# THE MEMPHIS DAILY APPEAL.

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## EXECUTED.

Foster, the Car-Hook Murderer of New York, Hanged at the Tombs Yesterday.

The Law Satisfied—A Warning to Drunken Rowdies—Death to Murderers.

Sad and Sorrowful Incidents Attending the Event—The Prisoner Cool and Collected.

PARTING SCENES.

NEW YORK, March 21.—Yesterday, on receiving the intelligence that the effort for a stay of execution had proved in vain, Foster became very much dejected, hung his head on his breast, and desired that no one should speak to him except his wife. She had fainted on hearing that the last hope was gone. Upon recovering her senses she went up gently to Foster, and placing her hand in his, sat by him for hours. She spoke very little, being evidently unable to control her voice. Rev. Dr. Tyng spent upward of an hour with Foster last evening. The doomed man listened earnestly to the exhortations of his spiritual adviser. Foster was also visited by his brother-in-law and father, and Father Duranquet. He refused to undergo the ordeal of parting with his children, whom he has not seen since his arrest. About half-past eight o'clock last night the final parting between Foster and his wife took place, and both were deeply affected. He kissed her repeatedly, and she clung to him until overcome with devotion; when she fainted, and was carried out by her brother, and taken from the scene of her long devotion and suffering. Even the prison officials, accustomed to the scene of sorrow, were deeply moved.

PREPARATIONS FOR THE EXECUTION.

The apparatus devised for the execution of Foster consists of a straight iron beam, with pulley wheels, to which are attached a heavy weight. This weight is suspended about six feet from the ground, the object being in this way to break the neck of the culprit by the suddenness of the movement.

About six hundred persons have received permission to witness the execution. Applications for tickets of admission, however, reached nearly six thousand.

Some three hundred police are to be stationed about the Tombs to preserve order.

Nine murderers have been put to death on the gallows erected for Foster.

AT THE SCAFFOLD.

The execution of Foster took place at seventeen minutes past nine o'clock this morning, in the Tombs. There were hundreds awaiting outside of the Tombs this morning, hoping to be able to witness Foster's execution, but the crowds were kept back by the police, and not one in twenty of those outside were admitted. The prisoner was very faint in the morning. He partook of some hot coffee, but ate nothing. Rev. Drs. Tyng and Shoonmaker attended him. He engaged in devotional exercises until a few minutes before the execution. At nine o'clock he walked to the scaffold, accompanied by the sheriff. Here Dr. Tyng read a few psalms, after which the bolt was drawn. The unfortunate man gave only a slight struggle, and there were a few perceptible movements of the lower limbs, and the execution was over. Shortly after the body of Foster was taken down and removed.

INCIDENTS.

About three hundred spectators were present at Foster's execution. The doomed man seemed to have hope of a commutation up to the last moment. Nearly all the afternoon papers issued extras over the event.

ADDITIONAL PARTICULARS.

At twelve minutes past nine o'clock Foster left his cell and marched to the scaffold. As he entered the yard Foster gave a quick, startled glance around, but instantly recovered himself and walked with a tolerably firm step to the gallows. He was attended by Sheriff Brennan and Under-sheriff Stevens, and was closely followed by Rev. Mr. Schoonmaker, the former of whom prayed as he walked. On reaching the gallows Foster, of his own accord, placed himself beneath the noose. His face looked pale beneath the black cap, and grew paler every moment. As Dr. Tyng prayed he bowed his head and covered his face with his right hand. For six minutes Dr. Tyng continued his prayer, and it was evident that Foster was at the point of swooning. The sheriff quietly signaled Dr. Tyng to finish as quickly as possible, and advancing, shook Foster by the hand. Dr. Tyng then bade him farewell, and at eighteen minutes past nine o'clock this morning the signal was given and Foster was jerked violently into the air. Foster was a heavy man, and for once the neck was broken, and the spectators were spared the terrible spectacle of a man writhing in the throes of strangulation. The heart ceased to beat in rather less than twelve minutes from the time the weight fell, and in all probability Foster died without a pang.

This evening Foster's body was removed from the Tombs to the residence of his widow.

## TELEGRAMS.

William George, Turkish consul at Baltimore, died yesterday.

A violent snow-storm prevailed throughout New England Thursday night.

A Chicago medical college yesterday graduated thirty-nine medical students, among them eight ladies.

A Boston grand jury indicted John Savage, jr., late cashier of the Leshmere national bank, for embezzling fourteen thousand dollars of its funds.

Hezekiah Spencer, a prominent citizen of Hartford, Connecticut, and years ago a fur-trader on the northern frontier, died in that city yesterday, aged seventy-eight years.

William A. Glover was yesterday convicted in Boston of being accessory to the robbery of Boyle's bank, which occurred more than a year ago. His sentence has not been announced.

The steamship Celtic, which left London on the thirteenth instant, carried out Inspector Webb of the London police, who took extradition papers to secure the return of George McDonnell.

