THE MEMPHIS DAILY APPEAL.

ESTABLISHED 1840. MEMPHIS, TENN., TUESDAY, JANUARY 6, 1880. VOL. XXXIX--NUMBER 5

INDICATIONS.

WASHINGTON, D. C., January 6—1 a.m.
For Tennessee and the Ohio valley, falling barometer, warmer southerly winds, cloudy and rainy weather, possibly followed in western portions by colder, partly cloudy weather.

WEATHER OBSERVATIONS.

WAR DEP'T, SIGNAL SERVICE, U. S. ARMY, }
MONDAY, January 5, 1880, 10:08 p.m. }

Place of observation.	Bar.	Ther.	Wind. Dir.	Force.	Weather.
Chattanooga	30.26	60	N.E.	Gentle.	Lt. rain
Galveston	30.18	69	S.	Light.	Foggy.
Indianola	30.17	69	S.	Fresh.	Foggy.
Louisville	30.07	60	S.E.	Fresh	Lt. rain
Memphis	30.10	65	S.	Fresh.	Fair.
Nashville	30.17	63	S.E.	Fresh.	Td.st'm
New Orleans	30.26	68	S.E.	......	Clear.
Shreveport	30.13	70	S.	Gentle.	Fair.
Vicksburg	30.21	68	S.	Fresh.	Fair.
Little Rock	30.08	72	S.W.	L'ght.	Clear.

R. T. DABNEY, Private Signal Corps, U. S. A.

DR. PORTER'S RESIGNATION.

When the yellow-fever in 1873 was killing its hundreds every day the APPEAL called the public attention to the unsanitary condition of the city, which was then deplorable in the extreme. B[illegible] calculation carefully made we showed that fully ten thousand barrels full of solid, including fecal matter, were deposited in the soil or upon the surface within the corporate limits, every week, and that the soil was saturated with human excrement. We were without a scavenger system of any kind, and goats, hogs and cattle were permitted to run at large and get their fill from the garbage piles that everywhere were rotting in our streets and alleys. While the poor, without the power to run away from the pestilence, were paying with their lives the penalty of this beastly condition, the APPEAL every day plead for a change that with cleanliness would bring health and life and wealth and growth to our city. In this it had the earnest support of its city contemporaries. The fever passed away. Our pleas went unheeded by. Spasmodic attempts at street and alley cleaning were made; the goats, hogs and cattle were driven from the highways, but the privies were increased in number and thus intensified, by continued saturation of soil, the poison that contaminated the air we breathed and the water we drank. Sanitation was postponed. The yellow-fever epidemic of 1878 was the result. Six thousand graves in our cemeteries tell how fearfully the people again paid the penalty of continued violation of laws to which their English bible urges obedience. The horrors of that awful visitation of plague, which made the name of Memphis familiar in every part of the world, attracted the attention of all civilized people to our condition. Forced by public opinion and an increasing intelligence upon the part of our own people, an auxiliary sanitary association was established, which assisted Dr. Porter and Dr. Thornton in as efficient work as limited means and limited time would admit of. Forty-six thousand loads of surface filth were removed and several hundred privies were emptied. But the fever, which was endemic the whole winter, made itself felt early in July, in the immediate vicinity of the privies that were last emptied, and prevailed until November. Meanwhile most of the influential citizens refugeeing at Nashville and St. Louis felt that something must be done, and many of them were willing to pay a ten per cent. tax, some of them to give a fourth of all they had, to accomplish whatever was necessary to free us from this curse. Dr. Porter, anxious to second this spirit, and feeling himself justified thereto, invited the National board of health to send a commission here to make a house-to-house inspection and declare what was necessary to be done, pledging himself—as he was also justified in doing by the prevailing public sentiment—to see their recommendations carried into effect. This commission came here, and after weeks spent in a most searching and careful examination of the city reported that they found—

First—A limited water supply from cisterns and wells, which are largely contaminated by privy vaults and other foul collections.

Second—Considerable collections of old bedding and clothing in junk shops and similar places, the antecedents of which are more than doubtful, and which contain an uncertain amount of infection.

Third—A considerable number of old shanties and sheds, together with a smaller number of large dwellings in the heart of the city, which are foul past redemption, and which should be destroyed by fire.

Fourth—The prevalence of wooden pavements in the streets in such a bad state of repair as to be an absorbent of unwholesome vapors.

Fifth—The absence of sufficient sanitary police regulations as to removal of garbage and excrement.

Sixth—Absence of sewerage and subsoil drainage.

To remedy this horrible condition, verifying what the APPEAL, in 1873, and every year since, gave warning of, the sanitary commission made the following recommendations:

First—A supply of water from the river or some more remote source, and the cleaning out and filling with clean material of all privy-vaults; the abandonment of all cisterns and wells as sources of water supply.

Second—The destruction by fire of various collections of clothing, bedding, etc., supposed to be infected, and of a considerable number of buildings of like character.

Third—The substitution of gravel for wooden paving and sand in many of the streets, and the enforcement of rigid regulations as to removal of garbage and excrement, together with the appointment of an efficient head sanitary officer, with large powers.

Fourth—The construction of sub-soil drains and sewers—the latter to exclude all rain water, surface water and ground water, and to serve for the removal of sewage only; and to be constructed of glazed earthenware pipes, of such size as to insure their carrying the sewage when half-full, with ample arrangements for flushing at frequent intervals.

