LUDELING.

THAT EGOTISTIC SCALAWAG GETS A DECIDED SNUB FROM THE SUPREME COURT OF THE UNITED STATES.

[Correspondence of the Democrat.]

WASHINGTON, D. C., February 7, 1879.

The monotony of the proceedings in the Supreme Court of the United States is sometimes broken by incidents which regular correspondents fail to observe. A casual visitor sometimes gets well rewarded for the time spent there. Such a scene occurred January 29, when John T. Ludeling, ex-Chief Justice of Louisiana, was effectually squelched by Chief Justice Waite. This is the more significant because Ludeling is connected by marriage with Judge Waite.

The second installment of the notorious case of Henry R. Jackson and others vs. John T. Ludeling and others, was fixed to be tried January 28, 1879. When the case was called, that day, Judge J. S. Black announced to the court that his employment, as the attorney of the Ludeling et als., was not complete and that he was unprepared and unwilling to try the case, at least before the arrival of Ludeling, who was then due in Washington, but had been delayed by a railroad misconnection. The Chief Justice had received a telegram to that effect from Ludeling, stating that he would be present next day and ready to try the case. On the next day the case was called, Judge Black and Ludeling both present; also Judge Campbell for Jackson et als. Ludeling arose and asked that the case be delayed and be re-fixed. He stated as his reasons for asking this delay that on his arrival in Washington he had found his counsel, Judge Black, unprepared to argue the case, and that he was unwilling to take the whole argument upon himself, unsupported by counsel, because he was not familiar with the proceedings and practice in that court, and, even if he were, that the magnitude of the case and the number of defendants engaged in it rendered more than one counsel necessary. So far, very well. But right here the overweening vanity and presumption which have grown up in Ludeling, from ten years' bossing and domineering the State of Louisiana, asserted and advertised themselves. Ludeling has always thought that *he* would have gained the original suit of Jackson against himself had *he* prepared the brief, and had *he* been present to argue it before the Supreme Court. And *he* has been satisfied that on the trial of the second case *he* could not only obtain a judgment in full in *his* favor, but that *he* could convince the Supreme Court that the first decision was erroneous and that it did *him* gross injustice, and *he* was thoroughly convinced that when the court had heard *him* all the strictures upon *himself* would be *at least* retracted, and *probably* be apologized for.

In the first suit Jackson obtained judgment against Ludeling annulling the sheriff's sale, made to him in 1866, of the Vicksburg, Shreveport and Texas Railroad. The Supreme Court of the United States based its decision on the ground that Ludeling's title was fraudulent and that he obtained it by gross frauds. In the decree, however, the court reserved to Ludeling the right to *claim*, in a separate proceeding in the Circuit Court, reimbursement for all the improvements and betterments he had put on the road while in his possession. But the court unequivocally annulled Ludeling's title to the railroad and adjudged himself and associates "possessors in bad faith."

In the second or separate suit Ludeling proved improvements and betterments, and Circuit Judge Woods gave him a judgment for about half a million dollars, payable by preference over the mortgage bondholders, out of the proceeds of the railroad when sold by the marshal to enforce Jackson's mortgage.

Judge Woods based his decision on the proposition that "possessors in bad faith" are entitled to pay for the actual improvements they put upon the property, under the Civil Code of Louisiana.

Jackson appealed to the Supreme Court of the United States. The question now to be decided by that court is the correctness of Judge Woods' decision. The question before the Supreme Court on the twenty-ninth of January was simply shall this case be tried now, or be refixed?

Ludeling's preposterous egotism and self-assertion led him, *even at that preliminary stage of the case*, to go beyond the question of postponement proper.

He stated to the Supreme Court of the United States, in substance, that it was very important for *him* to have a full opportunity to present the case before that court, because their original decision had done *him* great *injustice*.

At this point the thunder-bolt of Justice stuck him down.

Judge Waite said to him, in substance, "Judge Ludeling, this court does not desire to hear, and will not listen to any remarks upon the former's opinion and decree rendered against you. Any remarks in relation thereto are entirely foreign to the question now before the court. The former decision of this court, in the case of Jackson vs. Ludeling, is final and irrevocable. This court will not tolerate any comments or criticisms upon that decision."

Whereupon Ludeling sat down, more fully convinced than ever that the judges of the United States Supreme Court are a set of fools. Yours, truly, A. D. SCRIBER.