The bark Jens Lassen, from London for Philadelphia, went ashore at Indian river inlet, Thursday. The captain, wife and daughter, first and second mates and two seamen were drowned. The crew attempting to land on the northern point of the inlet.

The British steamship Mexican, from Jamaica on the twenty-eighth ultimo, via Vera Cruz for New Orleans, has not been heard from since she left Jamaica. Her agents think she was detained probably nine days off Vera Cruz by a norther, and may reach New Orleans by the twenty-fifth instant.

The steamship Merrimac, which arrived at New York from Brazil, Thursday, brought thirty-five Englishmen who were members of a party of three hundred who left England for that country in November last, under flattering promises from what pretended to be the Brazilian colonization society. The whole party suffered heavily, and many died of starvation. The rest were unable to leave for want of means.

The officers of the recently exploded Bull's Head bank of New York say they are unable to learn who mutilated the books or as to defaults. No official statement will now be made until the meeting of the stockholders is held, under the direction of the court, which will appoint an examiner. The bank was a favorite place of deposit for drovers and butchers. Many builders also kept accounts in it. These classes will be seriously incommoded. Several had given orders upon deposits in the bank, which they are now unable to meet.

## GENERAL NEWS.

Tennessee, Arkansas and Mississippi Legislatures—Yesterday's Labors.

No Investigation of the Tennessee Tippling Bill—Adjournment on Tuesday.

Another Dull Day at Little Rock—The General Election Bill Resurrected and Passed.

Our Special Correspondent gives his Views of Arkansas Legislative Matters.

Disgraceful Proceedings in the Arkansas House of Representatives.

The Mississippi Law-Makers Spend the Day Squabbling over Small Matters.

Summary of News from all Quarters of the Globe, from Telegraphic Reports.

MISSISSIPPI.

[Special to the Appeal.]

JACKSON, March 21.—The senate occupied the day squabbling over the bill relative to county boards of equalization.

The house was occupied on the school bill, which was lost, by 45 to 45. A substitute providing that the office of county superintendent be elective caused a lively debate.

The report of the subsidy committee was made the special order for Tuesday. The attorney-general was on the floor during the debate on the subject, calm and unruffled as eels in a frying-pan. The subject promises interesting reading matter, to be continued with the history of the State superintendent of education and his little speculation in maps. It is a matter of regret that these two worthies are not on good terms, as in this their dire need great consolation might be given each other.

TENNESSEE.

[Special to the Appeal.]

NASHVILLE, March 21.—The senate to-day rejected the joint resolution providing for the appointment of a committee to inquire into the constitutionality of the passage of the tippling bill as finally passed the house.

The following house bills are on third reading in the senate: To amend sections 4630 and 4680 of the revised code, rejected; to compel a settlement with county superintendents of instruction, failed; to sell the State's interest in the turnpike roads, passed; to improve public roads, rejected; to provide for the sale of lands sold for taxes due municipal corporations and purchased by said corporations.

The house concurred in the senate amendment to the house bill extending the charter of the bank of Memphis ten instead of fifty years.

House bills on third reading in the house: To entitle purchasers of real estate to ten per cent. for money paid for real estate sold for debt and subsequently redeemed by the original owner. Rejected.

At ten o'clock this morning the house took as special order the senate revenue bill to provide revenue and sustain the credit of the State.

Mr. McCampbell moved to take up section by section. Carried.

Mr. Bond moved to strike out all but the first and last sections of the amendment. Lost by 4 yeas to 26 nays.

Mr. Hughes moved to amend by substituting forty for fifty cents in the first section, exclusive of school-tax. Carried—yeas 38, nays 28.

The senate concurred in the house amendments to the senate bill for the benefit of the lunatic asylum.

The following are house bills on third reading in the senate: A bill to give two years more time for perfecting land titles; a bill to define the liabilities of municipal corporations was rejected; a bill prohibiting the sale of intoxicating liquors within four miles of a college or university was passed; a bill declaratory of the jurisdiction of county courts was passed; a bill to make uniform testimony in cases where the State is a party was rejected; a bill to repeal the act to protect and encourage manufactories was rejected; a bill to regulate assignments of homesteads and dowries in lands was passed; a bill to change the time of holding the chancery court in Tipton county was passed; to authorize the organization of corporations was amended and passed; to further prevent and punish dueling was rejected; to increase the jurisdiction of the county courts was passed; for the protection of cemeteries was passed; to vest the power to change county lines in the county courts was passed.

House bills passed on third reading in the senate: To amend section 3035 of the code; to punish any one maliciously killing or maiming the beast of another; to change the name of the Jackson insurance company to Jackson bank; for the benefit of Madison county agricultural society, passed. Mr. Patton gave notice that he would enter a protest against the passage of a bill to amend the charter of the Odd Fellows mutual aid association of the State of Tennessee; relative to the appointment of students to the agricultural college of East Tennessee, was amended so as to fix the number of students educated at the expense of the State at two hundred and seventy-five, to be appointed throughout the State according to population—three to each representative and two to each senator—and passed; to provide for the removal of county sites; to amend an act for the protection of farmers and stock-raisers was passed; to properly ventilate and heat the county jail was passed.

