DAILY APPEAL.

MEMPHIS.

TUESDAY MORNING,.....MAY 4, 1858.

Largest Circulation in the City.

Reading Matter on Every Page.

THE UNION-SAVERS FORESTALLED.

The late Col. BENTON was emphatically a Union-saver. His peculiar *crotchet* was a lifelong horror of the disunionists, secessionists and nullifiers. His hatred to Mr. CALHOUN was intense and bitter, and he never lost a favorable opportunity of venting his dislike against that pure and honest statesman. This peculiarity of the distinguished Missourian was so well understood that it was usually set down to one of these weaknesses which sometimes so surely afflict great as well as little men. It was his hobby which deprived him of his political power and *prestige*, and forced him into that recklessness which he illustrated and signalized by giving to the world his "Thirty Years View," and his Abridgement of the Debates in Congress. Caesar, with all his greatness had his faults, and surely did he atone for them. The same thing may be said of Col. BENTON.

We have thus introduced the name of BENTON because we have seen it stated in some of the journals of the day that, in one of his last days, he expressed profound gratification at the action of the House of Representatives in adopting the Montgomery substitute to the Senate Kansas bill. The reason alleged for his gratification was that the "nullifiers" would be defeated and demoralized in the Southern States, whenever they attempted to agitate in consequence of the defeat of the Senate bill. For "nullifiers," read Southern Rights Democrats, and the cause of Col. BENTON's joy may be fully comprehended.

There are thousands of Col. BENTON's school of thinking, even in the Southern States, who rejoiced at the adoption of the Crittenden-Montgomery substitute by the House, and many of that school will be much mortified and chagrined because of the triumphant issue of the controversy in the passage of the Conference bill. From the failure to legislate Kansas into the Union, this class of spoils-seekers anticipated violent and extreme measures from the Southern Rights party in the South. They saw or thought they saw, a most excellent basis for the building up of a great Union-saving organization in the Southern States. Here was a beautiful programme for patriotic speeches, immense Union meetings, dinners, agitation and a great anticipated resolution to break up the Democratic party and furnish snug offices and comfortable berths for scores of starving patriots and long-suffering lovers of the Union.

The scenes of 1851 were to be again enacted. Southern conventions were to be responded to by Union protests—resolutions by rejoinders, and threats of secession by taunts of treason. Any acute observer of the political signs might have seen any day within the last few months, a prutiency, among a certain class of politicians, to plunge headlong into such a controversy, and "as Aeneas did from the flames of Troy, upon his shoulder the old Anchises bear," so from the threatened wars of disunion, and secession, to rescue the Union, though the Constitution might be lost. What triumphs, what ovations, what rich emoluments did these fiery defenders of the Union promise themselves in the fierce mêlée they had arranged! The opposition was to be resurrected from its slumbers and its standard planted upon the bones of the hydra of resistance.

But alas! for the day that the Conference Committee agreed upon a measure that has proven acceptable in its terms to the "Hotspurs" of the South. The tables are turned. The "nullifiers" are in fine feather and spirits. The right of the people to frame their own Constitution, through their delegates, is asserted by Congress. The Union-savers are forestalled by the Democratic party of Congress, and the Union is saved upon the basis of the Constitution. Where now be the jibes and jeers, the quips and quiddities "of this Union savage fraternity?" "To this complexion" have they come. Their glorious mission has been a failure—their hopes a chimera—their magnificent prospects—an air castle. They must remain in obscurity until another flood-tide shall throw up to the surface the debris and drift that lie useless and decaying upon the soil. They have been forestalled in their labor of love.

SOUTHERN PACIFIC RAILROAD.

Some steps which have been taken by the Pacific Railroad Company, for the purpose of extending their operations and entering vigorously and at large on the building of the road, have been greatly misapprehended and misstated. A very erroneous impression has been made, that the mortgage and deeds of trust which have been executed for the purpose of facilitating the work, are incumbrances made necessary by new embarrassments. Nothing can be more remote from the truth in regard to the origin and purpose of these arrangements. Instead of being signs of embarrassment, they are proofs of the energy and activity with which the enterprise is conducted.

It is well known that the company never relied on the subscriptions to the stock for the means of building the road. It was one of the conditions of subscription that only five per cent. should be ever called for; because the franchises and land grants derived from the State of Texas would be sufficient, when they were finally and irrevocably vested, to furnish the means and establish the credits by which the work could be completed, and the debts created thereon discharged, leaving a large excess for the owners. The payments on the stock were required to provide for the obligations and expenditures of the past, and to carry on the road, until the charter and other privileges should be secured, and the company become vested with a full title to the lands upon which their calculations for ample credit and final success rested.

These things have been accomplished; the company have passed through its crisis of debt, and fulfilled the conditions upon which the chartered privileges have vested in them indefeasibly.

