DAILY APPEAL.

MEMPHIS.

WEDNESDAY MORNING.--AUGUST 4, 1858.

Largest Circulation in the City.

Official Paper of the City.

THE APPEAL ELECTED PUBLIC PRINTER.

The proprietors of the APPEAL were yesterday elected on the first ballot, and by a decided majority, City Printer for the ensuing year. The Board of Alderman have our thanks for the compliment paid us, and in return, we promise so to endeavor to discharge the duties assumed by us as to meet the approbation of the Board and the public.

REV. S. G. STARKS' NEW COLLEGE.

We learn that the work upon the new college building of President STARKS' is going forward with energy. It is situated in a beautiful grove of twenty acres about two miles southeast from Court Square, in the immediate neighborhood of Mr. A. J. MONTGOMERY, Mr. MCGEE, &c. The main college building will be complete on or about the 1st of October, and we learn that its halls will be opened to pupils soon thereafter. President STARKS is admirably fitted, both by education, talents and experience, to manage a college for the education of girls, and we hail all such acquisitions to the educational facilities of our city, as opening up a new and brighter field for the enterprise of our citizens, and as giving a guaranty—the very highest—that the generation now growing up in our midst are to have advantages for a solid education, not surpassed by those of any of our sister cities.

It is an error to suppose that the addition of a new institution to those already in existence here, and which are so satisfactorily conducted, and so liberally patronized, is calculated to lessen the influence and patronage of the older colleges. President STARKS' noble enterprise is not to be regarded in the light of a rival to similar institutions. It has some features which are not common to others. It is the only suburban female college in our vicinity. Having all the advantages of a delightful rural retreat, situated in the midst of a most refined and agreeable neighborhood, it is also convenient to the city, but not so much so as to make it desirable to pupils to waste their time in the midst of frivolities and gayeties. Healthfulness, seclusion, and exemption from epidemics are thus secured, while the advantage is gained of locating their daughters at a point where business most necessarily often find their parents, and where the latter may thus, on their excursions of business to the city, enjoy a frequent watchfulness over the health, happiness and progress of their children.

We understand it to be the design of President STARKS to fit up his college building with every modern improvement and advantage, usually found in such institutions, and to provide apparatus, furniture and a library which shall not be surpassed by any. Such public spirit deserves to be encouraged by substantial returns. The similar enterprise exhibited by the worthy President of the Memphis Female College and this of President STARKS deserve the especial and energetic co-operation of our citizens in making of Memphis a great educational, as well as commercial metropolis.

These two institutions, in connection with the St. Agnes Academy, where many of the daughters of the land receive a most useful and accomplished culture, already render Memphis a centre of attraction to the educational and to the friend of woman's cultivation. We would say to our friends that they may safely send their daughters hither where such a combination of excellent advantages have been reared, and feel assured that the comfort, training and intellectual and moral advancement of their dearest ones have been entrusted to experienced, careful and high-toned Christian hands.

OREGON ELECTION.—Further advices from Oregon confirm the tidings of brilliant Democratic victory at their first State election. All the new State officers are Democrats, as well as the majority in the State Legislature, which gives the Democrats two United States Senators. The vote for the admission of Oregon passed the Senate at the last session, and will go through the House of Representatives at the next session. Before next March the Pacific coast will be represented by four Democratic Senators and three Democratic representatives.

A letter from California informs us that the United States Senators will be Gen. Jo. LANE, and Gen. ADAIN SALE, late of Kentucky, that this distinguished gentleman, who was a leading champion in the Senate of the President's policy in relation to KANSAS, has declared, in a public speech in St. Louis, his hope that Senator DOUGLAS would be re-elected to the Senate from Illinois. The St. Louis *Republican* of the 18th, in giving a sketch of his remarks, quotes him as follows:

"In the course of Mr. Green's remarks he said that Lecompton question was no longer an issue. He and Mr. Douglas had differed on that question, but now he extended the right hand of fellowship, and he beheld S. A. Douglas fighting Black Republicanism gallantly in Illinois. Black Republicanism was the champion of the Abolitionists, and Douglas was bearing the banner of Democracy, and with him he sympathized."

UNION OF THE OPPOSITION.—The Columbus (Ohio) *Journal* approves the union of American and Republicans in Massachusetts and adds:

"It is much to be hoped that a similar good sense may animate the opponents of the federal administration in New York, where the two sections are now deliberating whether it is best to act apart and be beaten, or to act together and triumph."

What do our South American friends think of such indications as the above? Their Northern allies are fraternizing with the Black Republicans with the view and purpose of overthrowing the Democracy. If the Southern members of the party are true to themselves and their country, they will co-operate with the Democratic party, and by preserving it, save the Union from the baleful influences of sectional agitation, and probably from dissolution. A mighty effort is now being made throughout the North to fuse all parties and factions into a combined opposition to the Democracy, to counteract which there should be entire unanimity at the South.

