THE MEMPHIS DAILY APPEAL.

ESTABLISHED 1840. MEMPHIS, TENN., FRIDAY, FEBRUARY 7. 1879 VOL. XXXVIII---NUMBER 3 2

CLOSING RATES

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

WEATHER INDICATIONS.

WAR DEPARTMENT, OFFICE CH. SIG. OFFICER, WASHINGTON, February 7, 1 a.m.

For Tennessee and the Ohio valley rising, followed by falling barometer, part'y cloudy weather, winds shifting to westerly and southerly, and during the day a slight rise in temperature.

WEATHER OBSERVATIONS.

WAR DEP'T, SIGNAL SERVICE U. S. ARMY, THURSDAY, February 6, 1879, 10:05 p.m.

Place of Observation.	Bar.	Ther.	Wind. Dir.	Wind. Force.	Weather.
Galveston	30.18	42	N.	Brisk.	Cloudy.
Indianola	30.22	38	N.	erisk.	L't rain
Louisville	30.15	36	N.W.	Gentle.	Clear.
Memphis	30.23	37	N.	Gentle.	Cloudy
Nashville	30.18	37	.....	Calm.	Cloudy.
New Orleans	30.11	52	N.	Fresh.	Cloudy.
Shreveport	30.20	43	..	Calm.	Cloudy
Vicksburg	30.19	41	N.	Gentle.	Cloudy.

GEO. H. ROHE, Sergeant, Signal Corps, U. S. A.

WE understand that it is rumored in Jackson and at other points that yellow-fever prevails in Memphis, and that there is consequent danger to those who visit the city. This is not true. Those who give such statements currency are as mischievous as they are ignorant, and those who believe them must be easily gulled. It is a stupid, malicious lie. There is no fever here of any kind.

THE new city government is now made up, and will no doubt get to work without delay. The gentlemen elected yesterday will qualify to-day. The board of police and fire commissioners, with whom rests the general management of affairs, is composed of D. T. Porter, W. W. Guy and John Overton. The board of public works is, for the present, composed of M. Burke, John Gunn, Robert Galloway and C. W. Goyer. Another member of this board will be elected by the county court at its meeting in April.

WE are very hopeful that under the new government Memphis will take a new departure, and that a career of unexampled prosperity awaits her.

The Herald and the *Mail*, of New York, both predict a rapid increase in the trade and population of that city, resulting from the now well established and popular lines of rapid transit.

IT is the duty of every man and woman in Memphis, poor or rich, to put their premises in an absolutely cleanly condition, and they should do this voluntarily and without being forced to do it by law.

THE debates of the brethren so abound in billingsgate, and sometimes blaspheming, that the New York *Herald* thinks it is absurd in the Baptist conference to think of excluding the reporters from their Monday entertainments What they ought to do is to hire a large hall and charge an admission fee. Every seat would be taken.

GOVERNOR STONE has done well, and has acted with commendable promptness in offering, as he has, a reward of three hundred dollars for the arrest of the two Glovers who murdered Lawson Wooldridge in Cosboma county a few days ago. This sum, added to that offered by the county, makes altogether eight hundred dollars that is offered for the wretched murderers.

A SPLENDID example of courage and discipline was that afforded the other day by the teachers of the burning schoolhouse in Indiana, who succeeded in removing nearly five hundred children from the building without an accident. Led by the teachers, they marched out at the tap of the gong, and in perfect order reached the street a little scared but not one hurt.

SAYS the New York *Tribune:* "The impertinence of a rebel claim is nothing to the wild impudence of a claim 'for the relief of Chief Joseph, of the Nez Perces Indians.' Chief Joseph could do something for the relief of the people of the United States by abstaining from further existence." He need not trouble himself about it, the next time our army goes out massacring men, women and children, they can take him in and do for him.

THE New York *World* thus accounts for and comments on the action of the Democrats in the senate in the matter of the New York appointments: "Having no leadership or concerted plan of action, a good many of the Democrats took advantage of the liberty in non-essentials left them by the caucus to vote for Mr. Hayes's nominations. They did this obviously under the impression that by doing it they would weaken the Republican party in New York. There was not much mere civil-service reform in this course than in the course of Mr. Sherman and Mr. Hayes, and it remains to be seen whether there was or was not much political gumption in it."

THE Jackson *Clarion* publishes a letter from Hon Jefferson Davis in regard to the Texas and Pacific railroad, in which that gentleman expresses the belief that the Texas and Pacific bill, as it now stands—senate bill No. 942, reported by Mr. Mathews—is a delusion and a snare in so far as it purports to be a measure to connect the lower Mississippi and the southern Atlantic with the Pacific. It gives no assurance of a southern connection. It fails to make provision for one. It scarcely holds out a pretense of such a provision. Instead of establishing its eastern terminus at Vicksburg or some other eligible point on the lower Mississippi, it stops hundreds of miles away, and would in the present attitude serve no other purpose except as a feeder of a powerful northern monopoly.