THE CONVENTION—BANKS.

To the Editor of the Democrat:

Will the convention have power to touch the banking institutions chartered by the State, or is this subject properly confined to legislative action? If the convention will have the power to regulate or touch this question, it will be in accord with the almost universal desire, that something should be done to make available for the landed interests of the people, a portion of the associated capital of the banks. The chartering of a bank by the State confers some privileges on such an institution, for which it is presumable that the bank gives *some* consideration to the people who created it. As these institutions are now conducted, they are, at best, of questionable utility to the agricultural interests—loaning to a few favored firms money—which is lent to the farmer or planter at simply ferocious rates of interest, from 20 to 40 per cent. The recorders' offices of the several parishes will afford evidence, in the shape of cunningly devised "contracts" between the factor and the planter, by which these cruel rates of interest or commission are secured; the farmer or planter himself may offer a first mortgage on his property, for one-fourth of its present value, in order to procure money with which to make his crop without the slightest hope of his application being even entertained for a moment. The bank tells him: "We have invested our money, not in Louisiana, but in the District of Columbia, in United States 4 per cent bonds." This may be necessary, in the present state of things, for the safety of the banks; but if real estate be worthless, if, under the national banking act, land is proscribed, and the banks organized under its operations are forbidden to loan any money on it, how can the real estate owner pay taxes on that that is pronounced worthless by the national banking act? Our State banks or those chartered by the State follow in the wake of the national banks, and repudiate land, no matter how good the title. Now, it cannot be denied that our banks are (not intentionally) aiding in the depreciation of the landed interests of the State, and are not affording any *quid pro quo* for their charters. As stated, this may be necessary for the protection of the stockholders; but would it not be better to utilize this banking capital by placing it in the hands of the owners individually, as private capital can, untrammeled by a directory, often representing foreign stockholders, discriminate and better comprehend the nature of real estate security and the wants of the farmer and planter than a corporation which has "neither a soul to be damned nor a body to be kicked?" I write in no spirit of enmity to associated capital, but as it has ceased to be of use to the people who gave it existence, it is as well for them, as they, at best, as now conducting business, make little or no money, and many have lost largely. To dissolve and relegate to individuals the money now locked up in 4 per cent bonds, those individual stockholders would probably use a portion of this money in promoting Louisiana interests and in "speeding the plow." The repeal of the charter of the banks, organized under State laws, would not injure the banks, as they proclaim they make no money and could not injure the landed interests, which they totally repudiate and refuse to aid. If the convention has, or will have the power, let it look into this question. The banks are now inimical to the agricultural interests of the people. Private capitalists may do better.

PLANTER.

THE SOUTH.

Texas State medical convention meets in Sherman April 1.

The Tennessee Stock-breeders' Association meets in Nashville the eighteenth.

Twenty-one thousand dollars is wanted to open up Pearl river for navigation.

Northern Texas has shipped 100,000 cattle this season.

The transportation of convicts costs Texas $54,000.

The orange crop of Florida this season is 50,000 barrels more than last year.

There are not enough lawyers in the lower house of the General Assembly of North Carolina to make a judiciary committee of lawyers.

Raleigh *News*: While attempting to escape from the stockade on the line of the Western Railroad, near Newton, a negro convict was shot and killed.

The shipment of cattle from Pensacola to Havana bids fair to become quite an extensive industry, and arrangements are in progress to ship three cargoes per month for the next three months.

Corinth *Record*: The mayor gives notice that thirty days' labor on the streets with a ball and chain will hereafter be the portion meted out to every tramp or vagrant found within the city limits.

J. A. K. Smith, a white man residing near Aberdeen, was murdered by some unknown person on Friday last, having been hit on the head with an ax-helve. A negro is supposed to have been the murderer.

There are in Texas 966,977 horses and mules, valued at $20,242,896; 3,263,378 cattle, valued at $18,048,529; 2,237,829 sheep, valued at $2,829,104; 223,417 goats, valued at $161,134, and 1,286 033 hogs, valued at $2,257,002. Total, $54,717,915.

Summit *Times*: Three negro train wreckers were detected one day this week in their horrid work of drawing the spikes from the rails between Byram and Crystal Springs. One of them was captured with the spikes still in his hand, just drawn from the ties.

