THE MEMPHIS DAILY APPEAL.

ESTABLISHED 1840. MEMPHIS, TENN., TUESDAY, NOVEMBER 12, 1878. VOL. XXXVII--NUMBER 205

CLOSING RATES

Yesterday of cotton and gold: Liverpool cotton, 5 5-8d. Memphis cotton, 8 3-4c. New Orleans cotton, 9 1-2c. New York cotton, 9 5-16c. New York gold, 100 1-8.

WEATHER INDICATIONS.

WAR DEPT., OFFICE CH. SIG. OFFICER, WASHINGTON, November 12, 1 a.m.

For Tennessee and the Ohio valley colder, clearing weather, northerly winds, higher pressure.

WEATHER OBSERVATIONS.

WAR DEPT., SIGNAL SERVICE U. S. ARMY, MONDAY, November 11, 1878, 10:00 p.m.

Place of Observation.	Bar.	Ther.	Wind. Dir.	Wind. Force.	Weather.
Galveston	30.07	64	N.W.	Brisk.	Cloudy.
Indianola	30.11	60	N.	Brisk.	Cloudy.
Louisville	29.82	70	W.	Brisk.	Cloudy.
Memphis	30.07	51	N.W.	Fresh.	Cloudy.
Nashville	29.90	52	W.	Fresh.	Cloudy.
New Orleans	30.00	67	N.W.	Fresh.	Fair.
Shreveport	30.10	54	N.W.	Light.	Clear.
Vicksburg	30.08	58	N.W.	Light.	Clear.

RIGHTEOUS retribution—Ben Butler, of Massachusetts, and Madison Wells, of Louisiana, defeated at the ballot box. This surely is the era of reconciliation.

OUR criminal calendar is heavier to-day than we like to acknowledge. But the truth must be told, and those who will defy the law must prepare for its heavy hand.

MR. CONDON, the returned Fenian, called on the President and secretary of state, a few days ago, and returned thanks for the interest they took and the influence they exerted in securing his release from prison.

No true Memphian who walks our streets now-a-days but must feel proud over the rapid strides we have made toward recuperation. Trade of all kinds is flourishing, and there is a rush to do and be doing—but under the rapid current there is a sympathy, a tenderness, and a memory.

THE next excitement in Arkansas will grow out of the senatorial contest, for which there are three announced candidates—Messrs. Marcus Bell and Bob Johnson, and ex-Governor Rector. Besides these, there are a number of dark horses. The chances are against both Johnson and Rector.

THE APPEAL of Sunday was the subject of gratifying comment, especially by the merchants, whose enterprise enabled us to make it what it was—a full and fair expression of the push and energy of a city that not even the plague can kill. Memphis is on her feet again. She does not forget her sorrows, but she also cannot forget that there is a future before her, and that the present as well as coming generations must be provided for.

SENATORS PATTERSON, GROVER and GARLAND, the committee appointed under the resolution of Senator Voorhees, looking to the establishment of the Territory of Oklahoma, have gone, with Senator Voorhees, to the Indian Territory for the purpose of making observations and taking testimony as to the condition of the Indians. They have taken a clerk and two stenographers with them, and will make a very full report.

THE *Tribune* announces that Knoxville is soon to be blessed—if you want to look at it in that light—with another Republican paper, and says: "This is rather rough on our contemporary, the *Chronicle*, which has always prided itself upon being the 'organ' of the party. There will be music in the air when these two journals begin to tell what they know about each other. The *Tribune* will not take a hand in the fray, but will look on complacently, and, should it result in a Kilkenny affair, will take great pleasure in attending both funerals. Let the band begin to play."

MR. S. M. GATES, who was yesterday elected secretary and superintendent of the cotton exchange, is an old and honored merchant, who, during a long career in Memphis, has been conspicuous for the care with which he compiled the statistics of the cotton business, and the very intelligent use he made of them. His circulars have always commanded attention. Under his care the exchange will continue to be a valuable medium of information for the trade and the public, and as usual will be the center of the business activity and spirit of the city. We congratulate Mr. Gates upon his election and the exchange upon its selection.

THE attention of our readers is called to a correspondence between President Longstaff and Mr. James C. Patrick, chairman of the yellow-fever relief committee of San Francisco. Mr. Patrick has our thanks for the promptness with which he called attention to the necessity for a vindication of the integrity of our Howard association, than which we know of no body in the country whose affairs have been more conscientiously managed. We know personally that the officers of the Howard association conducted its business as they would their own, and that the money intrusted to them was faithfully applied to the relief of the sick and the burial of the dead.

