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H. J. HEARSEY, Editor.

NEW ORLEANS, FEBRUARY 6, 1879.

Hon. E. F. X. Dugas died at his residence in the parish of Assumption on Tuesday. The deceased gentleman was a prominent citizen of the parish in which he resided, and a successful sugar planter. He was elected as a Democrat to represent his parish in the Legislature of 1875-76. At the time of his death Mr. Dugas was fifty-five years old.

Russia has determined on a stringent and armed quarantine against the plague. It will endeavor to prevent its spread by surrounding the infected district with a cordon of troops, with an order to shoot anybody who attempts to go by. Prussia has already determined on a similar course of action, and has ordered out forty thousand men for quarantine duties. For the first time in many years the immense armies of Europe will be put to some practical use.

The Chicago papers are demanding that Congress shall appropriate two million dollars to complete the Illinois and Michigan Canal to the Mississippi river. These are the journals that denounce the levee bill as a treasury theft, and assail an appropriation of \$120,000 for a needed public building at Mobile. They are also outspoken against government aid for a railroad on or below the thirty second parallel, and at the same time insist that the Union Pacific road is a great national necessity. But, then, both the canal and the railroad are, in a great measure, Chicago institutions.

Our relations with Mexico are steadily improving. The regular payment of the Mexican indemnity as fast as it falls due, the flattering reception of Gen. Trevino in Texas, the checking of cattle raids from over the border and the expansion of commercial intercourse between the two countries, is producing a better understanding and a feeling of amity in place of the hostile sentiment so prevalent on both sides of the Rio Grande several months ago. If this state of things continues Mexico will be absorbed without the trouble and expense of annexation.

Stalwart organs are loud in their denunciations of what they call the Charleston district election frauds, but carefully conceal the facts as developed in the case of Washburn, the successful Republican candidate in the St. Paul district of Minnesota. The tissue ballot scheme does not compare with the "frontier game" in audacity or success. By the latter means a majority of three thousand was secured in a district which, on a fair vote, would have elected Donnelly, the Democratic and Greenback candidate. It is in evidence that 110 Illinois votes were stuffed into a single box, while the frauds are wide-spread over the entire district. It would seem that Washburn will stand a fair chance of being unseated when the new Congress investigates his case.

Congress has not yet made provision for the arrears of pensions bill, and there is considerable latitude in the estimates as to what appropriation will be needed. The lowest estimates put it at \$19,000,000, while Secretary Sherman, who has to raise the money, thinks that at least \$19,000,000 will be required. The Commissioner of Pensions and the Chairman of the Senate Finance Committee are intermediaries between these extremes, the one placing the amount at \$52,000,000, the other at \$33,000,000. It is certain that the sum will be far in excess of the lower figures. Congress having hastily provided for the expenditure can now carefully consider where the money is to come from. This is one of the financial problems at present disturbing our wisecracks at Washington.

The threatened prohibition of the importation of American cattle into England on the ground that pleuro-pneumonia is prevailing among them, is creating no little excitement and alarm in the North and West. The best evidence seems to be that this disease is not at all common in this country, and can be discovered in but few American cattle. During the late great snow storm, which interfered so much with railroad traffic in the North, quite a number of cattle cars were detained for days in the snow. The cattle enclosed in these cars suffered severely from exposure to the cold and hunger, being left wholly without food for several days. This brought on the disease of pleuro-pneumonia. These emaciated and sick cattle were shipped to England, and found on their arrival there to be affected with this contagious disease.

This gave the English cattle dealers the opportunity they had long been looking for. The importation of American cattle and beef has greatly reduced the price of beef in England and seriously affected the interests of the English farmers. England has suffered much during the past year from American competition in all kinds of articles, manufactured and staple, and there has lately been a loud demand in that country for some kind of protection. The English agriculturists saw the opportunity afforded them here, and innumerable petitions have gone up to the English government requesting it to quarantine American cattle or prevent their importation altogether. The matter is still under discussion in England and the government has not yet decided on the course it will take. Should it yield to the demands of the English farmers, one of the strongest political powers in Great Britain, it will cut this country off from a rich and productive business that was daily increasing and growing. The present disposition, however, appears to be to establish a cattle quarantine of ten days.

THE CONVENTION AND ITS WORK.

The constitutional convention has an immense labor to perform—of such extent and comprehensiveness, in fact, that we scarce venture to even outline it. The instrument which now serves us as the basis of our social and political organism cannot be accepted, even as a foundation whereon to build, and it would be impossible to erect upon it a superstructure that would be in accord with the popular manners and customs or the political convictions of our people. The whole work of the convention must be de novo, and will involve radical changes in every department of the government.