DEATH OF SAM TATE.—Saml. Tate, President of the Memphis and Charleston Railroad Company, died at his residence in the vicinity of Memphis, on the 28 h inst., after an illness of about twenty-five days. This death will be regretted by all who knew of it. The deceased was a noble hearted man, universally esteemed, and one of the first railroad men in Tennessee. His place will not be easily filled.

The foregoing, which we clip from the Knoxville *Whig*, of the 31st ult., will be news to every one in this section of the country. We are gratified to have it in our power to state that the *Whig* is altogether mistaken, and that Mr. TATE is yet in the land of the living and doing well. He has been confined by sickness for some weeks past, but is at present sufficiently recovered to give some attention to the duties of his office.

FIRST BALE OF NEW COTTON.—We are indebted to Mr. S. Crane, purser of the steamer *San Antonio*, for a sample of the first bale of cotton received here this season. It was grown on the plantation of Mr. A. M. Campbell, on the Colorado, and comes consigned to Messrs. McMahan & Gilbert of this city. The staple is long and fine, and the color creamy and beautiful. The first bale of cotton received here last year, came on the 11th of August, to Messrs R. & G. D. Mills, from the plantation of Mr. Pat. Perry, and up to the 15th of that month, but five bales of cotton had been received. From present indications, cotton picking will be very general by the 1st of August. Unless some extraordinary calamity interferes, the crop will be far the largest ever produced in TEXAS. We estimate next year's receipts at this port alone at two hundred thousand bales. *Galveston Civilian, July 23.*

WHAT HAS BROKEN LOOSE?—The *Commercial*, for a number of days past, has contained a series of editorial articles taking the ground that the people of the Territories should make their own laws and form their own institutions; and that, if they choose to legalize slavery, they have a perfect right so to do and Congress has no right or business to object; nay, more, it insists that, where the white and black races live together in large numbers, slavery will necessarily exist. In short, it comes nearly up to the platform of the late John C. Calhoun, as respects slavery. As the *Commercial* has always been, hitherto, the blackest kind of an Abolition Underground Railroad paper, it is a query what has caused the new and tremendous volume of light that has so suddenly burst upon it! Has Governor Chase and the Abolition clique, whose organ it has been, neglected to come up to the financial views of our "independent" cotemporary? *Cincinnati Enquirer.*

WOOD'S HAIR RESTORATIVE.—Prof. Wood, the renowned discoverer of the invaluable Hair Restorative, still continues to labor in behalf of the afflicted.

His medicines are universally admitted by the American press to be far superior to all others for causing the hair on the head of the aged, that has been silvered for many years, to grow forth with as much vigor and luxuriance as when blessed with the advantage of youth.

There can be no doubt that it is one of the greatest discoveries in the medical world. It restores permanently gray hair to its original color, and makes it assume the beautiful silky texture, which has been very desirable in all ages of the world.—*St Louis Morning Herald.*

Sold by all good druggists.

A ST. LOUIS FOLLY—A RESPECTABLE MERCHANT IN A PREDICAMENT.—A few nights since, a merchant of standing—name not given by the *Republican*—made his appearance in the house of a minister, in company with a young woman of flashing black eyes and graceful form, and, with the aid of the clergyman, took upon himself the obligations of a husband. The *Republican* relates the sequel:

The bride was taken to her husband's home, on C——— street, and introduced to his family, which consisted of two or three children.

She was well received by the children. The husband bought for her, among other things, a splendid five hundred-dollar piano and a nice little pony to ride, and in all respects behaved like a most loving and devoted lord.

A few days passed, when scandal, with a festering and most malicious tongue, hissed into the ears of the relatives that their kinsman had married a——!!!

The tale is told.

A day or two ago the husband departed for Baltimore. The wife has quit the home of the husband and is now living at her former residence, which is also on C——— street, and is suffering the most dreadful apprehensions of the wrath of the relatives. A little explanation is needed. Her name in Chicago was ANNA Wilson, and she had been in this city but a short time. Not long ago she was walking up C——— street to her room, when she was overtaken by the merchant, who asked her if she would not take a ride into the country with him that evening. She consented at once, and from that time the intimacy grew and strengthened, and they were speedily married, as we detailed above. She has been told that he took her "better for worse," and is now his lawful wife, and will continue so to be as long as she keeps herself inviolate. The relatives, we learn, say the marriage is a fraud, and not only a fraud, but is void on the ground of the incompetency of the man, who was not in his right mind at the time of its consummation.

THE TRADE OF NEW ORLEANS.—As some evidence of the growth of New Orleans, says the *Crescent* of the 14th, we note that the gross receipts of cotton this year at our landings have been sixteen hundred and fifty-three thousand bales, against fifteen hundred and one thousand last year. Of tobacco, seventy-seven thousand hogsheads, against fifty-two thousand last year. Of flour, one million four hundred and twenty-eight thousand barrels, against eleven hundred and seventy-five thousand last year. Of pork, bulk and barrel, twice the amount of last year. Of bacon, in bulk, an enormous surplus. Of coal, seven hundred and forty-three thousand barrels, against five hundred and eighty thousand last year. Of sugar, two hundred thousand barrels, against sixty-two thousand last year.