THE south will stand in need of reconstruction, in one very important sense, so long as it continues to be the home of debt-scalers, repudiators and repudiators. There will be found a remedy, in other cases as well as in the case of Tennessee. Public opinion is rapidly ripening for a vigorous treatment of the whole question of local and state debts. Bondholders who are told to "stand and deliver," whether by high toned statesmen or by chivalrous cities, may wisely look up their bonds and wait a little. Honesty has become the law for the Union. It will not always be disregarded with impunity by the various local organizations for self-government within and subordinate to the Union.

THE APPEAL is and has always opposed repudiation, or anything looking to it. In the case of Memphis, it opposed a repeal of the charter until the pressure of eight hundred thousand dollars of mandamuses, and the necessity for some adequate preparation against yellow-fever, drove us to it. But we would advise our cotemporary, the New York *Tribune*, to go slow in this matter of pressure for bondholders, lest there come an explosion that will sweep national, as well as State and municipal bondholders, out of existence.

FRANCE.

Inaugural Address of the New President Grevy—The Government Shall be Guided by the Real Wants and Unmistakable Wishes of the Country.

Special Attentions Promised the Army—Harmony Must Rule in the Administration of the Affairs of France—Gambetta's Inaugural—Amnesty—Etc., Etc., Etc.

VERSAILLES, February 6.—President Grevy, in his message to the chambers, says: The national assembly in raising me to the presidency of the republic has imposed great duties upon me. I shall apply myself unremittingly to their accomplishment, and shall be happy if, with the co-operation of the senate and chamber of deputies, I do not remain below the level of what France has a right to expect from my efforts and my devotion. Sincerely submissive to the great law of parliamentary government, I shall never enter into conflict with the national will as conveyed through its constitutional organs In the bills which it will submit to the vote of the chambers, and in questions raised by parliamentary initiative, the government will be guided by the real wants and unmistakable wishes of the country. Inspirited by the spirit of progress and appeasement, it will devote particular attention to the maintenance of tranquility, security and confidence, which are benefits that France most ardently desires and most imperatively needs. In the application of the laws which give to our general policy its character and aim, the government will be influenced by the spirit wherein these laws were dictated. It will be liberal and just toward all, the protector of all legitimate interests, and the resolute defender of the interests of the State. In its solicitude for these great institutions, which are the columns of the social edifice, the government will bestow a large share of attention upon our army, whose honor and interests will be the constant objects of its most cherished preoccupation. Now that the two great powers of the state are animated by one spirit, which is the same that actuates France; the government, while taking account of rights acquired and services rendered, will take care that the republic is served by functionaries who are neither its enemies nor its detractors. It will continue to maintain and develop the good relations which exist between France and foreign powers, and thereby contribute to the consolidation of a general peace. It is by means of this liberal and truly conservative policy that the republic—ever united and animated by one and the same spirit, and proceeding always with wisdom—will cause its natural fruits to be borne by the government which France, taught by misfortune, has conferred upon herself as the only one that could secure her repose, and usefully labor for the development of her prosperity, strength and greatness.

In his inaugural address to the chamber of deputies to-day, Gambetta eulogized the great citizen whom he had succeeded in the presidential chair and whose footsteps he was to follow. He promised impartiality, and in the discharge of his duties a jealous regard for the freedom of debate; would protect the minority, and exact respect for the constitution. He said the republic has issued victorious from the party conflicts and must now enter on an organic and creative period; that the chamber must devote itself to a holistic, military, financial and commercial reforms. The deputies adjourned until Tuesday and the senate until Thursday next.

The question of amnesty has been referred to the bureaus of the chamber of deputies. The bureaus of the republican left have unanimously elected Albert Grevy, brother of the president, as a candidate for the vice-presidency of the chamber of deputies.

ILLICIT WHISKY

Brings a Man to the Gallows—Romantic Story of a Tennessee Moonshiner—A Long Course of Law-Breaking Ended.

Washington correspondence of the New York *Herald*: "Hut Amarine, a noted moonshiner, who has long defied the officers of the law in the mountains of East Tennessee, was captured to-day. He has a novel history. As a Union soldier he served through the late war, and was noted for his bravery and daring. Since the war he has been constantly engaged in violations of the United States internal revenue laws. His haunts have been well selected in the head of Wier's Cove, at the base of Chillhowee mountain, Blount county, East Tennessee. There, in an inaccessible position, he built a rude stillhouse, and went quietly to work making whisky and brandy, which he furnished to all comers at a cheap price. All around him the wild hills stood covered with laurel thickets, impenetrable except by creeping animals. Those hills frowned as a strong barrier against all visitations from the revenue department. Every approach was constantly guarded by the wily moonshiner. He soon became the leader of a band of bad men along the base of the Chillhowee, and his distillery was known as a leading market for brush whisky and brandy. A number of United States warrants were issued for Amarine's arrest, but he was looked upon as too dangerous a man to be tackled in his natural fortification, and the warrants were usually worn out by being long carried in the pockets of United States marshals. Occasionally, however, the officers would make it lively for him. On one occasion he was found asleep in his house, but, when he was awakened to find himself surrounded, he boldly leaped out at a window, and made his escape amid a volley of pistol-balls.