THE New York police are fast losing whatever of character they had. Several days have passed and yet the plunderers of the Manhattan savings bank have not been discovered, nor the ghouls who stole the festering remains of the late A. T. Stewart. This last outrage is more offensive than the robbery. It has aroused a very general public indignation and has awakened whatever of speculation or theory the New York detectives have the brains to indulge in, but that is all. They have neither clue nor trace, and are as much at fault as if the abominable crime had been committed on the ocean which closes over all the secrets committed to its bosom. Everyone will sympathise with the sorrow-stricken widow, who has solaced her solitary moments with thoughts of the tribute she was rearing to the memory of her husband. Whatever money can do toward unraveling the secret that yet surrounds so revolting a crime will be forthcoming. Pity that there could not be held in reserve that strongest of all the terrors for evil-doers, in which alone the west is most an adept—lynch law—that summary and wild justice might for once be brought to bear upon the miscreants who encumber the police and make life miserable to decent people in the metropolis.

THE proceedings of the meeting of the board of directors of the cotton exchange, held yesterday, will be read with interest, especially by the friends of the outgoing and incoming secretary. The resolutions adopted will meet with the hearty indorsement of all classes of the people. It may be said of Mr. Toof, without disparagement of others, that no man has ever held office in Memphis—Federal, State, county, municipal or other—who so closely fitted to the position he filled, or more thoroughly discharged its duties. He has all the elements of discretion, tact, taste and skill that go to make a man of the people, beloved by the people, and the successful manager of an institution requiring technical knowledge and rare ability. While we feel that he is but following an impulse natural to him in trying to better his condition in life and secure for himself the largest return for a more than usual business sagacity and a tireless energy, we cannot part with him from the office he has filled, as it ought to be filled, without a deep regret. If all our public offices had always been filled so well we might not have had epidemics; certainly our streets would have been paved and a system of sewerage would not now be debatable.

EVARTS

Writes Another Letter to Minister Welch on the Award of the Halifax Fisheries Commission—This Cod Business Threatens Another Plague.

But we Must have Brain Food even at the Expense of the Mother Country, whose Money we Gladly Grabbed when the Geneva Commission so Decided.

