THE NEW ORLEANS DAILY BEE
DUPOUR & LISBET, PUBLISHERS,
No. 72 CHARTRES STREET.
TERMS BY THE BEE
Terms of Subscription—Daily, per annum, in advance $10; half-yearly, $6; quarterly, $4.
Price of the paper—Single copy, 10 cents.
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TERMS—PER YEAR.....$5
NEW ORLEANS:
FRIDAY MORNING, JAN. 14, 1870.

TRY GEORGE ALCOSE CIGARS.
188.....Hampart Street.....188

Amusements This Evening.

VARIETIES THEATRE—"Rip Van Winkle."
ST. CHARLES THEATRE—Bands of Mr. Harry Seekon. "Enabled by the Sailor," and "Jakes, or the Man at the Wheel."
ACADEMY OF MUSIC.—Miss Kate Hole and Burlesque Troupe.

THE CONSERVATORY WRITS OF THE COURTS.

It is probable that the Legislature at its present session will adopt some measure having for its object to correct the abuses which have grown up in the practice of the law and of the courts, in relation to the issue of the conservatory writs of injunction, mandamus and prohibition, etc. It is quite true, as our contemporary, the *Times*, remarks that "abuses above come from the local customs and sometimes ignorant administration of the law by judicial tribunals," but we cannot agree with the *Times* in doubting that any legislation will correct the evil. If we were to wait, as the *Times* proposes, until the character of our public officials were improved, before attempting a reform, we might as well make up our minds to submit, for we despair of an early improvement in the personnel of the courts.

Besides it is not all of our Judges who are guilty of mal-administration. Some of them take the correct view of the law concerning summary process and act with due caution in granting it. Others act from pure ignorance or an erroneous notion of the purpose for which summary process is provided. These last need a plain law to guide them in their decisions. So long as mere malice or bias prevailed in the action of this kind are elected or appointed to office, we must establish plain rules for their guidance.

We do not understand that any one suggests the doing away with these writs altogether, but only to place a restriction upon their too free issue, and to prevent a conflict between courts of concurrent jurisdiction. It is quite true that if the members of the Bar, when asked for one of these orders, were to pray that the party against whom the order is to be made, should first be cited to show cause why it should not issue; these would be no need for legislation now to regulate the message. And if the Judges were always to require that the party defendant to the writ should have an opportunity to oppose its issue, whether a prayer were made to that effect or not, the abuses complained of would not have arisen. But the fact is that it has become a regular practice with most courts to grant these orders upon the mere request of any party who makes the necessary allegations in a petition and swears thereto. This petition is easily drawn up, and has a very assumed of being a solemnity has become a mere form. Brignatz the king as little of it as an oath at the Custom-house. There has been so little hesitation on the part of litigants to swear to the requisite averments in a petition for an injunction or mandamus as to asking for an appeal to the Supreme Court in a case which does not justify an appeal, and is properly called "frivolous." But the Supreme Court itself encourages this malpractice by its tenderness in fixing damages for such appeals, and the consequence is that almost every party who is defeated in the lower court, appeals whether he has good ground for doing so or not. So with these summary writs, the courts have suffered them to be trifled with, until they are almost as common as frivolous appeals. If the courts had in dissolving injunctions and dismissing applications for mandamus, prohibition, etc., always affixed a suitable penalty upon the party who trifled with the writs in obtaining them, this vicious custom would have been checked. What is wanted now, is a law forbidding the issue of any of these harsh orders without giving the opposite party an opportunity to show the order to be unnecessary or illegal; also, a law regulating the practice of the Courts in the parish of Orleans which have concurrent jurisdiction, framed in such a manner as to prevent conflicts of authority. As the conservatory writs are necessary to the effective administration of justice in every Court, and ought not to be withdrawn from them, some power ought to be created which would prohibit each of the Courts in the parish of Orleans from entertaining a suit or proceeding of any kind, when the subject matter of the suit or proceeding had already been brought before one of the Courts and is in course of adjudication. Such a law we think might be framed—one which would effectually prevent over-zealous and contradictory orders to the executive officers of the Courts. We perceive from the reports that a project of such a law has been introduced into the Senate, and there is an immediate necessity for action in the matter. The provisions of this bill we can better judge of when we shall have read it.

We thank the publishers of the New York *Tribune Almanac and Political Register for 1870*. We have always found previous issues of the Almanac published by the *Tribune* Association a safe book of reference and exceedingly useful.

CITY LICENSES FOR 1870.—We call the attention of parties interested in taking out licenses from the city, for 1870, to the notice in our advertising columns of W. S. Mount, Treasurer of the city. Mr. Mount states that the law is plain, but few licenses have been taken out; and that after February 1st, ten per cent additional will be charged.

The United States Circuit Court for Alabama.

The disposition of Judge Woods, the new Circuit Judge of the United States for this Circuit, is known by the postponement of the Court in Mobile, which was taken from the *Register* of that city:

UNITED STATES CIRCUIT COURT—JUDGE WOODS PRESIDING.—Yesterday witnessed in this Court one of those painful scenes to some extent inevitable under a system copied by organized by the advice of our people to teach and encourage the Senate, but which, by the existing judges of the system copied by our Federal Judges, can be made to some extent tolerable where the disposition to do so exists.

From the commencement of the term the Court was engaged with the docket. At 12 o'clock M. Marshal proceeded to summon the Grand Jury. Thereupon Attorney Beckworth here stated that his client, in his undertakings, as an officer of the United States Government, required that each member of the Grand and Petit Jury should take what is called the ironclad oath before they could serve as jurymen in the Court. The oil propounded on this place was the following, viz.: "I, A. B., do solemnly swear (or affirm) that I have not voluntarily borne arms against the United States since I have been a citizen thereof, that I have not voluntarily given aid and comfort to the rebels against the authority of the United States, that I have not held office under the United States under any power or authority hostile to the United States, that I have not been a member of any Congress of the United States, that I have not been a member of any State Legislature, that I have not been a member of any State convention, that I have not been a member of any State convention, that I have not been a member of any State convention