The legislative council promptly, upon receiving this report and these recommendations, passed an ordinance to carry the first recommendation into effect, the existing ordinance being sufficiently explicit as to the second. The third was being enforced as fast as the means at command would permit. As to the fourth, the governor was invited and did call the legislature together, and that body promptly passed an act providing a two per cent. tax to pay for the Waring system of sewerage recommended by it. This done, and when every friend of Memphis breathed freely, believing that without further delay the sewerage thus contemplated would be put down by the city and the work be begun at once, a systematic attempt at delays was then resorted to to defeat the work, and, after many weeks lost in what proved to be a useless debate over what the scientific sanitarians urged us to do for our lives' sake, all points were yielded on Thursday last at the meeting held at the cotton exchange. Meanwhile, Dr. Porter and Dr. Thornton, upon whom devolved the execution of the ordinances, had gradually overcome all opposition to their enforcement, and the people were willingly complying with the provisions of the law, many of them at great inconvenience. It is not too much to claim that the majority of all classes of our citizens were supporting and sustaining Dr. Porter than whom no community has ever had or could have a more faithful, conscientious, painstaking and energetic officer. General satisfaction prevailed on Saturday, all believing that at last we were done with opposition and wordy wars; that the recommendations of the National commission, to whom we were pledged to carry out these recommendations, would be consummated under Colonel Waring's direction, and that we should be able to point to good work done when the heats of summer came. This was not to be. A farther postponement of the work was initiated yesterday. *The council, on first reading, at its session last evening, repealed the most important clause of the health ordinance, that which provided for the full enforcement of the very first of the recommendations of the National commission; a clause which had been passed unanimously at a previous meeting, for the repeal of which no petition was before the council, and for the repeal of which they are wholly without excuse in view of the sanitary needs of the city and the fact that Dr. Porter had overcome all the outspoken and influential opposition to this and every other feature of the sanitary recommendations of the National commission.* We deeply regret to put this on record. The APPEAL has with unrestrained enthusiasm hitherto supported the Taxing-District government because it has not, until this fatal step was taken, done anything that was counter to the good, the safety, the welfare of the people. But on this we must part company. We indorse the promptness with which Dr. Porter tenders his resignation. To have given his consent to this action of the council would have been to stultify his whole public record, to have [illegible] his pledges, and to have disgraced himself before the [illegible] country. A gentleman of unsullied and unblemished reputation he could not do this. He, therefore, left the city last night for Nashville, to tender his resignation to the governor. In our present condition this step is little short of a public calamity. By his bravery during two epidemics, his unflinching devotion to duty, his unyielding fidelity to law and his inflexible honesty and integrity he has so won upon all the leading men of the city that their resources of energy and means were willingly placed within his reach, and he—and we believe he alone—could have secured the money to pay for the work on the sewers that must be done before any of the two per cent. tax can be collected—certainly he alone was so familiar with the needed work and the best methods of doing it as to make his stay in office an almost absolute necessity to its prompt execution. We deeply regret this unlooked-for and unnecessary act of the legislative council, and we deplore, let us repeat, as a public calamity, the resignation of Dr. Porter. Six months later we might reluctantly have parted with him as from a faithful public servant who needed rest; now we part from him fearing that, in losing him, we lose all that has been fought for the past four months.

MISSISSIPPI.

Members of the State Legislature Arriving at Jackson—Re-Election of John M'Gill as Mayor—Speculations as to Who will be Legislative Officers.

Special to the Appeal.]

JACKSON, January 5.—Nearly all the members of the legislature have arrived.

This being a local election day, the powers that are to be stood by and watched the local election for mayor, which resulted in the reelection of John M'Gill.

No caucus will be held to-night. Seal, of the sea coast, is the probable speaker. The senatorial question is most dubious, if the expressions of the members are considered. They are all as dumb as oysters. Interviews with new members bring forth nothing, and the old ones have already planted themselves, and are dumb.

THE GROCERS BANK.

A Prominent Stockholder's Story of the Crookedness—J. Lloyd Haigh Arrested on the Charge of Forgery.

NEW YORK, January 5.—A prominent stockholder of the Grocers bank said to-day: "For a long time I have been satisfied in my own mind that the affairs of the bank were managed very loosely, and on two or three occasions I tried to bring the matter before the stockholders, but upon every occasion deputies from [illegible] who were managing the affairs of the bank have been present and succeeded in averting all proceedings looking toward an investigation. I was induced to have the bank go into liquidation some time ago, for I knew the matter has been going on for some time, and the longer the wind-up was deferred the worse it would be for the stockholders and depositors." It was said this afternoon by Agent Leman, to whom all the facts of the case are known, that on December 23d about eighteen or nineteen thousand dollars in drafts were drawn in favor of J. Lloyd Haigh, and that they were presented at the Market national bank for discount. They were drawn on various houses in Chicago and other western cities. The bank here telegraphed to the firms upon whom the drafts were drawn, and was instructed not to receive the drafts as they were not good. Later in the day Receiver Whitehead, of the Grocers bank, had been ruined by forgeries. J. Lloyd Haigh was arrested this afternoon on the charge of forgery.

NASHVILLE.

Can Senators Savage and Wilson be Employed as Attorneys for the State?

That is the Question That Just Now Agitates the Public Mind at Nashville.

Special to the Appeal.]

NASHVILLE, January 5.—The question has been raised here as to whether Senators Savage and Wilson can be employed by the State in the double capacity of senator and attorney, on the ground that the constitution prohibits any man from holding two public trusts under the State at the same time. It is also the talk that before paying any further fees to Senators Savage and Wilson, the comptroller will consult the attorney-general as to his duty in the premises. If he decides against the senators, the amount already drawn by them may be covered back into the treasury by a suit entered for that purpose.

The new-issue case will be taken up at Jackson to-morrow.

Colonel John W. Childress, chairman of the State Democratic executive committee, says that no convention will be called until after the National Democratic executive committee shall call a convention, and then only for the purpose of selecting delegates to the National convention.

Obituary.

DR. SAMUEL P. CUTLER.