WASHINGTON, November 11.—The following is an abstract of Secretary Evarts's letter to Minister Welch, giving the views of the government on the award of the Halifax fisheries commission. Mr. Evarts says: "If the award in respect of the fisheries has relation only to the sum of payment involved, considerable as that is, this government might prefer to waive any discussion which could affect no continuing and permanent interests of the two countries. The United States, in the fishery article of the treaty of Washington, did not intend to, and did not waive or curtail in the least the construction of the fishery and appurtenant privileges accorded in the first article of the Convention of 1818, as claimed by them, and actually possessed and enjoyed by them under such claim at and before the negotiation of the treaty of Washington. Neither the protocols of the conferences of the joint high commissioners nor the text of the treaty negotiated by them, indicate any intention of submitting to the Halifax commission the degree of privileges accorded to the United States by the convention of 1818. The United States government still maintains its interpretation of privileges secured by the convention of 1818, and protests against any implication from the magnitude of the award of the Halifax commission or otherwise from its proceedings under the treaty of Washington, that the United States have sanctioned or acquiesced in, or by the payment of that award would sanction or acquiesce in any lesser measure of privileges secured to the United States under the convention of 1818, than is well known to her majesty's government they have always insisted upon. In the next place the United States did not submit to the Halifax commission under the fishery articles of the treaty of Washington any valuation of any general, economic or political advantages which grew out of the access to the fishing grounds for the development of the mercantile or naval marine, and which, therefore, it might be argued, would be enhanced by adding the area of inshore fisheries of the gulf of St. Lawrence to fields for that enterprise from the earliest period open to and occupied by the bold and hardy seamen of this country. Still less did the United States submit to that commission a peculiar measurement of removal of occasion of strife between the fisheries, or misunderstanding between the governments of the two countries, by the temporary abolition of a restrictive line, dividing inshore from the deep sea fisheries on portions of the coast of British North America. Both these subjects are considerations governmental in their nature, and suitable to be entertained with many others in the diplomatic negotiations which ended in treaty. They are neither of them computable in money. That which relates to the maintenance of a good understanding and good neighborhood, the United States will never undervalue." Mr. Evarts relates at length the historical attitude of the two governments in relation to the fisheries, including the offer by the American members of the joint high commission of one million dollars for the obliteration of the sea line in perpetuity, and continues: "It seems to this government quite certain that upon a correct exposition of the submission of the treaty and concurring action of the two governments in the production and application of what they deemed appropriate proofs, what pecuniary value of our participation of the inshore mackerel fishery of the gulf of St. Lawrence was fairly estimable at the constituted and extreme limit of any possible and pecuniary award by the Halifax commission against the United States. If upon any rational view of the criteria of this valued shore commission the award of the two concurring commissions of five million of dollars as a twelve years purchase of the privilege can be maintained, it may be fairly conceded that the imputation of invalidity to the award for the transcending submission of the treaty will fail of adequate demonstration. If, on the other hand, candid exploration of the evidence shall show that there exists no relational proportion between this award and the unquestionable limits of value which any view of the testimony must assign to the subject submitted for valuation by the treaty was correctly interpreted, then, by the very statement of the proposition, it is demonstrated that the concurring commissioners have passed their judgment of valuation upon some other subject than that defined in article 18 of the treaty, and have transcended submission to their decision. In such cases the antecedent authority imputed to the commission by the two governments fails to justify the award, and the subject of the fisheries remains at the arbitrament of the two governments, unconstrained, though perhaps enlightened, by the deliberations of the Halifax commission." The secretary then says the statistics show that the whole mackerel catch of the United States in the gulf of St. Lawrence, both within and without the three-mile lines, for the five seasons which elapsed between the signing of the treaty of Washington and the meeting of the Halifax commission, was one hundred and sixty-seven thousand nine hundred and forty-five barrels. The provincial estimates claimed that three-fourths of this catch was within the three-mile line, and so to be ceded to the privilege conceded by article 18. The United States estimate placed the proportion at less than a quarter. Upon the provincial claim of three-fourths of the product to our fishermen of these five years of in shore fishing would be one hundred and twenty-five thousand nine hundred and sixty-one barrels. It was established upon provincial testimony that the price which was paid here in the province, cured and packed ready for importation, was three dollars and twenty-five cents per barrel, and this would give as the value of cured and packed of the United States inshore catch for five years the sum of four hundred and seventy two thousand three hundred and fifty-three dollars, but in this value are included the barrel, the salt, the expense of catching, curing and packing, which must all be diverted before the profit which measures the value of the fishery privilege is shipped, and upon evidence a dollar a barrel would be an excessive estimate of net profit, and this would give a profit to our fishermen from enjoyment for these five seasons of fishery privilege conceded under article 18 of but twenty-five thousand dollars a year, or for the whole treaty period of twelve years three hundred thousand dollars. Although there would seem to be no reason for distrusting the commercial or pecuniary measure of the privilege in question, yet if it should be pretended that the provincial value should not be taken, but the value on the market of the United States, and, further, that an extravagant rate of ten dollars per barrel should be assured as that value, and again, beyond all bounds of even capricious estimate, a conjectural profit of fifty per cent. should be assigned to the fishing adventures, we should have but one hundred and twenty-five thousand dollars per year, or one million five hundred thousand dollars for the entire twelve years of treaty, for gross valuation of the concession to the United States by article 18, undiminished by a penny for counter concessions of the United States of articles 19 and 21. Yet this sum thus reached is but little more than one-quarter of the award of the concurring commissioners. After looking into the account of the deductions required for privileges of articles 19 and 21, you will say to Lord Salisbury, that with every anxiety to find some rational explanation of the enormous disparity between the pecuniary computations of evidence and the pecuniary measure announced by the concurring commissioners, this government has been unable to do so upon any other hypothesis than that the very matter declared in article 18, and to which proofs on both sides were applied, and the very matter measured by award of the concurring commissioners were not identical nor even similar, and that such award upon this reason transcends the submission. I desire to present to Lord Salisbury's attention the subject of the concession of a free market in the United States for the products of provincial fisheries as made by article 21. The value of the privilege to provinces was required by the treaty to be measured by the Halifax commission, and deducted from their appraisement of the concession of article 18 in favor of the United States. The statistics of the importation under this privilege showed that at the rate of duty prevalent before that concession, a revenue of about two hundred thousand dollars per annum on the mackerel alone, of more than three hundred thousand dollars on all kinds of fish, and mackerel included, and fish-oil would have accrued to the United States. For purpose of argument, conceding that one half of this annual sum of three hundred thousand dollars should be set down as pecuniary profit to the provincial interests, the sum of eighteen hundred dollars would need to be deducted on article 21 from the true valuation of the privilege conceded by article 18. It I have assigned correctly the highest possible measure of privilege of article 18, upon evidence, as being not more than one million five hundred thousand dollars, this low valuation of privilege of article 21 more than extinguishes it. If her majesty's government accepts the award of these concurring commissioners in carrying necessary consequence, then this concession of article 21 is of no value to the British or provincial interests, and that element of calculation will disappear from any possible exchange or equivalents that the expected and future friendly negotiations may need to find at their services. A privilege that is valueless when granted and enjoyed by a beneficiary may well be reserved and withheld without the charge of its being even ungracious to do so. You will very earnestly press upon Lord Salisbury's attention, in advance of any declination from her majesty's government of their present views of the value of our markets for the products of the provincial fisheries, that this government has not changed or in all modified its opinion on this subject. To dissemble or conceal from her majesty's government this fact would be unfriendly, and be delusive on our part now based influence for future contentions or negotiations. This government holds now, as it did by the mouth of its high commissioners in the conference on the subject of the fisheries which produced the pertinent articles of the treaty, 'that free fish and fishers would be more than an equivalent for those fisheries.' The measure of pecuniary value which I have drawn from the revenue loss to the United States, calculated with extreme moderation, is an inadequate expression of the benefit to provincial interests and injury to our own from free importations. It is still the opinion of this government that the possession of our market is of vital importance to maintain the provinces, and such possession a formidable menace, if not a fatal wound, to our own fishing interests. I do not think I misunderstood or misrepresent those interests when I say that standing, as we do now, midway in the treaty period, it would be better for those interests, and the enjoyment of fishing clause of article 18, for the remaining six years of the twelve, upon a resumption by this government of the control of our own market for this unexpired period. In the future, as in the past, this government will go very far in concessions to remove the occasion of strife between the fishermen of the two nations, but these contributions to good will, as I have before insisted, are not to be confounded with the pecuniary tribute on one side or the other. Inviting full exposition of the views of her majesty's government upon the matter as now brought into consideration between the two governments, you will say to Lord Salisbury that, wholly inapportionable as a pecuniary measure of single and fragmentary matter, and not embraced in the diplomatic concurrence of the high joint commissioners, and this I leave to his impartial appraisement, seems to this government, it will receive and examine with entire candor, any opposing views in minimation of the validity of the award which her majesty's government may present, and if, as I shall not cease to anticipate, her majesty's government shall agree that the subject submitted to the Halifax commission has not been adequately disposed of by the concurring commissioners, the way will seem to this government to be thereby opened for a more permanent and comprehensive settlement of the fishery interests of the two countries than was reached by the twelve of Washington. If the present correspondence shall not result in this desired agreement, and even if the opposing views which may be communicated by her majesty's government should affect our present judgment in the very matter of the validity of the award, I cannot, in all candor, hold out any expectation that this government can ever recognize the valuation of counter-vailing concessions of articles 19, 21 and 21, involved in this award as a liquidation, even much less a standard for any future treatment of the fishery questions which the exigencies of the situation as now left may require. Passing from this grave questions which touch the special demand of the award upon considerations vital to the whole system of arbitration, I desire you further to call Lord Salisbury's attention to a particular point in the actual award. That is to say, the failure of the concurring commissioners to agree to any result, and the consequent announcement of that inability and promulgation of widely different conclusions which the two concurring commissioners and the dissenting commissioner had reached." You will say to Lord Salisbury that the suggestion of inadvertence in negotiations, never to be lightly indulged in, overlooks an adequate, and presumptively, the real reason for the requirement of unanimity in the case of the fisheries commission, while it was expressly waived in other submissions of the treaty. In submitting to her majesty's government the failure of the commissioners to come to an agreement, which, on this interpretation of the treaty is requisite to the validity of the award, this government wishes to lay no undue stress upon this objection if her majesty's government concurs in this construction of the authority conferred by the Halifax commission. This agreement between the governments will enable them presently to make more complete, as well as more satisfactory arrangements for the reciprocal interests of the industry and commerce of the provinces and of the United States than at present exist. If, on the other hand, her majesty's government shall announce to this government their construction of the treaty to be that a concurrence of a majority of the commissioners warrants a valid award, notwithstanding the dissent of the third commissioner, this government will not refuse to accord to that opinion, thus expressed, all the weight which it desires for its own views. You will therefore say to Lord Salisbury, that upon such a declared disagreement upon the true interpretation of the treaty in respect to the unanimity of the commissioners, this government will regard the maintenance of entire good faith and mutual respect in all dealings under the beneficent treaty of Washington as of paramount concern, and will not assume to press its own interpretations of the treaty on this point against the deliberate interpretation of her majesty's government to the contrary.