The next step is to make them available for the purpose of building the road, and this was the object of the mortgage and deed of trust, which have been executed. The policy is identical with that pursued by the Illinois Central Company, which was projected with the same plan of making its land grants a basis of credit for loans, to be secured by bonds of the company for the construction of the road and the support of the company. In like manner and for the like purposes, the Southern Pacific Company have executed a mortgage creating a lien in favor of those who may become purchasers of construction bonds on the railroad with all its appurtenances, and upon six millions of acres of the land granted by the State to the company, and by them conveyed to trustees for these purposes; there are careful provisions for the receipt and canceling of bonds in exchange for lands, and the appropriation of the proceeds of the sales of the lands to the extinguishment of the bond debt, accompanied by a code of minute instructions for the direction of the trustees, and the management of the fund. Besides this general mortgage, there is a special deed of trust, conveying one million of acres to trustees for the purpose of sale, from time to time, on the requisition of the company, to raise funds for the payment of interest on the construction bonds.

The details of these arrangements are very ample, and will doubtless be made known in the annual meeting of the stockholders, which will take place in a few weeks. It is sufficient to say of them, that they are drawn up with a view of securing the fashionable line of bondholders on the lands of the company, and the faithful application of the lands, or the proceeds of the sale, to the necessary expenses of the road, with the redemption of the bonds to be exchanged for building it. They put into a legal and binding shape the pledge of the company that the road shall be held as security for the bondholders, and the lands set apart for the redemption of the bonds.

We make these explanations without entering into all the details of the arrangements, in order to dispel the idea that some have got, about that these deeds are incumbrances. They are, many and obstacles to its progress. They are, instead, the necessary and essential means for enabling it to proceed in the great work, and evidences of the earnest determination of the company to go on diligently and construct the road out of the means which their improved condition and the successful progress have placed within their reach.

We extract the above from the New Orleans *Picayune* of the 28th ult. Both it not commend itself to the consideration of all, who desire either to benefit themselves, their children, or their country? In the case of this road, not only are construction bonds based on the road itself, but (as is not the case elsewhere) there is further provided by the State of Texas the enormous grant of 10,240 acres of land for every mile constructed.

This company issues no bonds until, by the building a section of the road the titles to the land to be granted therefor by the State of Texas, be completed.

Their bonds, therefore, are always represented by not only the road itself, but also the lands granted in accordance with its completion.

The policy of this company is to construct the road by its bonds, and to sell lands only for bonds; thus, to render the issue of stock small in amount, and in consequence of greater—yes, perhaps immense value—to the holder.

This company is limited in its issue of stock to $5,000,000 of payment of money on stock.

This was and is, to cheer over issues, as the interest of stockholders is a sure and a safeguard to the issues of stock! This prudent course must then yield to the stockholders the product, not only of the Road, and its annual and increasing profits—but also, the surplus of sales of the munificent grant of Texas of 8,017,000 acres of fertile land.

Comparing this with the facts set forth in the duly authenticated statistics of the Illinois Central Railroad,—all else being equal, while in truth the South has far the advantage,—that surplus would exceed $100,000,000.

No such stock for productive value is known to the commercial world.

Let all who think of the future, whether of their families, or of their country, at once take what little stock is still to be disposed of. Of that as yet not issued, only $270,000 remains, part only of which is allotted to this vicinity. This sum, when taken, will then make the Capital Stock of the Company less than it is authorized to make of $3,000,000 of cash payments, and falling short about $2,000,000 of the limit even fixed by the Company as its maximum issue.

THIRTY-FIFTH CONGRESS—FIRST SESSION.

WASHINGTON, April 29.—*Senate.*—The Senate refused, by a vote of 22 to 18, to recede from the amendment striking out the appropriation for paying reporters and the third section of the House Deficiency bill.

On motion of Mr. Toombs, a Committee of Conference was appointed.

The report of the Kansas Conference Committee coming up, Mr. Douglas objected to the substitute because it did not submit the Lecompton constitution fairly to the people, but made its admission virtually contingent on the acceptance or rejection of the land grant. He objected also to the offer of a bribe to come in with forty thousand population under one kind of constitution, and not unless they have a population of ninety thousand under the other. What is this but a Congressional intervention, offering a bounty on one hand and a penalty on the other, to control the result? This left no freedom of election. For five months he (Douglas) has stood as he now stands with the Democracy of his State on the principles of submitting the constitution under which the people of Kansas shall come into the Union by the direct vote of the people.

That glorious band of Democrats who acted with him in Congress and out of Congress have achieved a triumph. He sought no personal triumph, and would not, therefore, enter into the question of which of the parties has backed down from its original pretensions, although the Government did say at the commencement of the session that Kansas must come in unconditionally, under the Lecompton Constitution, the administration has receded from that position, and he and his party are asked to recede from the position they have taken because the other party have made so many concessions, but that is no reason he should concede a principle from which he cannot recede. Strike out the land grant and strike out the limitation of the population, and he would vote for the conference proposal at once; in other words, if you wish to make the proposal fair, you must give equal terms to Kansas under whatever constitution she elects. How, he asked, would his friend from Va., (Hunter,) as a Southern man, like to have Congressional intervention brought to influence the admission of new States. The times many be reversed; there may become an anti-slavery majority in Congress, and would he like a grant of millions of acres of bounty lands for a new free State to come in with forty thousand population. After complaining of the want of impartiality which would arise from the Board of Commissioners of election containing a majority of United States officers, he proceeded to say that he was in favor of no Territory forming a State government or a constitution until they had the requisite population. He took his stand firmly on the great principle of State equality of rights, without reference to their locality or the nature of their institutions. What the consequences will be of the position he has taken he knows not, but if he cannot remain in public life with the principles he maintains, he would rather retire into private life, where he could enjoy the approval of his conscience.