A message was received from Governor Brown, vetoing the act repealing a section of the act of June 9, 1865, and to repeal the act of March 7, 1867, to amend the charter of the Memphis and Charleston railroad, the grounds of such disapproval being that the bill embodies two distinct subjects, which is contrary to the constitution. The message of the governor was made the special order for ten o'clock the morrow morning.

The senate resolution to adjourn *sine die* on Thursday, the twenty-seventh, at twelve o'clock, was amended by the house by striking out Thursday, and inserting Tuesday, the twenty-fifth. The amendment was concurred in.

City News.

W. H. Wilkinson, a well known magistrate of Nashville district, died suddenly to-day of pneumonia, in his sixty-fourth year.

A meeting of colored people will be held to-morrow to express their indignation because Patrick Bell (white) was convicted in the criminal court and sent to the penitentiary for the alleged violation of the Tennessee law to prevent the intermarriage of white and colored people, it appearing that he was living here as the husband of a negro woman, to whom he was married in Mississippi.

ARKANSAS.

[Special to the Appeal.]

LITTLE ROCK, March 21.—The senate to-day was barren of interesting legislation.

Mr. Brown was added to the finance committee.

A bill was introduced defining the boundaries of Sarber and Franklin counties.

The house bill to protect tax-payers, and the bill regulating the duties of guardians, curators and wards, were referred.

A bill was passed regulating certain acts of probate clerks.

Adjourned until Monday.

To-day the house was engaged upon the two most important measures brought forward during the session.

Mr. Beasley called up the general election bill, that slept among unfinished business, without serious opposition. When it reached a final vote, it passed; forty-three for, and thirty-one against. The following Republicans voted for this measure: Corbell, Foster, Brown, Gossitt, Lee, Furbush, Murphy, J. M. Merritt, McGehee, McLeod, Strong and Warwick.

The house then went into committee of the whole, Mr. Latta in the chair, on Mr. Sumpter's penitentiary substitute bill. Never, perhaps, in the history of civilized legislation, has a legislative body been so indecorous, undignified and unparliamentary as the house was to-day pending the consideration of this bill.

Mr. Tankersly presented as a substitute a bill that had been partially considered by a committee of twelve, but which was prohibited being read. He finally succeeded, however, in having it read as a substitute for the first section of Mr. Sumpter's bill. Many were disposed to accept Mr. Tankersly's bill, which, amended and shorn of its bad features, is an excellent one.

During the discussion the bitterest personalities were indulged in. Amid this pandemonium of misrule the decisions of the chair were appealed from but never referred to the committee.

Mr. Millen heatedly pronounced the rulings of the chair infamous, and Latta, chairman, informed the house that he was responsible for his actions outside of the house, if necessary.

Mr. Erwin moved that the sergeant-at-arms be instructed to put them all in the city calaboose.

There was continuous disorder for four hours, when the committee rose.

Thereupon the house adjourned, and the bills will come up again to-morrow.

Hereafter, it is suggested, when the house goes into committee of the whole it will be made a means of revenue to the State, and an admission fee of one dollar charged. It is well worth the price.

To-night the city council refused to swear in W. J. Murphy, recently elected alderman, on the ground that he had a contract to furnish the city with gas, and was therefore ineligible. Ehman, the defeated candidate, was sworn in.

[Special Correspondence of the Appeal.]

LITTLE ROCK, March 20.—The general assembly of Arkansas is, very justly perhaps, condemned by the people. For nearly three months the people's money has been squandered in the vain effort to enact such laws as the local and general necessities of the State demanded. But one *good* law has been made, and that the passage of the constitutional amendment liberating the intelligence of the State from political proscription. The necessities of the people can be fully relieved by the passage of a half dozen bills; expenses of government should be largely curtailed and profligate expenditure of public moneys be checked; the credit and finances of the State restored to a healthy standard; the penitentiary properly disposed of; the school system modified to better suit the educational interests and the crippled condition of the finances; the general election and registration law, unsmothering the voice of the people, be passed at once; and other measures looking to immigration, such as appropriations for *Henry's Resources of Arkansas*, and the bill to have our State history written, so that the "world and the rest of mankind" may learn something of the characteristics of our soil, climate, resources and people. Everything else is of a secondary importance. The inactivity of the general assembly is chargable to no one individual or party. The Democrats are perhaps more unified in their line of policy than the Republicans, who have not quite cemented since the division upon the senatorial contest between Judge Bowen and Colonel Dorsey. The social relations between men of all parties are of a most agreeable character—questions of politics forming no barrier to a mutual, social intercourse between men of different contending political factions.

