

handed it in silence to the King. Where an election was concerned even the sympathy of an opium-soaked Rajput was not indifferent to him.

"What does it mean?" asked the King, and Tarvin threw up his hands in despair.

He explained his connection with the government of his State, making the Colorado legislature appear as one of the parliaments of America. He owned up to being the Hon. Nicholas Tarvin, if the Maharajah really wanted to give him his full title.

"Such as the members of provincial councils that come here?" suggested the Maharajah, remembering the gray-headed men who

visited him from time to time, charged with authority only little less than that of a viceroy. "But still you will not write letters to that legislature about my government?" queried he suspiciously, recalling again over-curious emissaries from the British Parliament over seas, who sat their horses like sacks, and talked interminably of good government when he wished to go to bed. "And, above all," he added slowly, as they drew near to the palace, "you are most true friend of the Maharaj Kunwar? And your friend, the lady doctor, will make him well?"

"That," said Tarvin, with a sudden inspiration, "is what we are both here for!"

(To be continued.)

## THE DEGRADATION OF A STATE;

### OR, THE CHARITABLE CAREER OF THE LOUISIANA LOTTERY.



**D**OUTBLES there are men among us who harbor scruples against a money-wager, just as there may be women too timid or too conscientious to smuggle; but that we as a people have a growing courage of our gambling propensities is a fact too obvious to be gainsaid. Now and then a hostile voice is heard, but it is not always irreconcilable. A recent public letter from a distinguished church authority contains an implied censure on the Louisiana Lottery, but at the same time makes the distinction that "a lottery, under certain conditions, is not opposed *per se* to the moral law." In justice to the Louisiana Lottery, I shall endeavor to show later that it is an institution which fosters with jealous care the *per se* of the business; so a person who is merely opposed to the manner in which the Louisiana Lottery is administered may yet learn to admire its benefactions in the past and its new and improved scheme of benevolence for the future.

It is a trait of the self-righteous to forget the past, when they were no better than the rest of us. Who says there shall be no more lotteries in Thomas Jefferson's land of "life, liberty, and the pursuit of happiness," when that great man was himself constrained to favor lotteries for public purposes? To be sure, in his old age he took philosophic ground against them, but if he could return to us to-day, he might well be interested to see how large a part the wheel of fortune plays in our present "pursuit of happiness." As a lover of democratic equality he would see tens of thousands min-

gling amicably in "exchanges" of different sorts where no particular gamble is raised above any other gamble; where the old and the young, the affluent man of success and the young clerk or messenger-boy just beginning his business life, make their bets on the results of horse-races or base-ball games, or pugilistic encounters, or even on the outcome of the American citizen's proud exercise of the right of manhood suffrage. As a maker of laws he would be amused to learn that the laws of the land are opposed to all these practices, which nevertheless are carried on openly because the hearts and souls of the people cry out for them. As the founder of a university he would speculate on the importance of athletic contests in our college life, and observe, if he had half an eye, that nine out of ten of the students also speculate on them. As a one-time advocate of a national lottery, he would be interested to know that the yearly proceeds of the Louisiana Lottery have grown to be twice as large as the revenues of the United States in 1800; and if he should feel any disappointment that out of the annual millions of profit to a handful of lottery-owners only a bagatelle of \$40,000 a year (in lieu of all taxes) is contributed to the charities of Louisiana, he would be asked to consider, first, that some philosophers look upon a large charitable fund with distrust; second, that the Lottery Company has promised to raise its benefactions to \$1,250,000 a year, as a bid for a new lease of life and a firm seat on the corner-stone of the State; and, last that the Louisiana Lottery is the most important training-school we possess for the higher gam-

bling institutions of our grand republic. It is the kindergarten, so to speak, in which the happy school-boy or the luckless orphan may bet the dimes he has hoarded, begged, or stolen; and it is the sequestered sanctuary where the frugal housewife or the lone widow may also drop her nickel in the slot and cause the wheel of fortune to revolve for her. It is after this manner that lotteries do good by stealth. And let no purse-proud statesman who will not be beggared if he lose his political wager, nor any well-to-do citizen who thinks the thrill of losing a thousand dollars on a horse-race is worth all it costs, nor the gentleman who enjoys the sedentary amusement of "bucking the tiger," presume to take from the poor their cherished game of chance! The profligate rich have ever been ready to resent the so-called pernicious amusements of the poor!

When the traveler turns his face toward New Orleans, a still small voice asks if Fortune has ever done anything for him. If not, why not? And may not Fortune have been waiting for this very visit to the capital of lottery gambling? Visiting actors forget their cues in devising lucky numbers; conventions of bankers compliment the local bankers, many of whom favor the Lottery, by making a losing investment; boards of serious business directors, when they meet, often contribute to a common fund for lottery tickets.

In the very heart of the city the large main office of the Lottery stands, with its opaque windows and general air of being something sinister; in the courtyard an alligator suns himself in the shallow fountain and gives color to the rumor that the poor of the city, in worshipping the goddess Fortune, cast their children to the monster; some say they only starve and poorly clothe their children to this end, the live alligator being merely an emblematic character.

Turn whichever way from his hotel the stranger will, his attention is arrested by neatly printed slips of paper hung on strings in the windows of shops. He learns that these are mostly fractional lottery tickets, worth a dollar apiece, and that twenty of them make a whole ticket. Since 100,000 whole tickets constitute the ordinary monthly drawing, their money value is \$2,000,000. What opulence! Out of that sum \$1,054,600 is alleged to be distributed in 3134 prizes, ranging from \$300,000 to \$100. What benevolence! The clever device of dividing each ticket into twenty parts was invented so that the Lottery Company, by keeping back parts of each ticket, when there is a likelihood that all the tickets will not be sold, may preserve the ratio of sales and liability for prizes, and thereby avoid all risk to

itself. The word "risk" is here used in a Pickwickian sense; it has no other meaning in the Lottery dictionary. The exact case is that *you and others* hand to the Lottery \$2,000,000, and it gives back to *some of you* \$1,054,600, or about \$52 out of every \$100. That this is a swindle on the face of it is the very thing which the Lottery as a profound student of human nature counts upon. If it says it receives \$100 for nothing, anybody will believe it can afford to surrender \$52.

And likewise when a so-called sailor comes into your office with gaudy goods which he says he has smuggled, the temptation is not to kick him out; the temptation is to buy the goods at "a great reduction," with the certainty, as you afterward discover, that they are worth nothing at all.

Twice a year the Lottery increases its capital prize to \$600,000, and the price of each ticket (of forty fractional parts) to \$40; so the ratio is the same as in the ordinary monthly drawing. This semiannual drawing is devised to attract money from foreign countries as well as from the American citizen. The aggregate of these monthly and semiannual schemes is \$28,000,000. Cræsus outdone! And out of this great sum \$40,000 (in lieu of all taxes, which by law would be several times as much) is paid to the Charity Hospital of New Orleans. A new miracle of the loaves and fishes! Since the Lottery has a local daily drawing which pays all the expenses of the concern, there is the possibility that its net income is only \$13,440,000, if we admit that the drawings are honest; and this is a case in which honesty costs nothing except the tedium of waiting for the prize-money to come back as the price of more tickets. It is a case also in which a semblance of honesty may serve as a great advertising feature. Fractions of the November capital prize were drawn in six widely separated cities, by which it appears that only three tenths, or \$90,000, of the capital prize of \$300,000 may ever have left the coffers of the Lottery, in case only one fractional ticket was sold in each of those cities.

A drawing occurred the third day after my arrival. On that morning New Orleans was in a ferment over the local primary election for delegates to the State convention, in which election the Lottery candidate for governor got all the men chosen. But in the business section of the town the excitement over the drawing was paramount. Women venders of tickets were making their last calls at offices, and street brokers were thronging hotel lobbies and bar-rooms. As eleven o'clock approached, dealers rushed with their unsold tickets to the main office, preferring their fifteen per cent. commission on the tickets they had sold to the

chance of winning a great sum by becoming responsible for the unsold tickets. Opposite, in a theater, the drawing promptly began. One of the boxes was occupied by ladies who took a homelike interest in the proceedings. The sparse company of men, in the body of the theater, were redolent of rum and tobacco and poor bathing facilities, and had no taste or money for clean raiment. In their character as investors they made one think of Cable's 'Sieur George, of the old French quarter near by, who was respected for a supposed trunk full of money, that proved to be a trunk full of unlucky lottery tickets.