Mr. Brown addressed the Senate in favor of the conference substitute, describing it as a piece measure, with healing on its wings.

Mr. Toombs warmly defended the Conference substitute, denying any bribe of lands. On the contrary, the committee refused to give Kansas 17,000,000 of acres which she asked for.

Wilson replied to Toombs, in reference to the 17,000,000 of acres. A direct bribe is offered of hundreds of thousands of acres and of dollars. 2,000,000 of acres of the public lands are advertised to be sold on the 1st of July, and here is a direct bribe of five per cent. to the salesman, amounting to hundreds of thousands of dollars offered, if she will come in before the 1st of July. On the other hand, the direct penalty is that she shall be kept out of the Union, although every one acquainted with Kansas knows that the feeling of that Territory is almost unanimous in favor of admission.

Mr. Wilson then went into a lengthened discussion of the hostility of the Kansas Lecompton constitution, and charged that it was now being attempted to bribe and threaten her into the Union, under a project gotten up by the Conference Committee, and intended to be imposed by deceit and fraud.

The chair was suggesting that such impressions were ondeviable, when Green rose and said that he was one of those referred to, and felt so hurt.

Mr. Wilson had made the charge of fraud; could prove it, and would take the responsibility. He then went over the records of the Kansas elections, to show that the administration assented to, and approved of them, by continuing its countenance to their authors and abettors. He thought the people of Kansas would reject bribes, scorn threats, and could not be got, under this Conference scheme, into the Union, even by stupendous and gigantic frauds of fraudulent votes. The people of Kansas will make a new free constitution and bring it before Congress.

If she has sufficient population to come in as a slave State, you must admit her as a free State or keep her out at your peril. There is no force in this substitute, although there would have been peace in the Crittenden bill.

Mr. Green took occasion to refer to Wilson's charge of fraud, and said "out of the fullness of the heart, the mouth spoketh." He would like to put him under oath and cross-question him, whether there ever were frauds in Kansas till Wilson went there, and whether he did not send for Jim Lane to concert matters with him.

Mr. Wilson unreservedly repeated the charge, and reminded Green that the frauds were committed by his constituents, the Missourians.

Bell explained the reasons which would govern his vote, and also compared the Crittenden and Conference substitutes, showing their relative worth and effect.

Seward read a paragraph from the Washington correspondence of the *Tribune*, in which incidents having occurred in the Committee of Conference were related. He said they were truly correct in their facts, but were colored to convey an erroneous impression that Green coerced Seward and Howard. Seward exonerated Green, whereupon Green returned the courtesy by moving to adjourn—which Seward, being slightly indisposed, was glad to hear. Adjourned.

Seward and Broderick will speak to-morrow, the debate expected to close and vote be taken by 3 o'clock.

Although in the House to-day, Jones, of Tenn, moved to lay the report of the Kansas Conference Committee on the table as a test question, all the members did not so regard it, as some of the known enemies of the report voted in the negative.

The Conference Committee on disagreeing votes on the Deficiency appropriation bill consists of Toombs, Riggs, and Fitzsenden on the part of the Senate, and Letcher, Maclay, and Nichols on the part of the House.

House.—The House resumed the consideration of the Kansas report. Cox, of Ohio, defined his position. He was the first in the House to oppose the Lecompton Constitution, but, after a careful consideration of his duty to his party, to his State, to the Union, and to the welfare of the whole people, he had come to the deliberate conclusion to support the report of the committee; though by it the constitution is not submitted, yet the means are provided for obtaining the sense of the people. They can reject it if they do not like it. No bribe, as has been asserted, is offered to Kansas, for she will get the lands as have the other States.

Gov. Walker had informed him that Kansas will have the requisite population by next autumn for one Representative, according to the federal ratio.

In the spirit of concession and for the sake of the united Democracy, to which he owed all he had, with a view to peace and the dispatch of public business, he had determined to give the report of the committee his support, and according to an arrangement with Mr. Clingman, renewed the latter's demand for the previous question.

Messrs. Marshall, of Kentucky, and Campbell of Ohio, asked to be heard, the latter claiming the same privilege for his side of the Ohio delegation as had been accorded to Mr. Cox.

Mr. Lawrence, of Ohio, said that the report was not what he desired, but it was substantially what he claimed, and was proceeding to give his reasons, when Mr. Bocock interposed, saying that the demand for the previous question had been renewed.

