MEMPHIS APPEAL.

SATURDAY, : : : : MARCH 3, 1866.

Office—No. 13 Madison Street.

LOCAL MATTERS.

ARREST BY THE POLICE.—Five colored persons were arrested, yesterday, for various thefts, and three white men for drunkenness and disorderly behavior.

POSTAL CURRENCY.—The Tennessee National Bank yesterday received $2,000 in this kind of paper, which will relieve us of a great deal of the counterfeit shinplasters now in circulation.

LIGHTNING.—A new telegraph line is being constructed along the Mississippi and Tennessee Railroad, from this city to Grenada—the present one being insufficient for the increasing business. This will be used as a local line.

PERSONAL.—Our old friend and occasional correspondent, Dr. W. B. Harrison, returned to the city after an absence of three weeks, bringing with him one of Alabama's fairest daughters, as a reward for his services during the war.

FIGHT ON REAL ESTATE.—Two belligerent individuals had a "set to" with fists yesterday morning, and one of them speedily came to grief by measuring his length on his mother earth; but we did not learn that either party was seriously "punished."

DIRTY ALLEY.—We desire to call the attention of the proper authorities to the offensively filthy condition of a certain alley running to Third street near the post-office. It is a nuisance to all passing by, and should be purified without delay.

MASKED CONCERT.—It is whispered around that a masked concert will soon be given in the city for the benefit of the House for the Homeless, in which the performers will be closely masked, and no one, even reporters, are ever to know who they were.

TELEGRAMS.—The following dispatches remain uncalled for at the telegraph office: R. Gore, A. M. Lewis, J. A. Molley, J. Scott, Orlit Rather, R. S. Bowles, B. H. Chase, A. H. Miller, Miss Addie Wilson, John Crittleton, S. A. McGinnis, Blair & Jefferson, John Bradley, Henry Thompson.

FUNERAL OF POLICEMAN WILLIAM MOORE.—A large number of the city force, accompanied by a fine brass band, attended the funeral of Policeman William Moore, who was shot by a negro some days since. This has petrified another victim of the lawless freedmen who infest some portions of this city like a plague.

A PAINFUL CATASTROPHE.—A child, aged five years, that has been missing four or five days, was found in the water in front of Gale's Block yesterday. With Mrs. Taylor, the bereaved mother, we deeply sympathize. "For the living let tears be shed." An inquest was held by Squire Creighton, and a verdict rendered—"That the child came to its death by falling into a privy in the living Block."

MUSIC IN THE FAMILY CIRCLE.—There is no more refining influence in the domestic circle than the cultivation of music, and nothing more effective in improving the taste and refining of low tastes or vicious habits than the development of any talent—a child of either sex may exhibit for the most charming of accomplishments. Many a lad, possessed of exhilarant animal spirits, and with a ear for, and love of harmonious sounds, would have escaped many errors, and perhaps moral ruin, by a little timely encouragement to application in the acquirement of a musical education; and certainly no disposition was ever rendered worse by its influence. In Italy and Germany, where music is most generally appreciated and universally taught to youth, rarely immorality is known among the masses, and they are both lovers of, and proficient in the art, have been had more or possessed selfish or unfeeling hearts.

THE NEGRO AGAIN.—On last Thursday evening a negro woman, laboring under great mental excitement, and accompanied by a policeman and several negro women, entered the house of Mr. George R. Rutter, the President of the Tennessee National Bank, and demanded of the aged mother of Mr Rutter a child whom she said had been stolen by a girl named Lucy, and secreted in the house. Mrs. Rutter told the woman that there was no such person in the house, and there had been no child of that description there, which enraged the negress, who used the most insulting epithets until stopped by the policeman, who, satisfied that there was some mistake in the matter, then left—she still raving and threatening to bring a negro guard and "clean out" the house. Yesterday morning she returned with a squad of negro soldiers, commanded by a sergeant, who, together with the negress, used very abusive and insulting language to the ladies of the home, (Mr. Rutter being again absent,) and then proceeded to search the house from the cellar to the garret—even breaking open a wardrobe to look for the child; and not finding it, they left. Mr. Rutter, upon hearing of the outrage, proceeded at once to the Bureau, where he was confronted by the negro woman, who abused him in the same manner, and produced a paper which she said she had found at his house, where the "white people had whipped the blood out of it." The officers at the Bureau, as we are informed, had no alternative but to order an arrest, and last night he received a note from Gen. Rankin, stating that the sergeant had been arrested and would be court-martialed. Mr. Rutter states positively that no such child of the description was ever in his house, and he is very similar case to that where in Mr Warr was arrested at the instance of another negress, who swore to seeing the dead body of a negro that never had an existence.