Though the onlookers were a thin and a sad show, it was no ordinary spectacle to see General G. T. Beauregard and Lieutenant-General Jubal A. Early presiding over the wheels of fortune and producing by virtue of their ancient reputations a large part of the allurements of the Lottery. The former carried off the honors of the first pitched battle of the Confederacy, and to the last day of the struggle stood among its foremost soldiers. He had a genius for controversy, and was the object of much misrepresentation which credited him with the threat that he would "water his horse in the Tennessee River or in hell." Most Confederate soldiers think the Tennessee should have sufficed; but they say little about the matter for the sake of a cause which remains only in sentiment. His is a job requiring only a few hours' time each month,—I will not call it easy,—the pay of which is variously estimated at \$12,000 to \$30,000. No matter how large the sum, it is a good bargain for the Lottery. In marshaling the forces of the smaller wheel that contains the prize-slips in gutta-percha tubes, he did not wear full Confederate uniform, or medals of honor. He was simply a quiet, dignified gentleman in civilian's dress, who in any company would be singled out for a man of distinction. He sat in a chair, received the prize-tubes from a blindfolded boy, and every twentieth prize closed the wheel for the periodical stirring up. Occasionally he yielded his place to an assistant.

General Early, the other "commissioner" on a similar salary, seldom divides the honor of his office with anybody. His wheel, on the day mentioned, contained the hundred thousand numbers. It is six feet or more in diameter, and in contrast with the other wheel justifies the remark of a New Orleans accountant, who bought lottery tickets until he visited a drawing and saw "an omnibus full of numbers, and a silk hat full of prizes," which well represents the benevolent basis of the scheme. General Early is over six feet tall; he still affects gray cloth, and, with his patriarchal beard and stoop, certainly has a saintly look as he sits on the

platform and calls off "fortune's favorites." He makes no claim to saintliness, however, and it is well known that when he was the trusted lieutenant of Lee and was fighting up and down the Valley with limited resources, "Old Jube" could hold his own with any mule-driver in the Confederacy. Besides being a good soldier, General Early was a careful writer; his reports are among the best-written documents in the Official Records. It is said that a prominent "Daughter of the Confederacy" once took him feelingly to task for accepting a degrading position to which General Lee would not have assigned him, since Lee would have died before he would have taken it at any price.

The facts in regard to this Lottery and its personnel, no matter how indirectly put, will seem to be harshly said. To a stranger the "daily drawing" with the "policy" playing, in one hundred and eight special local offices, has a look compared with which the rest of the business is divine. It is hard to speak disrespectfully of any charity, but every local shop I entered breathed the atmospheric ooze of a pawnshop, and almost every customer I saw was a fit object of charity. Some showed a tremor of excitement in asking for their favorite number or combination. The best-dressed customer I saw was a widow in her weeds, her hat having the shape of a sun-bonnet. Children are sent for tickets, sometimes in the suburbs for a long distance.

In the daily drawing, held at 4 p. m., the chances are absurdly slight for the players, and all the delusions of ignorance and fatuity are at work. On the streets may be seen trained parrakeets that for five cents will pick out a winning number. A famous play is the "washerwoman's gig," 4-11-44. On the two days preceding the primary election, it so happened that approximations to that "gig," such as 3-11-44 and 4-11-54, were drawn, a coincidence which excited comment. Inveterate players stop children in the street and ask their age; they consult voodoo doctors; if they see a stray dog, they play 6; a drunken man counts 14, and a dead woman 59; an exposed leg plays the mystic number 11; and to dream of a fish is a reminder to play 13. Such nonsense as this takes the place of ideas of thrift and industry with a steadily growing part of the population, as the diminishing returns of the savings-banks sufficiently prove.

The promoters of the Louisiana Lottery should not be venerated as the inventors of this scheme of public benefaction; but they have had the ability to improve on previous models, which in one form or another date back to those dreamy days of Rome when even vice was esteemed a virtue, and all mankind was gay, if not happy. In the middle ages the lottery re-

appeared as one of the relics of civilization saved from the wreck of Italy. It was a chartered resource of nearly all the free cities. Those French kings whose department continues to be the theme of sad-eyed moralists all placed their trust in lotteries. Louis XIV. was as charitable in his intentions as the Louisiana Lottery, which must have borrowed its preamble from that pious king. Sometimes the proceeds were devoted to war and rapine, and sometimes to the endowment of public or religious institutions; the Church of St. Sulpice is said to have been built by lottery; and from that time to this the charitable lottery, the meek raffle, and the pious grab-bag have often demonstrated by their proceeds that they are "not opposed *per se* to the moral law." But there was an isolated bishop of Autun who rebelled against the receptivity of the church, and said the lottery was no better than any other form of gambling; the Archbishop of New Orleans has fallen into the same way of thinking, and has forbidden the blessing of lottery tickets. This is an interference with the spiritual freedom of the Louisiana Lottery and its home patrons which will lead, no doubt, if it has not already done so, to the placing by the Lottery of a part of its appropriation for church work outside the State or perhaps abroad. To form an adequate idea of the temerity of the Archbishop of New Orleans one must visit his fine old cathedral, listen to the tuneful Creole choir, and hear a nickel run riot in the contribution-basket as it is carried about by the grizzled verger with his staff, sword, red coat, and cocked hat. How can laying up treasures in heaven be anything but uncongenial business in a city where twenty-five cents will buy a chance in a "daily drawing" under the temporal protection of the great State of Louisiana and the guarantee of high spiritual authority that "under certain conditions it is not opposed *per se* to the moral law"?

In England lotteries once flourished, but since 1826, with that sublime inconsistency which enables the Englishman to make a fetish of race-betting and an aristocratic privilege of baccarat, the lottery, *per se* and all, has been banished to the other side of the Channel. Advantage has been taken of the failure of the Panama Canal to dig itself by lottery to prejudice people against such enterprises in France; but human nature there, as elsewhere, has too much faith in its own good luck to be discouraged by the failures of others; so, in spite of the prejudice that has grown up in the last century against lottery swindles, they still flourish in several European cities; but they all distribute from twenty-one to thirty-three per cent. more of their proceeds than the Louisiana Lottery, and have less to say about charity.

In our own land the lottery has never greatly prospered until in New Orleans it fell into hands whose benevolence has been tempered by audacity. The Louisiana State Lottery Company was founded on the proposition that "every man, woman, and child is at heart something of a gambler," and it has been sustained by the axiom that "every man has his price." This last discovery has been imputed to the present principal owner in the Lottery, but I am not sure that he claims it as his own. He is the acknowledged inventor of the charitable scheme involved in the proposition for a new charter, and his is the only name mentioned in the prospectus. All that has been accomplished, therefore, by the propaganda of the last two years in the legislature has been achieved in his name, when not actually promoted by himself.

It will be no violation of the privacy of so public a character to say that John A. Morris is esteemed by many for his personal qualities and for his readiness to subscribe money to everything that reaches the springs of public influence. Since he has for many years owned property at Throgg's Neck, New York, where he has his country seat, and is now the most considerable Morris in Westchester County, it is natural that a part of the public should associate him with the descendants of Lewis and Gouverneur Morris, the former of whom gained some notoriety by signing a Declaration of Independence. The latter, when Senator of the United States, so a biographer says, "favored the purchase of Louisiana," but it is not recorded that he ever did so out of his own pocket. These Revolutionary Morrisses have always been associated with government which has been called chartered tyranny, or with law, often described as an abridgment of freedom, or with war, which is sometimes called public murder. They are quite distinct from John A. Morris's family, who for many years have been identified in a public-spirited way with the gambling amusements of the masses. John A. Morris inherited his sphere of usefulness from his father, Francis Morris, who is said to have left lottery interests to his son, and who also founded the racing reputation of the family. He was the owner of the noted breeding-farm at Holmdel, New Jersey, and between 1857 and 1859 was associated with Richard Tenbroeck in the effort to carry off the laurels of the English turf with the American horses Prior and Prioress. Francis Morris was the owner of the celebrated brood-mare Barbarity, three of whose daughters were named Ruthless, Remorseless, and Merciless, which shows that, for his time, he had a keen literary sense of the relation of terms to things. In his son's altruistic day the same mare would more appropriately be called Benignity, and her fillies Faith, Hope, and Charity.