To one who gets his news of Arkansas from distorted press reports, and who has never been to Little Rock and been brought in direct contact and association with the politicians who are shaping for good or evil the destinies of the State, he thinks we are reveling in a constant pandemonium. But not so—Democrats and Republicans eat, drink, sleep, and play cards together; and, out of official relations, a man is not known or measured by his political creed.

The anti-Baxter movement is forever epitaphed. In its death-struggle it made a bid for the Democrats to strengthen the movement, but very wisely the Democrats concluded to "let well enough alone." The governor is now safely fortified by all the good and honest men of his party and the well-wishers of the whole people of the State. Under his government, inducements to immigrants and railroad builders will beget a new epoch in the history of the impoverished people. Arkansas is not unmindful of the debt of gratitude due the APPEAL for the conciliatory and wise policy toward the legislature and governor. The State and people should never forget the services rendered both by the APPEAL, which has done most, not only politically for Arkansas, but in making known the State's resources.

Your correspondent has been assailed by nincompoops, simply because, in writing of Arkansas, his reason has not been warped or ideas discolored by prejudices.

Meat-Packing Statistics.

CHICAGO, March 21.—The *Commercial Bulletin* of this city to-day gives the total number of hogs and cattle packed at this point this season, viz: Hogs, 1,425,070, against 1,218,858 last season; cattle, 15,755, against 16,080 last season. Total number of barrels of mess pork packed, 88,335; other grades, 14,601; tierces of lard, 196,054.

Another Wife-Slayer Hung.

BOSTON, March 21.—James McElhaney, who murdered his wife, was executed at Suffolk jail here at twelve minutes past eleven this forenoon. There were about four hundred spectators present. He walked firmly to the scaffold. He left six thousand dollars' worth of property to his child.

It is stated on the authority of McElhaney's spiritual advisers, that the members of his wife's family refused to allow him to see his child, Nellie Emma, aged two years. A letter seconding an after-expressed wish on the part of the condemned to see his child was sent by Sheriff Clark to the family, but without effect.

Fires.

NEW YORK, March 21.—The passenger depot of the Erie railroad company in Jersey City, took fire about noon, and will probably be entirely destroyed.

CHICAGO, March 21.—A fire at Galena, Illinois, this morning, destroyed the grain elevator and feed store, together with several thousand bushels of grain; total loss about fifty-three hundred dollars, with an insurance on the building of three thousand dollars in the North American insurance company. The fire is supposed to be the work of an incendiary.

ALEXANDRIA, VA., March 21.—A portion of the building of the Orange railroad shops was burned last night. Loss twenty thousand dollars.

NEW YORK, March 21.—At about thirty minutes past twelve o'clock today a fire broke out in the ferry-house of the Erie railway, at the foot of Paronia avenue, in Jersey City. A strong gale was blowing from the west, and all efforts to check the flames proved unavailing, and the trips of the ferry-boats were abandoned. A large wooden passenger depot in the rear of the ferry-house took fire almost simultaneously and was destroyed. Several trains were hastily removed unhurjed. The new freight depot recently erected was almost consumed with a large amount of cotton, as was the old freight depot heavily stored with freight. Taylor's saloon was partially destroyed. The fire is supposed to have originated from locomotive sparks. All the vessels in the vicinity were removed out of the reach of danger. The fire was got under control about half-past two. The depot for westward-bound freight was saved, and all the books and papers of the company. The freight burned consisted of about one thousand bales of cotton, two hundred hogsheads of tobacco, and some oil cake. The loss by fire is estimated not to exceed half a million dollars, including the following: New freight depot, $30,000; cotton, $100,000; old freight depot $15,000; tobacco and other freight, $50,000; passenger depot, $18,000; ferry building, $12,000; ferry bridge, $10,000; Taylor's saloon, $6000, with the exception of the latter, which was covered. The amount of insurance is unascertained. No interruption to trade by the Erie railroad.

## MURDER.

Brooklyn the Scene of a Murder which Equals the Nathan Horror in Mystery.

Mr. Charles Goodrich Murdered in his own Residence, and the Premises Robbed.

The Affair Surrounded with Impenetrable Mystery—Particulars of the Discovery.

NEW YORK, March 21.—Charles Goodrich, brother of Hon. W. W. Goodrich, was found this morning in the basement of one of a row of handsome brown stone dwellings, which he had just erected in Degraw street near Fifth avenue, Brooklyn, with a pistol shot wound in his temple and a deep wound over his right eye, leaving but little doubt that he met his death at the hands of some burglar. The deceased was a widower of forty-two years of age, and a man of considerable property. He had recently erected this row of brown stone buildings, some of which he sold to a good advantage, and others he let to desirable tenants. The fifth one had just been let to a New York merchant. It was completely furnished, and he had been in the habit of sleeping in it for the purpose of taking care of it until the gentleman was ready to move in. W. W. Goodrich was in the habit of seeing deceased nearly every day. He went to the house in Degraw street, Thursday, but finding it locked, supposed his brother was absent; but as he did not make his appearance this morning, Goodrich became somewhat anxious concerning him, and went to the house again. Knocking at the door and ringing the bell brought no response, and he then decided to break into the place. He then entered one of the adjoining houses, went up on the roof and thence down the scuttle. He found all the doors closed, and on looking into the sleeping apartment of his brother, he found the sheets and blankets turned down, as if he had just arisen. He then went down to the basement, and on opening the door he found his brother lying dead upon the floor.