At an early hour yesterday morning, so peacefully and quietly that his family knew not the moment when the great change came, the soul of Dr. Samuel P. Cutler passed from this to another and better world. He had been in ill-health for some months past, having been attacked with a severe enteric complaint last summer while spending some weeks in the country, near Bartlett. He never recovered from the effects of that illness, and gradually declined in strength, though cheerful and hopeful until the last. Yesterday morning his wife arose and left him in peaceful slumber while she attended to her household duties. Returning soon after, she found him still lying as she had left him, with his head pillowed upon his arm, but the sleep of exhausted nature had become, in that short interim, the eternal sleep of death. Dr. Cutler became a citizen of Memphis some six years ago, locating here for the purpose of practice of dentistry. He had become well and favorably known in this short time, through his professional skill, his scientific acquirements and his genial social qualities. He made many friends in this community, who will sincerely mourn his loss. The name of Dr. Cutler is familiar to the dental profession throughout the world through his researches into the microscopical anatomy of the teeth. He was known as an indefatigable student and a most instructive writer on dental practice. His investigations in chemistry and microscopy had made him a master in these branches of human learning. Few men excelled him in mechanical ingenuity, and he not only made his instruments and apparatus, but frequently they were his own invention. Dr. Cutler was born in the State of Vermont in 1815, and was consequently sixty five years old at the time of his death. In 1837 he removed to Tennessee, and practiced medicine with his brother in Obion and adjacent counties for nearly ten years. About 1848 he removed to Holly Springs, Miss., where he turned his attention to dentistry. After graduating at the Cincinnati dental College, he practiced this branch of the medical profession for many years in Mississippi, meanwhile lecturing for three years on chemistry and allied branches in the old medical college of Memphis. Just after the war he accepted the chair of chemistry and microscopy in the dental college of Cincinnati, and spent the winter there lecturing. He soon after accepted the same chair in the dental college of New Orleans, and occupied it for three years. His home was still in Holly Springs, and his winters only were spent away from that place, where he resided altogether for twenty-five years, up to the time he came to Memphis. Dr. Cutler was one of the gentlest and most unassuming of men, and few save those who were admitted to a close acquaintance, were aware of the extent and variety of his attainments. He is gone from us, and there is none to take his place.

New Yorkers Gobble Another Western Railway.

SPRINGFIELD, January 5.—The Cairo and Vincennes railroad was sold by the master in chancery of the United States court to-day, in pursuance of a decree rendered at the June term thereof in favor of the highest bondholders. It was purchased by Joseph W. Drexel and C. E. Tracy, of New York, trustees for the bondholders, for the sum of two million dollars, the purchasers assuming the liabilities for receiver's certificates and claims allowed upon the intervening petitions for labor and supplies furnished.

Grant in Florida.

FERNANDINA, January 4.—General Grant and party arrived here this morning from Savannah by the steamer City of Bridgeton, after a delightful trip. The day was beautiful, and crowds of people, white and colored, lined the streets to welcome the guests.

Mrs. Ward's Burial.

BOSTON, January 5.—The funeral of Mrs. Helen Ward, shot by her daughter, took place yesterday. The daughter, in the custody of an officer, viewed the body and wept bitterly. She was returned to jail before the corpse was taken from the house.

OPINION of a Baltimorean.—I have used Dr. Bull's cough syrup for some time in my family, and found it the best remedy for coughs, colds, etc., I ever tried.—Louis Bruning, 26 Caroline street.

FOREIGN NEWS.

Serious Affray in Galway County between the Constabulary and Peasants—Another Contemplated Attack on Cabul—Distress at Sea.

The London Times Discussing the Pretender to the Rulership of Afghanistan—Interview with the Khedive—British Crop Prospects.

DUBLIN, January 5.—A very serious affray occurred on Friday between the constabulary and the Galway peasants, during which the police fired on the people, but nobody was injured. Galway county is in a very disturbed condition. Two hundred extra police have been drafted there.

Signor Imbriani Again Contradicted.

ROME, January 4.—The newspapers to-day publish a letter from Menotti Garibaldi, in which he also denies the assertions contained in the pamphlet of Signor Imbriani, that the ministry were in secret sympathy with the Italia Irredenta, and had acted from politic motives in seizing the flag which that body displayed at the funeral of General Avezzana.

Another Attack Contemplated on Cabul.

LONDON, January 5.—A dispatch from Candahar says that the leader of the Herati troops escaped after his defeat to Ghorian, near the Persian frontier, where he is collecting a force to attack the Cabulis, who are virtually besieged in Herat. The county people attack them whenever they venture out in small parties. Fifty troopers who went out foraging were all killed by the villagers. The famine in the province of Seistan is very severe. The people are selling their children.

The Steamer Silesia in Distress at Sea.

LONDON, January 4.—The steamer Frisia, from New York for Hamburg, has arrived off Lizard. The steamer Silesia, which left Hamburg December 24th, for New York, put in at Plymouth Sound Saturday night, with her steering gear damaged. She had reached six hundred miles west of Queenstown. She experienced tremendous hurricanes from the twenty-seventh to the thirty-first, and was compelled to lay to from the twenty-ninth to the thirty-first. She was once thrown on her beam end, with difficulty recovering herself. On the first of January the weather moderated, but the steering gear of the vessel was found to be seriously damaged, and her captain determined to return to Plymouth.

British Crop Prospects.

LONDON, January 4.—The annual report of the *Mark Lane Express* has returns from 441 correspondents, representing every county in England, which fully confirm the worst accounts of the serious failure of the crops. The *Express* says: "The returns are the most discouraging we have ever published. Of the 429 districts from which the returns were collected, not one has produced a wheat or pea crop above the average. Only 2 represent a barley crop and only 6 a bean crop as over the average. Oats is the only crop that is not thoroughly bad. An examination of ten years' tables will show [illegible] we have had worse crops and as bad a [illegible] bean crop, but there has been no year of the ten, and we might go farther back, nearly so unfruitful even with respect to oats and beans, if weight and quality be taken in account. No year of the ten has given such bad results. To wheat this disastrous failure of the crop is most strikingly shown by the fact that only 4 out of 429 returns represent it up to the average. The remarks of our correspondents as to the condition of grain and pulse are as disheartening as the accounts of the yield."

Interview With the Khedive.