In the affidavits of John A. Morris and his associates, made on the occasion of various suits among themselves over the proceeds, the origin of the Louisiana Lottery may be traced back to the Allied Gambling Industries of the country: the lottery, the race-track, and the gambling-house. The headquarters of these industries then, as now, was New York City. In the early days (1863) John A. Morris had lottery interests and turf aspirations, but he did not stand at the head, as he does now, of these two branches. A fortune of at least twenty millions of dollars is attributed to him, mostly earned by the sweat of poor negroes, washer-women, and other fatuous speculators, through his lottery gambling. He has invested hard upon a million and three quarters in the new race-track called Morris Park, and the breeding-stables of himself and son rank second among those gambling establishments that make a pretense of ennobling the horse.

Early in his lottery dealings we find Mr. Morris standing behind the name of Zachariah Ephraim Simmons, commonly called "Eph," whose surname, thanks also to his brothers, has always been a nosegay in lottery annals. A prominent partner was the Hon. Benjamin Wood, brother of the late statesman Fernando Wood, who in the early days was chiefly devoted to the policy and lottery business, and who for years has made complaint of the manner in which he was ousted from a large interest in the Louisiana Lottery and its charitable reputation.

Another associate was the Hon. John Morrissey, who, notwithstanding that his nose had been damaged during his early career as prize-fighter, was for years the noblest figure in gambling circles. Though Morrissey was a shareholder in the lottery firm of C. H. Murray & Co., his gambling-houses in New York and Saratoga, and his race-track in the latter place, absorbed his personal attention; and in his last years he was slightly diverted from his natural pursuits by the allurements of statesmanship. His gambling-houses and race-track interests have been conserved to the public use, however, by his old-time partner, Charles Reed, Esq., who recently electrified the racing-world by paying \$100,000 for St. Blaise. Mr. Reed's name does not appear in the records of the Lottery, but he is mentioned here as helping to show that the Allied Gambling Industries from which the Louisiana Lottery sprung have great vitality, and may be expected to persist in serving the public. It is possible, indeed, that Mr. Reed, who stands high among roulette and faro gamblers, like many of his craft, looks down upon lottery gambling as "a skin game" unworthy of his serious business aims.

On October 14, 1863, a diversity of lottery interests were combined in New York under the firm-name of C. H. Murray & Co. According to the court records the operations of that firm rested upon charters granted by the legislatures of Missouri, Kentucky, Virginia, Delaware, and Georgia. The original interests assigned to C. H. Murray & Co., for "ten years, from September 1, 1863," were represented in the deed of trust by Richard France and William C. France of Baltimore, and Zachariah E. Simmons, the Hon. Benjamin Wood, and Charles H. Murray of New York, behind whom stood a few other owners. This assignment was denominated a "trust," and was an early example of the kind of trust which has since become notorious in business life. Zachariah E. Simmons, Lewis Davis, and Charles H. Murray were appointed trustees, and it is a sign of the men behind them that in the event of the death of Simmons the vacancy was "to be filled by a successor nominated by John A. Morris, of Throgg's Neck in Westchester County, New York"; while in case of the demise of Lewis Davis the vacancy was to be filled by the Hon. "Ben" Wood, who at that time was very busy in Congress aiding his brother in opposing the war. The prospects of the infant Trust were rosy, but some wicked fairy dropped into its cradle a clause to the effect that any lottery franchise which might be acquired thereafter by any of the parties to the Trust should be forthwith conveyed to the above trustees and held by them subject to the same provisions. This was the seed of trouble. In his demurrer of June 3, 1872, John A. Morris alleged that the firms of Wood, Colton & Co. and Wood, Dickinson & Co. "were shams gotten up" by those men to injure C. H. Murray & Co. In the same paper he avers that while Simmons received from Colton the money to pay for the shares of C. H. Murray & Co. which the "shams" claimed to own, the transaction was really for the account of the Hon. John Morrissey, who, as Mr. Morris intimates in his affidavit, had the inclination as well as the ability to bruise Mr. Colton's head, and, therefore, could not be dealt with directly.

In 1866 and 1867 Charles T. Howard, the most remarkable figure in the Louisiana enterprise after John A. Morris, was operating in New Orleans as the agent of C. H. Murray & Co. In defending one of the suits, Mr. Morris claimed that Howard was not a representative agent, "but only accounted for tickets sold, and paid exorbitant prices for information of drawings of use in his business as policy-dealer," the argument being that because he was plucked, so to speak, by C. H. Murray & Co., he could not have been a full-fledged agent. Howsoever, Howard had busi-

ness, as agent or otherwise, in the lobbies of the negro legislature of the State of Louisiana in 1868, and on the 17th of August that legislature passed "An act to increase the revenues of the State and to authorize the incorporation and establishment of the Louisiana State Lottery Company, and to repeal certain acts now in force." In 1876 Jesse R. Irwin, whose name appears in the act as one of the incorporators, alleged in an affidavit that Howard had used large sums "for bribing members of the General Assembly of Louisiana and other persons, whose influence on behalf of himself or of said company the said Howard wished to purchase or retain"; and that the sums so paid out "amounted to at least \$50,000 during the first year of the organization of the company, which amount was paid to redeem promises made for votes in favor of the bill incorporating the company, and for other similar services." He declared, furthermore, that he believed "the sums so apportioned and used by the said Howard since that time amount to at least \$300,000"; that is, during the first seven years of the company's existence. Another incorporator, F. F. Wilder, made affidavit to the same general facts.

If bribery seems a harsh means to employ with a legislature, it must not be forgotten that beneficent ends were in view, for the act proclaims "that whereas many millions of dollars have been withdrawn from and lost to this State by the sale of Havana, Kentucky, Madrid, and other lottery tickets, policies, combinations, and devices, . . . it shall hereafter be unlawful to sell any of them, . . . except in such manner and by such persons . . . as shall be hereinafter authorized." Only adepts in philanthropic effort could have made so neat an exposé of the harm that may arise to a State from lottery enterprises, and have devised so sovereign a remedy as a lottery monopoly. The act says the objects of the corporation are "to save money to the State," "to establish a reliable home institution for the sale of tickets," and "to provide means to raise a fund for educational and charitable purposes." Another clause provides that "the corporation shall pay to the State \$40,000 per annum, to be credited to the educational fund of the State," and that "the corporation shall be exempt from all taxes and licenses from State, parish, or municipal authorities." As the capital stock was fixed at \$1,000,000, in ten thousand shares of \$100 each, the mind is stupefied with admiration for the sagacity that imposed a gift of \$40,000 a year in return for immunity from all taxes on so large a working capital. Although the act embodies all the virtues of opera bouffe, H. C. Warmoth, who, as governor, was at the head of the Louisiana government of those serio-comic

days, neither vetoed the bill nor placed his signature to it, but, by overlooking it for the statutory lapse of time, gave the Lieutenant-Governor (a negro), and the Speaker of the House the honor of certifying it to the people of Louisiana.

Charles T. Howard emerged from the corporation as its president and F. F. Wilder as secretary. John A. Morris, as he says in his demurrer of June 3, 1872, happened to be in New Orleans about the time the Lottery Act was passed, and suggested to the company that he would furnish the \$100,000 of capital required to be paid in before the company could begin operations, provided that all the privileges of the charter were given to him and two associates by a deed of trust. The company would appear to have been foreordained to acquiesce, for on August 26, nine days after the act passed the legislature, the corporation signed away all the rights of the company for twenty-four years, from January 1, 1869, to Z. E. Simmons, John A. Morris, and Charles H. Murray. Charles T. Howard as its president obviously could not sign away the rights of the corporation to himself, but as soon as the Trust was legally established, some transformations were effected which revealed the corporation in its true light as a mask for the Trust, which assumed the title of Howard, Simmons & Co. In 1872 Murray and Simmons withdrew, or were bought out, and Howard assumed the duties of "managing partner" to John A. Morris.