Passing into the back basement he found the window had been broken open, and he became convinced at once that his brother had been brutally murdered. The pane of glass in the window had been broken so that a man might insert his hand and turn the fastening. The theory is that some thief was aware of the fact that Goodrich was in the habit of sleeping in this house alone, and supposed that he carried considerable money about him; that he broke into the place, and Goodrich hearing a noise came down stairs with a pistol in his hand, ready to meet the intruder; that the thief took a position from which he could knock him down as he entered the place, and it is believed he struck him a blow over the right eye. This blow was sufficient to render him powerless, and the thief then seized his pistol and shot him. The fellow undoubtedly rifled his pockets, for his pocket-book and a very valuable gold watch were gone. There was nothing about the place to offer any evidence of a struggle having occurred, but the position in which the body was found would lead a casual observer to infer that he had committed suicide. The pistol, a silver-plated Allen revolver, was lying near his right hand. A little pool of coagulated blood was upon the hearthstone, while the head of the deceased was lying about a foot from the pool and resting upon the legs of his boots. The blood had been washed from the wound over his eyes, and the towel which had been used for that purpose was hanging over the sink. The supposition that he had committed suicide was dispelled by the fact that the wound was in the left temple. The police were informed of the murder, and detectives visited the place in order to obtain whatever clue they could to the horrible mystery. Of course there are numberless speculations in regard to his death. Even the detectives are divided in opinion in regard to it, most of them, however, believing in the murder, and rejecting the theory of suicide. The murderer had evidently arranged the pistol and the dead man's body with the view of creating the impression that he had taken his own life.

Drs. Sheppard and Speis made a post-mortem examination, this evening, of the body of Charles Goodrich, in Brooklyn. They found three pistol-shot wounds in his head, two of the bullets being imbedded in his brain. The wounds were so situated that the physicians expressed a belief that the deceased could not have committed suicide. The examination, taken in conjunction with the robbery of the deceased, leaves no doubt but that he was brutally murdered.

## ARKANSAS.

State Scrip—An Opinion from Attorney General T. D. W. Yonley.

Treasury Warrants not Receivable for Taxes—A Hardship and an Outrage.

OFFICE OF ATTORNEY GENERAL,
STATE OF ARKANSAS,
LITTLE ROCK, March 11, 1873.

COLONEL B. T. DUVAL—In reply to yours of the nineteenth ultimo, which I have been unable to answer sooner, by reason of great press of business, I have to state that it is my opinion that the payment to the sheriff of any tax in treasurer's warrants, for which they were not in law receivable, is no satisfaction or payment of the taxes, and that the lien therefor, and the right to collect such taxes in money lawfully receivable, is in no wise effected thereby. The sheriff, in the collection of taxes, is but the agent of the state, county, or municipality to which the tax belongs. His powers and duties are fixed and prescribed by law, which the tax-payer is as much bound to know as the sheriff. If the tax-payer and sheriff, acting under the mistaken idea as to what funds are receivable for any particular tax, or under the provisions of a law which is void, the one pays and the other receives in satisfaction of such tax funds which are not in law receivable therefor, this is no payment of the tax, and does not extinguish the right of the State, county or municipality to demand and collect the tax thus attempted to be paid, in funds lawfully receivable therefor. If, then, the rights of that power to which the tax belongs are not taken away, neither is the right of the sheriff, who is but the agent to demand that which belongs to his principal, and which, by virtue of his authority, he is only entitled to receive in such funds as will legally satisfy and pay off the demands of his principal. In demanding the payment of a tax which had before been attempted to be paid in funds not receivable in funds receivable, the sheriff is not acting in his own right, but in a fiduciary capacity, and is not to be estopped by his former action. To extinguish the tax, there must be a payment of the tax in such fund as the law authorizes to be received by, and such as the law requires to be received into the treasury from the sheriff. The law requires the taxpayer to pay his taxes, and it is the payment, and not the receipt of the sheriff, that satisfies the demand. I take it, then, that your sheriff may collect in funds to be received in the treasury, which the law requires, all taxes which have been paid to him in treasurer's warrants, when such warrants were not by law receivable in payment thereof, and may, when such taxes are not paid in lawful funds, distrain personal property or return the lands delinquent. If the law is otherwise, it will work very great oppression. The effect would be that a sheriff who, supposing it to be receivable, had taken treasurer's warrants, which were worth but fifty cents on the dollar, would be compelled to pay into the treasury the full value in current funds. The facts will warrant no such conclusion. The sheriff took the treasurer's warrants, because all parties thought they would satisfy the taxes. He did not thereby contract, for the consideration of one hundred dollars in treasurer's warrants, to pay into the state, county or other treasury, one hundred dollars in greenbacks.