LOCAL MATTERS.

PAVED.—It is intended to pave the walks of Court Square with bricks.

COUNCIL.—This body holds an extra meeting at 8 o'clock to-night. Something about the 9 o'clock liquor law is expected.

RECORDER'S COURT.—Fifteen misdemeanor cases were tried at this court by Esq. RICHARDS yesterday.

☞ DR. JONES & MARABLE have removed their office to No. 139 Main street. See card in another column.

THANKS.—We thank O. S. SMITH, clerk of the *Diana*, and JAS. KERR, of the *City of Memphis*, for late favors.

COURT SQUARE.—The expense of painting and varnishing the iron fence, lamp-posts, &c., of Court Square, was two hundred and seventy-seven dollars.

FAST DRIVING.—ROBT. MARSHALL was fined at the Recorder's court yesterday, for running his vehicle in the streets faster than the legal five miles an hour.

UNLICENSED.—JOHN SULLIVAN was fined twelve dollars yesterday at the Recorder's Court, for driving a dray without being licensed to do so.

COUNCIL REPORT.—Council proceedings are "spicy" things now-a-days; do not fail to read the report. A large attendance of the public is expected at the 8 o'clock meeting to-night. Seats free and ice water as usual.

A LIBERAL ADVERTISING PATRONAGE.—The columns of the APPEAL, during the last four weeks, have given evidence that our merchants and others are preparing in good earnest for the approaching business season.

☞ For a genuine article of pure old Bourbon whisky, call on J. T. BURTON, No. 11 Madison street. If he tells the truth, (and we can't doubt his word,) he keeps the very best, and none but the pure stuff. BURTON is a Kentuckian himself, and ought to know all about it.

ARRESTED.—FRANK MCINTYRE, arrested by officer MALLORY, was committed to jail for trial yesterday, not being able to give $500 [illegible]

THE 4TH BAPTIST CHURCH.—Rev. Mr. Hillsman, the old Baptist church. He was seen to enter the house by Mr. WARRINGTON.

VALUABLE PROPERTY FOR RENT.—Attention is invited to the advertisement of our friend Capt. LENOW, offering for rent some valuable city property. A portion of the buildings are entirely new, while all of them are favorably located for business purposes.

UNIVERSITY OF NASHVILLE.—Attention is invited to the advertisement of this institution. It is older than the State of Tennessee, having been endowed by the mother State, North Carolina. Always popular, it is now in the full tide of prosperity.

KILLED.—H. H. SIMMONS, Esq., formerly proprietor of the Commercial Hotel in this city, and more recently of the Prentiss House, Vicksburg, was killed at Mississippi City one day last week by a man named Walker. The murderer was arrested.

☞ Dr. ACREE is among the number just returned from the Sulphur Springs. His health is much improved. His office is on Court street, corner of Bank Alley. We mention his location for the benefit of those suffering with decayed teeth or diseased gums. Hundreds have been relieved by his superior skill in Dentistry.

YELLOW FEVER.—The New Orleans *Delta* of Saturday last states that during the week 248 persons were admitted into the Charity Hospital. The number of deaths at the Hospital during that time was 26, all of which were from yellow fever. The *True Delta* and the *Picayune* give the Hospital report, but omit the deaths by yellow fever.

☞ We have, as yet, heard nothing definite or satisfactory from the Arkansas elections. From what we have learned, however, we are inclined to the opinion that the opposition, or independent ticket, has proved successful in Crittenden county. We will be enabled, probably, to speak with more certainty to-morrow.

☞ A meeting of merchants and business men was held yesterday to take into consideration the present condition of our currency. A committee was appointed to draft resolutions, which they will report to an adjourned meeting at three o'clock this evening. It is desirable that all business men interested in the trade and prosperity of Memphis be in attendance.

BROKE IN.—As a load of wood was passing over the bridge on Brown's avenue last evening the bridge "let down." It has been in a crazy condition ever since the late Sunday flood. Both mules and mule received some injuries. Council ordered repairs on it last night. To-night they will, perhaps, have to order a new structure.

LOT SALES.—CAYCE will sell to-morrow a number of lots in the upper part of the city on the corner of Main and Commerce streets. Read his advertisement and attend the sale. The present is a most favorable time for investing in city property. The growth of Memphis is rapid, onward and upward, and property will never again be as cheap as now.

RED SULPHUR SPRINGS.—We are indebted to Mr. HASTINGS, proprietor of these Springs, for a bottle of the water, forwarded by Dr. ACREE, of this city. We also tender the proprietor our thanks for an invitation to spend a few weeks at this popular watering place, an invitation we would most gladly accept, were it convenient to attend the Springs and engineer the APPEAL at the same time.

ARRESTED.—EDW. LAMBERTS, arrested by Capt. GARRETT, was charged before Esq. HORNE yesterday with stealing twenty-one dollars from a woman who keeps a liquor saloon at the corner of Causey and Linden streets. He was in the place when she gave some change; she had to leave the room a minute; on her return the money was gone. The man had nearly the amount missed, but the woman could not swear to the money and he was discharged.