ELECTION FOR COUNTY JUDGE.

Eds. Appeal: The Code, section 3[illegible], creates the office, and provides that the term shall be eight years from the date of commission.

Section 824 provides that the election shall be held exactly as for other county officers, every eight years from the first Saturday in March, 1858, except for vacancies.

The two sections must be construed together, so that both shall remain in force, if possible.

One provides that the term shall be "*eight years* from date of commission;" the other that there shall be an election "*every eight years*" from the first Saturday in March, 1858, (except for vacancies.

A vacancy occurring by death or removal, they may resign; how shall these provisions be reconciled?

The answer is, that section 3[illegible] defines the term of the person elected at the *periodical* election. It has no reference to vacancies. Vacancies are provided for in section 824.

Section 824 peremptorily requires a *periodical* election, every eight years.

Hence, the person elected to fill a vacancy, holds the office for the unexpired term only. His term ceases when the term of the regular *periodical* election. That date is a bar to his further continuance in office, except until his regularly elected successor is qualified. And whether or not any person be appointed or elected to fill a vacancy, the election must be held every eight years from the date fixed by section 824.

This construction reconciles the two sections of the Code on which the whole question turns. The opposite construction annuls section 824. Therefore, under the well settled rule that all the provisions of a statute must be upheld and enforced, if possible, under a reasonable construction, as these two sections can be considered as parts of the same statute, which no lawyer will deny, the conclusion is irresistible that the election for County Judge ought to be held on the first Saturday of March, 1866.

MEMPHIS, March 2, 1866. X.

SPECIAL NOTICES.

Memphis Typographical Union, No. 11, Attention!—A special meeting of Memphis U. T. U. No. 11, will be held at 7 o'clock, at this office, for the purpose of attending the funeral obsequies of our late brother, Mr. Patrick Lilly. The funeral procession will move from the late residence of the deceased, on Jones' Avenue, at 10 o'clock. Members are requested to be punctual.

By order of the President.

WILLIAM MULLINS, Rec. Sec'y.

Withdrawal.—*Mr. Editor:* I hereby withdraw from the contest for the County Court Clerkship.

I do not to relieve the embarrassment of many of my supporters, who are also friends of several of my competitors, as well as because there is in this race, no den. One once said: "so much noise and confusion"—and uncertainty.

To my friends, scattered thickly over the city and some in the country, I tender my most hearty thanks for the cordial and outspoken support they were giving me.

T. D. ELDRIDGE.

Best Coal Oil, at one dollar per gallon, No. 40 Jefferson street.

Sunshine.—A sample of wine called "sunshine," the pure juice of an American grape, was sent us yesterday by Messrs. Anderson & Gay. It has a mild flavor, and its quality is pronounced excellent by good judges.

One Dollar per gallon for pure coal oil, at Prescott's.

Englishman.—A meeting of Englishmen will be held on Saturday evening at 5 o'clock over Bazaar Saloon, corner Third and Monroe streets, for the purpose of organizing a St. George's Benevolent Society. All Englishmen are invited.

Coal Oil Lamps, cheap, at Prescott's, No. 40 Jefferson street.

Call at Bull, Jackson & Co.'s, 276 Front street, and get Lady Hessington's Celebrated Ointment for removing all freckles, pimples and moths, recent impressions of small pox, etc.