Thereafter Zachariah E. Simmons was in a position to reveal the secrets of the Lottery councils, which he did when Marcus Cicero Stanley brought suit in 1880 as an owner in C. H. Murray & Co., which firm, by the way, had been thrown into the hands of the Hon. John Morrissey, as receiver, in 1869, and its assets closed out to W. L. Simmons, brother of the outspoken Zachariah. The latter, in bringing aid and comfort to Stanley, swore that the money used to secure the charter in Louisiana really belonged to C. H. Murray & Co. (in opposition to Morris's allegations given above), and that he (Simmons), Murray, and Morris devised a plan to deprive that firm of its benefits. He alleged also that Morris and his brother-in-law, W. D. Hennon, were sent to New Orleans expressly to represent C. H. Murray & Co. in response to a telegram from C. T. Howard. And as though this would not bring confusion enough to his old partners, he alleged besides that Howard as president refused to sign away the privileges of the corporation unless Simmons, Morris, and Murray would give him a quarter interest in the Trust, which, as soon as the promise was fulfilled, was called Howard, Simmons & Co. Thus we see how the Lottery Company came to be a mask for the ultimate owners, Howard and Morris. The fiction

of a company has been kept up to this day, a fiction in everything except as to its stock and the ability of the postal authorities to proceed against its officers for infractions of the postal laws, which is now being done. During his lifetime Charles T. Howard was its figurehead president; after his death M. A. Dauphin lent his name to the same purposes; and on his recent demise Paul Conrad assumed the rôle of chief marionette: for the deed of trust left the corporation neither duties nor obligations, nor any privilege except the right to name a commissioner to superintend drawings, and to see that the prizes were distributed; and of course the trustees took care also to hold a controlling interest in the stock. The incorporators Jesse R. Irwin and F. F. Wilder alleged in 1876 that in the early days Howard set aside a very large sum as a "reserve" (in New Orleans jocularly called the bribery fund), and by other measures depressed the stock to half its face value with a view to buying it in. They allege also that he distributed 6800 shares as full-paid stock among the directors, and 3200 shares in some manner not known to them or relished by them.

The supremacy of Howard and Morris under the deed of trust is best indicated by the provisions for dividing the profits. Out of the gross proceeds were to be paid all the cost of carrying on the business, such as working expenses, including, of course, advertising, salaries, and the cost of maintaining the friendliness of the press and the legislatures; of the remainder, or net profits, one half was to be taken by the trustees, and the other half declared as a dividend on the company's stock. The profitability of the business is partly indicated by the fact that the remnant distributed among the stockholders in 1887 was 110 per cent. on a capital of \$1,000,000; in 1888 it was 120 per cent., in 1889 (before the postal law became an interference) 170 per cent., and in 1890 it was 125 per cent. These figures have been furnished by a person who controls some of the stock; they represent the payments made to his wards. They show that in 1889 the net profits as revealed to the stockholders were \$3,400,000. Nobody outside the trustees and their confidential employees, not even the stockholders, seems to know whether the remnant divided as dividends is one half or one tenth of the net profits of the whole concern, because the power of the trustees is limitless, the opportunity for piling up "reserves" is great, and the machinery of the semiannual, monthly, and daily drawings and the daily policy business is complicated; and, furthermore, before a stockholder is able to draw his fractional remnant, it is said he must sign a receipt by which he disposes in legal form of all rights except the right to the fractional remnant and consents to the

destruction of the accounts, which he has never seen. However, the number of people in the United States who would accept 170 per cent., even though it were a fractional remnant, and agree to any amount of invisible "addition, division, and silence," is supposed to be large.

The Lottery prospered from the start, but the brilliant idea of utilizing two of the great names of the Confederacy then in need of occupation, but all the more sacred for that, and of extending the business to every town in the United States and to foreign countries, was not fully developed until the early seventies. By that time Morris and Howard's old partners in New York began to sniff carrion off the trade-winds from the Gulf. The Hon. Benjamin Wood and Henry Colton were the first to get within toothsome distance. On January 5, 1871, they filed a bill in the United States Circuit Court for Louisiana, in which, as members of the old Murray Trust, they laid claim to shares in the profits of the Louisiana Lottery. The suit was defended by pleading the immorality of the business engagements alleged by Wood and Colton. Murray charged these two with being parties to a lottery scheme which was "illegal, corrupt, against the policy of the State and the public order," and with attempting "to establish a monopoly of the trade of gambling in lotteries throughout the United States, prejudicial to law and morals"; and he asked the court to punish the complainants on their own showing. This, of course, was great fun for both sides, like laying the corner-stone of a gambling-house with religious rites, or opening a horse-race with prayer. It is not known whether Mr. Morris adopted the same facetious tone in his answer, because that document has absented itself from the records of the court. The suit was never pressed, perhaps for the reason mentioned by Morris in his demurrer to the next attack, made March 9, 1872, by James S. Watson, and Marcus A. Little of New York, and William R. McKee of Maryland. In that case he offered the defense that they never properly held an interest in the Murray Trust, which made the immorality plea unnecessary; and possibly for the latter reason his answer in the suit has consented to remain on file among the court records. But the point of chief interest in Morris's answer is his statement that associates in the Murray Trust, who had not lent a helping hand when the Louisiana Lottery was in its infancy, had, as soon as it proved a success, begun to harass its owners in Federal and State courts, and that "said Morris, Murray, Howard, and Simmons were induced as a matter of economy to buy their peace by compromising said pretended claims." An exhibit attached shows that Howard and Murray had compromised

with Henry Colton by the payment of \$36,000. On the same date as this last suit, Little and McKee began a similar attack on Howard, Wilder, Murray, and Davis. The demurrer of Howard and F. F. Wilder is the blandest document remaining on file in these suits in November, 1891 (I mention the date because it may take the notion to absent itself in the near future). In this paragon of frankness Howard and Wilder, "not confessing or acknowledging all or any of the matters" stated in the complaint, aver "that the subject-matter of complainants' bill, on which their prayer for discovery and relief is based, arises from transactions, contracts, and business reprobated by law and contrary to public policy and good morals." The Hon. Benjamin Wood, having grown weary of the truce established by his suit in 1871, filed a new petition on June 19, 1875. This contention was shuttlecocked until the state of war faded away into the peace that passeth understanding except for Mr. Morris's explanation of their policy of compromise as a matter of economy.

None of the defendants' answers in this last suit remain on file in the clerk's office of the United States Circuit Court in New Orleans. I asked the officer in charge if care were not taken to preserve the records of the court. He replied that persons asking to see the records were helped to them as I had been, and if they had a mind to slip them into their pockets, so much the worse for the records. He informed me that my opportunities were as good as anybody's, yet I contented myself with taking copies and notes of such documents as were still on file. A search in the office of the County Clerk in New York reveals a similar state of absenteeism on the part of important documents in the Lottery suits brought in the Supreme Court of New York. The custodian said: "I would n't be surprised by anything that might happen to the records of those suits." On the other hand, the Lottery records in the United States Circuit Court for the Southern District of New York appear to be carefully guarded.

In 1876 an attempt was made by Henry Da Ponte, owning sixty shares of the stock, to have the contract which gave all power and half the profits to Howard and Morris set aside by the courts. He was joined in this family row by Jesse R. Irwin, an original director, and by F. F. Wilder, who, in addition to being an original director, had served the corporation as secretary, treasurer, and superintendent, and was in a position to allege that some of the directors were only nominal stockholders holding really for Howard, and that, while he was the ostensible treasurer of the company, not a dollar came into his hands, the whole financial busi-

ness of the company having been conducted by Howard. The revelations of stock distributions and wholesale bribery alleged by these two incorporators have already been set forth. This suit was never tried, but the initial steps appeared to cement the friendship of Howard and Morris for Da Ponte, who has ever since stood high in Lottery circles.