The legislature have under consideration a law extending the time for collecting taxes forty-five days beyond the time now fixed by law, which I am satisfied will pass. Most respectfully,

YONLEY, Attorney General.

Upon the above the Little Rock *Gazette* makes the following comment: "We find the following in the Fort Smith *Herald*. The opinion expressed by the attorney-general we do not believe to be good law or founded in justice. If it is law, the ruling applies with just as much force to tax receipts for the taxes of 1868, 1869, 1870 and 1871, and as a consequence there are not more than fifty valid tax receipts outstanding for all the taxes paid in this State in either of those years! If it is law, or to have the effect of law, it ought to be a tremendous argument in favor of the passage of the necessary remedial law by the present legislature, to repair the damage done by their predecessors, who are responsible for the wrong, if Judge Yonley is right. The bill of Mr. White, of Crawford, ought to be called up at an early day."

Two youths in the vicinity of seventeen years of age, were sentenced in New York yesterday to fifteen years each in the State prison for attacking and robbing a Mr. Antaldi last Sunday night.


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### DIED.

O'DONNELL—On the 21st, in this city, JEREMIAH O'DONNELL, aged 45 years.

The friends and acquaintances are respectfully invited to attend his funeral, from his late residence, on Carolina street, near second, in Fort Pickering, this (SATURDAY) afternoon, at 2 o'clock.

RIVES—March 20, 1873, R. B. RIVES, son of Charles B. Rives, of Virginia, aged 6 years.

CARTER—On the 21st inst., MARY ELLEN, daughter of Thomas and Ellen Carter, aged 9 years, 2 months and 8 days.

The friends and acquaintances of the family are respectfully invited to attend her funeral, from the family residence, Washington street, this (SATUEDAY) morning at 10 o'cl'k.

VACCARO—Of pneumonia, at three o'clock yesterday, the 20th inst., in the 64 year of her age, MRS. MARY B., wife of A. Vaccaro.

New Orleans papers please copy.

The funeral will take place from the residence of the family, No. 122 Adams street, at 9 a.m. on Saturday, the 22d instant. A requiem mass will be celebrated at St. Peter's Church. The friends and acquaintances of the family are respectfully invited to attend. Carriages in attendance at the residence and at the church.


NEW ADVERTISEMENTS.

CITY TAX NOTICE

OFFICE OF CITY TAX COLLECTOR,
MEMPHIS, TENN., March 19, 1873.

☞ DELINQUENTS HAVE HAD AMPLE time to settle their bills before this. We will use every effort not to slight any one with our DISTRESS WARRANTS for 1872 Taxes. Call at once and SAVE COST. The last of our warrants will be ready for distribution on the 1st of April. FELIX W. ROBERTSON,
City Tax Collector.


AN ACT to create and establish the Sixteenth Judicial Circuit in this state.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the counties of Anderson, Campbell, Scott, Morgan, Fentress, Overton and Cumberland, shall hereafter constitute a Judicial Circuit, to be designated and known as the Sixteenth Judicial Circuit of Tennessee; the said Circuit shall be and is hereby created and established as a separate and equal Judicial District in which there shall be a Judge and District Attorney, clothed with the same power, jurisdiction and authority, and upon whom the same duties and responsibilities shall be imposed that are now by law devolving on the several judges and District Attorneys of the respective Judicial Circuits of this State; provided, that the Judge of said Circuit shall be elected in the manner prescribed by law; and provided, that the Circuit Courts in the same time the Circuit Courts are holden, or such other time as he may specially set apart for such purpose.

Section 2. *Be it further enacted*, That it shall be the duty of the Governor of this state, immediately after the passage of this act, to at once appoint suitably qualified persons as Judge, and also some person qualified and learned in the law as District Attorney for said Judicial Circuit; and the persons so qualified and appointed by the Governor as Circuit Judge and District Attorney in and for said Circuit shall continue to hold and exercise the duties and functions of their respective offices until the first general election for county officers after their appointment, when their successors shall be elected, as now prescribed by law, in the case of vacancies.

Section 3. *Be it further enacted*, That the Courts in and for the several counties in said Circuit shall be held at the following times and places: Clinton, Anderson county, the second Mondays of March, July and November; Jacksboro, Campbell county, the third Mondays of March, July and November; Huntsville, Scott county, the fourth Mondays of March, July and November; Jamestown, Fentress county, the first Mondays after the fourth Mondays of March, July and November; Livingston, Overton county, the second Mondays after the fourth Mondays of March, July and November; Crossville, Cumberland county, the first Mondays of April, August and December; Wartburg, Morgan county, the second Mondays of April, August and December.