CAIRO, January 5.—At an interview with the khedive of Egypt, mentioned on the third instant, Gordon Pasha said the king of Abyssinia hated, and was hated by, all who came in contact with him. Abyssinia, he said, was surrounded on all sides by discontented tribes and rulers. To the eastward, King Meneleck of Shoa was sullenly opposing King John, but was afraid to show overt hostility. To the south, Rasadali was in almost open rebellion, and in other quarters six or more chiefs were in actual revolt. Placed in this position, Abyssinia could not attack Egypt. The khedive would supply the malcontent tribes with arms. The second son of the late King Theodore would soon be placed on his father's throne. King John now regretted his exorbitant demands. Gordon Pasha stated he should soon quit Egypt for good, and declares it would be advantageous for the country that a ruler really interested in its welfare should directly control affairs himself. The report that Ismail Ayoub Pasha had been appointed governor-general of Soudan is untrue. The administration in that province will probably be divided into three branches, as before. The slave trade in Soudan has entirely revived.

The London Times on Afghanistan's Pretender.

LONDON, January 5.—The *Times* says: "In the eyes of the Afghan people Abdul Rohman Khan, pretender to the throne of Afghanistan, counts for little but in Turkistan. From Balkh to Badakshon his influence is considerable. He could doubtless collect considerable force there and probably establish his authority temporarily in Afghan Turkistan. His first step has already been taken in such an enterprise by the success of his wives and a near relative, Mir Baba, who has ousted Shere Ali's nominee from Faizabad, and is now *de facto* ruler of Badakshan. It is morally certain that Abdul Rohman will join with him. In this fact lies Abdul Rohman's importance, and his value to Russia depends on the same circumstance. More than that, the man who can, without foreign aid, firmly establish his power in any one portion of Afghanistan is one who must be taken into serious account, for his influence must become considerable in other portions of the State. He might even aspire to play the part of a national champion, and certainly with Abdul Rohman in possession of Balkh and his close ally installed at Faizabad there would be little peace of mind for any chief of Cabul, even though he should be under the shadow of British protection."

A St. Petersburg dispatch says that Abdul Rohman is reported at Balkh. Whether the recently reported understanding between England and Russia will survive such a blow is a serious question.

HATCHIE RIVER.

The Voyage of the Steamer W. J. Poitevent Cut Short by the Failure of the

Memphis and Louisville Railway Company to Construct a Draw in the Brownsville Bridge.

Our readers will remember the departure, last Tuesday evening, of the steamer W. J. Poitevent, Captain John Deering, on her first voyage up Hatchie river, which stream was, by the last regular session of the legislature of the State, reopened to navigation. The Poitevent had a fair cargo on, and proceeded on her voyage, meeting at every point on the route, both in the Mississippi and in the lower part of Hatchie river, with the most flattering encouragement. She met with no trouble whatever, until reaching the point where the Memphis and Paducah railway bridge was to be built. There Captain Deering found that the piles for the bridge had been driven too close together to allow his boat to pass through, but he soon made a passageway of sufficient width by "extracting" a few of the piles. He proceeded on up the river, doing business and receiving promises of return freight at every landing, and invariably having the congratulations of the people showered upon him for having been successful in putting a boat in the river that would accommodate the demands of that trade. Captain Deering was inspired with high hopes of the future successes that were to crown his efforts, and had begun to realize that his star of prosperity was again in the ascendant, and perhaps dreamed of the grand fleet of packets that would one day in the not very distant future traverse the little river in which he had in ante-war times made so many prosperous trips. No doubt the captain's most enthusiastic dreams culminated in a grand panoramic display of this fleet of packets, with himself the commodore in command of the flagship in the lead. However this may be, all such bright fancies were suddenly tumbled into chaos last Friday on the Poitevent's reaching the Memphis and Louisville railway bridge, near Brownsville. When she hove in sight of the bridge hundreds of people had gathered there to see the boat pass through the bridge, and Captain Deering would have proudly gratified their curiosity and so contributed to their pleasure, but, alas, there was no draw for him to pass through. He consulted his "Acts of the Legislature of Tennessee," and discovered that the railway company had been ordered to construct that draw bridge by the first day of November, and here it was the second day of January following that date, and not a stick of timber laid toward the construction of that "navigable" bridge. Captain Deering is a cool-headed man, and did not fly off at a tangent and attempt to curse the bridge down, as some would have done, but calmly landed his boat, made fast to a stump, and walked ashore to survey the situation. The vast throng of people surveyed him with curious glances, seemingly awaiting a battle between the boat and the bridge. Presently Major Faulk, one of the railway company's attorneys, and Dr. Watkins, both of Brownsville, who were on shore when the Poitevent arrived, approached Captain Deering and entered into conversation with him by way of ascertaining what course he contemplated. Captain Deering informed them that he understood the draw was finished, and had started with his boat hoping to be able to [illegible] the present excellent stage of the river to [illegible] Bolivar, the present head of navigation; that he had been induced to do so by the encouragement he had received from the planters and business people all along the course of the river, even up to Bolivar; that [illegible] influenced by the assurance that the railway company was pushing the work of building the draw to its earliest completion, and by the encouraging promises of patronage from one end of the river to the other, he had put a good boat in the trade to accommodate his friends, and he wanted to go through to his destination. Major Faulk told Captain Deering that the railway company was doing all possible to complete the structure, but not having done so in time, the company was willing to reimburse him for his losses. Captain Deering replied that he did not come up there to get damages, but to open up business with the people. Major Faulk then drew Captain Deering's attention to the fact that the pivotal abutments had been built ready to receive the stone coping, which was also ready to be laid as soon as the iron work could be got ready. After several moments spent in conversation of this character, Dr. Watkins told Captain Deering that he heard that cables were brought up from New Orleans by the Poitevent, with which to pull down the bridge in case the draw had not been finished by the time of his arrival there. Captain Deering laughed at the idea, and assured them that he has no such intentions. He told the gentlemen that his boat was provided, as the law demands, with all that goes to make up the outfit of a steamer, including hawsers, cables, tackle, spars, etc. It was finally agreed to confer with the railway authorities at Louisville by telegraph from Brownsville, and Captain Montgomery's pay train arriving at the moment, a short consultation was held with him, and a message was sent to Mr. Fonlack, at Louisville, who responded, explaining that the work on the bridge had been delayed by the epidemic just passed; that all possible was being done to complete the iron draw; that orders for the iron work had been given three months ago, but had not yet been filled, and that he could not promise to have the draw finished before February 1st, if then. It was proposed to Captain Deering that the railway would take his freight, and deliver it for him at available points on the railway, but Captain Deering, having heard that some threats had been made by the people in that region that if the draw was not built by the railway company they would tear down or burn the bridge, conversed with a number of the people present, counseling them to refrain from any such violence; that the law protected him in his rights, and he preferred that the law should take its course. He decided to leave the Poitevent at the bridge, and return himself to Memphis, and confer with the stockholders of the boat as to the course to be pursued. The conference will be held to-day, and we are promised the result, which will be given in the APPEAL to-morrow morning.