And again comes Z. E. Simmons, the faithful Zachariah of Murray Trust days, the coadjutor of 1868, who, in a suit now pending in the United States Circuit Court in New York, has had testimony wrung from him to the disadvantage of his old friends Murray and Morris, and in aid of the heirs of Isaac Bernstein. Mr. Morris puts in a simple plea of being a citizen of New York, and not of Louisiana, as alleged by the complainants. On this score he pleads lack of jurisdiction. Mr. Murray, who husbands his savings, reckoned at several millions, in New Jersey, in part sets up his old plea that the Lottery contracts were "illegal and void."

Though a fruitful theme, the campaign of 1879, by which the Lottery secured a lodgment in the State constitution, can be touched here but briefly. Everybody knows that Louisiana was ruled for years by colored statesmen and white carpet-baggers, and that a shot-gun cataclysm in 1874 was the sad origin of a new era. Although the Lottery people had begun to take an intimate interest in State politics, they had the merit of belonging to both political parties. But arrange matters as they might in each legislative session there would be somebody to introduce a bill granting a new lottery charter, or withdrawing the old one. Only one of these measures, for surmisable reasons, prospered beyond a certain stage. In 1876 General Francis T. Nicholls, who had left both an arm and a leg between the Rapidan and Petersburg, was nominated for Governor and was elected. Some whole veterans in Louisiana earn wages from the Lottery. Being only half a veteran, the Governor was not at heart sound on the Lottery question; so, when the legislature in the spring of 1879 actually rescinded the charter of the Lottery Company, Governor Nicholls signed the bill with his remaining arm. A Creole once implied approval of General Robert E. Lee by saying, "I hear Gen'ral Beauregard' speak well of him." Up to the signing of that bill, Beauregard's employers had spoken well of General Nicholls, but now such words as "scoundrel" and "traitor" were heard; they claimed to have contributed large sums for the sustaining of his government, as when thirty-two colored statesmen were induced at large expense to leave the rival "Packard Legislature," thereby depriving it of a quorum. But the repeal of the Lottery charter was annulled by an injunction

issued by Judge Billings of the United States Circuit Court, who took ground at variance with decisions of the Supreme Court of the United States. And as a constitutional convention was called for the autumn of that year (1879), the Lottery very soon perceived a way to fortify itself further. Powerful interests were at work for selfish ends, and the Lottery at once allied itself with them. A strong lobby had been formed particularly in the interest of the refunding bondholders of the Kellogg régime. New bonds had been issued to conceal the identity of millions of bonds which were regarded as fraudulent, and for that reason there was a move to repudiate them. These allied interests carried the day in the convention, from which the Lottery emerged with a limited berth in the fundamental law of the State. Article 167 of the new constitution says: "And the charter of said [Lottery] Company is recognized as a contract binding on the State for the period therein specified [until January 1, 1894], except its monopoly clause, which is hereby abrogated, and all laws contrary to the provisions of this article are hereby declared null and void, *provided* said company shall file a renunciation of all its monopoly features." The lottery *renounced*, with a flourish of trumpets, and even talked approvingly of another clause which provided that all lottery "charters shall close and expire on the 1st of January, 1895, from which time all lotteries are prohibited in the State." The picayune offering of \$40,000 a year in lieu of all taxes was not increased, but was given the distinct stamp of philanthropy by allotment to the Charity Hospital of New Orleans.

Though the new constitution meditated the chartering of new lotteries, and although legislators were always seeking to introduce such bills, the magnetic influence of the State Lottery was equal to the task of keeping the field to itself, and for another ten years it has rioted in its millions of profits and its benevolence of \$40,000 a year.

It was only after the Lottery, by the renunciations mentioned above, had made its peace with some of the best people of the State that John A. Morris came out prominently as a pillar of the institution. He had spent his winters in New Orleans, and as a gentleman of leisure had been elected to some of the best clubs, but was not generally known as the right bower of Charles T. Howard. The latter gentleman had been Lord of the Lottery, and certainly no knight of old, of the bar sinister or otherwise, ever carried his authority with greater aplomb. Charles T. Howard was a large, commanding figure whose gray hair and general aspect would, after the traditions of romance, have likened him to a handsome gambler. Those who knew him well say he was fitted to be the

hero of such a great epic as Milton's "Paradise Lost." He aimed at success, not glory. When the Metairie Racing Club, famous for the race of Lexington and Lecompte in 1853, treated his candidacy for membership with an indifference bordering on disdain, he quietly served notice that he would turn their race-course into a graveyard, and he did. This was not building a mansion in the skies, but at least it bore the look of preparing a way-station. When a place of respectable amusement on Canal street extended the cold shoulder toward him, he volunteered to convert it into something more to his taste; but he did not live to see his full hopes realized. He was killed, half a dozen years ago, by being thrown from his horse at Dobbs Ferry, New York, where he had a summer home. His tomb is a notable one in Metairie Cemetery, the finest "city of the dead" in New Orleans, where some of the heroes of the Confederacy are commemorated by statue and monument. Mr. Howard loved the dignifying memories of the war, and had himself elected a member of the Society of the Army of Tennessee. Some claimed that, as orderly sergeant, he had served at Shiloh. Though his election to the Army of Tennessee led to the resignation of two of its prominent officers, the practical work of the society was advanced by his munificence. It is said to have been his wish that his heirs should provide a home for the Louisiana Historical Association. They have done so handsomely, in a building that cost \$20,000, where the veterans meet, where relics of the war are kept, and where the purposes of history are efficiently served. This Veterans' Hall is an annex to the handsomest public building in New Orleans, the "Howard Memorial," dedicated to the memory of the philanthropist under discussion, on which over \$100,000 was spent, and which in every detail of construction and furnishing is a model public library. It stands almost in the shadow (if the sun were not on the wrong side) of the austere figure of Robert E. Lee, towering on the column in Lee Circle. Only esteem can be felt for the filial act which devoted these buildings to a father's memory. It is the single unselfish benefit that Lottery money has conferred upon New Orleans, whose people have been impoverished by the daily drawings; and no doubt the heirs would be glad if they could disassociate from the gift its mute influence as a bribe to public respect on behalf of a gambling corporation.

For ten years the Lottery owners have prepared for the struggle which is now at its height, and which is to result in the further degradation of the State, or in the death of the monster after 1893. They long assumed content with the provision abolishing all lotteries after January

1, 1895. Before that time, they said, they would have money enough. So they gathered in five to thirteen millions a year,—nobody knows how much, but their schemes on their face prove that the highest sum is possible,—and began to intrench their power. Lottery money flows in almost every channel of trade and manufacture in New Orleans, even of the State. Some of the leading banks that dominate the reserve capital of the State are allies of the Lottery. The anti-lottery leaders claim that many depositors and borrowers who at heart are opposed to the proposition for a new charter, are constrained to conceal their opposition by fear that they might be denied credit on favorable terms. Four national banks are advertised sponsors of the Lottery, and, besides the certificate of Generals Beauregard and Early, each lottery ticket carries on its back the guarantee of "R. M. Walmsley, President Louisiana National Bank; P. Lanoux, President State National Bank; A. Baldwin, President New Orleans National Bank; Carl Kohn, President Union National Bank." The New Orleans National Bank is the declared cover of the Lottery mail under the new postal regulations. The president, Albert Baldwin, who is the leading merchant and banker in New Orleans, is supposed to be a large owner of Lottery stock, as well as one of the six unnamed incorporators of the proposed new charter. He is an ardent Republican, just as John A. Morris is an ardent Democrat. Baldwin's reputed large gift to the Harrison campaign fund, be it said in justice to the Administration, along with other powerful influences, was not sufficient to keep the recent postmaster in his place for more than a year and a half after the new régime came in. This postmaster was appointed under President Cleveland, and was not suspected until the end of the latter's term to be one of Morris's friendly assistants. Because of his high character, and his social relations with the best people of the State, the urgent popular demand for his appointment to the guardianship, as it were, of the Lottery mail, bore a public-spirited aspect. The colored statesman, Ex-Governor Pinchback, is also regarded as one of the political pillars of the Lottery, and is supposed to be a large stockholder.