PLOWING WITH REVOLVERS.

"On another occasion he was found by the marshal and his *posse* plowing with a little mule in a mountain corn-patch, but before they could seize him he quietly drew a pair of revolvers from their cases, which were hanging on his plow-handles, and opened fire on his pursuers from both pistols at once, thus making his escape. He was again found at a later day in company with the same mule, this time riding upon its back and carrying a bag of meal to his distillery, but the intrepid bushwhacker jumped off and escaped unharmed by the bullets that pursued him. The constant pursuit became so annoying to Amarine that he left his mountain beat and went to Texas, but soon returned to the old home again. The officers succeeded in cutting his stills and tuts to pieces on one or two occasions. They carried a keg of his whisky out of the cove one night and deposited it in the courthouse of the county, but Amarine slipped in and stole it before morning and carried it back successfully. On another occasion he was surprised on the road driving a team of oxen hitched to a wagon, in which was found a vessel containing whisky. He escaped to the mountain, but his team was seized by the officers. They started to drive the outfit to the collector's office, but this daring moonshiner mustered a force from his clan, pursued the officers and recaptured the booty.

OFFICERS FOILED.

"This continued resistance soon evoked the unbounded displeasure of Collector Cooper and Commissioner Raum, and a determined effort was made to capture and bring him to justice. For this purpose a raid, in charge of Deputy W. R. Cooper, approached his haunts one morning during last summer, but as they neared the spot they were suddenly greeted by a volley of rifle balls, and Officer Sauder fell badly wounded. The bushwhackers were secreted in the deep, thick jungle of laurel that surrounded the distillery, and since the officers could stand no chance of dislodging them, they retired after several ineffectual rounds had been fired from their carbines. With an increased force the officers returned at sunrise on the following morning. They stole in quietly, and were within a few yards of the stillhouse when a volley from the bushes killed Officer John Cooper and threw the *posse* again into consternation. The outlaws escaped unharmed by the shots fired at them.

CAUGHT AT LAST.

"Fletcher Emmet and Ad Wilson were known to be in company with Amarine on this occasion, and for the three handsome rewards were at once offered by Collector Cooper (whose son had been killed), Commissioner Raum and Governor Porter, of Tennessee. Ad Wilson was soon captured, tried, convicted and sentenced to the penitentiary for twenty-two years. Emmet was also captured in a few days, and now awaits his trial. Amarine has for several months evaded the officers by scouting in the wild Chillhowee mountain He has been interviewed by newspaper reporters, lawyers, etc., but always carried on his person a brace of trusty revolvers and threatened any one with death who would attempt his arrest. He has been captured at last and will, no doubt, hang, as the evidence is voluminous against him."

BOYNTON'S BIG SWIM.

One Hundred and Fifty Miles in Water at a Temperature of One Degree below Freezing Point, and Icebergs Afloat.

OIL CITY, PA., February 6.—Captain Paul Boynton commenced his swim between here and Pittsburg, a distance of one hundred and fifty miles, at eleven o'clock this morning. He expects to reach Kittaning to-night and Pittsburg to-morrow night. The river shows a temperature of one degree below freezing point, and is running nearly clear of ice.

ACCOMPANIED BY A SLEIGHING PARTY.

PITTSBURG, February 6.—Captain Paul Boynton, of aquatic fame, launched on his trip on the Allegheny river at eleven o'clock this morning. His intended journey is from Oil City, one hundred and fifty miles above Pittsburg, to the latter port, and he expects to reach here some time to-morrow afternoon. The water's temperature is one degree below freezing point, and there is but little ice in the river. Captain Boynton's reception in this vicinity has been very cordial. He will be accompanied down the river by a sleighing party, largely composed of representatives of the press.

THE GOLDEN JUBILEE.

Celebration of the Fiftieth Anniversary of the Elevation of Archbishop Henni to the Catholic Priesthood.

MILWAUKEE, February 6.—The golden jubilee exercises to-day in honor of the fiftieth anniversary of the elevation of Archbishop Henni to the priesthood was a very imposing affair. The anniversary proper occurred last Sunday, but the festivities were deferred until to-day. The jubilee opened with a salute of fifty guns. At half-past ten o'clock a large congregation assembled in the cathedral, the latter being handsomely decrated with evergreens and choice flowers. After the celebration of pontifical mass, Archbishop Purcell preached a jubilee sermon. Among the audience present were nine bishops and over two hundred clergymen. In the afternoon the bishop and clergy visited the convent of Notre Dame, where a banquet was spread, following which the students gave a musical and literary entertainment in honor of the occasion. This evening the laity joined in a monster torchlight procession, over five thousand torch-bearers in line, and marched throughout the principal streets to the cathedral. After the open air exercises, consisting of vocal and instrumental music, the bishops and clergy assembled in the sanctuary of the cathedral, where addresses on behalf of the English and German societies were delivered by Andrew Mullen and Ex-Mayor Phillips. The celebration closed by the clergy voicing the *Te Deum Laudamus*. Thirty-five years ago Archbishop Henni was consecrated bishop by Bish p Purcell.