Cotton Planters! Cotton Planters!—Go Richmond, 300 Jefferson street, near the bayou bridge, is manufacturing the best and cheapest cotton planter now in use. Orders can be left at McCombs & Co., 324 Main street, where a sample of the planters can be seen. [mar2-1w

Lamp Chimneys, at Prescott's.

Wildebrand.—Returning my most grateful acknowledgements to my many friends, for their proffered support for the office of County Court Clerk, I respectfully decline the contest, and therefore withdraw my name from the canvass. JAMES W. KING.

March 1, 1866.

Palm Soap, at Prescott's, No. 40 Jefferson street.

Notice.—The Saturday morning, at 9 o'clock, precisely, all the candidates for office on the 5th of March, 1866, will please meet at the office of E. J. Comer, on business of importance will be brought before them.

By order of the Committee.

XX German Soap, wholesale and retail, at Prescott's.

Tooth Like Pearls.—Secured by the use of Caswell, Mack & Co.'s "Infinite" Tooth Powder. It is absolutely free from all substances injurious to the teeth, and is used by the best dentists. CASWELL, MACK & CO.,

Sole manufacturers, New York.

For sale in Memphis, wholesale and retail by G. W. JONES & CO.,

mar1-to1day 22 Main street.

Mr. Williamson, on Beale street, has some particularly fine fresh salmon, trout and oysters. Mr. Williamson attends lady customers, and is very courteous and obliging to all who visit the store.

For Constable.—Mr. John W. Hinsbee is a candidate for Constable in the Fourteenth Civil District, and has a fine prospect for being elected to-day. He is well known as a prompt and energetic business man, and an excellent officer, always ready and willing to oblige a friend, yet ever keeping an eye to business.

City Stock Sale.—Desmukes & Kellogg will sell a large number of Mules, Horses and Mares, this morning at 10 o'clock at the City Stables, No. 61 Monroe street, between Second and Third streets. FRANK HYDE,

Auctioneer.

Stock That Must Be Sold To-day.—At Lutz, Windle & Co.'s, 41 and 43 Court street, horses, mares, mules, and plough gear, wagons, etc., etc. All stock must be as represented, or no sale. J. V. GILBERT,

Auctioneer.

Tinware, in great variety, at Prescott's, cheap.

Chancery Sale To-day AT 11 O'CLOCK PRECISELY, AT THE COURT-HOUSE DOOR.—T. C. Bettis *vs.* Fraser Tilson; in this cause a tract of land, nine miles from Memphis and one mile from Union depot, on the Memphis and Ohio railroad, will be sold in parcels of twenty to thirty acres. A. MANN *vs.* A. H. Douglass, a fine tract of land of one thousand and twelve acres, Ben May *vs.* W. L. Simmons; five acres, three miles from Memphis, in Cary's subdivision on the Memphis and Charleston railroad. Planters' Bank *vs.* R. Merrill; a lot on Tennessee street, lot No. 3 in block No. 1. John O. Greenlaw, *et al.* *vs.* Vandiveer; lot No. 298 in North Memphis, on Sixth street and Raleigh road. J. M. Alexander *vs.* A. G. Bragg; large tract of land in Lauderdale county, Tennessee, near Fulton. John D. Fennell *vs.* A. J. Montgomery and others; a fine residence and ten acres of land in the Female Institute College; this land has been divided up into lots, and will be sold accordingly. J. D. Williams *vs.* Valentine Werner; also, Mrs. Porter and others *vs.* Valentine Werner; two lots at the intersection of Causey and Adams streets. All sold to the highest bidder by the Clerk and Master.

MEMPHIS, TENN., March 1, 1866.