Jackson *Comet*: We learn from a friend that about twenty-five or thirty negroes boarded the Vicksburg and Meridian train at McRaven's Switch, about five miles from Jackson, day before yesterday, all laboring under a severe type of Kansas fever.

Clarendon (Texas) *News*: Under the leadership of Gen. R. M. Gano, of Dallas, a party will occupy Cottle county next spring. They will go out in April and explore the country from Cottle to Concho, and if they find nothing better than the point now selected (Cottle), will fix upon it for business. The settlements will be on the forks of the Pease river, and about sixty miles southeast of Clarendon. Most of the colonists will be from Kentucky—some from Tennessee, Indiana and Ohio.

Hinds County *Gazette*: We learn from Edwards that agents have recently carried hundreds of negroes from that neighborhood to Kansas, that several large farms have been almost depopulated, and that there is already a scarcity of labor in that vicinity. On Tuesday night, the twenty-first, the citizens of Edwards and vicinity held an indignation meeting, and after passing resolutions protesting against the action of certain agents, organized a committee which the following morning waited upon certain reputed Kansas agents, and notified them that their overtures to the negroes had to cease, and that at once. The reputed agents agreed to the proposition of the committee, and promised to suspend operations. We learn, also, that a few weeks ago a letter was opened through mistake in similarity of names, by a gentleman of Edwards, which had been written by a citizen of Raymond, who was engaged in alluring negroes away. In the letter he made the unfounded assertion that there were three hundred families in this vicinity which were ready to start at once for Kansas.

River and Harbor Appropriations.

[New York Sun.]

WASHINGTON, Feb. 11.—The river and harbor appriation bill, which was completed by the House Committee on Commerce to-day and ordered reported to the House, contains the following, among other appropriations: New York—East river and Hell Gate, $250,000; Harlam river, $100,000; Buffalo harbor, $100,000; Oswego, $90,000. Pennsylvania—Delaware river, below Bridesburg, on the northeastern limits of Philadelphia, $45,000. Delaware—Ice harbor, New Castle, $5000; pier near Lewes, $10,500; Delaware river, at Cherry Island flats, $75,000. Maryland—Baltimore harbor, $100,000; Pocomoke river, $2500; Queenstown harbor, $3000; Cambridge harbor, $2500; Breton bay, at Leonardtown, $4000; Wicomico river, $3000; Washington and Georgetown harbor, $50,000. West Virginia—Monongahela river, $24,000; Little Kanawha, $18,000; Great Kanawha, $150,000; New river, $12,000. Virginia—James river, $60,000; Appomattox river, $10,000; Rappahannock river, $10,000; Norfolk harbor, $50,000. Other Southern rivers and harbors—Cape Fear river, N. C., $25,000; Charleston, S. C., $100,000; Savannah, Ga., $100,000; Mobile, Ala., $100,000; New Orleans, La., $60,000; Galveston, Tex., $100,000; Galveston ship channel, $80,000; Memphis, $37,000; Chicago, $75,000; Cleveland, $100,000. The appropriations for the various Western rivers, exclusive of harbor improvements, aggregate over $1,600,000. The total amount appropriated by the bill is $5,786,000.

The New French Cabinet.

[New York Evening Post.]

The French Cabinet contains nine members, including the head, who is called "Minister of Justice and President of the Council." Of this body, as now reorganized, five, including the head, M. Waddington, are Protestants. One might think that a Cabinet with so large a proportion of dissenters from the established religion would be unpopular in a nation which, out of a population of 36,908,788 contains 35,387,703 Roman Catholics. That the Cabinet is not unpopular, but, on the contrary, is most acceptable to the people, must be charged to what are perhaps the too liberal views of nominal Roman Catholics on religious matters, and to the deep-seated hostility of even staid Roman Catholics to that ultramontane tendency of their church which they call "clericalism." It will scarcely be expected that the Protestantism of the Waddington Cabinet will stand in the way of certain church reforms which the most intelligent men of France have long been hoping for and the ecclesiasts dreading. Another good trait of the new Cabinet will evidently be its liberal policy in matters of trade, as is foreshadowed by the refusal to give the Ministry of Commerce to Jules Ferry, because of his proclivity for protection. Protectionists, who have been boasting that France will ere long modify the treaties of commerce to which she owes her immense advance in foreign trade since the year 1860, will do well to bear this last fact in mind. Perhaps, moreover, an open-handed policy of the Waddington Cabinet will enlarge our own trade with France, which is now not the half nor the third of what it should be.