Charges of Bribery and Corruption in the Kansas Senatorial Election that Will Not Stand.

ST. LOUIS, February 6—A Topeka Dispatch says that a resolution was introduced in the house this afternoon, charging that bribery and corruption had been resorted to in the late senatorial election; that members even of the house had offered money for votes, and providing for a committee of five to investigate the matter and also all the charges of corruption in office against the recently-elected senator. A lively debate followed, and a substitute was offered and also a motion made to make the resolution concurrent, both of which were voted down. The resolution was finally adopted by a vote of sixty eight to fifty-six. It is charged that the whole affair was arranged at a private caucus last night, and that it is simply an exhibition of spleen, and the general feeling at Topeka is that there is no truth in these charges.

Journalistic Enterprise.

Some time ago Wilbur F. Storey, of the Chicago *Times*, set the western newspaper men on the *qui vive* by mortgaging his newspaper building for seventy-five thousand dollars. The other day one of his old reporters, who is now at work on the Cheyenne *Leader*, spied Storey in a Pacific express car and straightway tackled him. Storey was shy at first, but finally told the reporter that he was bound for San Francisco to make arrangements for the publication of the *Times* in that city every morning. The San Francisco edition of the *Times* will be identical with the Chicago edition, except in the matter of local news. Telegraphic and editorial matter will be wired from Chicago to Frisco, special arrangements having been made with a telegraph company.

The U. P. Railway's Annual Report.

BOSTON, February 7.—The Union Pacific railroad company's statement for the year ending June 30, 1878, shows a total income of $12,756,354; expenses, $5,807,751; interest, $633,396, bonded debt reduced $691,000; net surplus in the treasury over all outlays, $2 765,142, more than enough to pay seven per cent. on the capital for the entire year, with contracts and cash on hand. There remain $2,699,736 of the $7,000,000 land-grant bonds to be provided for.

Arkansas News.

LITTLE ROCK, February 6.—The test vote in the house indicates a disposition on the part of that body to abolish the offices of commissioner of state lands and superintendent of public instruction, and attach the officers respectively to those of auditor and secretary of state.

"Diamond Joe" Reynolds has abandoned work on his silver mines in Montgomery county.

A Defaulting County Commissioner's Bond Held.

CINCINNATI, February 6.—A dispatch from Urbana, Ohio, says the county commissioners have refused to release Caldwell, one of Treasurer Blase's bondsmen, until a new bondsman can be secured. New discoveries of irregularities in tax collections are still being made. The commissioners have ordered the refunding of overcharges to cease for the present.

Shocking Accident.

CHICAGO, February 6.—This morning a party of five workmen, walking on the railroad track at Lawndale, were run into by an incoming train, and two—James Broda and Anton Ardlich—were instantly killed. The others escaped with trifling injuries.

Counterfeiters Arrested.

CINCINNATI, February 6.—F. Frieley and P. S. Skeins, belonging to a gang of counterfeiters that have infested the region about Maysville, Kentucky, were arrested and jailed at that place yesterday.

A Steamboat Fired into by Bushwhackers.

NEW ORLEANS, February 6.—The steamboat John Wilson was fired into above Waterloo the other night by parties on the shore. The mate was wounded.

Italy Extends Sore Quarantine Restrictions.

ROME, February 6.—The quarantine at the Italian ports has been increased to twenty days, and the importation of certain articles forbidden.

AN old Baltimore negro who had emigrated to Liberia years ago, ordered a quantity of Dr. Ball's cough syrup a short time ago, stating that although coughs and colds were not frequent in Africa, he would not like to be without it in his family.

NASTY NASTINESS.

The Appeal's "Gutter Commissioner" Does Second and the Cross Streets Leading to Third, and Finds a State of Things that Ought to

Alarm the People of this City, or Taxing-District—Filth and Dirt Everywhere—A Cesspool on the Corner of Concord and Second.

Our "gutter commissioner" yesterday examined Second street and the cross-streets and alleys leading to Third. The following is his report, from which our readers will be able to judge for themselves of the sanitary condition of this, one of the most prominent streets in the "Taxing-District."

MUD, FILTH AND REEKING NASTINESS.

The dirt, mud and filth on Second, from Beale to Gayoso streets, has been raked into piles on each side of the way and there left to fester and poison the atmosphere; the ruts and holes in the rotten wooden pavement are far too numerous for us to attempt to mention.

Gayoso street, east of Second, is in a horrible condition, being unpaved, and late rains have made it nearly impassable for vehicles. Not only this, but the residents there have also made it a depository into which they throw their slops and ashes. The crossing here is fearful.