GUTTERING.—Some of the guttering of the city is in a very bad condition. The Improvement Committee, by its Chairman, Alderman COPELAND, has recommended Council to gutter a portion of Poplar street, above the bayou, on both sides; also, both sides of Causey, from Vance to the bayou; also, Beal from Wellington west to bayou Gayoso; also, Union, south side, from Main to the bayou. They also recommend the repair of the culvert on St. Patrick street, and the bridges on Brown's avenue and on Causey street.

COUNCIL MEETING.—Council met yesterday, the President, Alderman Hughes, in the chair. According to the announcement of the President at the last meeting, the roll of officers of the city was called over, consisting of the following gentlemen: Messrs. Baugh, Richards, East, Newsom, Wolfe, Miller, Thomas, Garrett, Folger, Eldridge, Underwood, Humphries, Mallory, Stainbeck, Esq. East, the Recorder, was absent from sickness.

FINANCIAL.

Alderman Douglass, from the Committee on Finance, presented a number of accounts.

A communication from Mr. McClanahan, United States Marshal, in the matter of an execution upon the city, was referred to the Mayor and City Attorney.

Two accounts of Mr. Ward were allowed; Wright, $600 for rent, allowed; Small, for legal services $75, referred.

Petitions of Titus & Co., Parker, Wiley B. Miller and Mrs. Patterson were considered. The petitioners asked a reduction in their assessments.

Alderman Elder feared that unless Council took some steps toward making a reduction in the worst cases, a number of lawsuits against the city would be the consequence, perhaps one hundred and fifty of them. The report of the Finance Committee was unfavorable to any change in the assessment; the Board concurred in the recommendation of the Committee.

ACCOUNTS.

Alderman Street, from the Committee on Accounts, presented several accounts, which were ordered to be paid.

The same presented other accounts for work done on Court Square, and for other matters, which had not been authorized by the Board.

Alderman Robinson stated that the Committee on Accounts would never recommend the payment of any account contracted without authority from the Board.

Alderman Finnie said that for every five cents worth of tacks to be expressly ordered by the Board was ridiculous; the law would perhaps make gentlemen pay their debts.

The Mayor said that Alderman Finnie had authority for what he had done on Court Square.

REFORM.

Alderman Kortrecht said that from the Mayor to policemen, every officer in the city had been in the habit of contracting debts on the city's account. This Alderman analysed several of the accounts, and showed that they had been contracted in an unauthorized manner. "For one," said he, "I will use my influence to put a stop to this." (A voice—"Amen.")—If threatened with lawsuits for debts contracted in an illegal manner, he was in favor of facing the law, and he thought it would turn against the Aldermen who gave orders without authority.

The Mayor asked by what principle an Alderman wrote to him to pay a poor woman five dollars. (The order in question was given by Alderman Kortrecht himself.)

On a vote the accounts in question were disallowed.

Alderman Kortrecht explained that the woman above alluded to came to him with a note from Mayor Baugh; he questioned her and thought her an object of charity, and wrote to the Mayor to go on and make an appropriation of five or ten dollars, the law as it stands authorizing that officer so to do.

Alderman Street offered a bill for $350 for mattresses, sheets, comforters, &c., furnished by the *Kate Frisbee* to the sufferers by the *Pennsylvania*. Referred to Alderman Finnie and the Sufferer's Relief Committee.

MORE REFORM.

Alderman Kortrecht offered the bill of costs of the February term of the Criminal Court, amounting to $30 29. They recommended the payment of the bill except fees to the amount of five dollars in a case that was entered *nolle prosequi*. This fee is for the Attorney General, whose whole charge for fees amount to $670. The Committee have doubts about these fees and recommended the payment of one-half the amount at present, and the reference of the matter to the city Attorney, to see whether the fees ought not to be $2 50 instead of $5 in each case. The Board adopted resolutions in accordance with the suggestions of Alderman Kortrecht.

IMPROVEMENTS.

Alderman Copeland, from the Committee on Improvements, offered a resolution to establish Causey street from the present line to Calhoun street.

The same offered a resolution to have Mr. Ray, on Adams street, compelled to pave in front of his property. Adopted.

The same offered a resolution to have gutters laid, bridges repaired, and other improvements made in various places. Adopted.

Sidewalks, gutters, &c., in Court Square.

Gutters were ordered to be laid on Union street, south side, above Main street.

A bill of Mr. Dixon's was offered. Moved to lay on the table. Alderman Finnie said he advertised for bids for the work done by Mr. Dixon, and he would advise the party to bring suit against the city to-morrow. Ordered to be paid.

Alderman Copeland offered an ordinance declaring the north side of Linden street a nuisance, from Shelby to Main, for want of pavement. Passed.

The same recommended opening an alley between Shelby street and Main, and between Ringwald's alley and Gayoso street. Ordered.

The same offered an ordinance declaring a lot at the corner of St. Patrick and Linden street a nuisance, and ordering the Marshal to abate it. Passed.