THE TAXING-DISTRICT.

Its Financial Condition Presented to the County Quarterly Court by President Porter.

A Satisfactory Array of Facts and Figures—Reports of Other Departments Attached.

President Porter, of the Taxing-District, filed his report as to the financial condition of the District with the clerk of the county court yesterday afternoon. The report will be presented to the quarterly court to-day. It presents a gratifying exhibit as to the condition of the Taxing District under the able management of President Porter, and will be read with interest by all taxpayers as well as others who have the good of Memphis at heart.

January 2, 1880.

To the Worshipful the Quarterly Court of Shelby County:

GENTLEMEN—As required by section 16 of the act creating the Taxing-District, we herewith submit our third and fourth quarterly statement and report, consolidated in one. We were unable to render the third on October 1st, when due, for reasons of there being an epidemic of yellow-fever in our midst, and there being no meeting held of your worshipful body.

A trial balance of our ledger marked "A;" a statement of receipts and disbursements of the several departments marked "B;" a report of the work done in the engineer department marked "C;" a report of the health and sanitary department marked "D;" a report of the hospital marked "E." We deem it unnecessary to make any detailed report of the police and fire departments, both of which are well organized and in efficient working order.

Since our last report to you on July 1st, we have had another epidemic of yellow-fever, the mortality of which you can see by reference to the health and hospital reports. We have in contemplation a system of sewers and drains for the District which, we trust will prevent a recurrence of the fever. We are also rigidly enforcing our sanitary laws with the same end in view, and we confidently hope that our District has had its last visitation of that dreaded disease—the yellow-fever.

As you will see by the engineer's report, we have paved Calhoun street, in the tenth ward, from Main to Shelby, and are now paving Madison street. Many bridges and culverts have been rebuilt and repaired.

We would also suggest to your worshipful body the propriety and necessity of preparing at the county's expense for the vaccination of all inhabitants immediately contiguous to the District. Your worships will see the necessity when we state to you that we rigidly enforce vaccination in the District, and that this will not secure absolute immunity from small pox if the outlying territory immediately contiguous to us is liable at any time to a visitation from that "plague." The expense would be small to employ two or three good physicians for that purpose.

We would further suggest that you have the doors of all public buildings under your charge be so hinged as to open both ways in order to allow easy escape in case of fire. This is being rigidly enforced within the District.

We have run the government thus far without debt and now at the close of our first year have a surplus to the credit of each of the departments, except the salary, printing and expense account, which fund is derived from fines, forfeitures, rents of market and inspector's fees. We have made economy one of the chief aims, and we refer with pride to this [illegible] statement of our first year's business.

Our books, [illegible] papers, etc., are open to your worshipful body at any and all times. Respectfully, submitted.

D. T. PORTER,
President Fire and Police Commissioners.
CHARLES L. PULLEN, Secretary.

RECEIPTS, DISBURSEMENTS AND BALANCES.

Receipts.	Police Department.	Fire Department.	Lighting.	Public Schools.	Streets, S. B. and Sanitary.	Salary, P. and Expenses.	Hospital.	Wharf.	Total.
Balance July 1, 1879	$15,373 06	$15,525 37	$7,091 83	$2,901 82	$48,372 13	$ 271 97	$ 5,149 85	$ 7,726 59	$ 93,821 62
Collections July	1,569 87	1,569 87	784 92	784 93	4,486 05	596 44	589 39	538 00	10,918 37
Collections October						743 30			743 30
Collections November	201 29	150 14	78 04	116 80	781 31	727 24	42 18	2,155 45	4,258 45
Collections December	2,004 44	2,004 44	1,047 23	1,001 60	6,889 02	1,887 79	1,283 79	2,378 30	18,678 23
	$19,223 66	19,345 82	$9,812 02	$4,815 24	$56,122 61	$4,226 87	$7,065 21	$12,794 34	$133,420 57

Disbursements.	Police Department.	Fire Department.	Lighting.	Public Schools.	Streets, S. B. and Sanitary.	Salary, P. and Expenses.	Hospital.	Wharf.	Total.
Warrants, July	$3,208 74	$3,108 21	$7,167 89	$3,681 78	$3,015 54	$ 739 09	$1,468 32	$2,280 51	$24,716 68
Warrants, August	1,788 85	2,311 73			3,757 07	104 48	603 50		8,549 63
Warrants, September	2,427 06	2,290 40			4,657 88	191 53	593 18		10,176 35
Warrants, October	2,782 55	2,715 23			5,010 63	419 10	611 41		11,548 92
Warrants, November	3,025 75	2,050 48			4,930 47	421 97	769 74	141 45	11,939 51
Warrants, December	2,875 96	2,475 19			7,932 80	1,800 87	401 37	289 23	15,815 43
	$16,208 91	$15,617 19	$7,167 89	$3,681 78	$29,364 39	$3,677 04	$4,346 52	$2,697 19	$82,756 51

Balances.	Police Department.	Fire Department.	Lighting.	Public Schools.	Streets, S. B. and Sanitary.	Salary, P. and Expenses.	Hospital.	Wharf.	Total.
January 1, 1880	$3,034 75	$3,728 63	$2,644 13	$1,133 46	$26,758 12	$549 23	$2,718 69	$10,097 05	$50,664 06

TRIAL BALANCE TAXING-DISTRICT LEDGER. JANUARY 1, 1880.