The same embankment of filth and dirt upon each side of Second street from Gayoso to the alley is observable, and the alley itself, running east and west, near the corner, is literally filled with ashes, decayed straw, old tin cans, and, in fact, every description of garbage.

From Union to the alley running east and west, between that street and Monroe, the same disposition of the mud and filth, together with the sweepings of the stores and offices, has been made.

In the alley, both east and west of Second, are huge heaps of ashes and slops from the kitchens adjoining.

Just north of the alley on the west side of Second is an immense heap of ashes and trash, swept from the houses, and to the corner of Monroe the street has the same general appearance.

Monroe street, east of Second, is in the same fearful state, the residents apparently making it the general depository for all sorts of filth and garbage.

North of Monroe, on Second street, is a hole which, from appearances, is sufficiently large to swallow up a medium sized brig, with all sails set, and not show her maintopsail above the mud.

The alley running between Monroe and Madison, running east and west, is simply a sink, which has been filled up with ashes, slops, paper and sweepings from the houses there.

The street from Madison to West Court is passable, but is full of holes and ruts and covered with mud.

The east side of Court square is used as a stand for express wagons and is terribly filthy. Why not make the drivers keep this place clean, and not let it remain an eye-sore to the public.

East Court, from Second out, is in a fearfully bad condition not only for its mud, but also from it appearing to be a cesspool for the filth and ashes of the neighborhood.

The street between East Court and Jefferson is comparatively good, although the pavement is considerably worn away, leaving holes and ruts.

The alley between Jefferson and Adams, and running east and west, somewhat, slops, ashes, etc., have been thrown into it to such a degree that the stench from it savors more of a bone-yard than a street in a city.

Second street from Adams to Washington is in a better condition, and, were it not for the holes and ruts, would be tolerably fair.

Washington street, from Second east, is a sight which to realize must be seen. The mud and filth of the center of the street has been raked into piles upon each side, and added to by the slops and ashes thrown on them, until they resemble the *rifle-trenches* put up by the "boys in grey," during the late war, near their encampments.

The alley-way between Washington and Poplar is filthy beyond description. It is a sink-hole and general deposit for slops, filth and ashes.

From Poplar to Market streets, Second is covered with one and two inches of black mud, that emits a perfume not by any means healthy or pleasant.

Market street west of Second is one vast mud-hole, and how loaded wagons and drays traverse it is a conundrum we are unable to solve.

Winchester street, at the southeast corner of Second, is used apparently as a depository for the filth and ashes of the neighborhood.

Commerce street west of Second is awful to behold. It is a general sink, used for the reception of kitchen slops and ashes.

At the corner of Second and Overton streets are pools of stagnant water which emit very nauseous smells and odors.

The sewer which crosses Second street on Concord street is partly uncovered, and there is a vault underneath the grating at the northeast corner which receives all the filth, etc., that comes from the houses and privy closets from there to Main street. The stench arising from this cesspool and which poisons the atmosphere, is enough to knock a good-sized man off his feet. We actually saw dead dogs and cats floating in this abominable pool.

Although Second street from Market street north to the Louisville and Nashville depot, is passable for vehicles; yet it is covered over with a layer of two or three inches of black mud and it emits a fetid, sickening odor.

We have been creditably informed that in a great many houses where rooms are rented, it is the habitual practice to sweep the filth and also to empty the ashes from stoves and grates into the hallways, where it often remains not only for days but for weeks at a time.

Our readers for several weeks past have, no doubt, noticed the large mortality list which is published every Sunday morning in this paper, and have, no doubt, been surprised at the death rate at this season of the year, but were they to accompany us upon one of our excursions their surprise would be not in the *small* number of deaths from pneumonia, small-pox and other dread diseases which now are published weekly, but how any one can live in this filthy, beastly, dirty city.

NOTE.—Other pest-holes to which our attention has been called will receive our personal inspection, and we will, if possible, describe them.

THE RECEIVERSHIP.

He May Not Prove all that Fancy now Paints Him—He May Cost Much More than he Comes to—Who Knows?

EDITORS APPEAL—One of the considerations which must operate strongly against the appointment of a receiver, is that the expenses of such an officer are notoriously of the most extravagant kind. Who shall say that such a receiver shall not employ counsel, and how is the pay of such counsel to be fixed? It occurs to us that in matters involving as much as one hundred thousand dollars of controversy, instances can be found in our courts where counsel for a receiver have been allowed ten thousand for fees, and that where the main litigation was conducted by other counsel. These are matters of inquiry and proof, and are in no degree under the control of the court. He is regarded as bound by the evidence as to the value of services. In the matter of the compensation of the receiver himself, who is to limit his compensation? Suppose it lay in the power of the chancellor to limit, when it came before him, the compensation of a receiver, what assurance have we that the matter will be fixed during his term, not at present certain beyond August, 1880, and then to be elected with reduced salary for the ensuing six years. Who can say that the present judge, with the most enlarged idea of economy, even if his powers were unlimited to restrict, could guard against the most lavish compensation to a receiver? The precedents would probably fix this at not less than five per cent., if the proof did not run beyond these. But what receivership ever had an end? Like Proctor Knott's idea of the completion of any public improvement in Washington, the ending of any receivership defies the powers of human conjecture. Jarndyce vs. Jarndyce, is the well recognized type of chancery litigations of this kind. Let the legislature, as they have reserved the right to do, provide the officer to take charge of the assets of the corporation with moderate compensation, and if he is to have a law adviser, let his compensation be fixed by law, not by lawyers. We are not professing to know the law of this matter, but it would seem, as a business proposition, that the above considerations should have great weight, especially so in these days of retrenchment and economy. A. B. C.