PAUPER RELIEF.

Alderman Douglass, from the Committee on Ordinances, reported back to the Board an ordinance changing the present mode of giving relief to paupers, constituting the Aldermen the investigators of cases in their own wards. Laid on the table.

Alderman Kortrecht, from the same committee, reported an ordinance forbidding steamboats to receive passengers more than six hours before leaving port, or three hours after arriving in port; to treat them as passengers unless they take out a hotel license. Passed.

WHARF OBSTRUCTIONS.

Alderman Hamilton, from the River Committee, reported various improvements on the landing, and recommended the leasing out of various portions of the landing.

A recommendation of the committee to allow three boat loads of coal to be emptied on the landing, Alderman Hughes characterized as yet more intensely pinchtifying Pinch.

Alderman Douglass supported the views of Alderman Hughes; the landing should be kept free for commercial purposes. He would fight with Alderman Hughes for a free landing up to the last day of his term of office.

Alderman Hamilton explained that he would go as far as the farthest in the work of clearing the landing as soon as the interests of the city required it.

A warm discussion took place principly upon the policy of permitting Mr. James to occupy a portion of the landing as a place for the deposit and sale of coal.

LONG SPEECHES.

Alderman Elder declared that he had sat listening to speeches until he had almost grown to his chair. Several members concurred in this remark. Alderman Copeland called the previous question. Alderman Douglass protested against the Board being gagged. The motion was carried, and Alderman Douglass moved a reconsideration of the vote. He denounced the imposition of the gag law. The vote was reconsidered, and the whole subject voted to lie on the table.

Mr. Robinson, from the committee on Education, recommended that Esq. Chase be employed to take the scholastic census at an expense of $150. Adopted.

MARKETS.

Alderman Forrest, from the Market Committee, announced that citizens had subscribed $1,700, which would be made $2,000, for the building of a market house near the Charleston depot. A resolution was passed instructing the Market Committee to inquire into the expediency of building a market house or market houses in the city.

CITY PRINTING.

Alderman Copeland offered the following report on city printer:

Your committee, to whom was referred the subject of public printing, ask leave to report the following propositions from the city press, to-wit:

1st. From the APPEAL office: Fifty cents per square for the first insertion, and twenty-five cents per square for each succeeding insertion, for advertising and publishing such matter as may be ordered by the Board, and the usual rate for job work, with 20 per cent. off.

2d. From the *Avalanche* office: The same as the APPEAL for the first insertion; for the second insertion, five cents per square less. Job work the same.

3d. *Eagle and Enquirer*: They propose to publish all matter ordered by the Board to pass through their paper, free of charge, and job work for cost of labor and material.

4th. From the *Bulletin* office: They propose to publish as above for forty cents per 1,000 ems, for small type, and more in proportion to the size of the type used, and job work as usual, with 20 per cent. off.

5th. From the *Evening Ledger*: They propose to publish the laws, ordinances, &c., ordered by the Board, free of collateral, and job work as usual, with 20 per cent. off.

The *Bulletin* proposes to furnish a complete journal of the proceedings of the Board, bound in paper, for one dollar per page.

The *Avalanche* offers the same for $1 25 per page.

Your committee find the bids from the *Eagle and Enquirer* and *Evening Ledger* the lowest. All of which is respectfully submitted.

F. M. COPELAND.

Alderman Forrest proposed to go into election of city printer. He considered the propositions made were nominal. He was opposed to employing papers to do the work of the city for nothing.

Alderman Copeland called the attention of the Board to the motives of the *Enquirer* for offering to do the work for nothing.

Alderman Forrest said the bids were all about half what the Board had been paying. He was opposed to this working for nothing.

Alderman Hughes said he understood the APPEAL would give a full report of the proceedings of the Board without charge. He wanted to have fuller reports that *some* papers, at least, had given.

The voting then commenced and resulted as follows: APPEAL, 7; *Avalanche*, 3; *Eagle*, 3; *Bulletin*, 0; *Ledger*, 0. The APPEAL was elected City Printer on the first ballot.

Alderman Copeland proposed that a committee of three be appointed on printing. Adopted, and the Chair appointed Messrs. Morgan, Copeland and Douglass, the committee.

A vote was taken to adjourn, but the proposition was lost.

THE ARREST AND RELEASE.

Alderman Robinson read a minority report from the committee appointed to investigate the case of the release of Adams from jail.

MINORITY REPORT.

Your committee to whom was assigned the duty of investigating the conduct of such of the city officers who had any part in releasing David Adams from the city jail, the 15th ult., beg leave to report that they have gone forward in the discharge of the duty assigned them, and find from the evidence in the case that some of the officers in the city have, in the opinion of the committee, failed to discharge their duty in not having Adams prosecuted, as it was their plain and obvious duty to do.

The question (and very naturally, too,) arises in the minds of your committee under what circumstances and to what extent can an officer neglect his duty and be excused and justified. The impression that they had gone as far as the power vested in them by virtue of their office, would permit them to go, might be deemed a sufficient and satisfactory excuse, and under such circumstances probably ought to be held responsible.