2	G. B. Fleece, county trustee	$50 664 06	$29,698 12
26	Streets, S. B. and sanitary		26,698 12
42	Salary P. and expenses	754	
62	Fire department		3,908 63
72	Police department		3,358 26
82	Hospital		2,718 69
91	Lighting		2,644 13
101	Public schools		1,133 46
111	Wharf		10,087 05
309	D. T. Porter		833 30
309	John Overton, jr.		291 63
370	C. L. Pullen	60	
373	D. F. Jackson	30	
376	M. Cles[illegible]	20	
377	W. A. Raja	35	
380	P. Meath	25	
389	James Byrn	25	
391	P. R. Athy	50	
392	R. F. Arata	53 55	
393	G. T. O'Haver	50	
394	W. G. Pride	25	
396	E. G. Forrest	25	
402	A. M. Rogers	23 32	
405	A. Cook	29 98	
406	John Jenny	5	
409	M. Mulloney	40	
416	M. Burke		208 30
417	M. M'Fadden	25	
611	John Overton, jr., trustee H. L. B.		100
616	E. Leonard	25	
619	T. Watson	25	
621	John Brenner	21 66	
		$51,981 57	$51,981 57

CHAS. L. PULLEN,
Secretary Fire and Police Commissioners.

REPORT OF THE BOARD OF HEALTH FROM JULY 1 TO DECEMBER 31, 1879.

Deaths—Whites, 553; colored, 384.
Births—Stillborn, 43; white, 64, colored, 41.
Patients sent to hospital, 463; treated at dispensary, 845.

ABATEMENT OF NUISANCES.

Notices to abate nuisances, 1680; citations to appear before recorder, 37; daily average loads of refuse matter removed, 39; carts employed in sanitary work, 9; men so employed, 18. Total number of loads refuse matter removed from July 1 to December 31, 7020.

JOHN AVERCOMBIE, M. D.,
Secretary Board of Health.

December 31, 1879.

HOSPITAL REPORT.

Summary of 120 cases of yellow-fever treated at the city hospital during the epidemic of 1879: Total number of patients treated, 120; discharged, 73; died, 47. Average mortality, 39 1-6 per cent. The above do not include the 15 cases moribund when admitted. The average mortality would be 26 2-3 per cent., and as 1 of the August, 2 of the September, and 3 of the October deaths were admitted previously, the percentages as given above would be modified to that extent.

A. A. LAURENCE, Hospital Physician.

CITY ENGINEER'S REPORT.

The following is a condensed statement of the total expenditures in each ward of the Taxing-District of work done and cost of materials by the various forces from July 1, 1879, to December 31, 1879:

First ward, $303 35; *Second*, $208 55; *Third*, $2079 10; *Fourth*, $4302 75; *Fifth*, $851 35; *Sixth*, $2726 40; *Seventh*, $338 55; *Eighth*, $6666 15; *Ninth*, $366 90; *Tenth*, 3290 55; station-house repairs, $31 65; wharf and landing repairs, $61 05; miscellaneous, $185 20. Total, $20,911 50.

The salaries of engineers are not included in the above report. Yours respectfully,

A. J. MURRAY,
Assistant Taxing District Engineer.

The Cental System.

NEW YORK, January 5.—As it has been found inexpedient to introduce the cental system at the produce exchange, the board of managers this morning resolved to recommend the postponement of the adoption of the system till the necessary National and State legislation can be obtained to put it in force, and the principal commercial exchanges agree upon a time for its simultaneous adoption.

High Water in the Ohio.

CINCINNATI, January 5.—The heavy rains of the past two days have swelled the stream to flood hight. The Great Miami, Little Miami, Sciota and Muskingum rivers are all full and still rising. If the rain continues to-night much damage may be expected. The headwaters of the Ohio are also rising, so that high water may be expected in the Ohio river.

The Last of "Count Johannes."

NEW YORK, January 5.—The funeral of the "Count Johannes" took place from the "little church around the corner," the expenses being borne by Lester Wallack and Theodore Moss. Avonia Fairbanks, the count's pupil, her brother and mother, were the chief mourners.

MAINE'S MISERY.

An Interview with Governor Garcelon—He Believes the People Not Foolish Enough to Resort to Violence—The Quorum Question Settled.

Free Discussion of the Opinions of the Supreme Court—The Republicans Rejoicing—Congratulations from the Faithful—The Situation at the Capital.

WATERVILLE, January 4.—Governor Garcelon spent the day in this town, and was called upon this evening by a reporter and informed that the opinion of the supreme judges had been printed. The reporter then asked the governor if he had received the opinion of the court. He replied that he had not; that he had not been in Augusta since four o'clock Saturday afternoon. The reporter then informed him of the general points as expressed in the opinion of the court, and asked him if he should recall those certificates he had issued, and which now, under the opinion of the court, appear to have been illegally issued. To which the governor answered: "I have no authority for knowing the opinion of the court, and cannot tell what I shall do." In answer to the question whether Captain Lewis, voter of Farmington, had returned his certificate of election, declining to serve under the same, the governor said he had not received it and did not know anything about it.

Reporter—Do you apprehend any violence at the inauguration of the new legislature?

Governor—I have no means of knowing; I do not think the people are foolish enough to resort to violence.

THE QUORUM QUESTION.