Lottery capital controls the water-works that sustain the living, and Metairie Cemetery, the home of the aristocratic dead; it supports the old French opera-house, the rendezvous of the best, and it is a brilliant society; it turns the great cotton-mills, and has built a large plant which is the initial experiment of taking the manufacture of sugar off the hands of planters. It was a hobby of the Hon. Don Caffrey that if central mills for the grinding of cane could be set up independently of

the planters, the latter would be relieved of a large business burden. When Mr. Morris learned through one of his friends of Mr. Caffrey's desires, he took hold of the subject with enthusiasm, furnished the capital, placed Mr. Caffrey at the head of the concern, and then saw the coveted lawyer withdraw in haste when the duty of the head of the enterprise to the Lottery propaganda was foreshadowed. Mr. Caffrey's eloquence in favor of the Lottery, or even his silence, would have been an ally to prize; his active hostility has been a tower of strength to those who are trying to rid the State of the blight of Lottery charity.

Then there is the Lottery "reserve fund." We have seen that long before 1876 it amounted to hundreds of thousands of dollars. By the habit of the trust-owners it may be increased each year out of the gross receipts, before half of the net profits are doled out to the stockholders. That it is an enormous fund is evident from the demands upon it; and it is well known that in its idle moments it has been augmented by investments in real estate and as interest-bearing capital, which reminds one of Gilbert's optimistic lines: "When the coster is n't jumping on his mother he loves to lie a-basking in the sun." It is the duty of this reserve fund to grease the wheels of both political machines through the regular channels, and to feed the ambition of all sorts of big and little, better and rougher, political bosses by private subscriptions; to aid the influential who are needy, and the unscrupulous who are useful; to quicken the wisdom of the press, which in its secular aspect in the State is 173 for the Lottery to 28 against; to compromise with legislators so that no rivals shall enter the field; in brief, to make the Lottery a perfume in the nostrils of influential people in every walk of life. The number of regular pensioners on the fund is believed to be enormous: some are parasites, and others are quickened into silent or audible advocates. The avenues of employment are a powerful lever also for indirect influence. In the main lottery-offices are innumerable employees, often poor relatives of influential people who are thereby kept in a state of moral coma. The 108 suboffices of the "daily drawing" and its attendant "policy" business are let to outside persons, and are sources of large profit. Two or three members of the legislature are known to occupy suboffices by proxy. When application is made to fill a vacancy, or to open a new office, it is said that if the aspirant does not bring a recommendation from two members of the legislature, he must have other powerful influence, or be foreordained to failure. These suboffices do not include the myriads of agencies at cigar-stands, barber-shops, and other stalls, where

a commission of 15 per cent. helps to keep another army of somebody's friends or poor relatives in a maintenance. Many an advocate of the Lottery on charitable grounds has proven later to be a pampered stockholder. A prominent case was the president of the leading social club, who was also a surgeon of more than Southern fame. He gave quiet help in getting the Lottery into the Constitution of 1879. When he died, after an extravagant life, almost his entire fortune was found to consist of Lottery stock.

When the campaign for governor and a new legislature opened four years ago, John A. Morris buckled on his armor because he had made up his mind to serve the State by applying for a new lease of Lottery life. It is a peculiarity of Louisiana politics that the governor who is in is unpopular, and the governor who is out arouses enthusiasm. Governor Samuel D. McEnery was a candidate for a re-nomination. The Lottery was looked upon as his friend, although in a message in 1882 he had said: "The constitution declares gambling to be a vice, yet it encourages that vice in its worst forms, not only inciting to breaches of faith and embezzlement in the effort to get rich in the turn of a wheel, but demoralizing society, corrupting politics, and impeding legislation." Nine years later, from the Supreme Bench, Justice McEnery, by his decision and that of two associates, placed the Lottery amendment before the people; and now, by the nomination of December 18, 1891, he is the candidate for governor of every pro-lottery Democrat in the State. Against him are arrayed the anti-lottery Democrats and the Farmers' Alliance, who on the same day nominated the leader of the Anti-Lottery League, Murphy J. Foster, a State senator of commanding ability and proved integrity. This split in the Democratic party gives the Republicans a variety of opportunities, and as many of their influential leaders and legislators have always aided the Lottery, the situation has an aspect of humor and victory to John A. Morris and his six concealed coadjutors, whether or not the Lottery Republicans bolt in McEnery's interest or join in electing a straight Republican ticket. The Lottery people claim that the contest is a political squabble for offices, but everybody knows that the Lottery amendment is the great issue involved.

When McEnery lost the nomination four years ago, Governor Nicholls came again into power. Toward the end of the latter's canvass, when success was apparent, the Lottery insinuated \$10,000 into his campaign fund, but not with his knowledge. With the end of winter, in 1890, came an awful flood, the ever-threatening demon of the Lower Missis-

sippi. Levees were swept away, planters were in distress, and a peremptory cry for help arose to which Governor Nicholls could not immediately respond without violating his oath. When the clamor was at its height, the Lottery sent him a check for \$100,000. This Governor Nicholls returned. He was willing to see the State disappear in a crevasse before he would save it with Lottery money. This was the Lottery's opportunity to put him in a crevasse, and Mr. Morris's agents promptly sent checks of proportionate size to every levee officer in the suffering section, only one of which was returned. They also loaded several steamboats with supplies for the people of the inundated regions, and when the flood subsided spent thousands of dollars in distributing seed. In 1890, \$50,000 was given to New Orleans for levees. This large-heartedness was all the more noticeable because the Lottery had seen several floods come and go in the past without signs of sympathy. It is said that Lottery money built two churches; and as though charity were a disease that feeds on itself, the Lottery began to distribute a few other "capital prizes," some of which were not accepted. When an offer was made to relieve the diocese of New Orleans of its debts, the Archbishop declined this *per se* emanation from the Lottery; when a shaft of \$5,000 was aimed at the Normal School at Natchitoches, it was warded off with the cold shoulder. When the Sanitary Board of New Orleans was offered \$30,000, partly for public bath-houses and in part for the indispensable summer work of flushing the gutters, the Board received the gift in spite of the protests and resignations of members who "would not indorse the Lottery as a charitable institution to the children of New Orleans, for \$30,000."

In laying the foundation for influence in the legislature of 1890, the Lottery had the help of all the hack political bosses, and of some private agents of social position. The dread of political domination by bosses is very strong in Louisiana; and it is said that John A. Morris, on appealing personally to Senator Avery of Iberia parish to support the amendment, reached a condition of moral fervor in which he declared "it would be a crime to refuse this great beneficence to suffering Louisiana." "Mr. Morris," said the Senator, "eleven of my kinsmen were killed at Fort Griswold by Benedict Arnold, in their effort to rid this country of one-man power; I and my kinsmen have fought for the State of Louisiana, and there is no influence strong enough to make me vote to place this State in the power of one man, whether he be you or somebody else."

This was the summer of 1890. Governor Nicholls had anticipated the "Revenue Amendment," which is the sugar-coated popular title

of the Lottery bill, by marshaling, in his message to the legislature, every reason in common morals and State policy why it should be voted down. Nevertheless, the "Revenue Amendment" was brought before the legislature, and such a struggle as Louisiana had never seen before was begun. As adopted it proposes a new article for the constitution of the State, to be voted upon in April, 1892. It is called "Article on Levees, Schools, Charities, Pensions, Drainage, Lotteries, and General Fund." It seeks to reestablish the Lottery for twenty-five years, from January 1, 1894, in the name of John A. Morris and six other persons *hereafter to be revealed*. In consideration of the "contract" (no charter this time) John A. Morris is to undertake that during the life of the Lottery \$31,250,000 shall be paid to the State in yearly parts of \$1,250,000, the latter sum to be apportioned (in quarterly payments) as follows: \$350,000 to the public schools; \$350,000 to the levees; \$80,000 to State hospitals; \$40,000 to State insane asylums; \$25,000 for the deaf, dumb, and blind; \$5000 to the Soldiers' Home (a State institution); \$50,000 for pensions to "disabled, infirm, or indigent Confederate soldiers (as there is no State pension fund at present, the shrewdness of this bribe is obvious); \$100,000 to the city of New Orleans for drainage and other sanitary purposes; and \$250,000 to the general fund of the State. Rival lotteries are effectually shut out by the necessity of coming into life in the same way and of paying an equal amount to the State. The company, besides, is to be exempt from taxation; but the sum of \$1,250,000 is not far from the equitable taxes on the new capitalization at the premium value of its stock, according to the present laws.