Cruel Treatment to Lunatics.

COLUMBUS, O., November 11.—Local papers here for some days past have charged that some of the female attendants at the Central lunatic asylum have been guilty of cruel treatment to patients confided to their care. An investigation by the asylum authorities has shown that for some months certain attendants have been in the habit of ducking patients for violating the rules, and as this is in violation of the asylum treatment, ten female attendants, residents of this city, have been discharged. The investigation is still going on. Superintendent Brown declares that he has only known of this system of ducking for a few days, and intends discharging all attendants who have engaged in this cruelty.

Terrible Tragedy.

BINGHAMPTON, N. Y., November 11.—A terrible tragedy occurred at West Chenango Sunday at noon. Three brothers, James, David and John Taber, live together and own and run a farm jointly. James and David have disagreed for some time about the division of the property. Sunday David went to the barn, where James was husking corn. They quarreled and David seized a pitchfork, knocked James down and stabbed him in the chest fifteen or twenty times. He lived only a few minutes. David then went to the woods and blew his brains out with a shotgun.

Florida Election Returns.

JACKSONVILLE, November 11.—The official and unofficial returns received give Bisbee, Republican, two hundred and thirty-two majority. To-day is the legal day for closing the canvass in several counties. Bisbee, Republican candidate for congress, telegraphs as follows from Alachua county: "The board here are arbitrarily rejecting good returns. Have the United States marshal come to-morrow without fail."

Three Men Killed.

POTTSVILLE, November 11.—Three men, two brothers named Martin and John Murrag, and James M'Hugh, were killed at Locust Gap, in the Spring colliery, to-day. Two cars that were being hoisted became uncoupled, the hind car ran down the slope and killed the workmen before they could get away from the track.