Section 4. *Be it further enacted*, That all recognizances or bonds for the appearance of defendants or witnesses at the court of any county heretofore in another Circuit or Judicial District, and by this act included in the Sixteenth Circuit hereby established, shall, if the time fixed in said recognizances or bonds is other than the time prescribed by this act for holding the courts of such county, be required by the Clerk of the Circuit Court of such county to renew their said recognizances or bonds to the time of holding the courts of such county under the provisions of this act; Provided, that all process issued from and made returnable to the Circuit Courts of the several counties; and all the legal business and the proceedings of the said several courts shall run and be transmitted in the name of the Sixteenth Judicial Circuit of Tennessee.

Section 5. *Be it further enacted*, That the county of Trousdale be detached from the seventh and attached to the Fifth Judicial Circuit; and the Circuit Courts of the same shall be held on the fourth Mondays in January, May and September.

Section 6. *Be it further enacted*, That the Circuit Courts of Clay county shall be held on the fourth Mondays in December, April and August; and the Circuit Courts of Macon county shall be held on the third Mondays in December, April and August; provided, that this act shall not take effect as to Clay county until after the next regular term of the court for said county.

Section 7. *Be it further enacted*, That the Judge and Attorney-General of the Fifth Circuit shall hold the courts of Trousdale county.

Section 8. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1873.

W. S. MCGAUGHEY,
Speaker of the House of Representatives.
A. T. LACEY,
Speaker of the Senate.

Approved March 14, 1873.

JOHN C. BROWN, Governor.

I certify that the foregoing is a true copy of an act of the General Assembly of the State of Tennessee, the original of which is now on file in my office.

CHAS. N. GIBBS,
mh22 Secretary of State.

CAUTION.

LEA & PERRINS' Worcestershire Sauce. Buyers are cautioned to avoid the numerous Counterfeits and Imitations offered for sale. JOHN DUNCAN'S SONS, New York, Agents for the United States.

NEW ADVERTISEMENTS.

DISSOLUTION.

BY mutual consent the firm of Gates, Wood & Co. is hereby dissolved, dating from 19th inst. S. M. Gates being alone authorized to use the name of the firm in liquidation of its affairs.

SAM. M. GATES,
A. M. WOOD,
W. M. BROOKS.

Memphis, March 21, 1873. mh22

AN ACT to fund the past-due Bonds and Coupons of the State, and to Sustain the Credit thereof.

Section 1.—*Be it enacted by the General Assembly of the State of Tennessee*, That all the outstanding legally issued Bonds of the State of Tennessee, due or to become due before the 1st day of January, 1874, as well as all past-due coupons, and coupons maturing on or before the 1st day of January, 1874, may be funded in six per cent. coupon bonds of the State of Tennessee, to be styled "The New Series of Funding Bonds," redeemable at the option of the State after July 1, 1884, and due and payable on the 1st of July 1894, and bearing six per cent. interest evidenced by coupons attached, payable semi-annually, on the 1st days of January and July in each and every year, from and including the 1st day of July, 1874, to the maturity of the bond.

Section 2.—*Be it further enacted*, That when any of the past-due bonds aforesaid are presented to the Comptroller, or when $100 in past-due coupons are presented, then the Comptroller of the Treasury, and the Governor of the State, shall audit and examine the demand presented, and if genuine, shall prepare a bond of the series mentioned in the first section of this act; and when signed by the Governor, and countersigned by the Secretary of State, and registered in the office of the Secretary of State, in a well bound book, and the seal of the State has been affixed, and the fundable bonds or coupons also registered in said office, then the Comptroller shall take a full memorandum of both the bonds and coupons so funded, and cause the same to be signed by the party demanding the bond, and then after marking the balance of said bond, over his signature on its face, shall deliver it to the party applying. In funding, the State shall not receive and account for any fraction of a bond or coupon in excess of the bond demanded; and if the amount presented to be funded be less by a fractional part of a coupon than the amount of the bond or bonds demanded, the party applying may pay the same in currency. It shall also be the duty of the Comptroller immediately to cancel such demands, so funded, after registering them in a cancelling book, and report the same to the next General Assembly. But in the meantime he shall submit his books, with the cancelled obligations, on the first of each month, to the Governor, who shall examine and verify them with the bonds issued, and certify the same to the Comptroller, who shall transmit the said certificate with his report to the next General Assembly.

Section 3.—*Be it further enacted*, That the faith, honor and credit of the State of Tennessee is hereby pledged for the payment of said bonds at maturity; and for providing a sinking fund for that purpose, and for the prompt payment of interest on said bonds, as well as the interest on the registered bonds hereinafter provided for, commencing with the interest to fall due the 1st day of July, 1874. And it is hereby made the duty of the Treasurer of the State to set apart for that exclusive purpose so much of the revenues as may be necessary to pay the interest on said bonds, commencing with the interest that falls due the 1st day of July, 1874. Provided, nevertheless, that the coupons of bonds owned or held in trust by educational institutions within this State, shall be paid and not funded—those past due and those not yet due, as they become due, and if those institutions elect not to fund their bonds, they shall, nevertheless, be entitled to their interest at maturity; and provided further, that preference shall be given to the interest on the school fund as provided by law.

