

THE LEGISLATURE.

EXTRA SESSION.

The Senate.

The Senate met at 11 a. m., Lieut Governor Wiltz presiding. There being no quorum a recess was taken till 12 o'clock m. A quorum was finally had at 12:30 p. m.

Mr. Goode, from the Judiciary Committee, presented the majority report of the Committee on Senate bill 29, to enlarge the jurisdiction of the Third District Court favorably; and a minority report, signed by himself and Senator George, on the same bill, unfavorably, on the ground that they considered the bill unconstitutional.

The same Committee returned, without action, House bill 127, relative to enforcing the 132d article of the constitution, requiring sub-divisions of lands at public sales, the subject matter having been covered by a similar bill of the Senate.

Mr. Goode, under a suspension of the rules, introduced an act to repeal the act defining the limits of the Second Judicial District, and to re-annex the Sixth and Seventh Municipal Districts of New Orleans to the First Judicial District. Read twice and referred.

Mr. Texada reported sundry bills correctly enrolled.

The Senate joined the House and returned at 1 o'clock.

Mr. Mitchell in the chair.

Mr. Grover called for the special order of the day, being the police bills, House bill No. 71 and Senate bill No. 83. Postponed for this present.

Mr. Ellis introduced, without notice, a bill to authorize the Auditor to accept and approve the bonds of the State tax collectors. The bill finally passed.

Mr. Goode offered a resolution that, Whereas, the following named Senators, T. T. Allain, of the Fourteenth, J. E. Bryant, of the Sixteenth, J. H. Bureh, of the Thirteenth, Thos. A. Oage, of the Eighth, J. A. Dumont, of the Fifth, J. A. Gla, of the Seventeenth, William Harper, of the Twenty-first, Pierre Landry, of the Seventh, J. B. Stamps, of the Sixth, Isaac Sutton, of the Ninth, M. H. Twitcheil, of the Twenty-second, S. Wakefield, of the Fourteenth, and David Young, of the Fifteenth Senatorial Districts, have been absent from the Senate since the first day of January, 1877; and,

Whereas, the names of the said Senators have been carried on the roll of the Senate, and have been called by the Secretary every day since the said date; and,

Whereas, the people of said Senatorial Districts should be represented in the Senate, in order that their rights and interests may be properly understood and protected; therefore be it

Resolved, That the Committee on Elections be directed to inquire whether the seats of the said absent Senators should not be declared vacant, and to report to the Senate what action should be taken in the premises.

The resolution lies over under the rules.

The police bills being resumed, Mr. Ogden offered Senate bill No. 83 as his substitute for House bill No. 71, which latter is the bill originally reported on favorably, with amendments, by the majority of the committee.

Mr. Ogden explained that his bill was a short one, simply transferring the police to the city, subject to certain checks from the State authorities. It makes the Mayor of New Orleans president, and the Administrator of Police and two men to be chosen by the city, four of the seven members constituting the Police Board.

Mr. Robertson contended that it was proper to take up the House bill, as the one reported by the majority of the committee.

Mr. White, apart from any question as to the merit of the two bills, agreed with Mr. Robertson. The section as to the constitution of the board could be acted on without taking up the substitute.

Mr. Steven in the chair.

The motion to take up Mr. Ogden's substitute having failed, the original House bill No. 71 was considered and acted on by sections.

The first section was adopted, when Mr. White and Mr. Robertson respectively offered amendments, superseding the second section by "striking out" said section and "inserting," etc.

Mr. Robertson's amendment proposes a mixed board, composed of the Lieutenant Governor and Administrators of Finance, Accounts and Police, and three citizens of New Orleans to be appointed by the Governor with the advice and consent of the Senate—all without any compensation whatever for their services as members of the board.

Mr. Ogden said that the object of his substitute, for a mixed board on the part of the city and State.

Mr. Robertson's amendment was considered first as a substitute for that of Mr. White.

Mr. White being opposed to this amendment, but to make it less objectionable to him, proposed an amendment providing that the commissioners should hold office for one, two and three years, to be determined by lot upon their appointment, and to hold their office till successors are qualified—the Governor to appoint at the expiration of their term of office the commissioners who shall hold office two years. Mr. White in discussing the matter argued against the propriety of a mixed board.

Mr. Texada in the chair.