NEW ORLEANS.

Progress of the Trial of the Tensas Parish Prisoners—Wells, Kenner and Casanave File a Demurrer in their Case.

NEW ORLEANS, February 6.—Judge Woods, Judge Billings concurring, to-day rendered a decision overruling the demurrer of the Tensas parish prisoners. The indictment is properly drawn, and that sections 5506 to 5509 of the revised statutes of the United States referring to elections are constitutional.

The trial of the Tensas parish case will begin Tuesday, February 18th.

J. Madison Wells, Louis M. Kenner and G. Casanave, of returning-board fame, appeared in a body before the superior criminal court and withdrew their plea of "not guilty," and filed a demurrer to the information against them.

Judge Cullom, their counsel, claims that under the decision of the supreme court of March 20, 1878, in the case against C. Anderson, they were entitled to a *nolle pros.* in their case, which the attorney-general refuses. A demurrer is filed for Thursday next. The attorney-general holds that the decision in the Anderson case is not *res judicata*, and holds only good in that case. As several decisions of the present supreme court have afterward been changed, he is of the opinion that the court may do so also in the case of the returning-board.

TELEGRAPH BREVITY.

Moville, February 6: Arrived—Devonia, New York.

New York, February 6: Arrived—Imbros, from Liverpool.

Portland, February 6: Arrived—Lake Nepigmon, from Liverpool.

London, February 6: Civil war is reported imminent in Samoa.

Boston, February 6: Arrived:—Steamship Mary Louisa, from Liverpool.

London, February 6: Ex-President Grant and party have left Aden for Bombay.

London, February 6: Lord Augustus Loftus has been appointed governor-general of New South Wales.

London, February 6: It is again reported that Prince Leopold will take orders in the church of England.

New York, February 6:—Arrived: Steamships State of Georgia from Glasgow, and Humbert from London.

New Orleans, February 6: The tobacco warehouse of J. P. Sarrazin, the largest manufacturer in this city, was seized last night.

Paris, February 6: Specie in the Bank of France increased six million two hundred and twenty-five thousand francs the past week.

Havana, February 6: Captain-General Martinez Campos sailed yesterday for Spain to confer with the king on matters relating to Cuba.

Paris, February 6: Gambetta occupies the Palais Bourbon as his official residence. The government is taking measures to prevent the introduction of the Russian plague.

New York, February 6: The steamship Celtic, for Liverpool, due at Queenstown on Sunday last, has not yet reported. Disabled machinery is supposed to be the cause of the delay.

Halifax, February 6: E. Morrison & Co., flour and produce dealers, suspended. Liabilities are estimated at one hundred and twenty thousand dollars; assets, one hundred and seventy thousand dollars.

St. Petersburg, February 6: The journals here denounce Austria and Germany for adopting precautionary measures against the plague. The action, it is declared, is inspired by hostility to Russia, and a desire to ruin her trade.

London, February 6: Capetown advices say the Zulus offer but slight resistance, while drawing into the interior as the troops advance. The column under Colonel Glynn had an engagement January 12th; British loss trifling. Skirmishes are reported from different points.

London, February 6: Bullion in the Bank of England increased three hundred and ninety-nine thousand pounds during the past week. Proportion of reserve to liabilities, thirty-nine and a half per cent. Bullion gone into the bank on balance to-day, fifteen thousand pounds.

Calcutta, February 6: Mahomed Khan, son of Whali Mahomed, has been imprisoned by Yakoob Khan. Property at Cabul belonging to Sirdars, who is now at Jellallabad, has been plundered by Yakoob Khan's orders. Snow is falling heavily in Surfeid Koh and Ghilzai passes.

Paris, February 6: Monseigneur Guiberte, archbishop of Paris, in replying to a letter from Pere Hyacinthe notifying him of the opening of the Reformed church in Paris, writes that he regards his correspondent as deranged—a dreadful example of divine chastisement for infidelity.

Cheyenne, February 6: J. R. Brown, president of the Seminole gold and silver mining company, was arrested here to-day by Special-Agent Adams, of the postoffice department, for using the United States mail to defraud. An indictment was found by the United States grand jury at Laramie City.

