THE MEMPHIS DAILY APPEAL.

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Daily Appeal.

SOUTHERN PACIFIC RAILROAD,
MARSHALL, HARRISON COUNTY, TEXAS,
March 29, 1859.

To the Stockholders of the Company:

I receive, by every mail, a large number of letters from stockholders residing in various sections of the Union, seeking particular information as to the condition of things in Texas, and the progress of the contract now going on in vindication of our common rights. It is clearly impossible to answer them all, or, I could not do it, if I were to do nothing else.

I have therefore, to say to the stockholders, that, in order to obviate the necessity of writing to each individual, I have determined to publish from time to time, weekly, semi-monthly, or monthly, or oftener if occasion requires, a concise statement of transactions in Texas, and the progress of the contract. These reports will be published in the Texas Republican, Marshall, Texas, R. W. Loughery, proprietor. The Texas Republican throughout the existing controversy, has defended the interests of the old stockholders. Our stockholders who may desire to see these reports, will get correct information from Texas, should at once subscribe for this paper. The subscription price is $2.50, which the publishers authorize me to say can be sent to my mail at Marshall.

JEPTHA FOWLKES,
Pres. Southern Pacific R. R. Co.

FIRST REPORT TO THE STOCKHOLDERS.

OFFICE OF THE S. P. R. R. CO.,
Marshall, Texas, March 31, 1859.

To the Stockholders of the Company:

The State suit against us has just terminated in our favor in the District Court of Harrison county, upon general and special demurrer. The judgment is overwhelming and conclusive. This terminates one of our greatest difficulties. Many stockholders out of Texas entertained grave apprehensions in relation to this suit. I felt satisfied from the beginning, that the result would be in our favor.

This ended, stockholders may be of good cheer. I have entire confidence that the contest with the new company will be equally decisive. Rehearsals for trial on Monday next, and it is our expectation that it will be tried. All that is necessary for us to do, is to get possess on of the property, to build the road, and to realize the great pecuniary results anticipated by the friends of the enterprise—is for the union, co-operation, and a ready support of the stockholders.

J. FOWLKES, President.

(From the Marshall (Texas) Republican.)

THE STATE SUIT DECIDED.

The suit of the State against the Southern Pacific Railroad Company, for an alleged forfeiture of charter, commenced on Monday last and terminated yesterday, by the decision of the District Court in favor of the company, upon general and special demurrer. Every material point raised against the validity of the company was sustained. It was a complete triumph, and settles the question of the State suit. It is so regarded by every lawyer of ability whom we have heard express an opinion upon the subject. We will endeavor to get the decision of Judge Fraser, and publish it in full in our next issue. We hope we may be able to obtain it for the satisfaction of the many thousands interested in the result.

The case was very closely and ably argued for three days, and Judge Fraser, in his decision, it was not for the benefit of ability, industry, and research. Mr. Clough acquitted himself with his usual credit. He was assisted by Mr. Pope and Mr. A. Williams, who spoke for the first time in our court-house, in this cause; at least, it was the first time we have had the pleasure of hearing them. Mr. Pope made a very humble argument. Mr. Willie did himself great credit as a lawyer and a speaker, by the ability he displayed in this case. In a case of this kind, the court, the bar, and the public, the most that could be made out of the question, and we think they ought to cherish no resentment against their failure. The speakers for the defense were Messrs. D. S. Dancy, J. Mills Campbell, W. H. Bristow and R. V. Richardson, of Memphis, Tenn. Mr. T. Beall, a young lawyer who has manifested a great deal of industry and talent, would have spoken in the case, and Col. P. Morrah would have concluded on the part of the defense but for indications from the court that further argument was unnecessary. The counsel for the defense was fully prepared, their investigations were thorough, and all the points were discussed elaborately by them. The opening speech by Judge Jennings was worthy of his reputation as an able and distinguished lawyer, and was conclusive as to the points argued by him. The other counsel acquitted themselves with credit, and sustained their previous reputations. We cannot present when Mr. Richardson delivered his speech, but we have heard it spoken highly complimented by the most able members of the bar for its research and power of argument.

