among its principal stockholders P. B. S. Pinchback, the negro ex-lieutenant-governor of this State, and P. F. Herwig, the chairman of the Republican State central committee; while one of the men who is leading its present fight is the chairman of the Democratic State executive committee, and it has captured the machinery of the Democratic party in this State. At the last election its money was used to overthrow the bosses in the city of New Orleans; this year it has made a combination with those bosses. At the last election it offered money to the Nicholls campaign-committee, coupled with a pledge not to apply for a re-charter, in order to defeat McEnery who was then a candidate; this year it has taken up McEnery as its candidate and is abusing Nicholls. Like St. Paul, it is all things to all men, but there the resemblance stops. Its course has been marked by bribery from the day of its birth until this minute, and its track is strewn with the wrecks of the characters of the men who have served it.

Its most dangerous quality is its indirection. For example, in 1890, the year it applied for the act submitting the question of a re-charter to the people, there was an overflow in a part of the alluvial region of Louisiana. The lottery expended a vast sum of money, something like \$150,000, in closing breaks in the levee and in repairing weak places; it also sent relief to overflowed sections. This was to induce the people to write to their representatives to vote in favor of the re-charter. In 1891 there were other breaks in the levees, and other people were overflowed. Some of these people made application to the lottery for aid. It was refused. There was no election to be held this year. If there is an overflow next year (and the levees will have to be watched to prevent their being cut) the lottery will be there with all the aid the people want. Its "reptile" fund is well-nigh inexhaustible. In the recent city election there were spent more than \$100,000 by the McEnery side. Every cent of it came out of the lottery treasury.

This is the power which the anti-lottery men of Louisiana are fighting.

JNO. C. WICKLIFFE.

THE POPE AND THE FUTURE OF THE PAPACY.

THE late conflict arising from the French pilgrims' insult to the memory of Victor Emmanuel, followed by the indignant protest* of the Italian population, has drawn attention afresh to the state of the Papal question. It was certainly a very hazardous enterprise of Leo XIII. to invite masses of French pilgrims to Rome at the time when the anniversary of the annexation of the present Capital was celebrated by the people. The Pope's principal allocutions were indeed moderate, but the physical and mental overstrain of the aged Pontiff caused by the constant exertions of receptions and ceremonies provoked an irritability to which he gave vent in his address to the union of the Catholic youth; and it sounded rather as a cry for combat when he said that those who maintained that the Pope was free falsified the idea of liberty. It is true that he asked his hearers not to overstep the limits of legality, but if once the passions of young men are inflamed such admonitions are easily set aside; and it is not astonishing that the ardent French youths tried to give practical expression of their feelings. The incident is not yet closed; for, if the Italian Government with laudable promptness has punished those authorities who did not protect the pilgrims on their journey homeward against the insults of the populace, and if the French Ambassador at Rome has expressed to the Italian Minister of Foreign Affairs the regret of his Government on account of the excesses committed by his compatriots, if furthermore the French Minister of Finance has uttered words of sympathy towards Italy at the inauguration of the Garibaldi monument at Nice, and his colleague for Foreign Affairs, M. Ribot, has spoken in the same strain in the Chamber, denying any

* We may quote here the text of the Royal answer to the telegram forwarded to the King by the *Sindaco* (Mayor) of Rome in the name of the Roman population, which was at first withheld from publicity by the Government: "*Commosso come figlio, fiero come Italiano, mi unisco con tutto il cuore alla grande e nobile protesta del popolo Romano, il mio popolo! Consigliate ora i Romani a rientrare nella calma; la calma è dei forti!*"—*Umberto*. [Moved as a son, proud as an Italian, I join with all my heart in the great and noble protest of the Roman people, my own people! Counsel the Romans now to be calm; calmness is a virtue of the strong!—*Humbert*.]