Indeed, it is hard to say which of the three co-ordinate departments, the executive, legislative or judicial, is in the greater need of thorough reform. The power and patronage of the executive must be greatly curtailed in order to destroy the present disproportionate influence the Governor is able to exercise in political affairs. At the time the constitution of 1868 was adopted, it was of the utmost importance to the success of the designs it was intended to carry out to place as much power and as extensive a patronage as possible in the hands of this official. That constitution meant the absolute subversion of all our institutions, of our social as well as political organization, and it was necessary to reconcile or win over to the new order of things, by manifestations of irresponsible power or by the seductions of office and gain, men of influence in all portions of the State. The results of this shrewd and sinister purpose is seen in the shame and corruption of a number of the ablest and most worthy of our young men, and that its evil effects have not been greater is only due to the unexampled devotion of our people to the traditions of their fathers and their abiding faith in the supremacy of their race.

This same executive patronage has been the most seductive danger of our past, and it is now altogether greater than is compatible with the safety and freedom of the people. The Governor of Louisiana has, under the present constitution, in his hands more capacity for evil and corruption of the people, than any magnate in the world, occupying the executive chair of a constitutional government. He appoints more men to office, can reward more friends and punish more enemies in proportion to the size of the community over which he presides than any Governor in the United States. The only check upon the irresponsible use of this power is that which arises from our subordinate position as one of a federation of States, and the integrity and patriotism of the man who may happen to occupy the executive chair. Were Louisiana an absolutely free and independent State, the power of the Executive under the constitution of 1868 would long ago have proved fatal to popular liberty and republican government. In this department there is certainly great need of reform, yet the need is no greater here than in the legislative and judicial branches.

In America, particularly, politics and law are progressive sciences, and every year we are brought face to face with new problems and advanced theories, which necessity as well as duty commands us to solve. There is in all writen constitutions an inherent quality of rigidity and inflexibility which necessitates such fundamental changes as we are on the eve of in this State. For this reason we should have our most learned men, our most advanced and original thinkers in the approaching convention, men who are thoroughly conversant with the needs, the sentiments and characteristics of our peculiar society, and who are, at the same time, informed as to all the modern advancements in legal and political ethics. Such men are not so common that we can afford to exercise no circumspection in the selection of delegates to the convention.

For example, in several States that have recently framed new constitutions, novel and extraordinary limitations upon the legislative power, especially in the treatment of the public finances and the disposal of franchises, have been adopted. How far this principle should be extended is a grave and delicate question which only the soundest and most learned men are at all capable of handling. Not to apply the principle at all would only serve to perpetuate the obnoxious and corrupting monopolies which now flourish in our faces the defiance of vested rights, charter privileges and contract immunities. To carry it to an extreme might have a tendency to weaken the legislative power until deprived of all capacity for self-defense, it would no longer be able to maintain its dignity and influence as one of the co-ordinate estates of government. We should, therefore, have men who are cognizant of the checks that have been imposed in other States, and who have noted their good and bad results. Certainly there is no department of our government that is more urgently in need of remodeling than that which has to deal with the assessment of property and the collection and disbursement of taxes. In this respect the machinery of government is sadly, miserably defective and oppressive, and we are not prepared to say that even the principle of taxation is not as greatly at fault as the methods by which it is imposed and collected. Here, then, is scope for the very best and most enlightened financiers and public economists, such as those who originated and perfected our splendid banking system before the war.

If we turn from this department to the judiciary, we find the need of reform and improvement no less imperative. Our court system is uncumbrous and unwieldy and altogether incapable of affording the quick adjustments and ready collections which are demanded by the exigencies and customs of modern commerce. The law's delays—the long, tedious and costly processes of our practice are fatal to credit and the promptness and exactness of trade, and to this fact is due the discredit our courts and the legal profession have fallen into and the erection in their place of a system of boards of adjustment and a flittitious code of the exchange, which places commercial transactions on the same footing as a gambling debt. This is all wrong and is due entirely to the failure of our jurisprudence to keep pace with the requirements or adapt itself to the spirit of the swift age of steam or electricity. These agents have revolutionized commerce, and if our courts would remain the arbiters of trade, they must drop their old methods and adapt themselves to the requirements of the new order of things. It is impossible to estimate the wonderful influence the perfection of our judicial system would have in the commercial welfare of this State. A matter of such magnitude cannot be entrusted to tyros.