This decision, in the opinion of the bar, terminates the State suit. The able opinion of Judge Fraser is deemed conclusive on the points involved in the demurrer. The effect of this decision will be to give confidence abroad in the good faith of the State in affording proper protection to railroad companies.

The Proposed European Congress.

The Glasgow *Herald* has some pointed and forcible criticisms on the proposed Congress to regulate the affairs of Italy. The *Journal* says:

Who is to speak for Italy in this Congress? The combination of the principals seems so fatuous as the omission of Hamlet from the representation of the play of *Hamlet*. It will be well, indeed, if so absurd an arrangement have a merely rhetorical result, but the danger is that it will sting the Italians to the quick, and precipitate one of the most frightful revolts which have ever deluged with blood the soil of the Peninsula. After being accustomed to Austrian rule, to take her seat among the European powers, it will be insulting to refuse her a place in a Congress assembled specially to consider and settle the question in which, of all others, she is most personally interested. As for the bases on which the proposed Congress will deliberate, but very little is yet known. We should suppose, however, that the Emperor Francis Joseph has sent very fair promises by the mouth of Lord Cowley, and that the Emperor Napoleon, nothing loth, is ready to make a bargain for the peace, and good of Europe, desire the opportunity of obtaining certain advantages favorable enough to justify a congenial deliberation. The Emperor, on the whole, has made better bargains than could have been anticipated a few days ago. If there be war, he will show that it is for the Italian and not for his own ends. If there be peace, he will make Europe sensible that it is to his moderation it owes the inestimable blessing. The public may be congratulated on the better prospects of peace now opened up, but the fact that Sardinia is not a party to the Congress, is a serious drawback, for if the Italians are bent on striking another blow for liberty and independence, and feel strong and justified by the submission of the fate of Italy to a Congress in which there is not a single Italian representative, all the powers of Europe will not be able to hold them down.

A Glance at Europe.

Since the last issue of the *Sunday Delta*, it described itself to the world as the Journal of the Affairs, which seemed then rapidly tending to war. Sardinia and Austria are still menacing each other. The withdrawal of the French and Austrian forces from the Papal dominions, leaves Italy an open and fruitful field for insurrection and revolution. The circulars of Austria and Prussia, and the mutual-aid of the minor States of the Germanic Confederation, all in favor of maintaining the treaties of 1815 and 1822 and the existing order of things in Europe, have the effect of arresting the policy of the French Emperor and his Sardinian ally. But they are likely to produce only a temporary pause; a halt, not a retreat, a respite, not a settlement of the question in dispute.

It is pretty plain that, in the Germanic manifesto, there is more display of dynastic spirit than popular sympathy. The document in words deprecates what it calls the "Italian plan," as one which threatens the stability of the old thrones and order of things in Europe, but says nothing of the endangered rights of the people in Germany, or of the crushed liberties of the people of Italy. It may therefore be regarded as little more than dynastic proclamation.

Russia, it is pretty certain, will not actively enlist against France, but remain to the latter either open or silent sympathy, while French policy may directly or indirectly lend to reduce England to a secondary position as a western power, and destroy her maritime supremacy. In other words, Russia is willing to take the east and give France the West.

The policy of England, as always, is to save herself by dividing Europe. She is willing to encourage republican movements on the continent, and Italian dreams of nationality, so long as they may serve to preoccupy the great powers with affairs at home, and leave her free to pursue her own ambitious projects—but no longer. So, if war be at hand, England, for no matter where it may begin, it will assuredly extend to England, as one of the chief parties, before it shall be concluded; and the rulers of England will be to manifest no less zeal than the states-men of Europe, according to her traditionary policy.—*N. O. Delta.*

A New Bank Lock, Without any Key or Key-Hole.

We have been shown to-day an invention in which the principal of arithmetical combinations is carried out and applied to a new and with surprising results. This is a bank lock which absolutely defies the skill of Hobbs.

It works in this wise. Around the door knob of the bank is a small revolving index, on which are numbers from 1 to 100. You lock the door and then set the index to any number you please (say 27) by turning to the right. You then set it to a second number (say 95) by turning it to the left, and then a third number (say 18) by turning it to the right again. You then give a twirl, and go off and leave it.