Many gentlemen claimed, in the name of justice that they should be heard against the report, amid the confusion that ensued.

Mr. Garnett, of Virginia, said that he should move for a postponement, but the time named by him was lost in the cries of order.

Mr. Campbell moved for a call of the House. Refused—yeas 99, nays 119.

The question was then stated to be on seconding the demand for the previous question. Mr. Marshall, of Ky., again unsuccessfully asked that the demand be withdrawn, as he wished to say a few words.

Mr. Garnett inquired whether, if the demand was voted down, it would be in order for him to move a postponement of the subject until Tuesday week.

Mr. Speaker replied in the affirmative.

The demand for the previous question was then negatived by the following vote: Yeas 103, nays 108.

Mr. Marshall, of Kentucky, then got the floor.

Mr. Marshall, of Kentucky, said he rose for the first time since the subject of Kansas had been introduced, to open his mouth in relation to it. The report was the original fruit of the Kansas-Nebraska bill. That had the face of Janus, so this bore the impress of its origin. What a spectacle is presented to the American people when their representatives are engaged on a measure the authors of which do not and cannot agree on its meaning—whether or not it submits the Lecompton constitution to the people. One of the managers, the gentleman from Georgia, (Stephens) yesterday emphatically declared the principle of non-submission, while another gentleman, from Indiana, (English) maintained that the constitution is to be submitted.

Mr. English wanted to know on what authority Mr. Marshall made that statement. He called on him to name the time and place.

Mr. Marshall replied that it was an inference drawn from his (English's) remarks, and asked him whether he understood the report of the committee in the same way that Mr. Stephens did—namely, that the constitution was not to be submitted.

Mr. English replied that the bill was drawn up in good English. [Laughter.]

Mr. English replied that the bill was drawn up in good English. [Laughter] and he supposed that the gentleman was competent to judge the meaning of the words of the bill.

Mr. Marshall responded, if that was all the answer Mr. English had to give, he was willing it should go out to the country with the declaration that the authors of the report were divided as to its its meaning. When Mr. Cox was speaking this morning he was reminded of the old hymn—

"Why should we mourn departed friends,
Or shake at death's alarms,
"Tis but the voice of party sounds
To bear him to his arms."

Excessive laughter.

Mr. Lawrence immediately responded—

"What's the lamp holds out to burn,
The vilest sinner may return."

Marshall—That may be the gentleman's epitaph.

The Overflow.

MESSRS. EDITORS: In fulfillment of my promise to you, I proceed to give you an account of the freshet in this region. The river is very high and still rising, at the rate of two inches every twenty-four hours, which, at this stage of water, we consider a great accretion. In my immediate vicinity the water has not attained the flood marks '49 or '54, owing to the immense rush across the neck of Council Bend, on the Mississippi side, caused by the caving at the approximating points, thereby acting as a vast flood-gate to the Arkansas side of the bend, and partially protecting us from the direct pressure of the torrent. I think we can bear twelve or fifteen inches more on the present tide of waters without much detriment, provided it does not remain with us too long. Although the floods of '49 and '54 were six or eight inches higher than the present, yet as they came on early in April and subsided rapidly, they left no disastrous consequences; but this freshet, coming on just after the river crops had been planted, and the greater part of the seed in process of germinating and illy suited to bear the influence of seepage water, must exercise a baneful influence on all the river cotton region.

Some of my neighbors have, for the present, abandoned their planting operations, and gone to clearing on the cane ridges in the bottom. On some of the plantations, the water, having percolated through the earth, either collects in the lowest places or saturates the soil in which the sprouting crops begin to root, proves fatal alike to corn and cotton, by rotting the tender stalks below the surface—less detrimental, however, to cotton than corn. For two miles back we have but little water in the bottom, and stock of all kinds are not incommoded at all.

On this part of the river the water has not reached the levee, except on undulating fronts, made so by the original sluice or sluices which formerly conveyed the water, when high, from the river to the low back lands before the period of leveeing. Although we are not now suffering from the water, yet taking into consideration the inchoate condition of the forthcoming crops now struggling to maintain its vitality against the influence of seepage; and the fact than an immense volume of water is yet behind to be disgorged, and the length of time required for the subsidence of the floods under the influence of an unprecedented wet spring, I say with all these circumstances in view, we cannot doubt that the river crops in the Mississippi bottom will be greatly abridged.

The country from Memphis to Napoleon will probably suffer least of any of the river country, as no great river intervenes between the Ohio and Arkansas to precipitate its waters on the swollen tide, and to contribute to the general devastation of an overflow, whereby time and space afford the rushing waves an opportunity to exhaust a part of their might and energy by diffusion.

After all conjectures on the subject—for there is nothing but conjecture about the rise of this great extent of valley—if we should have a rapid decline of water by the middle of May, and a propitious fall season, this hydra of terrors may vanish into "thin air," and an abundant yield may establish the fact that Mississippi inundations are the veriest of humbugs.