Mr. Goode, for information, asked for the reading of Mr. White's original amendment, providing for a board of five commissioners to be nominated by the Mayor and approved by the Board of Administrators. He thought the second section of the bill as printed was proper.

Mr. Ogden said he aimed to have the city to select the force, but he wanted the State to have a check upon the board by representation in the board.

Mr. Zacharie agreed with Mr. Goode as to the second section, leaving the whole matter of the creation and control of the police to the city authorities.

Mr. White's amendment to Mr. Robertson's amendment was lost, and immediately, at 3 p. m., the Senate went into executive session, in which they remained a short time.

The President in the chair.

The subject previously pending being Mr. Robertson's amendment coming to a vote and resulting in a tie—ten to ten—the Lieutenant Governor was called upon to cast the deciding vote. Mr. Wiltz, unlike the Republican politicians, voted against himself, and so the amendment was lost, and the amendment originally offered by Mr. White, before that of Mr. Robertson was presented, being withdrawn. Mr. White offered an entirely new bill, which he wished to be read and referred.

The new bill, No. 104, was read by title, and referred, with instructions to the committee to report Wednesday, or as early as practicable.

A motion to recommitt the whole subject was lost, and Mr. Kelly moved to

adopt the second section of the bill 71 as printed.

Pending further action, the Senate, at 3:30 p. m., took a recess till 7 o'clock.

Evening Session.

At 7 o'clock there was no quorum and a recess was taken till 7 1/2 p. m., when there still being no quorum, only seven members present, on motion of Mr. Steven, the Senate adjourned till 12 m. Tuesday.

The House.

The House assembled at noon.

In the absence of Speaker Bush, Mr. Trezevant, Clerk of the House, called Mr. Lyons, of East Feliciana, to the chair.

A quorum present.

On motion the Senate was informed that the House was ready to proceed to ballot for a United States Senator.

Mr. Bridger, of Caldwell, offered a resolution providing for the fixing of the hour of meeting of the House at 11 o'clock daily. Adopted.

Mr. Jonas, of Orleans, from the Judiciary Committee, asked for further time to report on House bill 124, repealing the charter of the Louisiana Lottery Company.

This request gave rise to a lively debate.

Mr. Fitzpatrick moved to grant the committee until Wednesday report.

Mr. Jones moved to amend by granting Mr. Fitzpatrick the time to the committee. The bill was one, he said, that required the weighty consideration of the people, who would report as early as possible. He didn't care about being limited.

Mr. Fitzpatrick said that the committee had had the bill under consideration for fifteen days. Although he did not wish to say what he had heard concerning this bill in the committee, he wished it passed. This bill gave relief to the people who were oppressed upon by the lottery bill. He did not think it was good policy to hold the bill back. He asked members not to let it be said that the House would not act upon it.

Mr. Young, of Claiborne, said that this was not a bill to be reported upon in one day. It had been impossible for the committee to form an opinion of the bill which is importance demanded. Grave constitutional questions were involved. The committee had not had a quorum to work upon the bill, the members having been engaged on other committees.

Mr. Toler, of Richland, dilated on the impositions of the Louisiana Lottery Company. He was opposed to such institutions, especially where nobody ever drew anything. He was in favor of repealing the charter of the Louisiana Lottery Company.

Mr. Cressy, of Orleans, was as opposed as anybody to the Lottery Company, but he urged the propriety of giving time to the Judiciary Committee.

Mr. Fitzpatrick arose again. Some old members called this a chronic bill. He did not propose to let it go by unheeded this time. It was said that Chas. T. Howard held the receipts of members of the House for money given them in connection with the lottery. He understood that Mr. Morris, of the Louisiana Lottery Company, had asked the committee to give him time, and was working on the members. He (Mr. Fitzpatrick) wanted no policy in this government; and none with such a corporation. He wished to call up the bill on Wednesday, and act upon it whatever might be the report of the committee. The bill must come up and must be passed, if it be right.

Mr. Billieu, of Lafourche, said he was a member of the Judiciary Committee; he had failed to see any policy on the part of the committee in connection with this bill; he himself had his opinion of the Lottery Company; he had signed a report in the matter in the last House; he was satisfied that the present Judiciary Committee had not delayed from any motives of policy. They must act on the bill.