Are you in business for yourself? If you are you want to have your health so you can attend to business. If you are not, you want your health just as much. When you are "all run down," feel miserable and have no appetite, you need toning up. To do this there is nothing equal to Reed's Gilt Edge Tonic. It restores the appetite, purifies the blood and stimulates digestion. It is pleasant and safe, and its quality, purity and flavor are guaranteed.

OFFICIAL.

LAWS OF THE STATE OF LOUISIANA.

PUBLISHED BY AUTHORITY.

REGULAR SESSION, 1879.

No. 37.] AN ACT

To supply the deficiency in appropriations of 1875 and 1876 for salaries of district judges, and particularly for the salaries of the judges of the Seventh and Eighth District Courts for the parish of Orleans.

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened*, That the sum necessary to pay the full amount of the salaries of the ex-judges of the Seventh and Eighth District Courts for the years 1875 and 1876 be and the same is hereby appropriated, payable from the general fund of said years as soon as collected from and after the passage of this act, to wit: ($3354) three thousand three hundred and fifty-four dollars to each of said judges out of the general fund of 1875, and ($2333) two thousand three hundred and thirty-three dollars to each of them out of the general fund of 1875.

JOHN C. MONCURE,
Speaker of the House of Representatives.
LOUIS A. WILTZ,
Lieutenant Governor and President of the Senate.
Approved February 14, 1879.
FRANCIS T. NICHOLLS,
Governor of the State of Louisiana.
A true copy:
WILL. A. STRONG,
Secretary of State.

No. 38.] AN ACT

To provide for the municipal budget or estimate of receipts and expenditures of the city of New Orleans; for the appropriation of moneys to be withdrawn; prohibiting a change in the destination of appropriated funds; making such change penal; providing for the order of paying claims appropriated by ordinances, and attaching a penalty to a violation of ordinances in last mentioned respect.

SECTION 1. *Be it enacted by the Senate and House of Representatives, in General Assembly convened*, That it shall be the duty of the Board of Administrators or Common Council of the city of New Orleans, on or about the second Tuesday of December, 1879, and upon the second Tuesday of December of each and every year thereafter, or thereabout, to propose a detailed statement exhibiting the amount of revenues for the ensuing year expected to be derived by the said city from taxes and licenses, and with such estimate of receipts as aforesaid it shall be the duty of the aforesaid Board of Administrators or Common Council to propose a detailed statement or estimate, exhibiting the several items of liability and expenditure on the part of said city for the year aforesaid, including the requisite amount for contingent expenses during that time; such estimate of liabilities and expenditures shall not, however, in the aggregate amount thereof, exceed four-fifths of the estimated amounts of revenues or receipts hereinabove provided for.

SEC. 2. *Be it further enacted, etc.*, That the estimates of receipts and expenditures and liabilities hereinabove required to be proposed, immediately after such proposal, or as soon thereafter as may be practicable, shall be published for ten consecutive days in the official journal of the city of New Orleans.

SEC. 3. *Be it further enacted, etc.*, That at the first regular meeting of the Board of Administrators or Common Council of the city of New Orleans, held after the expiration of the aforesaid publication, it shall be the duty of said Board or Council, to proceed to adopt the estimate of receipts or revenues, and of the liabilities and expenditures hereinabove required to be proposed, and then and there to levy a tax, and to provide for the collection thereof, and for the realization of the license tax, for the purpose of meeting the liabilities and expenditures thus estimated and adopted; *provided*, however, that the tax thus to be levied shall not exceed the limit prescribed by law.

SEC. 4. *Be it further enacted, etc.*, That the adoption of the detailed estimates of receipts and expenditures shall be considered as an appropriation of the amounts therein stated, for the purposes therein set forth, and no money shall be drawn from the city treasury, except the same shall have been previously appropriated for the purpose for which it shall be drawn.

SEC. 5. *Be it further enacted, etc.*, That any amount or amounts set forth in the city budget of the city of New Orleans, or the estimates of receipts and expenditures of said city for any particular purpose, shall not be diverted from that object for any cause or reason whatsoever, so long as any part or portion of the liability or expenditure, for the payment of which said amount or amounts were appropriated, remains unpaid; and any and all appropriations shall remain and be kept sacred to the object of their appropriations until the liability or debt thus provided for shall have become paid and extinguished; and for any violation of this section the Mayor and Administrators found guilty thereof shall be punished by a fine of not less than five hundred dollars, or by imprisonment for not less than three nor more than six months, or by fine and imprisonment.