PORTLAND, January 5.—A dispatch from Augusta says that the quorum question has been settled by precedents, that sixteen is a quorum. The senate in 1847 organized with eleven; in 1851, with fifteen; in 1854, with thirteen. In later years, Chief-Justice Shepley, and Appleton, his associate, sustained that point; they also held that each house could compel the attendance of persons who had received the governor's certificate, before as well as after being sworn in.

It also says Sproul, of Skowhegan, is already inaugurated and will take his seat.

THE DECISION OF THE COURT DISCUSSED.

AUGUSTA, January 4.—The decision of the court has been discussed freely by crowds upon the streets, at the hotels and elsewhere to-day. The Republicans are greatly excited and jubilant, and regard it as a consummate triumph for their cause. The opinion is freely expressed in the best informed circles that the opposition cannot stand up and defy the court. It is the opinion of leading Republicans that the governor can do no less than cancel the certificates issued to persons not elected according to the decision of the court.

The fusionists have no definite plan matured, and it will be difficult to develop any to-night, as not more than twenty members are present in the city. The number present is about the same as in ordinary years, when nothing unusual was pending. A few Democrats say the governor had no business to submit the question to the court; that he had done his work according to the constitution and laws and should have rested his case there. A leading Democrat says Governor Garcelon belittled himself by taking any notice of Mr. Morill's letter; he had completed his work and that ought to have been the end of it.

R. W. Black, a leading Greenbacker, says that the court went out of its way to answer questions not put to it. Colonel William Dickey, a member of the legislature, says the decision of the court will have no effect on the organization of the legislature as certificates have already been issued. This is understood to be the position Pillsbury will take in the *Standard* to-morrow. Others say the opinion of the court is a farce, and will be replied to word for word. Three counted in members have already declared they will not participate, and it is thought that the opinion of the court will have an effect upon other certificated members to the same end, as there is not a single case of the thirty-seven that this decision does not fully cover.

Hon. James C. Talbot, of Washington, and Isaac T. Hobson, of Lincoln, the counted-in senators, have already stated that they would not accept seats should the decision of the court be against them. Lawyers say that if this opinion be disregarded it will be the first instance of the kind in the history of Maine. It has been ascertained that the executive department in more than fifty cases since Maine became a State has asked judgment in the supreme judicial court on important questions of law, and never in a single case has its decision been disregarded.

D. Parker, a member of the governor's council, defended his position in this matter, and says he acted conscientiously and honestly. He has not read the opinion carefully and could not give an opinion as to the result.

Secretary-of-State Govors says he is not sufficiently familiar with the law to say whether the governor and council could review their action.

MEMBERS OF THE LEGISLATURE ARRIVING.

AUGUSTA, January 5.—About half of the members have arrived. The Republicans assert that they will have possession of both branches of the legislature by Thursday night.

THE OPINION OF THE COURT DENOUNCED.

AUGUSTA, January 5.—Pillsbury is out in the *Standard* denouncing the opinion of the court as partisan, and urging the counted-in members to stand for their rights and not be bulldozed.

CONGRATULATIONS FROM THE FAITHFUL.

SAN FRANCISCO, January 5.—The Republican senatorial caucus have resolved to send a dispatch to Morrill and Blaine, congratulating them on the decision of the supreme court of Maine, and adjuring them to stand firm and maintain their rights.

THE SITUATION AT AUGUSTA.

AUGUSTA, January 5.—The governor and council held no sessions for business to-day, but have been in consultation in regard to the course to be pursued. A guard is still maintained at the Statehouse with some twenty men. In the room opposite the agricultural room there are sixty stand of arms stacked, ready for immediate use. The eye of the guard is kept upon all entering and passing through or leaving the building. Although every train is bearing crowds into the city there has been perfect order.

The mayor has two hundred extra policemen on duty. Neither side has absolutely determined upon a course which is not subject to radical amendment. This much may be said, however; that the fusionists deem it all-important that they should have a quorum, and are resorting to all possible means to bring about this result. This afternoon a deputy was dispatched across the country to Farmington to endeavor to persuade Mr. Voter, who has publicly refused to accept a certificate, to attend to-morrow.

Mr. Sproul, of Portland, in his own behalf and that of his colleague, will ask of the governor and council certificates as members of the legislature under the decision of the judges. Captain Goss, of Bath, and the Republican members elect from five of the disfranchised cities, will ask for the same right. They claim that whatever may be done with the towns the case of the cities is clear and unmistakable. Another Republican deprived of his seat is here, or will be here, and at the present moment but five fusionists can be counted on who will stay away.

DEMOCRATS URGING SUBMISSION.

AUGUSTA, January 5.—It is reported that telegrams have been received in large numbers from Democrats beyond the State, urging submission to the opinion of the supreme court.

REPUBLICANS IN CONSULTATION.

The Republican members elect held a meeting for consultation this afternoon which was largely attended, and the feeling was confidently expressed that the verdict of the court had made them masters of the situation, and that a sufficient number of those certified, but not elected, will refuse to act to prevent a quorum assembling until the rightful members are admitted to their seats.

The following resolution was unanimously passed:

Resolved, That the committee on order of business just appointed are hereby instructed to call upon Governor Garcelon at the earliest practicable moment, to insist that armed men and munitions of war now in the Statehouse shall be promptly removed, in order that the free legislature of a free people may meet, as they always have met in the State of Maine, under the protection of law, and not under the intimidation of force.

A petition will be presented to the governor and council to-morrow from the Portland delegation, claiming to be duly elected, urging that they be officially summoned to attend the sitting of the legislature.

A petition of the same tenor will be presented from the Bath delegates.

Governor Garcelon states that the decision of the court will not change his attitude toward the incoming legislature. The points in the opinion might serve as a guide in future, but his work had been performed under the constitution and statutes as he understood them, and he should neither withdraw the certificates or issue new ones.