Section 4.—*Be it further enacted*, That as soon after the passage of this act as possible, there shall be prepared, under the direction of the Governor, a sufficient number of well-engraved bonds to take up and fund the State's debt, as aforesaid, with the coupons attached, and the signature of the Comptroller and Treasurer engraved upon each coupon, the coupons to be numbered with the number of the bond to which they are attached. The cost of the engraving and the preparation of the bonds to be paid in the first place, out of the Treasury upon the certificate of the Governor to the Comptroller, who shall issue his warrant therefor.

And the Comptroller shall be provided with a bond book, containing on separate pages, regularly numbered duplicate headings of each bond specified under this act, with the coupon blanks attached, regularly numbered, upon which each corresponding coupon, when liquidated, after being duly registered and cancelled, shall be pasted.

Section 5.—*Be it further enacted*, That this act shall not affect the liabilities of any railroad, turnpike, or other corporation or person, for or on account of the bonds issued, or loaned, or indorsed by the State, for internal improvements or otherwise, nor any lien in favor of the State as against purchasers of delinquent railroads.

Section 6.—*Be it further enacted*, That the permanent school fund of the State, to-wit: The sum of two million five hundred and twelve thousand five hundred dollars, heretofore dedicated to the purpose of common schools and free education by the State Constitution, which includes the unpaid interest thereon, to the 1st day of January, 1873, shall be funded into one interest-bearing bond or certificate, bearing interest from the 1st day of January, 1873, at the rate of six per cent. per annum, payable semi-annually by the Treasurer of the State, upon the warrant of the Comptroller drawn as may be prescribed by law for the payment of the school money of the State.

The Governor shall cause a certificate or bond to be issued, and signed and authenticated as prescribed by this act, for the signing and authentication of the bonds herein before in provided for; and in addition thereto said bond or certificate shall be executed in the name of "The Superintendent of Public Instruction for the State of Tennessee," and have printed on its face the words, "This Certificate belongs to the School Fund," and shall be substituted for and remain inviolate as a sacred trust in the school fund of the State, reserved in the room and stead of the fund existing on the 5th day of May, 1866. This bond or certificate shall be deposited in the office of the Treasurer, at which place the interest thereon shall be payable; and he shall execute his receipt to the Comptroller for said certificate, which receipt shall be copied into the books of the Comptroller, and said books shall contain a descriptive record of said certificate or bond, showing the purpose for which it was issued.

Section 7.—*Be it further enacted*, That no part of the public debt shall be funded, paid or received, except as provided in this act, and all laws providing any other mode, or manner of funding the debt, be and the same is hereby repealed. Provided, no part of this act is intended to prevent the payment of the warrants issued by the Comptroller, nor the loan accounts, nor the reception of the old issue of the Bank of Tennessee, in payment of the revenue; and provided further, that the notes of the Bank of Tennessee, signed by G. C. Torbett, under the act of Mar. 6, 1841, shall not be received for taxes or other dues to the State.

Section 8.—*Be it further enacted*, That the Secretary of State shall receive one dollar and the Comptroller one dollar, on each bond issued under this act, to be paid by the party to whom the bond is issued; and all laws prescribing a different compensation for these officers for such services, be and the same are hereby repealed.

Section 9.—*Be it further enacted*, That no coupons of bonds now due shall be paid, other than those coupons falling due on and after the 1st day of July, 1874, and only such coupons of said bonds maturing after that time shall be presented to the Comptroller, who shall examine the same, and if found to have been issued according to law, shall be registered, and the registration properly indicated therein by him and the Secretary of State, and the Comptroller and Secretary of State shall each receive for each bond registered under this act the sum of fifty cents, to be paid by the party presenting said bond for registration.

Section 10.—*Be it further enacted*, That the interest of the funded bonds issued by this act, together with the interest of the bonds registered according to the provisions of the ninth section of this act, shall be paid in the city of New York, or city of Nashville, at the option of the person to whom the bond is issued, or to whom said registered bond may belong.

Section 11.—*Be it further enacted*, That the bonds that may fall due between the 1st day of July, 1874, and the 1st day of July, 1881, shall be funded at the option of the State in bonds authorized by this first section of this act.

Section 12.—*Be it further enacted*, That the bonds and coupons thereto attached, issued by authority of the General Assembly of the State in compliance with law enacted and in force at the time of their issuance, whether they were issued previous to the 6th day of May, 1861, or subsequent to the reorganization of the State government on the third day of April, 1865, may be funded or registered according to the provisions of this act: provided that all bonds, and coupons thereto attached, issued by the authority or pretended authority of the General Assembly, or by the authority or pretended authority of any body or assembly of men pretending or claiming to be the General Assembly of the State of Tennessee, on and after the 6th day of May, 1861, up to the 2d day of April, 1865, when the government of the State of Tennessee was reorganized under