SEC. 6. *Be it further enacted, etc.*, That any and all sums of money appropriated by the Board of Administrators or Common Council of the city of New Orleans shall be paid in the order of the adoption of the ordinances wherein the appropriation is made; and for any violation of this section the Mayor or Administrators found guilty thereof shall be subject to the like penalty as is prescribed in the fifth section of this act for an improper use of appropriated funds.

SEC. 7. *Be it further enacted, etc.*, That this law shall take effect from and after its passage.

JOHN C. MONCURE,
Speaker of the House of Representatives.
LOUIS A. WILTZ,
Lieutenant Governor and President of the Senate.
Approved February 14, 1879.
FRANCIS T. NICHOLLS,
Governor of the State of Louisiana.
A true copy:
WILL. A. STRONG,
Secretary of State.

No. 39.] AN ACT

Granting certain lands to the Red River and Mississippi Railroad Company, and declaring the forfeiture of said lands by the Vicksburg, Shreveport and Texas Railroad Company.

Whereas, by an act of Congress entitled "An act making a grant of lands to the State of Louisiana to aid in the construction of railroads in said State," approved June 3, 1856, certain lands were donated to said State for the purpose of aiding in the construction of a railroad from the Texas line, in the State of Louisiana, west of the town of Greenwood, via Greenwood, Shreveport and Monroe, to a point on the Mississippi River opposite Vicksburg; and

Whereas, By an act of the General Assembly of the State of Louisiana, approved March 11, 1857, and entitled "An act to accept in part of the grant and carry into execution the trust conferred upon the State of Louisiana by an act of Congress making a grant of lands to aid in the construction of railroads in said State," approved June 3, 1856, said lands were granted to the Vicksburg, Shreveport and Texas Railroad, at that time a body corporate existing under the laws of the State of Louisiana, upon certain terms and conditions, among which were the following, viz: That said lands should be earned by said company only as the said railroad was actually constructed in sections of twenty miles, and that if said railroad should not be completed within ten years from the date of said act then the claim of said company to the unearned lands should be forfeited; and

Whereas, the said Vicksburg, Shreveport and Texas Railroad Company has not complied with the terms and conditions of the grant of said land to said company by the State of Louisiana, and has not completed the said railroad within the time limited as aforesaid, and has therefore forfeited all claims to the said lands, except as to such as have been legally earned and disposed of to said company, in compliance with the terms and conditions of said grant; therefore

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened*, That the claim of the said Vicksburg, Shreveport and Texas Railroad Company to so much of the lands referred to in the foregoing preamble as have not been legally earned and disposed of by said company, according to the terms and conditions of said grant, be and the same are hereby declared forfeited, and the said act of the General Assembly of the State of Louisiana, approved March 11, 1857, and entitled "An act to accept in part of the grant and carry into execution the trust conferred upon the State of Louisiana by an act of Congress making a grant of lands to aid in the construction of railroads in said State," approved June 3, 1856, be and the same is hereby repealed, in so far as the said act of the Legislature of Louisiana grants the said lands to the said Vicksburg, Shreveport and Texas Railroad Company; *provided*, that the title of said company shall be unimpaired to such portion of said lands as have been actually earned and legally disposed [of], in compliance with the terms and conditions of said grant.

SEC. 2. *Be it further enacted, etc.*, That all of the said lands not actually earned and legally disposed of as aforesaid, with all the rights, privileges and powers, as are granted to and conferred upon the State of Louisiana by an act of Congress entitled "An act making a grant of lands to the State of Louisiana, to aid in the construction of railroads in said State," approved June 3, 1856, for the purpose of aiding in the construction of a railroad from the Texas line in the State of Louisiana, west of the town of Greenwood, via Greenwood, Shreveport and Monroe, to a point on the Mississippi river opposite Vicksburg, be and the same are hereby granted to the Red River and Mississippi Railroad Company, a body corporate existing under the laws of the State of Louisiana; *provided*, that the said Red River and Mississippi Railroad Company shall, within ninety days from the approval of this act, accept the same upon the terms and conditions of the said act of Congress, except as to the time of completing said road, which is hereby extended to ten years from the passage of this act; and the said acceptance shall be by a resolution of the Board of Directors, a certified copy of which, signed by the president and secretary, and with the corporate seal of the company attached, shall be filed in the office of the Secretary of State of Louisiana, who shall record the same in the record book of said office.