Complete Returns from New Hampshire.

CONCORD, N. H., November 11.—Complete returns from every voting precinct in the State have been received, and the vote for governor stands as follows: Head, Republican, 36,085; M'Kean, Democrat, 31,083; Brown, Greenbacker, 6385; Prohibitionary and scattering, 129; Head's majority, 488.

EUROPEAN COMPLICATIONS.

Affairs in Turkey and the Turkish Principalities Still Unsettled, with but Little Prospect of the Peace and Repose so Essential to Prosperity.

Russia Anxious for an Understanding with England—The First Column of the British Army Moving Toward the Kyhber Pass—It Means Business.

LONDON, November 11.—A dispatch from Vienna says that insurgent committees on the frontiers of Roumania, and in many places in Macedonia, are recruiting men under thirty-five years of age, and arming the older ones for the defense of their homes. The insurgents are armed and provisioned. The Turks are confident of suppressing the insurrection if reinforcements arrive speedily.

Business and Breadstuffs.

LIVERPOOL, November 11.—The Northumberland coal miners have accepted the twelve and one half per cent. reduction of wages.

Subscriptions in Glasgow to the fund for the relief of the City of Glasgow bank shareholders, ninety-three thousand pounds; in Edinburgh, twenty-seven thousand pounds.

Lord Beaconsfield's speech on Saturday night has created a favorable impression.

Spanish Affairs.

MADRID, November 11.—A correspondent states that Noncais, who attempted to assassinate the king, will be tried this week. The Minister of the interior announced to the cortes, on Saturday, that the cabinet entertained no idea of resignations before the election next year. A bill restricting the electoral franchise was passed with little opposition.

Russia Desires to Have an Understanding with England.

LONDON, November 11.—A dispatch from St. Petersburg says reports of the ill-health of the czar are again positively contradicted.

It is considered in official circles that Russia must adhere solely to the treaty of Berlin, whatever events may arise in Turkey. It is certain that Russia earnestly desires an understanding with England, both in Europe and Asia, to fix the limits of their respective influence. A telegram from Constantinople says it is asserted that the Russians have reoccupied the district of Walgara, near the gulf of Saros.

England and Afghanistan.

LONDON, November 11.—A sensational dispatch to the *Standard* from Simla says information has been received from various sources that Afghanistan troops are withdrawing from Candahar, the answer having publicly announced that Russia will occupy Candahar and Herat. The governor of Candahar, however, has punished the agitators who endeavored to arouse the populace against the English.

Bombay, INDIA, November 11.—The *Times* says hopes are entertained at Simla of a peaceful solution of the Afghanistan difficulty. It is supposed Russia is exercising a pressure upon the ameer with this object. The ameer, moreover, despairs of success against the British. The commander-in-chief of the British forces has started for Peshawar. General Brown's division will strike the first blow if war is declared. Brown's division is that operating from Peshawar in the direction of Kyhber pass.

NASHVILLE, TENN.

Meeting of the Grand Lodge of Freemasons—The Sacred Dead—The North and the South—The Yellow-Fever Fund—Election of Officers.

Special to the Appeal.]

NASHVILLE, November 11.—The Grand lodge of Masons convened to-day. Grand Master A. V. Warr's address was principally confined to a description of the decimation of the fraternity by the yellow fever, and upon Past Grand Masters S. Glover of Athens, Member of Memphis, Edward Worsham, and others who fell victims to the scourge, and the noble generosity of the northern people in rendering aid to southern cities. He said that all partisan feeling heretofore existing between the north and south was now forever at an end. Grand Secretary Frizzell reported that he had received for the benefit of the yellow-fever sufferers, twenty-four thousand one hundred and eighty-three dollars; disbursed sixteen thousand three hundred and thirty dollars; balance on hand, seven thousand eight hundred and fifty-three dollars. Grand Master Warr received seventeen hundred and seven dollars, disbursed twelve hundred and seventy-two, and will divide the balance of four hundred and thirty-five between Rossville and Collierville for their widows and orphans. The surplus of the general aid fund will be devoted to the widows and orphans. The report of the Masonic board of relief at Memphis shows the receipt of twenty-one thousand eight hundred and ninety-six dollars, and disbursements of eighteen thousand six hundred and eighty. To-night G. C. Conner, of Chattanooga, was elected grand master; Wilber F. Foster, of Nashville, deputy grandmaster, and Bun F. Price, of Memphis, senior grand warden.

Important Land Case Decided.

WASHINGTON, November 11.—The commissioner-general of the land office to-day decided the long pending matter of the survey of the San Francisco pueblo lands, comprising the greater part of the area now covered by the city, and involving property interests to the amount of many millions of dollars. The nominal parties to the controversy are the city and the State of California. The decision is in favor of the Stratton survey, which, until a recent period, has been universally accepted as correct. The effect of this decision, if confirmed by the secretary of the interior, will be to leave all the existing titles derived from the city, as successor to the pueblo, undisturbed, as well as those adjacent to the exterior boundaries of the pueblo, which have been derived from the State.