Besides these great cardinal questions, there are others of only less importance, and which, indeed, have a greater immediate interest; that demand the most careful and considerate treatment. First among these is

the State debt and the settlement of it on some honest basis, satisfactory alike to the State and her creditors. These are all very grave questions which the convention will have to deal with. What the issue will be, whether fortunate or disastrous, will depend upon the character of the men that shall be selected to perform these responsible duties.

PERSECUTION, NOT PROSECUTION.

If there were any reason to doubt the partisan purposes of the prosecutions under the election laws in this State, the course that is being pursued by the United States District Attorney, in refusing to set the cases of the prisoners indicted for trial, is alone sufficient to put at rest any amiable surmises one might happen to entertain on that score. The city is already full of the victims of this unscrupulous party-persecution, dragged from the remotest parishes, and the list is being daily swelled by the addition to it of numbers of the very best and most influential citizens of our State. Among them are men of all stations in life, generally white men, with here and there a well known and influential colored Democrat, but from all alike, without reference to their ability to furnish it, the same excessive bail is exacted. These prosecutions are conducted by the wholesale, and the particular investigation which each individual has the right to demand, and which courts are accustomed to make in cases of application to bail, in order to determine the probable degree of guilt and the ability of the accused to furnish bond, is refused. They are all lumped together and the same bail exacted of all, the rich and poor, the principal and the accessory, alike. But even after this bail is given it merely releases the parties from actual imprisonment. They are compelled to remain here in the city dancing attendance from day to day on the court, at great expense and to the neglect of their business at home. The instances are exceptional when this outrageous and unnecessary requirement will not operate irreparable and heavy loss to the victims of this prosecution. It is not necessary at all to the fullest enforcement of the law and is merely an act of gratuitous and wanton persecution, the purposes of which it is not difficult to discover. If the attainment of the ends of justice were the sole motive that prompts the Federal officials in the conduct of these cases, it would be easy enough to fix the day of trial in each of them, and allow the parties indicted to go home, to return at the time fixed to stand trial. There is not the slightest apprehension that a single person under indictment will attempt to escape trial, but even if there were, they are all under heavy bonds. But to bring these men to trial, to enforce against them the law only, is not the sole or the controlling motive of these prosecutions. They have another object outside of the courts, which can be obtained only by this unscrupulous abuse of power. That purpose is to inaugurate, through the courts and by a provision of the laws, the most infamous system of intimidation that has ever been attempted even in this State. Justice under the law is not what is sought for, indeed, it is safe to assume, under the construction of the Supreme Court in the Grant parish case and in view of the recent expressions of opinion in Congress during the discussions of the Edmunds and Morgan resolutions, that the Attorney General himself does not expect a single conviction in these cases that will be sustained. This is doubtless the reason of the extraordinary exactions of the District Attorney in keeping these prisoners in the city and refusing to set their cases for trial. The intention is to submit them to as many hardships as possible, to ruin their business, involve them in debts which they can ill afford to incur, and otherwise to harass them, for the deliberate purpose of deterring them and others like them from taking any active interest in politics in the future. Another object, doubtless, is to keep these men, in the aggregate the most influential in their respective parishes, from participating in the approaching election for the constitutional convention. This is the real meaning of these arrests, and this is the sort of justice the enforcement of the Federal election laws in the South always aims at. The best citizens of our State, the men to whom the communities in which they live look for law and order and protection, are dragged here from their homes to answer for imaginary crimes, of which they can never be convicted, nor for the purpose of submitting them to punishment after conviction, but to outrage and distress them by the arbitrary perversion of the mere preliminary processes of the courts. A grosser abuse of the forms of law was never conceived. This is persecution and not prosecution, and there should be some means of preventing it. If the State authorities can afford no relief, Congress should take hold of the matter and do something for the protection of these people. It would be infamous on the part of the Democratic party to allow the administration to go on with this systematized intimidation, ruinous alike to the party in this State and to the victims of this prosecution, without raising its voice in indignant protest and denunciation. Steps should be taken to compel a just consideration for these men and save them from the oppression and distress that threaten them from the partisan abuse of power.

SOUTHERN WAR CLAIMS.