In the middle of the night, up comes a burglar with his dark lantern and skeleton keys. He examines the lock. No use for skeleton keys, for there is no keyhole to put them in. No use for gunpowder, for there is no place to pour it. There is a round brass knob with figures round it. That is all. Clearly the only way to get in, is to turn the knob to the right number.

He begins to try. He turns it to every number on the index, from 1 to 100, trying the door each time. No go. He turns it back to every number from 100 to 1. Still, no go. When he reaches the right number, there is no click, no any other intimation that he has reached it, and he is as likely to go past it as to stop. Genuine, even that, he could only stumble on the first number, he must lose it in trying to find the second and third. He has to find the three right numbers, and find them in the same order that you set them, and keep each when found—in other words, he must find the right one out of over a million combinations of figures! If the night was as long as Methuselah's life, the morning would find him at his unavailing work.

At 9 o'clock you come along, turn the candle to the right number, in succession, open the bank, with perfect ease, and attend to business.

It is no use to knock down the cashier on his way home at night, in order to rob him of the key. He has no key. The key, such as it is, is left in the door. All the cashier has, is the memory of certain figures in his head, where they could be got only by torture.

Neither does its excellence depend on complex and secret mechanism. It is very simple. Anybody can understand it, and the more thoroughly he understands it, the more completely he comprehends the impossibility of unlocking it.—*Sunny Journal, March 22.*

A Young Man with Three Wives.—His Attempt to Marry Another.

James R. Moulton, who was brought to this city yesterday from Little Falls on a requisition of the Governor of Massachusetts, is a young traveling boot and shoe maker, about twenty-three years of age, of prepossessing appearance, wearing a black moustache and whiskers, and genteely dressed. He is a down easter, emigrating from Maine, where he left his first wife and two children at a place called Bethel. His second wife, whom he has been traced to Worcester, Massachusetts, where he won the affections of a handsome young lady, and married her. With her he lived a few months, and suddenly left the place upon the eve of her confinement. Being in straightened circumstances, her friends provided for her until several weeks after the birth of her child, when she was compelled to go to the alms house, and is now living upon the charity of the town. His third victim was a young lady of eighteen summers, the daughter of Moses Stiles, of North Adams, Massachusetts. This was a clandestine marriage against the express wishes of her parents, who only demanded of their daughter to ascertain who the young man was, and what had been his previous course of life. She, however, disobeyed their wishes, and footsteps of her parents, which she now has abundant reasons for regretting. On Sunday, the first of March, while her parents were in church, she eloped with Moulton, reached the Vermont line, and they were married. They returned home the same evening and were received with open arms at her father's house.

The next day her father and mother was heard of Moulton and marriage fortnight after, when he was traced to Troy, where he had won the affections of another young lady and was engaged to be married. The day previous to the use fixed upon for the wedding, he received information that a requisition had been obtained and that an officer was in search of him. The officer reached Troy on the morning of the day fixed upon for his marriage. The boy designated for the marriage arrived, but Moulton was not to be found. The would-be bride waited anxiously and patiently for three long hours for Moulton to come, (and so did the officer,) but both were disappointed, for he was too shrewd to be caught. He is next traced to a house in Lydius street in this city, from which he escaped while the officer was in it, and was not discovered until he left his place. Sheriff Conkling mistaking his man.

Whither he went no one has known, but after nearly a fortnight has elapsed we find him doing what hundreds more like him have done, writing letters.

Morgan Stiles, the father of Moulton's last wife, was in the city when he had escaped from the house in Lydius street. He then took the advice of Police Constable John Maloy, went home to North Adams, and kept watch and the post office of all letters directed to his daughter. On Tuesday last he had the satisfaction of obtaining a letter for her from Moulton, who had arrived at home the day of Warren Black. It was post mistaked Little Falls, New York.

In this letter he gives a glowing description of the scenes through which he escaped from the officers in the city, and boastingly tells her that he is too cunning to be caught by that class of people. He tells her that he has obtained a good situation and constant employment, and that he had engaged board for her in a private boarding house kept by Mrs. Hatter, in Washington street, opposite the Museum, and requests the pledge of her troth in a breakfast to come speedily to him with the knowledge of her parents.