Mr. Toler, of Richland, said that he had made no reflection on the Judiciary Committee; he simply wanted the bill to come up, and therefore moved to lay the amendment of Mr. Jonas on the table.

The question now came up whether the committee should have more time without limit.

Carried—51 yeas, 14 nays, as follows: Yeas—Messrs. Aldige, Aycock, Breard, Berry, Bradley, Bidwell, Barber, Cockran, Cressy, Carlisle, D. Lavigne, Baker, Sargent, Grayson, Gaudin, Gaudin, Hamilton, Hanson and Jones, Kennedy, Kelly of Wino, Kidd, Kernoch, Lyons, Leche, Lecheard of Orleans, Martin, McGehee, Nunez, Peralta, Pitts, Richardson, Ryland, Sandolph, Wells, Shakespeare, S. Middleton, S. J. Miller, Steele, Sellers, Smart, Warren, Taylor, Tremoulet, Courcier, Washburne, Wilder, Williams, Y. one of Claiborne and Young of East Baton Rouge—51.

Nays—Messrs. Bridger, Bowden, Briggs, Barton, Ferguson, Fitzpatrick, Frazier, Kelly of Orleans, Lacroix, Means, Robertson, Porter, Stagg and Toler—14.

BILLS INTRODUCED.

By Mr. Toler, of Richland, by consent—A bill to exempt notaries public in Richland parish from paying license tax. Referred to the Committee on the Judiciary.

By Mr. Fitzpatrick, of Orleans, a bill to require the city of New Orleans to set aside a portion of its revenues each year to pay the Fire Department. Referred.

By Mr. Estopinal—An act to incorporate the Mississippi, Terre-aux-Bois and Lake Railroad Company. Referred to the Committee on Corporations.

The Senate entered the House, and the General Assembly in joint session proceeded to ballot for a United States Senator with the following result:

Table with 2 columns: Name and Total. R. F. Jones 2, B. L. Gibson 11, Bobt. O. Wickliffe 9, W. A. Robertson 7, John Young 17, C. D. Wheeler 11, Totals 64 83.

No choice and the Senate withdrew.

Mr. Cain Sartain, of Carroll, had previously nominated Gen. John Young, of Claiborne, who, however, modestly declined.

Senator Mitchell withdrew the name of Judge J. C. Egan.

Senator Kelly nominated Senator Wheeler.

tools, separately from the land on which they are, etc.

Referred to the Judiciary Committee.

Senate bill No. 187, to repeal section 114 of the Revised Statutes, was taken up. Lies over.

House bill abolishing the parishes of St. Martin and Iberia, was taken up and ordered to lie over.

House bill No. 198, providing for the relief of persons whose property has been sold for taxes. Lies over subject to call.

Mr. Delavigne explained that the provisions of this bill were embodied in the general revenue bill.

House bill No. 111, relating to the election of parish tax collectors by police juries. Lies over subject to call owing to the absence of Mr. Lea of St. Helena.

House bill 112, to amend and re-enact certain sections of the Revised Statutes. Postponed indefinitely.

House bill 114, relative to the town of Rayville. Referred to the Judiciary Committee.

House bill No. 83, to regulate the office of Portwarden of New Orleans. The bill was recommitted to the Committee on Agriculture and Commerce.

House bill No. 123, relating to harbor-masters. Recommended as above.

House bill incorporating the New Orleans Waterworks Company. Made the special order of the day for to-morrow at 2 o'clock.

House bill No. 188, to provide for the speedy administration of justice in criminal cases in the country parishes, reported by substitute by the Judiciary Committee. The substitute confines the operation of the bill to the parish of Claiborne. The bill passed finally.

House bill No. 133, changing the term of the District Court of the parish of St. Helena. Passed finally.

House bill No. 136, relating to the sale or lease of sewing machines, pianos, etc., and to prevent impositions upon buyers in certain cases.

Mr. Jonas explained that the object of the bill was to prohibit a species of contract oppressive upon the poor people. Mr. Jones then proceeded to illustrate by citing one of the sewing machine contracts, which made a person relinquish all right to have recourse to law to protect himself.

The bill was passed finally.

A motion to reconsider and to table followed, and prevailed.

By Mr. Billieu, of Lafourche—A bill to tax certain lands in Lafourche parish for drainage purposes.