Communicated.—*Editors Appeal:* We, the undersigned, feel ourselves obliged to express our thanks in public to Mr. H. T. Tomlinson, Insurance Agent at Memphis, for the prompt assistance, to every round, which he has rendered to those parties which had lost their homes, property and losses through the occurrence of the fire on the night of the sixth and seventh of February. We herewith express our reputation our thanks, to the above named gentleman, as their cannot be found many insurance agents which settle losses of such kind with such promptness and rapidity as he has done in this case, and we hope that the dating full justice to the contagious with which he is connected.

FRANK LEVY,
MRS. C. TANNER,
ELCHENTHAL & FRIEND,
MRS. ANNA GERSCHENG,
S. BAKER,
J. C. WARD,
HESSING & MCELHINNEY.

Spring Goods—An immense stock just received at Mack, Bros. & Holmes', No. 261 Main street. mr2-2t

Spring styles of Gents' Silk, Cassimere and soft Hats, will be ready at Wheaton & Co's, 199 Main street, Saturday March 3d. mar1 3t

Go to the Bazaar Saloon, corner Third and Monroe streets: genuine wines, liquors and cigars; choice lunch every morning and night at 10 o'clock. mr2-3t

The new Spring Styles of Dress Silk and Cassimere Hats, which are introduced at the Memphis Hat Company, are beautiful and graceful. mr2-4t

Jewelry and Watchmaking.—R. Bertsch, No. 56 Adams street, north side, between Second and Third, adds from artistic repairs to watches and jewelry, has on hand jewelry and swing machines of the very finest qualities.

Wanted.—
$25,000 Union Bank Tennessee.
$25,000 Planters' Bank Tennessee.
$50,000 Bank of Tennessee (old issue, at Ogden, Tobey & Co., Bankers, No. 8 Jefferson street. mar1-ecoltf.

Buggies for Sale.—A variety of styles at top and no top buggies, single and double; also warranted mules. Apply at Carle, Allison & Co., on Jefferson street. Apply also to Joe T. Shirley & Co., 256 Front street. mr2-eoltw

Merchants of the city and country would do well to call and examine our large stock of Hats and Caps at wholesale at still lower prices at the Memphis Hat Company. mr2-3t

Pianos for Rent.—F. Katzenbach, 327 Main street, has several second-hand pianos for rent, also a round-hearse number of new, second-hand, in fair condition to responsible parties. Call at once. mr2-2t

To the Voters of Shelby County.—I feel grateful to the many warm friends who have pledged me their support in the coming election, but for satisfactory reasons I have determined the contest, and am no longer a candidate for the office of County Court Clerk.

feb28-at J. WEAVER.

One jobbing stock of Hats and Caps, are now ready. Country orders solicited. Wheaton & Co., 199 Main street. mar1-1w

RIVER MATTERS.

Weather and Business.

The weather yesterday was again cloudy and indicative of rain, but still very pleasant, and the prospects are that it will not come this time.

Business was quite dull upon the levee, and the outward bound boats all left with only fair trips.

The river is still rising at this point, but not as fast as heretofore.

The Arkansas and White rivers are both rising and in fine boating order.

Arrivals.

Steamer Sunflower, from Arkansas river.
" Albert Pearce, from White river.
" Dove Lodge, from Arkansas river.
" Iron City, from St. Louis.
" Cincinnati, from White river.
" Clara Dean, from St. Louis.
" Belle St. Louis, from St. Louis.

Departures.

Steamer City of Chester, for St. Louis.
" St. Patrick, for Louisville.
" Albert Pearce, for St. Louis.
" Dove Lodge, for St. Louis.
" M. Hamilton, for St. Francis river.
" Dubosa, for Arkansas river.
" Starlight, for Cincinnati.
" Iron City, for Arkansas river.
" Clara Dean, for New Orleans.
" Big Horn, for Arkansas river.

Boats in Port.

Celeste, Clifton, Osage,
Harry Dean, Northwest, Belle St. Louis.

Miscellaneous.

The big Nellie sprung a leak the wet dock to have her "tinkered" taken out.

The Starlight from Little Rock for Cincinnati, with some negro troops on board, passed up yesterday morning.