At a late hour on Wednesday night a letter was received in this city from Maloy, stating that Moulton could be found and the same had returned. That night officer Marshal Deputy Sheriff Conkling took the cars, and before daylight was at Mrs. Hatter's house, where he had intelligence of his boy. Immediately upon their arrival they obtained the services of a female friend of the family, who was directed to go to Mrs. Hatter's house, rap at Mrs. H.'s bedroom window, and tell her to call Warren Black, and she to tell him that his wife was waiting to see him at the hotel. In less than ten minutes after the porter had returned to the hotel, Moulton came along. He might was very dark, so that it was almost impossible to see an object three feet off. As he ascended the stoop of the hotel, the light from the house shone upon his face, when officer Maloy sprang from his hiding place and grasped him, saying, "Moulton, you are not too smart for me this time." This sudden and unexpected check upon his wild career of crime, for a time, completely unnerved him that he speedily became responding, when he acknowledged his guilt and revived to throw himself upon the mercy of the authorities. He was taken back to Massachusetts, where he will be called upon to answer to two charges—adultery and bigamy.—*Albany Journal.*

Ingenuity of Love.

It was the fate of the father of Lamartine, the living French poet and orator, to be mixed up in the first French revolution. During that stormy period, he was in great jeopardy of his companions, were immured in prisons in Macon. He was not long there, before his wife and her child took lodgings opposite the window of the prison, and by signals, made to see effectual my little hands toward the bars of his prison, then pressing my forehead to her breast, she communicated to me with kisses, in sight of the prisoner, and seemed to call him mentally all the caresses which she lavished on me."

At last she hit on the happy expedient of conveying him letters in the following manner: She procured a bow and some arrows, and taught my little boy to shoot, with these arrows, to which was attached the other end of the thread, into the window of the prisoner's cell. In this way, she sent him pens, ink and paper. The letters of the wife were made so small, and so close letters to her. Thus the separated husband and wife were enabled to correspond, to discuss and to concert their measures for the safety of their offspring. The child doubtless at night time, when the scrutinizing eyes of the sentinels remained in happy ignorance of the mischief of their charge, the child, I say, being inspired courage, the lady, with the assistance of the arrow and thread, afterward conveyed a rope to the prisoner, with which he effectually fled through one of the bars of his prison, and then restored it to the place. On the next evening, when there was no moonlight, a coach and four was drawn up close to the one end to a beam in the garret of the lady, and the other end to the bars of the cell; thus, commanding all the hurdles, the prisoner glided along the rope, above the heads of the sentinels; he crossed the street, and found himself in the arms of his wife and the cradle of his child. Such an adventure required the hero's courage and philosopher's cautious, none but those who were personally concerned in it can ever imagine the feelings that must have agitated their hearts! From time to time, when the night was dark, the knotted word would glide from window to window, and the prisoner would pass from knot to knot, and enjoy delightful hours of converse with her whom he loved best on earth.

Useful Recipes.

Eyesplas, a cheese often coming, without removing, and another detailing their use for days, is sometimes promptly cured by applying a poultice of raw cranberries, pounded, to the part over night.

Insect bites, and even those of a rattlesnake, have passed replies, by stirring some yolk of an egg into the yolk of a good egg to make it sufficiently stiff for a plaster, to be kept on the bitten part.

Cayenne bowels have an agreeable remedy in the free use of tomatoes at meals—their seed acting the same way as the seed of white mustard or flys, by stimulating the coats of the bowels, and expelling the worms in their whole site, in increased action. A remedy of equal efficacy, in the same direction, is cracked wheat, that is, cooking the whole wheat grains broken into two or three pieces, and then boiled until it is soft as rice, and then eaten mainly at two meals of the day, without butter or pepper.

Common sore elder, boiled down to one half, makes a most excellent syrup for coughs and colds for children, is pleasant to the taste, and will keep throughout the year in a cool cellar.

In recovering from an illness, the system has a craving for some pleasant acid drink. This should be made of the juice of the ripe fruit, soon as made, and allowed to come to a boil, then cooled, put in casks, and kept in a cool place. Treated thus, it remains for many months a good and healthy drink.