Columbus, Ohio, February 6: A strong pressure has been brought to bear to-day by a delegation from Cleveland and elsewhere to induce Governor Bishop to commute the sentence of Charles M'Gill, sentenced to be hung for murder. The governor's decision will not be made public for several days.

The Northern Cane-Growers' Association in Session.

ST. LOUIS, February 6.—The Northern cane-growers' association, with delegates from Illinois, Indiana, Ohio, Wisconsin, Minnesota, Iowa, Missouri and Kansas, are in session here, and are discussing subjects relating to the growth of cane, the manufacture of sugar, and the various interests relating to this important farming industry. A. M. M'Clenny, of St. Louis county, presided temporarily, and made a brief address. The committee on permanent organization reported a constitution which provides that the organization shall be known as the Mississippi valley cane growers' association, and that meetings shall be held annually. The following officers were also reported and elected for the ensuing year: John Walker, of Missouri, president; A. M. M'Clenny, of Missouri, C. R. Miller, of Illinois, C. J. Miller, of Minnesota, George W. Gardner, of Iowa, Isaac T. Goodnow, of Kansas, A. J. Russell, of Wisconsin, vice-presidents; J. A. Hedges, of St. Louis, corresponding secretary; George Longman, recording secretary; E. W. Douglass, treasurer; Geo. W. Belcher, expert. Mr. Belcher, of the Belcher sugar refinery in this city, examined a sample of sugar made by Mr. Miller, of Minnesota, and pronounced it equal to the best New Orleans sugar, and worth in bulk five cents per pound.

Panic in a Nashville Theater.

Nashville *Banner*, of Wednesday: "Just before the close of the third act in *Richard III*, last evening, at the Masonic theater, a panic occurred which at one time threatened to be a serious affair. It was caused by smoke issuing from the furnace, which led many to believe that the house was on fire. A gentleman and a lady arose, and then another, then four, then a dozen, and in all fully one hundred people rushed out of the doors and down the steps. Men rose in their seats and shouted at the top of their voices, 'Sit down, there is no danger!' 'Keep your seats!' and numerous other exclamations. The actors rushed to the foot-lights and did their best to quiet the frightened crowd, assuring them that there was no cause for alarm. Governor Marks did good service in quieting those in his immediate neighborhood, urging them to keep their seats, as did Dave Pitman. A policeman stood at the door with his mace threatening to knock down the first man who attempted to pass him, but nevertheless they did not stop. A lady in one of the private boxes fainted, and was carried from the theater. Mr. M'Cullough came upon the stage soon after the drop fell and congratulated the audience on their good sense in not becoming panic-stricken, and assured them that he had been on the first floor and examined the furnace and that everything was in perfect order. This had a fine effect, and the eminent actor was heartily applauded. Many persons who went out in the rush did not return to witness the remainder of the performance."

PELTON

Entertains the Potter Sub-Committee in New York with a Detailed History of the Cipher Dispatches and his Connection with Them, and

Asserts Positively that Mr. Tilden was Not Cognizant of the Effort Implied to Secure the Presidency by Fair or Foul Means.

NEW YORK, February 6.—Colonel Pelton was to-day before the congressional committee investigating the cipher dispatches.

Ques.—Can you remember any of the names of persons with whom you corresponded, or have you destroyed your cipher key? Ans.—I have, and I cannot now remember the names of any persons with whom I conferred; all telegrams sent by Weed were, by my instructions, addressed to Havemeyer, who at once sent them to me; after this they were presented to the committee at the Everett house.

Ques.—Who opened these dispatches in your absence? Ans.—The National Democratic committee.

The chairman called attention to a dispatch dated Tallahassee, November 16th, and signed (translation) "Marble." The dispatch stated: "The canvassing board may and will purge the county returns, and our first move will be to require of the board of three State officers, one being an able Democrat, immediate action."

Colonel Pelton—I might as well state here that I cannot remember anything about these dispatches; there is no question but that the *Tribune* dispatches get near to the point, yet they are inaccurate; I always understood that Woolley and Fox were one and the same person. Give me a little more latitude and I will testify fully. Witness did not remember whether or not he used the word "Denmark," as his signature.

Mr. Springer, of the committee, said that several dispatches from Florida signed "Max," sent by Coyle in reference to money matters, were explained by a memorandum of expenses of the Democratic national committee submitted by Major Cooper.

Witness said that he had an idea that the returning-board proposition, even if not carried out, would result if assented to in a delay which would be favorable to the Democratic party; he had made no arrangements for raising the money, but intended eventually to lay the matter before the Democratic national committee and let it decide. In the meanwhile he thought it best to commit the members of the returning-board to the proposition; he was not acting wholly upon his own responsibility and without consultation with any one, and held no authority to act for the Democratic national committee in the matter.

Several other ciphers were produced and recognized by witness. When the South Carolina dispatches were taken up, Pelton said that he remembered sending a dispatch assenting to the use of fifty thousand dollars; he might have asked that part of the money should be payable only after the vote was cast, but he did not remember doing so; he remembered receiving a dispatch from Weed to the effect that the South Carolina returning-board demanded seventy-five thousand dollars; the proposition was accepted by him, though he did not remember the exact words of the dispatch which he sent.