We are pleased to learn that our old favorite, the Liberty No. 2, is about ready to enter the trade again, and will probably leave Louisville on Tuesday next. Come on Capt. Sam and Capt. Ed, a welcome awaits you.

The Albert Pearce, from White river, and loaded for St. Louis, passed up with a light trip yesterday. She had on board one company of the 8th Iowa Cavalry.

The Deer Lodge passed up for St. Louis also, nearly empty.

Capt. E. A. Levy, of the firm of Levy & Miller, returned home on the Albert Pearce yesterday. When he reached Little Rock, he demanded a trial in preference to giving a bond for his appearance in April, and was honorably acquitted. John Neal, the chief Engineer of the Mazeppa, was released on a bond of $5,000 for his appearance in April.

The gay and native Belle St. Louis, will be the regular St. Louis packet this evening.

The Harry Dean goes out for Little Rock this evening. She is reliable and well officered.

The Mollie Hamilton left for St. Francis river last night with a good trip.

The City of Cairo went out light, last night, for St. Louis.

The Iron City passed down last night with a fine trip. Andy Gillmore, her clever clerk, has our thanks for St. Louis papers of Thursday.

The Clifton is posted for Cincinnati this evening.

The great Continental will be in this morning and leave for New Orleans at 9 o'clock to-day. Capt. Fowler, her commander, is a clever gentleman and accomplished officer, and his craft is not of the "tubular" kind.

The Pauline Carroll will be up this morning and leave for St. Louis at 10 o'clock a.m.

The good-looking Arkansas passed up from White river last night, with a fair trip, including 25 bales of cotton.

The Natoma went out last evening for Cincinnati, with a light trip.

We have received cards from Johnson & Wright, lying at the foot of Jefferson street, is now completed, and is certainly one of the best arranged we ever saw, and is of great advantage to our landing, from the fact, that from its length and location it gives a good landing to boats, on a space never used for that purpose before, and in addition to this, this boat is free to all shippers, and is open day and night, for the reception of freights and the signing of bills of lading for points north, south, east and west. We doff our beaver to the "Stonewall"—as we learn she is to be named.

The Nightingale has been sold at Cincinnati, for $26,000.

The Alabama, a twin sister to the Louisiana, will be completed and ready for business in the course of two weeks at Cincinnati.

The Platte Valley will leave for Vicksburg this evening at 4 o'clock punctually. She is an elegant craft.

The Belle St. Louis will be at the wharf this morning, and is the regular St. Louis packet this evening.

We are indebted to James Speed, clerk of the Belle St. Louis, for late St. Louis and Cairo papers.

Capt. O'Hart's flagship, the St. Paddy, went up last night with a fair trip of freight and passengers.

The Clara Dean passed down last night with her guests in the water, and full of people.

Gleanings From Our Exchanges.

We are soon to have a bridge over the Mississippi at this point. It will be a high, solid, unobstructing structure, and so grand as to be admired by all the world. It will have several spans, including two of 450 feet each, between abutments, or one of six hundred feet. The lowest part of either of the spans over the steamboat channel, will not be less than fifty feet above extreme high water mark. No span over the water at low water mark will be less than 200 feet in the clear of abutments. No draw is wanted in a bridge here, nor is a suspension bridge wanted.

Capt. A. J. Carter of the Mollie Able, wants it to be understood that his steamer did not back down against the City of Alton a few days ago, as was reported, but that the City of Alton ran against the stern of the Mollie. The attempt at explanation, he adds, caused the loss of the Alton's jackstaff.—*St. Louis Republican.*

Mike Lipman has purchased the Marietta for the show business. Terms, private. The Marietta resigned her Paducah berth to the Nightingale, and Nashville freight on the Emma Floyd.

It is probably conceded that the Madison, recently sunk on the rocks at the head of the canal, cannot be raised. Ten thousand dollars have already been expended in trying to raise the boat and in recovering the cargo.—*Cin. Gaz.*

The Rivers Above.