We once saved the life of an infant that had been inadvertently drugged with laudanum, and was fast sinking into the sleep that knows no waking, by giving it a strong coffee, cleared with the white of an egg, a teaspoonful every five minutes, until it ceased to seem drowsy.—*Hall's Journal of Health.*

☞ During the Revolutionary war, when drafts were made from the militia to recruit the continental army, a certain captain gave liberty to the men who were drafted from his company, to make their objections, if they had any, against going into service. Accordingly, one of them, who had an impediment in his speech, came forward and made his how.

"What is your name, my man?" said the captain.

"I ca-ca-ca-ca," said the man, "because I st-st-st-stutter."

"Stuffer!" said the captain, "you don't go to the army, that's right."

"Ay, but they'll p-p-put me off g-g-g-guard, and a man may go ha-ha-half a mile before they can stop-stop-stop him there!"

"Oh, that is no objection," replied the Captain, "for they will place some other sentry with you; he can challenge, and you can fire."

"Well, b-b-but I may be ta-ta-taken and run through the b-b-body, before I can cry qu-qu-quarter!"

This last argument prevailed; and the Captain laughing heartily dismissed him.

☞ The following is related of Frederick the Great, and a sentinel, on a very cold, windy night: "Why don't you smoke?" the king, in disguise, says. "I against orders—mum's the word." "Oh, if you may; I give you leave." "Can't, I tell it, I mustn't." "Tell you, I say, that I will bear you harmless; I am the King." "The king be d—d," he says; "what would my captain say?" Moral—Always obey your immediate superior.

A Modern William Tell.

We had the pleasure of witnessing a portion of the extraordinary performances described in the following article from the Philg, and we can truly say that we had no conception of such splendid shooting. A visit to Captain Travis' gallery is very interesting.

"GREAT SHOOTING.—Captain Travis is, undoubtedly, the best shot in America. Certain it is, we have never heard of his superior. He made a trial of his skill yesterday, at his gallery, (corner of Main and Fourteenth streets,) in the presence of a number of witnesses, and the results were as follows (distance of each shot about fourteen paces): With goldbeater's skin at the figure, hit the bell eleven times in twelve shots; with the pistol inverted, hit the bell eight times in ten shots; discharging the pistol between his knees, hit the bell four times in five shots. The eight figures marked on the board were then struck successively, at the random call of one of the spectators. Captain Travis' servant then took his position near the figure, and held a percussion cap box, of the diameter of half a dollar, between his thumb and forefinger. The Captain then delivered the shot at this object, and sent a bullet through it midway between the center and circumference. He closed the exhibition with a performance which he (Mr. Lacy) a half dime placed between his feet, with only the width of the coin separating them. This shot was also successful, the coin being struck without injuring the feet.—*Philadelphia Ledger.*

☞ AN AMERICAN NAVAL CAPTAIN.—Captain Hudson, of the *Niagara*, was once, says the Jamaica (Long Island) *Farmer*, a baker boy in Brooklyn. One day he chanced to be in the navy yard at Brooklyn, and the thought struck him that he would like to enter the navy. So, going to the proper officer, he applied for admission. The novelty of seeing a lad alone, boldly asking for a place so often secured by political preferences, or by the entreaties of influential friends, attracted at once the attention of the officer, and he inquired, "What can you do?" The reply was prompt and decisive: "Anything that another boy can." He was held to call again, and a few days passed, and the place was given to the enterprising lad. Scarcely in his position, he began to show marks of genius and aptitude which cut did his associates, and step by step the baker's boy rose to influence and rank, and to day he stands among the highest in rank and most influential in power of the great men who compose the United States navy. Such, in brief, is the career of William N. Hudson, commander of the United States steamer Niagara.

ANCIENT CUSTOM.—We were shown yesterday, says the Portsmouth *Transcript*, a gold coin, of very ancient appearance, some sixteen or eighteen dollars in value, which was recently plowed up in a field on Tar river, in Nash county, N. C., by a negro boy, who, of course, supposed it to be nothing more than an old brass button. The place where it was found is said to have been a battle field in the revolutionary war.

☞ "You look," said an Irishman pale, haggard emaciated, "as if you had got all your grace to light your cigar, and couldn't find your way back again."

W. T. PLUMMER. J. W. ELDRIDGE. WM. C. ANDERSON
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