At first the legislature was tempted with \$500,000 a year, but as one member thought his scruples could not be overcome by less than \$1,250,000, and as others deemed it wiser to confront their constituents with that sum behind them, Mr. Morris good-naturedly consented. What was a million, more or less, to him, when all this money was coming out of the pockets of the people it was supposed to benefit, along with as much more to line his own pockets! A word like "selferosity" should be invented to express such boundless love of mankind. The delusion of those statesmen may be inferred from the fact that \$1,250,000 is not far from the present State taxation; but they were told by the Lottery that 93 per cent. of all its business comes from outside the State; yet it is a demonstrable fact, on the theory that each of its 108 local policy-shops brings in a business of \$60 a day (which is said to be the minimum tolerated, a shop being moved or the management changed if the income is

less), that the local daily drawing will more than pay the new obligation to the State, showing that it will really come out of the pockets of Louisianians, and from the class least able to pay it. But could anything be more fascinating as a bribe to the average citizen than the abrogation of all taxes? Some very good men in Louisiana have persuaded themselves that this is the real and not the apparent effect of the "Revenue Amendment." They do not see, among other incongruities, that in public schools supported by the Lottery, the teachers might properly be agents for the sale of tickets, and that it would be laudable for the pupils to economize on luncheons so that during a week they might save the price of at least one ticket.

As an amendment to the constitution the bill could be passed only by a two-thirds vote in each house. For a time the Lottery was slightly in arrears. All of the colored brethren were on its side, in plenty of white company. Little by little the opposition saw their forces flowing to the Lottery side, a final sign of weakness being the plea that support of the bill was, after all, only saying to the constituencies, "If you don't want this Lottery, don't vote for the amendment." A member who yielded to this plea said he would rather his son should die than be educated by that fund. At the critical moment the anti-lottery members in caucus pledged their sacred honor not to be bought or wheedled into support of the bill. A senator who had given that pledge, who had been impoverished, who was in poor health and harassed as to the support of his family, was the last man needed for a Lottery victory. He voted to submit the question to the people, sank into his chair, and in shame buried his face in his hands. Nearly a year afterward this pitiable man was carried ill to the Hôtel Dieu in New Orleans. After his death a belt containing \$18,000 was found on his person, and was considered to be the remaining part of a larger sum. A relative published a defense to the effect that he voted according to his convictions, but did not deny that the money was found upon him. There was a white Baptist minister in the legislature who voted for the bill, it was said, because the Lottery had subscribed to his church. He was turned out of his church and afterward out of the denomination. Symptoms of sudden wealth broke out on many members, previously poor, who are mentioned by name in the talk of the town.

Amid much jubilation, on that great day for charity, the bill was sent to Governor Nicholls, who returned it, on July 7, with his veto. The House lost no time on the following day in passing it over the Governor's head by a vote of sixty-six to thirty-one, one member being absent. The Senate would doubtless have followed suit but for an unforeseen accident. One

of its members had been to New Orleans on the wings of victory, where he had acquired a state of delirium tremens. His vote was needed to override the veto, and his physician had declared that his life would be forfeited, probably, if he were carried to the Senate. Nevertheless, his wife is said to have favored the attempt; an effort was made to get the use of the Lieutenant-Governor's room for his accommodation; then it was suggested that the Senate should meet where the sick man lay. But the opposition threatened to investigate the ability of the man to cast a legal vote. The man died, and in desperation the Lottery senators decided that as the bill had already been passed by a two-thirds vote it was unnecessary to submit it to the Governor for approval. The House adopted this view; and when the Secretary of State declined to certify the bill on that ground, and for the reason that alterations and changes in the journals of the two houses, regarding the bill, had been made without proper authority, the Supreme Court of the State, by a three to two judgment (Associate Justice McEnery concurring), set aside both objections, and the bill was promulgated. In such trappings of fact does John A. Morris's Child of Charity appear before the altar of manhood suffrage for consecration.

A month after their defeat, a convention of the Anti-Lottery League met in Baton Rouge. Such able speakers as Murphy J. Foster (the leader in the Senate), Judge E. D. White (now United States senator elect), Edgar H. Farrar, and Charles Parlange made the air red with eloquence and blue with the moralities of the question. Mr. Farrar has since led in a campaign of hard facts to show that the city and State are prosperous, not poor, and to expose the fallacy of the Lottery on business principles. United States Senator Gibson has also turned his logic against the amendment. The league was formed in New Orleans in April, 1890, by Judge White, Colonel J. Davidson Hill, Judge Frank McGloin, Colonel C. Harrison Parker, Judge F. A. Monroe, Colonel W. G. Vincent, and Senator Charles Parlange. Hundreds of men prominent in the law, in education, and in business, like the attorney-general, Walter H. Rogers, the Hon. Don Caffrey, the Rev. Dr. B. M. Palmer, Colonel William Preston Johnston, and Branch M. King, have rallied to it. Foremost among them are men who wore the same uniform as Generals Beauregard and Early, but who spurn the idea of salaries or pensions from the Lottery. They are determined men, and have enlisted their lives and whatever fortune they possess in the cause of restoring Louisiana to the sisterhood of respectable States.

As the Lottery question pervades church and society in New Orleans, it is not surprising that

the women have formed a league of their own, with branches in all the parishes. Mrs. William Preston Johnston is president, and the parent branch of New Orleans in November numbered 700. These women are earnest and outspoken. An incident in the autumn was the offering by a member of her only valuable piece of jewelry, a gold watch, which she asked the finance committee to sell for the benefit of the fund.

The only real setback to the Lottery has come from the new postal regulations. At various times since 1883, Inspector George A. Dice has done efficient work in obtaining evidence of violations of the postal law, but in every instance the United States Court in New Orleans proved an obstacle to conviction, so liable is the ermine to lose its luster in a Lottery atmosphere. Finally, Congress passed a new law in September, 1890, which made it possible to prosecute for the posting of lottery tickets or advertisements, along the route or at the destination. The day that law was signed, Mr. Dice heard a salute of one hundred guns fired in New Orleans by the anti-lotteryites in honor of their first and only success. Inspector George C. Maynard has since picketed the Gulf district, and, in addition to the Louisiana Lottery, has had also to watch the Juarez Lottery, a Mexican concern to which Confederate General John S. Mosby is commissioner. Mexico is a paradise for gamblers. A traveler who has just returned says that at a watering-place in that country he entered a tent in one end of which was a gaming-table for adults, while in the other end was a table for youths; a pawnshop occupied the center.

At the New Orleans post-office, in ten days prior to the passage of the new law, the Lottery Company received 30,000 letters; in the same time the New Orleans National, the Lottery bank, received 8464 registered letters. For ten days in July, 1891, the Lottery received only 534 letters, and the bank only 41 registered letters. One third of the New Orleans mail formerly went to the Lottery, the receipts of the post-office on that account alone amounting to \$125,000 a year. Postmaster-General Wanamaker, who has sustained the new law with untiring energy, says in his last report: "The mails are no longer used by the Louisiana State Lottery Company for the transmission of printed matter in packages or unsealed envelopes. Its patronage of the post is now limited to letters and packages under seal, and I have reason to believe that such matter is sent only to points that can not easily be reached by the express companies. Statistics show that during the calendar year of 1889 there were received at the Dead Letter Office 11,266 Lottery letters, or an average of 938 letters per month. During

the first six months of 1890, 5686 Lottery letters were received, or an average of 947 per month. During the next five months of the same year—these include about two and a half months succeeding the date of the approval of the Anti-lottery Act—there were received 2597 letters, or an average of 519 per month. During the eleven months beginning with December, 1890, and ending with October, 1891, 686 letters containing lottery tickets were received, an average of only 62 per month. At present the average is less than 40."