Referred to the Committee on Parochial Affairs.

ORDER OF THE DAY.

Senate bill No. 92, to incorporate Morgan's Louisiana and Texas Railroad and Steamship Company. Reported favorably upon, with amendments.

Mr. Voorhies, in order to avoid legal technicalities, asked leave to introduce the bill as a House bill—No. 192.

The rules were suspended and the bill taken up section by section, and passed finally.

One of the prominent amendments to the bill, added since it was introduced as a House bill, provides that the extension of the line to the Sabine river, in Louisiana, "south of the 31st parallel."

Another authorizes the establishment of the road via Opelousas or Leocompte, on the Bayou Boeuf, Red River parish, sixteen miles more or less south-east of Alexandria, there to meet the Pacific Railroad north of Leocompte.

There is also a proviso that should the Pacific Railroad fall within five years to make connection north of Leocompte, the Morgan Railroad Company are authorized to extend their road north-westerly.

During the action on the bill Mr. Wheelock, President of the New Orleans Pacific Railroad, being present, it was stated by Mr. Voorhies and other members on the floor that everything which might have clashed between the two companies had been removed or harmonized.

By Mr. Bell, of Orleans, Chairman of the Committee on Ways and Means, reported favorably with amendments on Senate bill No. 16, relating to the compensation tax collectors. One of the amendments gives the State tax collector of the First District 2 of one per cent instead of 1 1/2; 1 per cent instead of 3 per cent in the Second District; 2 1/2 per cent in the Third District; 1 per cent in the Fourth District; 1 per cent in the Fifth District; 2 1/2 per cent instead of 6 per cent in the Sixth District, and 3 per cent in the Seventh District of New Orleans.

The bill gave rise to some wrangling. It was explained that the bill was necessary in order that Gov. Nicholls should appoint his State tax collectors immediately.

Messrs. Bridger, of Caldwell, and Bowden, of Franklin, opposed the passage of the bill on the ground that provision had been made for tax collection in New Orleans in the revenue bill, which was before the Senate and might never pass if this bill did.

Pending consideration of the bill the House adjourned at 5 o'clock.

AMUSEMENTS.

ACADEMY OF MUSIC.—Simmons & Slocum's minstrels opened last night to an immense house, which was entertained for nearly three hours with a good bill, comprising all the principal features of modern negro minstrelsy. The company possesses an excellent personnel, which will reap a harvest of money during their stay in this city. Mr. Geo. Thacher, one of the end men, is a very intelligent and witty artist, and will be a favorite. Mr. George W. Harley, the soprano of the troupe, possesses a unique and charming voice, which he manages quite artistically. We have not the space to-day to refer to all the good things presented by the troupe last night.

GRUNEWALD HALL.—To-night Theodore Tilton will deliver his lecture on "The Problem of Life" at Grunewald Hall. Mere curiosity to see and hear the man whose own life seems to be itself an inexplicable problem will doubtless attract an immense audience, besides Mr. Tilton is a man of parts and said to be a pleasant lecturer.

The St. Louis Insane Asylum.

No new developments at Packard's headquarters yesterday.

It is understood that the light lumber or a portion of it, which has been taken into the building was for the purpose of constructing sleeping bunks for the one thousand men in buckram, said to be concealed somewhere in the hotel.

The digging in the yard, in the rear of the late Auditor's office, is attributed to an instinctive desire of the Packard men to slink into their holes.

We are obliged to J. B. Kerr, who is with A. P. Harrison, the well-known stockholder and stationer, No. 118 Canal street, under the Crescent Hall, for an improved edition of "Volney's Ruins," or "Meditation on the Revolutions of Empires." The book is well known to all thinkers, and is one to which it is always useful to refer.

Important to sugar planters. See Troward's

PACKARD'S LAST DESPERATE GAME.

He Plans a Sham Battle, Amid Which to Burn Certain Archives.

The Democrats to be Charged With Deed and the Troops to be Called For.

Yesterday a reporter of the DEMOCRAT, in a certain locality not far from the St. Louis Hotel, overheard a conversation between two of the men composing Packard's body guard. The earnest and emphatic tone of these men left no doubt on the mind of our reporter as to the truth of what he now related.