Respectfully,
GEO. R. PETERS.

COVINGTON BEND, ARK., May 1, 1858.

LOCAL MATTERS.

☞ Rev. Dr. BROWN will preach in the second Baptist Church to-night.

☞ Dr. W. J. BARRER will preach this evening, at the Christian Church, Linden street. Subject: "Evidences of Pardon."

☞ We are indebted to our friend HIRE, of the house of W. P. LEWIS & Co., for late St. Louis papers.

☞ There will be preaching at the Christian Church, on Linden street, to-night at 8 o'clock, and every evening this week.

A HIGH WATER PROBLEM.—Why was the river last week like an elevated actor? Because it was on a high stage.

☞ Mr. H. DOW, 155 Main street, is in receipt of a lot of fresh Lake Erie fish, which he will dispense to customers at reasonable prices.

☞ Rev. T. J. FISHER, of Louisville, Ky., will preach at the first Baptist Church to-night and for several successive nights. None will regret hearing him.

☞ CLARKE, the news and periodical dealer at the Commercial, has received Harper's *Weekly*, the Cincinnati *Gazette* and the Keokuk *Gate City*.

LAW NOTICE.—JAMES MOORE, Attorney at Law, will attend regularly the courts at Marion, Crittenden county, Arkansas. Office No. 30 Madison street, Memphis. 5.*

SLEEVE BUTTON LOST.—A sleeve button with the initials of the owner, "J. H. C.," upon it. The finder will be rewarded by leaving it at this office. 1t*

LOOK OUT FOR THE STAR!—STAR GALLERY The Temple of Art has removed above G. B. LOCKE's, where Prof. VASSALLO is taking most beautiful pictures. His chromotypes are unsurpassed. Give him a call d1t

LEVEE BROKEN.—The levee on the opposite shore, four miles above the city and just below Barton's landing, gave way during the night of Sunday. It was feared that the track of the Little Rock railroad would be much injured in consequence.

MISSISSIPPI CENTRAL RAILROAD ALL RIGHT AGAIN.—We learn from one of the officers of this road that all obstructions and delay on this road, occasioned by the recent high water, have been removed. A through train passed over it yesterday, from the Grand Junction to the terminus below Oxford.

A CHANCE.—The closing out of SPICER's extensive Grocery on Shelby street, below Howard's Row, gives a chance of obtaining articles at the lowest price. On Thursday the whole remaining stock will be sold by auction. To-day by private contract, things can be got at the counter at the lowest prices.

☞ Persons having occasion to sojourn for any length of time in la belle village LaGrange, will find comfortable quarters and good accommodations at the hotel of our old friend DOBBS, who is an experienced landlord, keeps a good table, and faithful and accommodating servants. Give him a call in passing, and he will justify all we have said.

☞ Remember that CALDWELL & PATTERSON have a closing sale of fine marble statuary, vases, urns, and many other fancy and ornamental goods this morning, at 10 o'clock, at their auction room, 190 Main street. We would advise the lovers of the fine arts to attend the sale, as it will be the last opportunity they will have this season of purchasing such beautiful articles as are displayed for sale.

POSTAGE STAMPS AND ENVELOPES.—A correspondent signing himself a "Merchant," enquires of us why it is that the Post Office at this place is not supplied with stamps and envelopes? We have taken the pains to make the necessary inquiry at the Post Office and have ascertained that the fault is not chargeable to the Postmaster here who, we learn has, in the discharge of his duty, twice applied to the Department at Washington, but without success. One of these applications was made more than a month ago, and it is hoped that our correspondent and others wishing stamps and envelopes will soon be accommodated.

THE RIVER.—After swelling for several days, the Mississippi on Sunday became stationary, and had subsided nearly two inches up to last night. There are various estimates as to the height of the present as compared with former high stages of the river. An old resident of this city states that the river has been fifteen inches higher than any high water since 1828, and within four inches of the height of that period. Mr. BOWEN, at the wharf-boat, who has been making minute observations, informs us that at its highest point last week the water surface was nine inches above the last rise, five inches above the rise of 1844, and nine below that of 1828.

Court Square—Squirrels Again.

To the Editors of the Memphis Appeal:

GENTLEMEN: Your kind notice some time since, is having the desired effect, for the squirrels are coming in for the Square. The committee, and the ladies and children of Memphis, have the pleasure to acknowledge the receipt of *two* fine fox squirrels, and *two* grey squirrels purchased by Philock B. Lee, Esq., of this city, whilst on a trip to the country. There is accompanying these, a fine *two story* cage, with iron front, and a large revolving cylinder attached, for all of which, most cordial thanks are due to Mr. Lee. For his kind attentions and trouble and considerable expense, in procuring these specimens of animated nature, he has his reward not only by the thanks of these interesting, and who is not, but in the approval of a conscious public spiritedness which is too seldom manifested even in little things like these.