If necessary, the Lottery would no doubt conduct its carrying business by pony-express or even by foot-messengers; but just at present it finds the express companies a handy agency, against whom, however, the Postmaster-General is preparing legal warfare. Of the extent of the express traffic he says in his report: "Some of the expresses have instructed their agents and employes to refuse the business of the Louisiana Lottery, but the instructions are ineffective, because packages are sometimes smuggled into the express by persons not known to be connected with the Lottery, but more frequently because the employe is either indifferent to his instructions or in sympathy with the Lottery; and it is not disputed that such matter is received and conveyed without dissent by express companies professing to refuse it, when offered by connecting lines forming a part of the entire route over which it is to be carried. Other companies, as for instance the Southern Express, openly receive and transport all printed matter offered by the Lottery Company and its agents, sealed or unsealed, and all sealed packages, presumably of written or partly written matter, insisting that they are prevented from either making special inquiry as to the contents of the packages or disturbing the seal."

In the past, as at present, the Lottery mail has been the chief source of corruption to the postal employees, and to an extent which official prudence, to aid its detective work, has felt bound to conceal. But the facts are astounding. With the purpose of discrediting the New Orleans post-office, the Lottery bank has recently charged indifference on the part of the authorities, who are obliged to work in quiet, and who have no surveillance over the employees of the bank; for the Lottery mail corrupts alike those that handle and those that receive it. An account of the subterfuges of the Lottery to evade the postal law would fill a volume. Some of their home journals in the Lottery interest are making a desperate assault on the constitutionality of the law, for excluding from the mails newspapers that print Lottery advertisements. The case was argued in November, and in the middle of December the decision had not yet been rendered. That pub-

lic opinion strongly favors the exclusion of Lottery matter from the mails is indicated, the Postmaster-General says, by the fact that "of the 2259 newspaper editorials, published in 850 papers, which have come to the notice of the Department during the past year, 2172 have opposed the use of the mails by lotteries, and 87 have favored it." It would be interesting to know how many of the 87 were printed outside Louisiana.

A year and a half of public arguments and appeals have had no effect on lottery-workers and respectable sympathizers; either the Lottery *per se* or the supposed tax-paying power of the "Revenue Amendment" has full command of their influence. The sole hope of the Anti-Lottery League is with the people of the parishes; in New Orleans it has only a strong fighting minority, made up of the better elements, but they are men who cannot be trifled with, and who mean to have fair play at the polls. Their home money resources are nearly exhausted, for they are men of moderate means. One member subscribed \$15,000, and others according to their ability. To get a hearing in the press, they were compelled to start, in May, 1890, the "New Delta," which is ably edited by Colonel J. Harrison Parker and Colonel John C. Wickliffe. Every week a committee canvasses for funds to keep this necessary agency up to its vital work, while the old-established newspapers draw sustenance from the Lottery's advertisements, and give the impression that the power and prestige of the State are all for the Lottery bill.

With millions of Lottery money to contend against, and with lessening resources, the League has in desperation collected its Winchester rifles, which were kept under cover near every polling-place during the white primary election of November 10; for it was doubted if the Lottery's ward bosses and heelers would count their votes in case the election was close. No law-abiding citizen can approve of the mob of last spring, that taught the Mafia its terrible lesson; but no citizen of the North can understand, except on the ground, the provocations of the would-be law-abiding people of New Orleans. In this fight all of the various Mafias are on the side of the Lottery, which is the masterful vampire Mafia of them all. W. S. Parkerson, the leader of the men who marched to the parish prison and who has been prominent in the movement to crush out corrupt boss rule in local politics, came into the League as soon as he found that the bosses were to a man in the Lottery camp. Another sign of the desperation of the League is its appeal for outside money support. The good people of New Orleans have the habit of depending upon themselves, but in the hour of exhaustion they are

willing to beg for this cause, and General George D. Johnston was sent to New York to ask for aid, the great mass-meeting of November 13 being the first response to his efforts.

Some have thought that abuses at the North ought first to be righted before aid should be sent South; for few understand to what an extent this is a national question, so silent and insidious has been the spread of lottery gambling. *It is, first and last, a national question!* New Orleans is only an incident. In justice to Louisiana, the whole North ought to lead in this fight—with its support when the battle is in New Orleans, and in Congress if the victory in April is with the Lottery. Has not the Lottery proclaimed that ninety-three per cent. of its business comes from abroad? Within a year it has made a desperate attempt to obtain a charter from North Dakota, as a refuge in case it should fail to get a new footing in Louisiana. A journalist, traveling last autumn in the Canadian Northwest, was asked by his guide to withhold his pay till it amounted to five dollars, with which he intended to buy a Louisiana Lottery ticket. New York hatched this Lottery, and New York, in spite of the postal law and the police, is to-day its main dependence. The dishonest real-estate clerk who, two or three years ago, robbed a prominent New York law firm of upward of \$250,000, confessed that most of the money was lost in policy and lottery gambling. Boston, New Haven, Philadelphia, Buffalo, Washington, Cincinnati, Kansas City, Denver, and San Francisco are hotbeds of its virus. On my way to New Orleans I visited Detroit, where the Lottery agents are active but under cover. In Chicago the inspector of police from his office in the City Hall, in answer to my inquiry, pointed to a doorway opposite his window, and through that doorway I walked into a room off a side hall where lottery tickets were being sold openly, and where a silent file of youths and men followed each other in and out. On the wall were rough placards giving the names of recent drawers of portions of "capital prizes" in two large manufacturing houses. These I visited, to find that the facts were as stated. At one place the proprietors were unfriendly to the business; in the other the sentiment was favorable. The havoc of the Lottery in Chicago was attested by stories of riotous living and ruin wrought by lucky tickets, and by several cases in which the police had been debauched. Two years ago a policeman won part of a capital prize, set up a saloon called the "Louisiana," soon ran through the money, and was welcomed back

to the police force. The sensation while I was there was the recent "breaking" of a detective who had been caught by his "partner detective" (a new man of firm character) taking bribes of tickets and money from the Lottery's chief agent, who keeps the office described above. The agent was made to admit his crime, and on December 19 he and his clerk, after long immunity, were fined \$100 each. In St. Louis I found the Lottery's agents active but sly. The office of the chief agent was a pretended cigar-store, a mere hole, six by fourteen, with a screen in front. Near by the whole interior of a vast block was given up to a labyrinth of pool-rooms, packed with motley crowds of men, youths, and negroes. All kinds of pools were being sold on horse-races in the East and South, and on base-ball games. There were counters where half-dollars could be staked, and to these youths who looked like clerks and mechanics were thronging in the noonday hour. Shortly after my visit, the Supreme Court of that State sustained the Missouri law against pool-selling, and that hive of industry has since been closed.

Though the people of this country have been strangely blind to the fact, the "Louisiana State Lottery" has been a national question for twenty years; the moral view aside, it remains a business and a political issue. A National Committeeman is authority for the statement that in the campaigns of 1884 and 1888, the Lottery made large and equal contributions to the fund of each party. What would it not give for a deaf, dumb, and blind Postmaster-General in Washington and a friendly postmaster in New Orleans, no matter of which party!

The Lottery is the farthest reaching of all the pestilent gambling enterprises of the Union. Saloons, barber-shops, and cigar-stands are the centers of its traffic. Even if the Lottery is stripped of the power of the State that it degrades, this kind of crime will of course be carried on by somebody in secret though on a smaller scale. But if the Lottery fastens itself anew on Louisiana, owning her, as it will, both body and soul, and if it secures control of Congress and the United States mail, as it is trying to do by its political contributions, then let the country be equally kind to her allies the gambling-houses and pool-rooms; establish them by constitutional amendments; let each State have its own lottery; and induce John A. Morris to extend his benevolence by teaching his own New York, as he has taught the Pelican State, how to feed her children off her own flesh, while she fattens him.

C. C. Buel.