Fatal Accident.

Ripley (Miss.) *Advertiser*: "On Friday morning last, we are informed, Mr. James Turner, aged about sixty-five or seventy years, and who resides about ten miles south of this place, met with his death under the following circumstances: He and his two sons had treed a coon and were engaged in cutting the tree down, up which the animal had climbed, when the tree, in falling, fell against another tree, which fell on Mr. Turner, killing him instantly. Mr. Turner was a good citizen, and leaves a wife and several children—all grown—to mourn his death."

Dennis Kearney's Character as Painted by his Secretary.

SAN FRANCISCO, November 11.—Carl Brown, Dennis Kearney's private secretary, read a speech at Sandlots to-day in which he stated that Kearney designedly defeated Butler by incendiary speeches in western Massachusetts. Kearney had decided three weeks before the election to beat Butler, but thought he could accomplish more by seeming to be Butler's friend than by coming out against him. So he stayed with him until the week before the election, when he made his very incendiary speeches.

Tilden's Taxes Again.

NEW YORK, November 11.—In the suit of the government against M. L. Sykes, treasurer and secretary of the Chicago and Northwestern railway, on motion to show cause why an attachment for contempt should not be issued against him for not producing the books of the company in court, Judge Choate decided Mr. Sykes not in contempt. The case grew out of the suit of the government against Samuel J. Tilden to recover alleged unpaid revenue tax. This action has gone over for a term by agreement of counsel.

Case Dismissed.

NEW YORK, November 11.—The complaint of Levi Parsons against the Missouri, Kansas and Texas railroad company to set aside the last election of directors and enjoin them from acting as such in this State, was to-day dismissed on demurrer, the court holding that the courts of this State have no power over foreign corporations to determine the validity of their elections.

Arizona Election Returns.

SAN FRANCISCO, November 11.—A Prescott, Arizona, dispatch says the following is the vote cast for delegate to congress, as far as counted: Davis, 1176; Campbell, 1296; Stevens, 1169; Woolsey, 870. The precincts to hear from will probably elect Campbell, Independent Democrat.

TELEGRAPHIC BRIEFS.

Vicksburg, Miss., November 11: No deaths or new cases.

New York, November 11: Arrived—Devonia, from Glasgow.

Liverpool, November 11: Lance & Co., cotton brokers, have failed.

Queenstown, November 11: Arrived—Germanic, from New York.

Plymouth, November 11: Steamship Lessing, from New York, for Hamburg, arrived.

New York, November 11: Arrived, steamships Helvetia and Mountain, from Liverpool.

Rome, November 11: The *Fanfulla* says Russia has ordered the construction of several ironclads.

San Francisco, November 11: Mr. Cevile, a music teacher at Ione City, suicided by cutting his throat.

Boston, November 11: The Butler faction of the Democrate party nominated Frederick O. Prince for mayor.

London, November 11: Steamships Irricassin, from Montreal, and Pennsylvania, from Philadelphia, arrived out.

San Francisco, November 11: This afternoon, J. C. Green and Walnut Astorlago shot and killed each other, at Tebechapi.

Rondout, N. Y., November 11: Charles and Peter Schultz, brothers, quarreled about a yoke of cattle, and the latter killed the former.

Cape May, November 11: The ruins of the fire still smouldering, are being cleared away, and owners of cottages are preparing to rebuild.

Jacksonville, Fla., November 11: The election of Brisbee, Republican, is now conceded by about two hundred and twenty-five majority.

Rome, November 11: It is asserted that negotiations in favor of Greece have been suspended until Premier Commundourus explains his policy.

Berlin, November 11: A statement of the Imperial bank of Germany shows an increase in specie of three million one hundred thousand marks.

Vienna, November 11: Fifty-nine leading beys of Serajevo presented addresses to General Philippovich in favor of annexing that country to Austria.

Cincinnati, November 11: Long, Levy & Co.'s carriage shop, Middletown, Ohio, were burned yesterday. Loss sixty-five thousand dollars; insurance small.

Mauch Chunk, Pa., November 11: Additional returns show gains for General Albright, Republican candidate for congress, which indicates his election.

San Francisco, November 11: Henry A. Larkin, formerly one of the proprietors of the Sacramento *Union*, died in this city yesterday, aged fifty-nine years.

Shreveport, November 11: All quarantine restrictions against New Orleans and other badly infected cities was taked by the board of health to-day.

Halifax, November 11: Yesterday, Wm. L. Oller, Jno Grant, Edward Wanbolt and Wm. Richards were drowned at White Haven by the upsetting of their boat.

New York, November 11: The Brooklyn *Eagle* says that W. H. Berry was arrested to-day for a twenty thousand dollar burglary committed in Chicago two months ago.

New Orleans, November 11: No deaths and no new cases of yellow-fever for the past twenty-four hours. No deaths and no new cases up to six o'clock this evening.