Your committee are fully satisfied that none of the police officers engaged in the arrest or release of Adams, can claim any indulgence at the hands of your committee, on the ground that they did not know their entire duty in the premises. Capt. Thomas, Lieut. Moore, and Mr. VanCampen, all state in their evidence that they knew that the City Marshal was made the prosecutor in all cases for violations of either State or city laws when necessary. Capt. Thomas admits that before he put Adams in jail, Mr. Orgill told him that he would not prosecute him, and gives as an excuse why he did not inform the City Marshal, was, that he wished to obtain other articles which he thought Adams had stolen. Your committee does not think the excuse a good one; the guns were obtained before Adams was put in jail, and the watch was given up about 10 o'clock the next morning, and the evidence shows that Adams was not released from the jail till one or two in the afternoon, affording sufficient time to have informed the City Marshal and for him to have obtained a warrant; nor does your committee think or believe that any policeman ought or can be excused, when he has in his charge an offender against either State or city laws, and of his own motion suffers such offender to escape without taking the proper and necessary steps to bring him to trial, thereby defeating the law and the ends of justice. The evidence further shows that the officers were fully aware that Mr. Poston was Adams' attorney, and was endeavoring to procure his release, in his own language, "in the most expeditious and quiet manner practicable."

As regards the part the City Jailor had in releasing Adams, there is no evidence to show that he had any knowledge of the character of the offense for which Adams was confined. Captain Thomas says that, in reply to an inquiry made by Mr. Mallory, he told him that the charge was a pretty severe one, and to keep him safe; that Mr. Poston would call up the next morning. Mr. Poston says when at the jail next morning, at his request Captain Thomas said to Mr. Mallory, "that he was informed that Adams would not be prosecuted; that he had, or thought there would be a charge against him, nor do we think that the instructions given by the Mayor justified him in releasing Adams; his duty was to keep him in jail till he was taken out by the city officer who put him there, or by the Sheriff of Shelby county or some other legal officer.

The committee, in the course of its investigation has found evidences of an utter and nature neglect on the part of the officers of the exercise of their powers, and the performance of their duties under the laws of the State and the city.

The police officers, the Recorder and the Jailor, upon their qualification as such, become the officers of the State and the city, with full power to arrest and confine under warrant for any violation or infraction of any law of the State of city, or any other person who may take cognizance, but it is clearly the duty of the officers taking charge of the prisoner, to appear either by himself or the Marshal, in the absence of any other prosecutor, before the Recorder or other officer having jurisdiction, either before or after the arrest, and obtain a warrant or mittimus from him for the legal and proper confinement of the prisoner. The Mayor, in fact, has no power whatever to order the release or confinement of any one, though it is clearly his duty to enforce a proper and rightful execution of all the police laws and regulations of the city. The committee without intending to reflect upon the motives of the Mayor, beg leave to say that it was clearly the duty of the executive officer to have prosecuted or have caused the prosecution of Adams, rather than to have furnished the Jailor with any excuse to relieve him by instructions of at least doubtful interpretation. It will appear by the evidence of Capt. Thomas and Lieut. Moore, and even that of the Mayor himself, that he was fully informed of all the nature of the charge for which Adams was arrested, and they are clearly of the opinion that he transcended his power in giving the instructions he did to the Jailor, and failed to discharge his duty in the premises.

Your committee cannot close their report without again making reference to a part of Mr. Poston's evidence. He says: "That I am disposed to believe that in no small degree I think the action of the officers was founded upon my representation to them of the fact that no prosecution would be had, and that it was their duty to discharge the prisoner."

If, then, it be true that sworn officers of the city, whose duty is so plain that they cannot justify themselves on the ground of the want of a proper knowledge or understanding of their duties—with the prisoner in their charge, and in possession of abundant proofs—that they will take the advice of the attorney for the prisoner and suffer his release without taking the necessary legal steps required by our laws, then your committee think it is already time that this Board should take such prompt and decisive action as will restore the supremacy of the law and enforce a rigid compliance in the future with all its provisions, and see that each and every officer does his duty.

From all the evidence in the case, your committee think that the report contains sufficient censure upon the executive officer of the city and the jailor, and recommend that Capt. Thomas be dismissed from the service of the city, and that Lieut. Moore and Mr. Van Campen be suspended from service for the space of thirty days.

This report was signed by Alderman Robinson alone.

Alderman Elder then read the following majority report. He said that the speaker agreed with much the last speaker had reported, but did not agree with the penalties recommended:

MAJORITY REPORT.

The committee to whom was referred the investigation of the arrest and release of David Adams, beg leave to report:

That they have, with great pains, made a thorough examination of witnesses, (taking down their testimony in writing,) and from the evidence obtained, come to the following conclusion:

1. That there was no bribery nor collusion between the officers, Thomas, Moore, Van Campen and the prisoner.

2. The officers above mentioned are all guilty of non-feasance in not reporting the case to the City Marshal, whose duty it is, under the charter, to prosecute.