ST. LOUIS.—The weather yesterday was pleasant.

Business on the wharf was better—plenty of freight and good prices.

At this point the Mississippi is on a stand, with plenty of water in the channel.

We have no news from points on the Upper Mississippi other than Quincy, where the ferry boats are making regular trips. Several boats are tied up at that point waiting the opening of navigation.

The Missouri is reported rising at Leavenworth.

The Illinois is open to Peoria, with a fleet in the channel.

The Ohio at Louisville is still rising, with 12 feet in the canals and 8 feet on the falls.

The Cumberland is still on the rise, with an abundance of water on the shoals.

Dispatches from the Tennessee river announce plenty of water.—*St. Louis Republican, 1st.*

Boats Leaving Port.

FOR WHITE RIVER.—The fine and elegant steamer Osage, will leave for White river this day at 5 o'clock P. M. The Hesians comfort and safety of this crack packet is proverbial, and we hand nothing to recommending her to the traveling public, generally. Inf. T. Bourke & Co., No. 12 Jefferson street, and Leroy A. Miller, No. 3 Madison street, agents.

FOR CAIRO AND ST. LOUIS.—The splendid and swift passenger packet Belle St. Louis, leaves for the above and way points on this day at 5 o'clock P. M. Shippers having freight for above have a splendid opportunity by this boat and passengers will be sure to find themselves of a pleasant trip. For freight or passage apply to Capt. W. K. Dill, agent, at the Wharfboat, and W. C. Postal, Superintendent.

FOR PINE BLUFF AND LITTLE ROCK.—The elegant and fast passenger packet Harry Dean will depart for the above and way points the day at 5 o'clock P. M. We recommend this as a reliable and accommodating packet, worthy the patronage and favor of the public. Apply on board or to Wm. Blackburn, Jr., or to Tate, Able & Co., R. P. Walt & Co., and James T. Bourke & Co., agents.

FOR NEW ORLEANS.—The magnificent passenger steamer Continental, will clear for New Orleans on Saturday, March 3, this day, at 12 M. This elegant packet is now well and favorably known, and it is needless last to recommend her to the public. Capts. Lewis and Shock, agents, at the Company's wharf boat, foot of Monroe street.

FOR VICKSBURG AND NEW ORLEANS.—The famous Magnolia, one of the most elegant and popular steamers plying on the western waters, leaves for the above and intermediate points, this day, at 4 P. M. Under command of her clever and efficient officers, she is, in truth, "winning golden chaplets." For freight or passage apply on board, or to James T. Bourke & Co., 12 Jefferson street, agents.

FOR JACKSONPORT.—The gallant steamer Dey Ave, will leave for the above, touching at all way points, on Saturday, March 3, this, at 4 p.m. Entire satisfaction is guaranteed to all patrons. For particulars apply on board, or to Marshall "Michigan," or to Tate, Able & Co., R. P. Walt & Co., and Larry Harmstead, agents.

FOR CINCINNATI.—The Clifton, a magnificent passenger packet, swift and reliable, leaves the above port on Saturday, March 3, at 5 o'clock, and intermediate points. Passengers and shippers may depend on a speedy and pleasant passage. For freight or passage apply on board, No. 14 Jefferson street, and Enoch Taylor, 284 Front street, agents.

FOR VICKSBURG.—The popular and swift packet Platte Valley, will leave for above and intermediate points, this day, at 4 P. M. Her accommodations for passengers are assured comfort and safety, and shippers, the greatest dispatch. For freight or passage, apply on board, or to James T. Bourke & Co., 12 Jefferson street, agents.

FOR VICKSBURG, NATCHEZ AND NEW ORLEANS.—That brave and reliable passenger packet, Belle, will leave for the above and intermediate points, this day, at 4 P. M. Her accommodations are unsurpassed for speed and comfort, and shippers, the greatest dispatch. For freight or passage apply on board, or to James T. Bourke & Co., 12 Jefferson street, agents.

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