Louisville, November 11: George Philip Dorn, for many years proprietor of the Louisville *Courier*, the leading Democratic daily of the southwest, died suddenly this morning.

Boston, November 11: The well-known stallion Black Warrior was lost with other fine horses, by the burning of the stables of Robert M'Creas at Champlain, New York.

San Francisco, November 11: J. Caserava, proprietor of a coffee house in San Diego, was murdered in cold blood by a Mexican last night. The murderer escaped across the border.

Buckarest, November 11: The present Russian commander-in-chief leaves here on the twenty-seventh instant for Kischeneff. The Russian occupation of Roumania will then cease.

Jackson, November 11: Five fever cases since Saturday night and one death reported to-night. Three deaths at Bolton last night, Mrs. Joe Powell, Henry Wells and his son Eddie.

Chicago, November 11: I. H. M'Vicker, the veteran manager of M'Vicker's theater and of other dramatic enterprises throughout the country, received a dispatch announcing his death to-day.

London, November 11: Nearly one-half of the cotton mills in Ashton, in the Underline district, have stopped work in consequence of the depression in trade, and many are only running on short time.

Edinburgh, November 11: The Benhar coal company, with a total share and debenture capital of seven hundred and thirty-four thousand pounds, has announced its inability to meet its payments.

Pesth, November 11: Emperor Francis Jozafion of the army after occupation would be facilitated by the most satisfactory relations of Austria with all powers.

New York, November 11: Forged railroad tickets from Boston to St. Louis, by the Erie and Atlantic and Great Western roads, have been discovered in this city, and it is thought they have been passed elsewhere.

San Francisco, November 11: Daniel Sullivan, an Irishman, sixty-three years of age, was arrested last night for the murder of Mrs. Barry, near Lone Mountain, last Monday. The evidence against him is almost conclusive.

St. Louis, November 11: About one hundred counties in this State give the following result: Senate, Democrats, 155; Republicans, 1; Greenbackers, 2. House, Democrats, 97; Republicans, 14; Greenbackers and Independents, 19.

Cincinnati, November 11: A fire on Eastern avenue this morning destroyed two tenements, containing eight families. Buildings and contents totally destroyed. Loss estimated at six thousand dollars; insurance unknown.

San Francisco, November 11: Joseph Kerr, a teamster, was shot and killed at Cherry Creek, Nevada, and W. W. Meldrum, assistant foreman of the *Chronicle*, of this city, shot himself in the composing room with probably fatal effect.

London, November 11: A dispatch from Rome says the clerical party have announced their intention of participating with the greatest energy in the elections which must immediately follow the contemplated extension of the franchise.

Canton, O., November 11: Judge Meyer, of the common pleas court, to-day sentenced George Fessler, the defaulting treasurer of Stark county, to twelve years in the penitentiary at hard labor, and to pay a fine of sixty thousand dollars and costs.

Augusta, Ga., November 11: Peter Froman, of Beaufort, South Carolina, a murderer, recently extradited from England, was run over and killed by a railroad train at this place, Saturday night, while attempting to escape from the sheriff.

Boston, November 11: D C. Griswold & Co., wholesale dry goods dealers, have failed. Their liabilities are reported at from two hundred thousand to two hundred and fifty thousand dollars, the greater part being due to New York parties. Assets not given.

Cincinnati, November 11: A series of thefts of freight by the employes of the Cleveland, Columbus, Cincinnati and Indianapolis railroad, which have continued for a long time, have just been unearthed by detectives, and eight employes dismissed.

San Francisco, November 11: A Victoria dispatch says, Hon. Henry Rhodes, consul for the Hawaiian, Swedish and Norwegian governments died Friday after a lingering illness. He has been a prominent merchant since 1859, and formerly resided in Honolulu.

New Orleans, November 11: At Jackson, Mississippi: No deaths to-day; only four deaths during the past seven days. Two cases since yesterday, one a returned refugee. The official register of new cases is no longer kept, making it difficult to get exact information.

Dayton, Ohio, November 11: John P. O'Connor, ex-member of the house of representatives, was arrested last evening charged with forging a pension certificate. He was indicted by the United States grand jury at Cincinnati, and the case will be tried at once.

Boston, November 11: The recount of votes for member of congress from the third district shows no material change in the plurality of Field, Republican, whose election is assured beyond doubt. The committee who made the recount was composed equally of Democrats.

San Francisco, November 11: Last night Harry Younger, son of Colonel Younger, of San Jose, aged fifteen, was shot by Elton Moody, who is about the same age. Harry died this evening. The trouble arose from Younger ordering Moody off his father's premises, where Moody was hunting.

St. Paul, Minn., November 11: A special from Duluth to the *Pioneer Press*, says it is rumored there that an American tug has been seized at Sault by Dominion authorities for wrecking in Canadian waters. The tug was trying to get off the steamer Quebec, aground for some days in Magnetic shoals.