Mr. Editor, will you be good enough to write a homily on the importance of every citizen aiding in preserving, in good order, every thing connected with this, the only "gem" of the kind Memphis has. Tell those who are disposed to do wrong and take advantage of the darkness of the night, how contemptible such conduct is, and all right-thinking citizens to frown down such vandalism as we have sometimes seen manifested here in regard to public improvements and ornaments. The man who will cut a public seat, no matter where placed, or who will cut a tree-box, or worse yet, the tree itself is but semi-civilized, even the heathen Hindoo venerates the tree that gives him shade, as he does the well which supplies him with water; and hence among those heathen people, he who plants a grove of trees and digs a well in the midst, becomes a sort of deity in the estimation of the after generations who enjoy both shade and water which his bounty has supplied. Look at the depredations committed every day on our tree-boxes, nay even the trees. I have seen gentlemen for whom I have a high regard, cut great notches in the chair on which they were sitting. I have seen great chips taken out of the facings of doors and windows. Now this is either from wantonness or thoughtlessness—both very bad traits of character in rational creatures.

The prediction is made on all hands that the bad boys and reckless young men of Memphis will soon clear the Square of all the Squirrels we can put in it. I do not think that there is a boy or man in Memphis so degraded as to make an effort to injure the Squirrels in the Square. Mr. Editor, ask parents to caution their children against going on the grass or molesting the Squirrels. There is enough room in the walks made for the purpose, for all to play in. Let all confine themselves to the walks, and we may then look on something beautiful always, and we all know that a "thing of beauty is a joy for ever."

THOMAS JAMES FINNIE,
Chairman of Committee.

ARRIVED.—One of the most celebrated Baptist ministers of Kentucky, the Rev. T. J. FISHER, arrived at the Commercial Hotel yesterday.

TENNESSEE AGRICULTURAL BUREAU.—For a copy of the second biennial report of the State Agricultural Bureau, we are under obligations to Col. JNO. POPE.

RECORDER'S COURT.—The Recorder yesterday fined and otherways punished a dozen individuals for offenses against the ordinances of the city.

BROOKS'S PROLIFIC.—This is the name of one of the finest strawberries we ever tasted. We were yesterday presented with some of them by the grower, J. C. BROOKS, Esq., of Poplar street. The fruit was large, fine and sweet.

A BOUQUET.—To Miss PAYNE we owe our thanks for the present of a bouquet of lovely flowers. The flowers were beautiful, but they will fade, but the sparkle of the bright eyes and the smile on the sweet lips of the donor as she presented the gift, will not readily be forgotten.

☞ We are under obligations to the following gentlemen for late papers: R. M. ROBBINS, clerk of the *Editor*, J. STARKE WAYNE, clerk of the *Philadelphia*, ED. W. HALLIDAY, clerk of the *Alex Adams* and the clerk of the *Robt. J. Ward*. Also to Mr. DEAN, clerk of the *Memphis*.

WEEK-DAY PRAYER.—After a brief absence for the restoration of powers almost exhausted by intense application to his sacred duties, the Rev. G. P. SCHERBY, of Grace Church, resumed his labors on Sunday last. He will have services on Thursdays and Mondays each week at nine in the morning and six in the evening.

LARCENY.—A German was arrested yesterday, charged with stealing a ham from the grocery at the northwest corner of DeSoto and Linden streets. He quietly took down the meat from a nail upon which it was hanging in front of the store, and walked off with it. He had been observed, however, was followed, made to give up his prey, and was turned over to the law for justice.

A PUBLIC SERVANT.—JERRY KELLY is so patriotic and public spirited, that no less than sixteen times he has given his services for various periods of time to the city in various useful labors. He usually enters on these labors, for which he does not charge the city a cent, at the instance of Esq. EAST. He was in attendance at the Mayor's court yesterday, when that Magistrate informed him that the city would require him to add seventeen day's labor to the services of past time. JERRY declared that the city was too exacting, but he will commence his new task to-day, under the supervintendence of Captain STEINBACK.

BENEFIT TO E. C. LE MOYNE, Esq.—From the card of this gentleman, which appears in another column this morning, it will be seen that his benefit will take place on to-morrow evening, Wednesday May 5th, 1858, on which occasion a splendid bill will be performed. The Company have generously volunteered their services on the occasion, and from what we learn, it will no doubt be as attractive as any bill that has ever been presented yet at the Gaiety. The many friends will show their appreciation of this gentleman, by giving him a *substantial* benefit on to-morrow evening.

☞ We learn from the St. Louis *Republican*, of the 1st inst., that Capt. MARSH, in command of the steamer *Ocean Spray*, at the time that vessel was destroyed by fire, last week; the second Engineer and the mate of that vessel, are now under arrest on a charge of manslaughter. On the complaint of Maj. BRYANT, United States Marshal for the St. Louis district, a warrant was issued, and all three of these officers arrested.

The examination was commenced before United States Commissioners—B. F. HUCKMAN on Friday last, and is progressing. It will be continued from day to day until concluded, and all the facts will, no doubt, be elicited.