The attention of the witness was called to other dispatches, and he was asked if he had any explanation to make.

He replied: I have not and can hardly remember these things; I went to Baltimore; the night before leaving New York I met Mr. Cooper and told him about the Weed correspondence and that I might need his money; before leaving Weed I was fully satisfied that the money would be forthcoming, but later I received two telegrams, one from Cooper and the other from some one whose name I don't recollect, to the effect that the money could not be raised; I met Cooper at his house and told him that Weed had telegraphed me as to the amount necessary to buy South Carolina; Cooper led me to believe that the money could not be raised; Tilden was exceedingly annoyed about the matter and denounced my action, in fact, he was very severe; I left for Baltimore without his knowledge or consent and he was much surprised at my action.

B. FISEMAN,
President Chamber of Commerce.
D. P. HADDEN,
President Cotton Exchange.

Ledger and *Herald* copy 11 1

Masonic Notice.

THE officers and members of DeSoto Lodge, No. 266, are hereby notified to attend a Special Communication this (FRIDAY) evening, at 7 p.m., for work in the Master Mason's Degree. All members of sister city lodges and transient brethren in good standing are fraternally invited to meet with us. Visiting brethren desiring examination must present themselves at the Lodge-room between 6:15 and 6:30 o'clock. By order B. F. PRICE, W. M.

H. M. RAGAS, Secretary.

WASHINGTON.

Four Per Cent Subscriptions Yesterday—Nominations by the President—Maddox's Testimony before the Potter Investigating Committee.

Rumored Project to Unite all the Southern Pacific Railway Schemes—Another Call for Bonds—Congressional Proceedings, and Other Matters.

WASHINGTON, February 6.—Subscriptions to the four per cent loan since yesterday's report, nine million five hundred and eleven thousand one hundred and fifty dollars.

NOMINATIONS.

The President has nominated John Parker as United States marshal for the western district of Michigan; N. P. Banks, United States marshal for Massachusetts; J. N. Patterson, United States marshal for New Hampshire; Martin J. Townsend, United States attorney for the northern district of New York; James Torrans, United States marshal for the eastern district of Arkansas; Herman Conant, United States marshal for the northern district of Florida; Docius S. Wade, chief justice of the supreme court of Montana Territory; John B. Allen, United States attorney for Washington.

POTTER.

Maddux testified relative to St. Martin's affidavit. Every charge embraced therein upon which the witness was questioned was denied, especially that one referring to Maddux as having offered St. Martin money to return home.

ANOTHER BOND CALL.

Secretary Sherman has called the following 5-20s, principal and interest payable May 6, 1879: Coupon bonds dated July 1, 1867, $50, No. 75,001 to 80,000, both inclusive; $100, 115,001 to 130,001, both inclusive; $500, 75,001 to 81,000, both inclusive; $1000, 14,000 to 129,000, both inclusive; total amount of coupon bonds, $10,000,000. Registered bonds redeemable at the pleasure of the United States after the first of July, 1872: $50, No. 5001 to 3100, both inclusive; $100 21,901 to 22,950, both inclusive; $500, 10,561 to 11,150, both inclusive; $1000, 40,901 to 42,300, both inclusive; $5000, 11,501 to 12,150, both inclusive; $10,000, 19,701 to 21,300, both inclusive; total registered, $10,000,000; aggregate, $20,000,000.

A RUMOR.

There is a rumor that the Texas and the Southern Pacific railroads have entered into a compact similar to that made by the Central and Union Pacific, the Huntington interest to build the western, and the Scott interest the eastern half of a single through line.

NEARLY A MILLION DOLLARS WANTED FOR THE ARMY.

The secretary of war, in a communication to the house to-day, asks for a deficiency appropriation of nine hundred and eighty thousand dollars, for the pay of men in the army, the appropriation having been made on a basis of twenty thousand, instead of twenty-five thousand men.

CONGRESSIONAL.

In the senate a resolution instructing the committee on agriculture to inquire in regard to reports concerning infectious diseases among horned cattle was agreed to. The bill regulating the taking of the census passed with only four negative votes.

In the house, after disposing of minor business, the army appropriation bill was taken up in committee of the whole, several amendments were proposed, but the discussion resulted in very little advancement toward the completion of the bill.

THE HUNTON-ALEXANDER DUEL SETTLED.

The grand jury, by a vote of nineteen to four, to-day refused to find a bill against Enna Hunton for the alleged offense of sending a challenge to Columbus Alexander.

OPINION of eminent Dr. R. S. Steuart, president Maryland hospital, Baltimore, Maryland: " " " " I have used Colden's Liebig's liquid extract of beef and tonic invigorator for more than a year, and recommend it as one of the most efficient preparations I have ever met with. It combines the virtues of food and tonic in a remarkable way, and I am satisfied has saved life