New York, November 11: Judge Barrett has refused the mandamus to compel the comptroller to pay another million dollars of city money toward the completion of the Brooklyn bridge, on the ground that the eight million voted by Brooklyn and New York has been already paid.

New York, November 11: At the conference of the trunk line and western railroad managers, yesterday, it was determined to advance rates five per cent. on all eastward bound grain and freight of fourth-class; change to take effect on the twenty-fifth of the present month. Westward rates were not altered.

Chicago, November 11: Hon. N. B. Judd, who has been for many years prominently identified with State politics, died at his home here this morning, of paralysis. He has been chairman of the Republican State central committee, collector of the port and member of congress, and was appointed minister at Berlin by President Lincoln. He was sixty-six years old.

OUR STORE,

322 Front Street,

IS again open for business. The business will be continued as heretofore.

CHARLES POTTER & CO.

Attention, Memphis Light Guards.

YOU are ordered to assemble at your armory this (TUESDAY) evening, November 12th, at eight o'clock, sharp.

A. H. KORTRECHT, O. S. M. APPERSON, JR., Lieut. Comd'g.

I. O. B. B.

MEMBERS of Hildeskel Lodge, No. 100, I. O. B. B., are hereby notified to meet at our Hall this (TUESDAY) evening at 7 o'clock. Business of importance. T. HAHN, Pro.

J. DOERNBERG, Secretary.

I. O. M. A.

THE Members of Germania Lodge, No. 52, are hereby notified that the first regular meeting will be held this (TUESDAY) evening, at 7:30 o'clock, at the new hall. Business of importance.

J. SCHMIDT, President.

H. GRAUER, Secretary.

MARRIED.

RODGERS—CLAYTON—At the residence of Mrs. John S. Clayton, at 2 p.m., Monday, November 11, 1878, by Rev. G. T. Stainback, Captain FRANK B. RODGERS and Mrs. LOU B. CLAYTON.

DIED.

M'CRACKEN—On September 7th, of yellow-fever, Miss MAGGIE M'CRACKEN, aged forty years.

FOSTER—Of yellow-fever, to this city, August 28, 1878, Major T. J. FOSTER, son of the late Colonel R. C. Foster, of Nashville. [Florence (Ala.) and Nashville (Tenn.) papers please copy.]

TRIBUTE OF RESPECT.

Morris Samuels.

At a meeting of the members of the Milah club, held Sunday, November 10, 1878, the following preamble and resolutions were adopted:

WHEREAS, It has pleased the Ruler of the universe to remove from our midst, Morris SAMUELS, a valuable member of this club; therefore be it

Resolved, That in his death the members of this club lose a true friend and beloved associate, and the club a loss that is irreparable.

Resolved, That the universal kindness and gentlemanly qualities of the lamented deceased, endeared himself to a large circle of acquaintances, who sincerely mourn his untimely loss.

Resolved, That our heartfelt sympathy is extended to his widowed mother, and that the members of this club wear a badge of mourning for thirty days from this date.

Resolved, That these resolutions be spread upon the club's minutes, published in the Memphis DAILY APPEAL, and a copy sent the mother of the deceased.

I. SAMELSON,
L. ROSENTHAL,
A. STRAUSS,
H. PERES,
J. SPERNBERG,
Committee.

TARRANT'S SELTZER APERIENT

A Dose of Tarrant's Seltzer Aperient

Has removed the agony of rheumatism, and its continued use entirely healed the patient. Rheumatism is but little understood. Some empirics resort to embrocations, which are really dangerous. It is now acknowledged to be a blood disease, resulting from acidity. This aperient corrects all such acidity, and thus cures the disease. All rheumatic sufferers are advised to try it.

SOLD BY ALL DRUGGISTS.

APOLLINARIS

NATURAL

Mineral Water!

HIGHLY EFFERVESCENT.

APPROVED by the *Académie de Médecine* of France, and its sale in France authorized by *special order* of the French Government.

Recommended by the highest MEDICAL AUTHORITIES in New York as "a great relief for sea-sickness."

"A delightful beverage; mildly stimulating, most grateful and refreshing."

"Far superior to Vichy, Seltzer, or any other."

"Absolutely pure and wholesome, superior to all for daily use; free from all the objections urged against Crofont and other fashionable waters."

"Impregnated only with its own gas."

"Healthful and well suited for Dyspepsia and cases of acute disease, and where there is a gouty diathesis."

"By far the most agreeable, alone or mixed with wine; useful in Catarrhs of Stomach or Bladder, and in Gout."

"Not only a luxury, but a necessity."

To be had of all Wine Merchants, Grocers, Druggists and Mineral Water Dealers throughout the United States, and wholesale by

FRED'K DE BARY & CO.,

SOLE AGENTS FOR THE U. S. AND CANADA,

Nos. 41 and 43 Warren St., New York.

Every genuine bottle bears the registered yellow pictorial label of the

APOLLINARIS COMPANY (LIMITED), LONDON

REMOVAL.

W. N. WILKERSON & CO.,

Have Removed to their New and