One of the two men said it was resolved by Packard that inasmuch as nothing but a riot and bloodshed in New Orleans could bring about his recognition by President Hayes, and since it was evident the Democrats were determined to avoid a collision and were fixed in their policy of peace, it had become a matter of life and death to the Republican cause that some bold step be taken. Well knowing the utter unwillingness of his followers to risk their lives in an attack upon the Democrats, Packard, they said, had concocted a scheme by which a body of his own followers are to assemble some night this week at a late hour, and go through the forms of an assault on the State-House, creating the greatest tumult possible, and firing volley after volley of blank cartridges which will be answered in the same manner from the inside by the two or three hundred ex-metropolitan and negroes, who have been imbrued in the preconcerted confusion that portion of the building containing the archives of the State, and the books and accounts of the Treasurer and Auditor's Department, are to be set on fire, whereupon Packard and his gang will raise a howl of distress and appeal to the Northern heart for sympathy and to President Hayes for troops to protect them from the Democrats who, they will, of course, swear have done it all and are about murdering every Republican throughout the city.

As sensational as this may appear, our reporter vouches for its authenticity, and we think it really worth publication, so that by the timely exposure of this contemplated scoundrelism we may be prepared for its instantaneous frustration.

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SUPREME COURT DECISIONS.

MONDAY, March 5, 1877. Present—All the Justices.

BY CHIEF JUSTICE MANNING.

No. 6437—Charles Lafitte vs. Morgan Morgans.—Rehearing refused.

No. 6477—Stoughton Cooley vs. H. H. Brown et al.—Rehearing refused.

No. 5159—Charles T. Howard vs. Wm. B. Schmidt.—Rehearing refused.

No. 6341—Josephine Johnson vs. Clark & Meader.—Rehearing refused.

No. 5283—Ocean Dry Dock Co. vs. J. A. Stein et al.—Rehearing refused.

No. 5516—State of Louisiana ex rel. N. St. Martin vs. the Police Jury of the parish of St. Charles et al. Lessasser & Binder et al., appellants. Appeal from the District Court parish of St. Charles. Acquiescence in a judgment against them by a police jury cannot affect the right of taxpayers injured by said judgment to appeal therefrom. A mandamus will not lie to compel the levy of a tax for the payment of an unliquidated claim against the parish.—Judgment reversed.

No. 6546—Robt. Warrall, appellant, vs. Jas. H. Vickers; R. Murdoch, third opponent. Appeal from District Court parish of Texas.—Judgment reversed as to opponent.

No. 6599—Alexander Anderson vs. Mary A. Pike,atrix, appellant. Appeal from District Court, parish of East Baton Rouge. Judgment reversed.

No. 6455—Rhoda E. White vs. Myra C. Gaines, J. Q. A. Fellows et al., appellants.—Judgment affirmed.

No. 6562—Jacob C. Van Winkle, appellant, vs. Alcee Landry. Appeal from District Court, parish of Pointe Coupee. The homestead act of 1865 protects from seizure, even under a conventional mortgage, the property of a debtor who is within the requirements of the act.—Judgment affirmed.

Justice Spencer dissents.

No. 6524—Philip Massoudet, executor, et al., appellant, vs. Mrs. Mary Clancy et al., Appeal from the Fifth District Court, parish of Orleans.—Motion to dismiss refused.

No. 6531—Bernard Soulis, appellant, vs. Louis Banson. Appeal from District Court, parish of St. Charles. A sale with right of redemption is not vitiated by the stipulation for a redemption price greater than the amount paid. Judgment affirmed as to the sequestration and in other respects reversed.

No. 6510—James Gardner vs. S. Dezutter et al., appellants. Appeal from Sixth District Court, parish of Orleans. Judgment affirmed.

BY JUSTICE MARR.

No. 6338—Charles A. Conrad vs. Joseph Patzelt, James Jackson Intervenor and appellant. Appeal from the Fifth District Court, parish of Orleans. Movables which have been provisionally seized in a suit for rent and released on bond cannot afterwards be seized again under the same writ, the lessor ceases to have any greater rights against the property bonded than any ordinary creditor, and must look to the release bond for the satisfaction of his claim should new privileges have attached to the property since its release.—Judgment reversed.

Justices DeBlanc and Spencer dissent.