SEC. 3. *Be it further enacted, etc.*, That the line as adopted by the Vicksburg, Shreveport and Texas Railroad Company between Shreveport and Monroe shall be the line of the Red River and Mississippi Railroad Company, only admitting such variations as may be found necessary for the convenience of the public and the economy of construction.

SEC. 4. *Be it further enacted, etc.*, That if the quantity of land intended to be donated by the said act of Congress cannot be obtained within the prescribed limits of six miles by reason of a portion of said lands having been otherwise disposed of, then it shall be the duty of the Governor to appoint an agent, or agents, to select such other lands as are, or may be granted by Congress for such deficiencies; *provided*, the Board of Directors of said Red River and Mississippi Railroad Company shall have the right to nominate said agents, whose compensation shall be fixed and paid by said company.

SEC. 5. *Be it further enacted, etc.*, That in order to aid in the construction of the road the said Red River and Mississippi Railroad Company shall have the power to mortgage and hypothecate the rights conferred upon them by this act to the said lands, to secure any bond or bonds issued by said company, or loan made to said company, and the interest upon such bonds or loan.

SEC. 6. *Be it further enacted, etc.*, That this act shall take effect from its passage, and all acts in conflict with it are repealed.

JOHN C. MONCURE,
Speaker of the House of Representatives.
LOUIS A. WILTZ,
Lieutenant Governor and President of the Senate.
Approved February 14, 1879.
FRANCIS T. NICHOLLS,
Governor of the State of Louisiana.
A true copy:
WILL. A. STRONG,
Secretary of State.

No. 40.] AN ACT

To grant permits to religious or benevolent organizations for holding entertainments of a charitable nature.

Whereas, the police juries of several parishes have seen fit to levy an exorbitant special license tax on entertainments of a charitable nature given by religious bodies; and

Whereas, the levying of such tax on fairs or other entertainments which are given for the benefit of churches or for charitable purposes greatly retards the object for which such entertainments are given; therefore,

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened*, That upon receiving a written application from any regularly ordained minister, deacon, manager of any church or president of any religious or benevolent society, setting forth the desire to give a fair or other entertainment for the benefit of such church or society, or for other charitable purposes, it shall be the duty of the justice of the peace of any ward of any parish in the State in which said fair or entertainment is to be held (other than and exclusive of the city of New Orleans) to furnish said applicant with a written permit to hold such fair or entertainment on such date or dates as the application is made for.

SEC. 2. *Be it further enacted, etc.*, That no special tax shall be levied or collected from the managers of such fairs or entertainments as are held under the issuance of a permit granted as provided in section 1 of this act.

SEC. 3. *Be it further enacted, etc.*, That all laws or parts of laws in conflict with the provisions of this act be and the same are hereby repealed, and that this act shall take effect from and after its passage.

JOHN C. MONCURE,
Speaker of the House of Representatives.
LOUIS A. WILTZ,
Lieutenant Governor and President of the Senate.
Approved February 14, 1879.
FRANCIS T. NICHOLLS,
Governor of the State of Louisiana.
A true copy:
WILL. A. STRONG,
Secretary of State.

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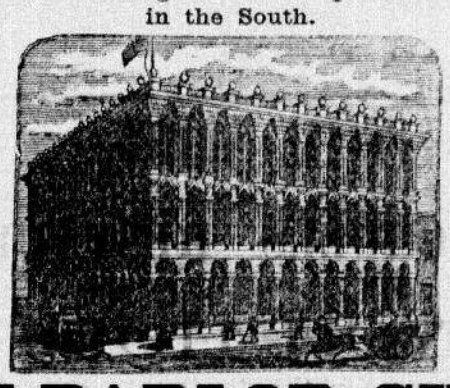

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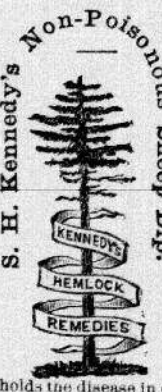

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