3. That the Mayor overlooked his prescribed duty to see that all the ordinances were faithfully executed.

In view of all the circumstances, and that the law in future may be more faithfully executed, your committee recommend the adoption of the following resolution, to-wit:

Resolved, That S. M. Thomas, Captain of the Day Police, Lieut. S. A. Moore and private Van Campen, be and they are hereby suspended from all the functions of their several offices for the space of two weeks from this date, to operate as a reprimand for neglect of official duty. All of which is respectfully submitted.

(Signed) JAS. ELDER,
A. STREET.

Alderman Forrest also read the following minority report:

ANOTHER MINORITY REPORT.

The undersigned, one of the committee appointed to investigate and report as to the nature of the arrest and discharge of from the city jail of one David Adams, regrets that he cannot concur in the report of the majority of the committee. From the facts, he is of opinion that all the officers connected with the matter fully and faithfully performed their duties, except in failing to report the case to the City Marshal, and in not making more to the City Jailor the charges against Adams. For these things, which the undersigned regards rather as an oversight, than an intentional misconduct; he thinks a censure or a reprimand of the Board, in this instance, at least would be a sufficient punishment. All of which is respectfully submitted.

(Signed) N. B. FORREST.

Alderman Forrest said a close investigation had been made. There was conflicting testimony, but there was no appearance of bribery. The fault was in not reporting the matter to the Marshal.

A MERE OVERSIGHT.

Alderman Finnie thought the failure to report to the Marshal was the only fault committed, and that was a mere oversight. The matter was rather a misfortune than a fault, and the public prints had come down upon the man. It was a trivial offense, and better men could scarcely be got.

Alderman Morgan asked: Did the officers *know* it was their duties to inform the Marshal?

Alderman Forrest said they did, but they had no knowledge of the fact that the man would be released.

Alderman Street said Capt. Thomas had not uttered sentiments put down in the evidence.

Alderman Robinson desired to read portions of the testimony. This was objected to. Alderman Street was opposed to reading the report. Alderman Robinson said the correctness of his report had been attacked and he asked to be allowed to bring evidence to set himself right. Alderman Street said Alderman Robinson had not taken Capt. Thomas's language, but had made the report more concise.

The Chair decided that the question before the Board was the adoption of the majority report.

Alderman Copeland called the previous question which was lost. Alderman Copeland then moved an adjournment which was objected to.

A REPRIMAND.

Alderman Douglass proposed the adoption of all the reports except the penalties, those he proposed should be a reprimand on the part of the Board.

Alderman Hughes observed, "The mountain bringing forth a mouse." Alderman Street could not vote for Alderman Douglass' proposition; such conduct on the part of the officers must not be passed over or the public good would suffer; a reprimand was not sufficient.

Alderman Forrest thought the reprimand sufficient. Capt. Thomas had told him he intended informing the Marshal of the circumstances.

Alderman Neal was opposed to suspending the officers.

Alderman Douglass thought there was something behind the report which said much in favor of the officers; they were trying to find yet more stolen property. He said "Let him that is without sin cast the first stone."

MORE MINDING.

Alderman Street said such mercy was not the rule in judicial cases. He called attention to the fact that no evidence appeared that the officers *intended* to have the case presented. The police might do thousands of wrong things which the Board could not take cognizance of, and when a case like this came up, it should be attended to; for instance, it came out in the investigation that on the previous night to the arrest, an officer brought to the station-house a pistol taken from this Adams, with instructions that it should be restored to him; and this without reference to the Mayor or the Recorder's Court.

Alderman Copeland was in favor of the Board holding a meeting to read the evidence.

Alderman Hughes asked who got the reward offered by Orgill & Co. In reply it was stated that the reward was divided among the arresting officers.

A vote was taken on Alderman Douglass' resolution to merely reprimand. Lost.

WAS THE MAYOR GUILTY?

Alderman Douglass asked what guilt there was on the part of the three officers that there was not on the part of the Mayor? If there was, guilt and the Council must strike, let it strike boldly and strike at the head. For his part he believed there was no intention of guilt. If the executive officer was held guiltless, how could the subordinates be condemned to punishment? The officers having placed the man in jail, were no longer responsible, and there is no evidence that they connived at the escape.

THE COWARDS AND THE LION.

Alderman Finnie said that, coward-like and assassin-like, the poor and humble had been struck at, and he, whom the people had returned to his office twice, they *dare* not touch; they were too pusillanimous. If one was guilty all were; but he believed all innocent. Mark the papers in the morning; they will say to the Council, "You knew your duty and did it not;" they will "come down upon you like a thousand of brick." Lord-a-mercy, I'm ashamed of you, you pick out the poor fellows that just get enough to keep soul and body together, and the lion! oh! the lion! he must go free!

FALSE AND DEMAGOGUE.