No. 4342—Mississippi Valley Transportation Co., appellant, vs. Geo. A. Fosdick & Co., and No. 5202, Mississippi Valley Transportation Co. vs. Geo. A. Fosdick & Co., appellants, consolidated. Appeal from Sixth District Court, parish of Orleans.—Judgment in No. 4342 reversed, and in No. 5202 judgment amended.

No. 6049—McCloskey, Bigley & Co., appellants, vs. Winfield & Bridges. Appeal from Fourth District Court, parish of Orleans. A judgment rendered against a commercial partnership after the death of one of the partners is null if the representatives of the deceased partner are not made parties to the suit, and the surety on the release bond given by the partnership cannot be held for the amount of the bond.—Judgment affirmed.

No. 6242—Joseph Jacob vs. Robert L. Preston, appellant. Appeal from Sixth District Court, parish of Orleans.—Motion to dismiss refused.

BY JUSTICE DE BLANC.

No. 6578—Succession of Mrs. E. B. Bardsley Appeal from Parish Court, parish of East Feliciana. The Judge of the court *qua* must fix the amount of the bond in an appeal from a judgment homologating an executor's account.—Appeal dismissed.

No. 6574—Joseph Larguer, appellant, vs. J. Hayes White. Appeal from Dis-

trict Court, parish of East Baton Rouge. Judgment amended.

No. 6575—Moses Henman, appellant vs. Abner Blades. Appeal from District Court, parish of St. Helena.—Judgment affirmed.

No. 6525—Aug. Heffner, appellant, vs. S. Hesse, et al. Appeal from District Court, parish of Lafourche.—Judgment reversed.

No. 6474—Pierre Launes vs. Workingmen's Bank, et al., appellants. Appeal from Superior District Court, parish of Orleans. A tax collector's deed of sale *in prima facie* evidence of a valid title, which can only be attacked by a direct action.—Judgment affirmed.

BY JUSTICE EGAN.

No. 6528—E. Marquez & Co., appellants, vs. C. O. LeBlanc. Appeal from District Court, parish of Lafourche. Re-hearing refused.

THE JUSTICE OF THE PEACE BILL.

It is to be hoped that the bill presented in the House a few days ago limiting the jurisdiction of justices of the peace in the city of New Orleans, will not be forgotten. It is a small bill, against which there can be not the least objection. On the contrary there are many reasons which make it imperative that the present system should be abolished. As the law now stands on the statute books, plaintiff can institute proceedings in any justice court in the city, without regard to the residence of the defendant, the result of which is frequently great inconvenience, in this respect, to defendants. The bill seeks to limit the jurisdiction to the districts within which they are situated, and might be improved by also defining limits for the two justices in the First District.

The reasons given by Gov. Voorhies for offering the bill would be sufficient in themselves to justify its passage; but there are other and more potent reasons which have fallen under our observation to insist upon its not falling to pass at this session.

It has most unfortunately become notorious that in some justice's courts of this city the defendant in a case has little or no chance for a judgment in his favor, however good his case may be. This is the outgrowth of a vicious defect in the existing law which offers a premium to justices to support the plaintiff's claim.

It is well known that some lawyers bring their suits exclusively in one of these courts, according to their choice; and as it occurs, it is to the interest of the justice—who is paid his fees directly from these suits—to favor the attorney who patronizes the court so extensively.

Several cases which have occurred during the past year, within our notice, have, at least, raised strong suspicions in our minds that they were unfairly decided and from other than virtuous motives.

By changing the law, attorneys will be compelled to bring their suits in the limits within which the defendant resides, and thus the judge will have no cause to be so human as to favor the lawyer to the detriment of the defendant.

FIELD SPORTS AND CONSEQUENCES.

We have always considered pigeon shooting by experienced sportsmen as a play unworthy of the actors, and as rendering the principals amenable to the law which is supposed to prevent cruelty to animals, but which, like most laws, entirely fails of its object. We are glad to see that our sporting men are turning their attention to a higher and nobler game, and taking a new departure, are devoting their energies to field sports.

The New Orleans Gun Club has given the lead in this reform movement, and on last Saturday evening two bands of nine sportsmen each, all crack shots, and untried legs, went out, choosing their own field and game, to see which would score the most points, the points to be counted by the size and quality of the game. Mr. J