GOOD BOOKS IN A CHEAP FORM.—"PRINCE CHARLES; or the Young Pretender." By J. F. Smith, Author of "Minnie Grey," "Bella Tredawny," "Harold Tracy," and many other good works familiar to our readers.

Upon this new production Mr. SMITH has for some time been engaged, and he has concentrated upon it all the energies of his great genius. "Prince Charles; or the Young Pretender," in the ingenuity of the plot, in startling incident, deep pathos, powerful appeals to the sympathies and best feelings of nature, and high moral tone, greatly surpasses all that Mr. Smith has hitherto written.

HINE & LEEK. By WILKIE COLLINS, Author of "Dead Secret," &c.

This is a work thoroughly original, and one of the few issues of the time which will be universally read. As a book, it will live. It is bold, nervous, fresh, and pungent, and wakes up the intellect of the reader with a vigor absolutely incredible. For sale by LAMB, WILLIAMS & Co., who have just received a supply of the latest publications.

A STORM.—The officers of the steamer *City of Hesterville*, report that on Saturday night about 10 o'clock, they encountered a most violent storm when twelve miles above the city. The trees on the bank bent before the violence of the gale, and the tops of many were twisted off and carried away. The boat was in great danger, it was feared that her cabin would be blown clear from the hull. She was saved from destruction only by the most strenuous exertions of her officers.

BALLOONING.—This is the day on which MONS. GODARD advertises to take a trip to the clouds, per balloon. We hope he will have better fortune than he met with on his ascension from Vicksburg on Tuesday last. The Whig of that city says:

"Mons. Godard made his ascension yesterday afternoon in fine style. He rose to the height of about six hundred feet and commenced descending. He was immediately over the Mississippi river, and threw out the ballast in the balloon to prevent falling in the river. This was of no avail, however, as the basket containing him fell into the water, some distance from the shore. He was picked up by a skiff, and escaped with only a slight ducking."

A six hundred feet rise is rather a small sight

NOTICE.—Look to your interests and save cost; all delinquent tax payers will save cost of advertising by paying their taxes by the 1st day of May, 1858.

T. W. HINES,
Tax Collector of Shelby county.

Port of Memphis.

Arrivals and Departures.

MONDAY, May 3, 1858.

Nashville, New Orleans to Nashville.
Susquehanna, New Orleans to Cincinnati.
Tecumseh, New Orleans to Cincinnati.
R. J. Ward, New Orleans to Louisville.
Aleck Scott, New Orleans to St. Louis.
Cherokee, New Orleans to Tennessee river.
Maria Denning, St. Louis to New Orleans.
Uncle Sam, St. Louis to New Orleans.
Crescent City, St. Louis to New Orleans.
Editor, St. Louis to Memphis.
Baltic, Louisville to New Orleans.
Alvin Adams, Louisville to Memphis.
Ohio Belle, Cincinnati to New Orleans.
Daniel Boone, Vicksburg to Memphis.
Memphis, Cincinnati to Memphis.

River News.

On Saturday night after our report, the river rose two inches, and on Sunday half an inch, and then in the evening came to a stand; up to last evening the fall was nearly two inches. At Plumb Point, one hundred miles above, the river is stated to be falling rapidly, having gone down yesterday before noon five inches.

The H. R. W. Hill is expected to leave for New Orleans this evening. The Simonds is gone above.

The splendid Pacific, Jesse K. Bell master, will be off at 5 o'clock this evening for Louisville.

The Editor is the packet for St. Louis at 10 o'clock this morning. The Editor is a favorite packet and travelers will find her worthy of her fame.

The St. Francis is the St. Francis river boat for 2 o'clock this day.

The Memphis is in port and is receiving freight and passengers for Cincinnati and ports on the Ohio. With such officers as Pepper, Dean, Cotton and Morgan the Memphis cannot help but be a favorite.

CAIRO.—The *Gazette* of Saturday last says, the rivers at this point has fallen about six feet during the present week, and late advices from their tributaries justify the expectation of a continued decline.

CHANNAHA, Miss.—The *Citizen* of Saturday informs us that the river is now as high as it was at the previous rise this season, and is still rising at the rate of two inches in twenty-four hours. The levees in this county, will stand considerable water yet, and we don't think the river can rise at farthest, more than six inches more.

ST. LOUIS.—The *Democrat*, of Saturday last, says: We may now anticipate a steady decline, until all those rivers which have been out of their banks, shall have attained a harmless stage. The Illinois, Upper Mississippi, Missouri, and their tributaries are all falling, and so is the Ohio.

Age and Debility.

As old age comes creeping on, it brings with it many attendant infirmities. Loss of appetite and weakness impair the health, and want of activity makes the mind discontented and unhappy. In cases where old age adds its influence, it is almost impossible to add vigor and health, and although many remedies have been tried, all have failed, until BOERHAVE'S HOLLAND BITTERS were known and used. In every case where they have been employed, they have invariably given strength and restored the appetite. They have become a great agent for this alone, and are used by many people who are suffering from loss of appetite and general debility. In cases of long standing chronic diseases, they act as a charm. Strengthening the system, their vitalizing nature another opportunity to repair physical injuries. See advertisement in another column.