Alderman Elder said that like Prentiss in Mississippi with the six foot two inch man, he would meet this giant (Alderman Finnie) with a little pebble and overthrow him. He threw the charge of pusillanimity back in the gentleman's throat; it was false. He was ashamed to hear such a vent of courteous language in Council; it was a most demagogue speech. The report recommended equal justice. It recommended the Mayor, and [illegible] should have reported the facts of the case to the Mayor.

Alderman Robinson repudiated Alderman Finnie's charge of pusillanimity. He would like to teach the gentleman something of decency and propriety; his charges were contemptible. The Chair called the speaker to order.

Alderman Street said everybody knew Alderman Finnie—a gentleman who war notorious; what does he mean by calling us cowards? I am no great fighter as my friend Finnie is. Taking into consideration the events of the last ten days, this had better have been avoided.

The Mayor appealed to Attorney General Sale, who was present, as to the instructions he had given the jailor. That gentleman said he had furnished the instructions; they were such as the court gave the jailor. He also stated that the officers rarely went to the City Marshal when they made arrests, but generally came to him and he sent the case to the Grand Jury, or presented it ex-officio; for five years the City Marshal had not prosecuted three cases.

Alderman Forrest said he did not think Alderman Finnie meant him, in his attack, for he knew he was a fighting man.

A vote was then taken upon the majority report, recommending suspension for two weeks, which was adopted by a vote of 8 to 4, so the three officers will be suspended.

Adjourned to to-morrow evening at 8 o'clock.

THE "RELEASE CASE."—The debate upon this case in Council last night was extremely spirited, it showed signs at one time of being too spirited. Alderman Finnie showed his usual tact in "waking things up." Had Council passed a verdict of "nobody to blame," we think the people would this morning, in view of the action of Council, have returned a strong counter verdict upon Council itself. A great wrong was certainly committed, and it is to be hoped the action of Council will not be without its good effects upon the future administration of justice in this city.

RUNAWAY.—The proceedings of Council were interrupted last night by a runaway horse overturning the wagon to which it was tackled, and breaking loose at the corner of Main and Exchange streets.

THE HOSPITAL.—A meeting of the Commissioners of the Memphis Hospital has been called by the President, EUGENE MAGUIRE, Esq., to take place at the law office of MURFORD & ESTES, on Court Square, on Wednesday evening next, at 4 o'clock. A punctual attendance is requested. ag 3 2t

Port of Memphis.

RIVER NEWS.

The river last night was falling with considerable rapidity.

The Hickman is the Cincinnati packet boat to-day. She is a convenient boat and well fitted for the Ohio now the river has fallen. Her clever officers never fail to make their passengers comfortable.

The Langley, the sprightly partner of the Kate Frisbee, is the Napoleon packet this evening. Capt. Warman and Sam. Woods will make the trip agreeable to their passengers.

The Messenger, the fine New Orleans packet, will leave this evening after the arrival of the mails.

☞ The twelfth session of the Young Ladies' Model School, of Somerville, Tenn., will commence on Monday, the 6th day of September, under the continued supervision of A. E. SLOAN. j20-1m*

TENNESSEE BANK MONEY.—Messrs. POPE & BROTHERS will sell goods at cost for Tennessee bank money at par. jly10-1m

☞ By reference to advertisement in another column, it will be seen that our friend WORSHAM offers for sale his magnificent Hotel, situated on the corner of Main and Adams streets. In taking this step, Mr. WORSHAM is actuated purely by a desire to close up and change his business. The house has, ever since its establishment, been a money making Hotel, and is now in a better state of repair than ever heretofore, and any person or company desiring to enter into the business, will find this a good opportunity for a paying investment.

Appetite and Strength Restored. WILLIAM YOUNG, of Sewickley, Pittsburgh, says: "After having suffered severely for several day with a most distressing attack of Diarrhea, I purchased a bottle of BURNAPE'S HOLLAND BITTERS. It gradually checked the disease, and restored my bowels to perfect order. Before I had finished the bottle, I found my appetite and strength returning. I believe it worthy of the character you give it, and shall recommend it as such." [illegible]

New Advertisements.

List of Arrivals,

AT DUSLAP SPRINGS FOR THE MONTH OF JULY.

A D Lawson, Bolivar. H L Lightfoot, Bolivar. M R H Shock, Memphis. R P Neely, do. Mrs S H Shock & 4 children do. M Porter, do. Jno and wf, Memphis. W T Gaston, do. Thos J Neely, Hardeman. N P Neely, do. Mrs T J Neely, Somerville. T H Gardner, do. Judge J J Neely, do. M T Gaston, do. Mrs J J Neely, Bolivar. H G Quinman, do. S R Wade, M C. W Wilson, Purdy Co. Jno Long, McNairy Co. J J Lambertson, do. T J Patrick, Bolivar. W P Bass, N C. Mt Dyer, Memphis. W D Robinett, Livingston. Capt Frank Hicks. Col Sam Swann, Jackson. F Williams, Ala. W D Robinson, Livingston. N Roberts, Hardeman Co. A W Lanham, Bolivar. Mrs N Roberts, do. Leon Hills, do. Miss Roper, do. T R Smith, do. Miss David, Bolivar. J J Neely