The Republicans were badly disappointed at the result of the debate on the Southern war claims. The ill-considered remarks of Gen. Bragg, of Wisconsin, directed against his Democratic brethren, it was hoped would cause bad blood and produce an ultimate breach between the Northern and Southern wings of the party. Such might have been the case had it not been for the prudent course of the Democratic leaders who succeeded in adjourning the debate and gave the Southern members who desired to reply to Bragg an opportunity to calmly consider his remarks. The Republicans made every effort to continue the discussion, and were much disappointed by the tactics of the Democrats. After the lapse of several days Messrs. Chalmers and Hooker were given a chance to reply to the aggressive Wisconsin member. This was done calmly and dispassionately, and produced an effect altogether the reverse of that expected by the Republicans. Not a trace of bitterness remained after the discussion was finished. The Southern members showed conclusively that Gen. Bragg's fears of a Southern raid on the treasury were unfounded; that the so-called war claims were not pressed by the true Southern people, but by those who were disloyal to the South during the war, and that the Southern people and Southern rep-

resentatives were strongly opposed to paying them. To give force to this assurance it has since been determined to introduce a resolution prohibiting the payment of any Southern war claim, whether to loyal or disloyal persons, Mr. Waddell, of North Carolina, being selected to make the motion. This will have the effect of calming the irritation upon the subject, and will do more to free the Northern mind of its fear of the solid South as a political factor than anything else that might be proposed. The Republican journals have been so persistent in their warnings of a coming Southern raid on the treasury that the North has been worked up to regard political unity in the South as a standing menace to the national purse, and indirectly to their individual pockets. The adoption of Mr. Waddell's resolution will effectually settle those fears, and compel the Republicans to look elsewhere for a source of sectional agitation.

The Radicals of France are encouraged by the election of Grey to the presidency, and have become alarmingly bold and aggressive in consequence. They favor certain changes in the constitution of France that would make that country a radical republic. Among the proposed changes are one assembly, the prohibition of all religious orders, the banishment of the Jesuits and the transfer of all education to the State—all religious and other bodies being prohibited from teaching. This is approaching dangerously near to the teachings of the Communists. Indeed the Radical Republicans of France are, as far as theories and ideas are concerned, Communists. They show their sympathy with the latter by proposing a general amnesty of all political offenders, and even the compensation of some of the Communists whom, they believe, have been unjustly and improperly condemned.

It is to be hoped that the danger that threatens France through these men will soon disappear. It is probable that it will. Paris seems unaffected and unalarmed by the situation. The election at Marseilles, also would seem to indicate that the Radicals are losing their popular support. Marseilles is to-day, as it was in '89, the headquarters of Radical Republicanism in France, and yet at the popular election in that town last week the Radicals were badly defeated.

The Berlin treaty is being carried out piece-meal. One by one the provisions of that treaty are put into effect. Turkey has just carried out one of these articles by surrendering the province of Khoutou to Persia. This provision was inserted in the treaty by Russia in order to win the support and favor of the Shah.

The Turkish forces have also begun the evacuation of Podgoritz, which town, in accordance with the provisions of the treaty, will be turned over to Montenegro in a few days. It is now announced that as soon as Podgoritz is surrendered, the definitive treaty of peace between Turkey and Russia will be signed. It is expected that this signing will take place on the sixth of this month.

The House yesterday passed Representative Robertson's levee bill by a respectable majority. This bill provides for the organization of the Mississippi River Improvements Commission and for the correction, permanent location and deepening of the channel and the improvement of the navigation of the Mississippi. The amendments to this bill, providing certain funds for the improvement of the river by levees, were defeated, as was generally anticipated. The passage of this bill, however, has placed Congress on record as favoring the levee system as a means of improving the navigation of the Mississippi, and there seems to be no reason for doubting that, at an early day, Congress will lay aside a sufficient amount to carry out the purposes to which the adoption of this bill pledges it.

It is almost certain that this bill will pass the Senate at an early day.

Senator Christianity now has doubts as to his acceptance of the mission to Peru. He finds that business matters demand his care at home, and unless they can be arranged to his satisfaction he will not go. Why not apply to Zach. Chandler in this emergency? It is safe to say that that stalwart would go almost any length to accommodate Christianity in his effort to get out of the Senate. It is sad, indeed, that there should be any hitch at this time. Chandler had already assured himself of the Senatorial succession, and if Christianity should now find it convenient to let Peru go and remain in the Senate, the consequences would be frightful. No Christian man can think of them without a shudder.

DIED. GARCIA—On Wednesday, February 5, 1879, at 5 o'clock p. m., Marie Rosa Garcia, aged 33 years and a month, daughter of Manuel J. Garcia and Eliza Fortier. The friends of the family are requested to attend her funeral, which will take place this Day, at 4 o'clock p. m., from the residence of her father, corner of Chippewa and Second streets, Fourth District.

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