DIED.

On Monday, the 3 instant, Mrs. M. B., wife of Dr. H. R. Rolards.

The friends of the family are invited to attend the Funeral THIS AFTERNOON at half past three o'clock.

Carriages at Mr. May's livery stable.

Hotel Arrivals.

COMMERCIAL HOTEL—G. D. MITCHELL, Proprietor, Jefferson street, between Front Row and Main.

Mrs N W Bowen, Ala.	R G Waters, Ohio.
Mrs Dr Bowen, do.	R O Reynolds, Miss.
J N Thompson, do.	H E Clark, do.
J T West, do.	T A B Bell, Miss.
J Moon, do.	T P Hickman, Tenn.
L Reddie, do.	Miss Sudbury, Tenn.
Gr Perry, St Louis.	Dr F D Pope, do.
M Jones, do.	Rev T J Fisher, Ky.
M C Priddy, do.	Col Ed Pickett and lady
J H Rogers, do.	Washington, N Y.
W B Lamar, do.	W G Chase, St Louis.
H H Carr, do.	J R Scott, Haywood.
J O Ewing, do.	W W Ward, do.
J R Jackson, do.	W H Mosseley, Miss.
A G Erwin, Indiana.	Miss Mosseley, do.
J Fowler, do.	W H Ross, do.
J S Kay, do.	Miss E Sherrill, do.
D F Robertson, Tenn.	Miss A Dixon, do.
Robt Robertson, do.	G C Knight, do.
A H Goldthwite, do.	C T Kennard, N Y.
H D Goldsmith, Ky.	B P Lowe, do.
H L Adams, Miss.	A B White house, Chicago.
W Hodnett, do.	Mrs Robinson, do.
Mrs Ross and do.	R H Grant, Brownsville.
Miss W Rowe, do.	W H Watts, Ark.
H Jones, Ark.	Mrs Ann Poulton, Chic.
A Robinson, do.	Master Bulmer, do.
J W Syme, N C.	B B Peter, do.
J W Williams, La.	G G Cone, Miss.
J Knox, do.	F J Holloway, do.
Chas Jones, Miss.	Chas S Jones, Tenn.
Mr Jeter, do.	M S Milton, do.
M Hopper, Pa.	M W Jones, Tenn.
G W Gentleman, do.	J H Rattinbury, Ark.
J H Linder, Ark.	R T Brown, Tenn.
W H Atkinson, Tenn.	J H Hill, do.
G S Hines, N Y	C G Wise, Miss.
C B Peabody, Boston.	W J Riddle, do.
J W Weber, S C.	L Lowry, do.
J W Pirt, Md.	J H Chapman, do.
C T Cuff, do.	W J Lewis and lady, do.
J M Worsted, do.	M J Lewis, do.
S B Butler, do.	O B Lee, do.
G A Reynolds, Tenn.	G Main, do.
J W Reynolds, do.	M J Hurt, Tenn.
Mrs Brickden do.	T Bryant, do.
Mrs E Williams, Geo.	R H Ford, do.
D B Hunford, do.	J B Williams, do.
A Bow, N Y.	H S Bradford, do.
W Bow, do.	T Moore do.
W Mathews, do.	B H Power, do.
S Moody, Tenn.	J L Williams, do.
J W Frank, do.	F G Bowen, do.
D N Vance, do.	Chas M Thatcher, do
S P Bishop, St Louis.	B H Redford, Boston.
J Sandock, do.	A T Stoddard, Wis.
A Gartner, N O.	J S French, do.
S F Howard, Miss.	D P Beach, Chicago.
S W Fordham, do.	Miss Beach, do.
J D Blackwood, do.	

New Advertisements.

To Rent.

APOLLO HALL, No. 109 Main street, up stairs. Apply to [may 2 1t*] E. WOLFF.

Board Wanted.

UNFURNISHED rooms with board wanted in a private family, by a gentleman and wife. South Memphis preferred. Address, stating terms, (which must be moderate) Boarder, box 57, post office. m1-6t*

Fresh Fish! Fresh Fish.

A LARGE lot of Fresh Fish, from Lake Erie, received by express this morning, and I am now receiving supplies regularly every Monday, and will always be prepared to supply customers.

may4-1t H. DOW
No. 155 Main street.

Notice.

DR. W. G. BRYAN, having formed a co-partnership with Dr. J. H. CUTHRAN, has discontinued hereafter to do exclusively a cash business, and it will be required of all persons to settle before leaving the office. All those indebted to Dr Bryan will please come forward and settle, and those having claims will present them for settlement.

W. G. BRYAN.
may4-1w

Caution.

WE hereby notify all persons that our former Bookkeeper, WILLIAM C. SHARPES, has no authority over money, and is not authorized to receive for us any money or other receipts in our