A caucus of Fusionists was held this evening, continuing to a late hour. It was presided over by F. W. Hill, of Exeter, a counted-in member. Speeches were made on the condition of affairs, proclaiming adhesion to the constitution and laws as they understood them.

QUARTERLY COURT.

The Magistrates of Shelby County Elect Officers to Fill All Vacancies Occurring.

Resignations—Appointments Made—Bills Passed and Ordered Paid—Banquet at Gaston's.

Yesterday morning the county quarterly court, for the January term, met at the criminal courtroom. The following members were present: Chairman Tom Holman; Esquires W. W. Dickason, J. A. Murray, A. D. Hunter, W. P. York, Ila E. Douglass, V. W. Williams, S. Hammontree, John D. Hines, G. D. Crockett, John Spelman, P. J. Quigley, P. M. Winters, J. W. Alexander, B. W. Pryor, J. M. Coleman, B. B. Nolley, W. F. Gowen, B. J. Kimbrough, Alex Jones, A. C. Wellborn, J. W. Allen, A. J. Fletcher, B. C. Bledsoe, D. A. Harrell, A. B. Ellis, W. H. Walker, T. P. Lewis, G. E. Stone, John T. Elliott, Thomas Fleming, G. R. Egnew, D. C. Slaughter, R. M. Mason, J. S. Galloway.

The following business was transacted by the court at its forenoon session:

BOND OF CHAIRMAN.

On motion of Esquire Quigley, the salary of the chairman of the court was fixed the same as that of last year, viz: $2500, he to pay his clerk hire out of the same. Also, that the amount of his bond be fixed at $50,000.

ELECTION OF CHAIRMAN.

The first ballot for chairman of the court resulted as follows: Tom Holman, jr., 19; James A. Murray, 5; A. C. Wellborn, 5; B. C. Bledsoe, 1. Mr. Holman was declared duly elected.

CHAIRMAN PRO TEM.

The first ballot for this office was foul. The candidates were B. Bledsoe, A. D. Hunter, E. S. Elam and J. A. Murray. Messrs. Bledsoe and Elam withdrew, and Mr. Murray was elected by acclamation.

COUNTY ATTORNEY ELECTED.

On motion of Esquire Winters the salary of the county attorney was fixed at $2000 per annum. The motion of Esquire Elam, to fix the salary at $1500, was lost.

First Ballot—J. A. Taylor, 14; R. D. Jordan, 9; W. B. Glisson, 10. No election.

Second Ballot—J. A. Taylor, 16; R. D. Jordan, 6; W. B. Glisson, 11. No election.

Third Ballot—J. A. Taylor, 17; R. D. Jordan, 4; W. B. Glisson, 12.

Mr. Taylor was declared duly elected county attorney.

PUBLIC ADMINISTRATOR.

The bond of the public administrator was fixed at $50,000.

First Ballot—R. D. Frayser, 9; J. W. Hampton, 5; James Reilly, 18; blank 1. Mr. Reilly was declared duly elected as public administrator for a term of four years.

SUPERINTENDENT OF PESTHOUSE.

The salary of the superintendent of the pesthouse was fixed the same as that of last year.

First Ballot—G. R. Egnew, 9; C. E. Smith, 22. Esquire Smith was declared duly elected.

PESTHOUSE PHYSICIAN.

The salary of the pesthouse physician was fixed at $400 per annum.

First Ballot—Dr. Charles Baskerville, 10; Dr. S. H. Brown, 9; Dr. H. Ess, 5. Dr. Baskerville was declared elected.

JAIL INSPECTORS.

The salaries of jail inspectors were fixed the same as those of last year. After several ballots the following persons were duly elected: Esquires J. D. Hines, J. T. Elliott and G. R. Egnew.

GRAND JURY CONSTABLE.

Mr. John A. Powell was elected by acclamation as constable to wait upon the criminal court grand jury at its January term, 1880.

BARTLETT GRAND JURY CONSTABLE.

Mr. John Blackwell was elected by acclamation to wait upon the Bartlett circuit court grand jury at its March term, 1880.

A COMPLIMENT.

On motion of Esquire Galloway the thanks of the court were tendered to Mr. C. H. Stein for his report as superintendent of public instruction for Shelby county.

RESIGNATION OF CONSTABLE.

Mr. G. Acres, constable of the eighth civil district, tendered his resignation, which was accepted, and Mr. L. M. Bell was appointed to fill the vacancy until a constable could be duly elected in that district.

CONSTABLE APPOINTED.

Mr. Burchard Douglass was appointed constable of the twelfth civil district, *vice* Mr. Jackson, who failed to qualify.

RESIGNATION OF MAGISTRATE.

Esquire W. H. Walker, of the eleventh district, presented his resignation, as follows:

To the Honorable Quarterly Court of Shelby county:

GENTLEMEN—You will please accept my resignation as a justice of the peace for the eleventh district of this county, to take effect from and after the present term of the court. Respectfully,

W. H. WALKER.

Esquire Walker spoke feelingly about his resignation, which he felt compelled to tender owing to his failing health. He expressed the highest regard for the members of the court, with whom he had been so long associated. Some objection was made to accepting the resignation, but Esquire Walker insisted, and with regret the court accepted it.

Esquire Bledsoe offered a complimentary resolution expressive of the regret the county court felt at the resignation of Esquire Walker and expressive of the regard which his brother magistrates had for him. The resolution was ordered spread upon the minutes and court took a recess for an hour, when the afternoon session would be held.

Afternoon Session.

On reassembling the county court magistrates acted upon a number of accounts, and, without doing any business of public importance or interest, adjourned to meet again at nine o'clock this morning.

A BANQUET.

During the recess of the county court yesterday the magistrates attended a grand banquet given at Gaston's by the county officers elected by the court that morning. The dinner was served up in elegant style, and was composed of all the delicacies of the season, which were enjoyed by the magistrates. During and between courses wines—claret and champagne—flowed freely and disappeared rapidly. After enjoying the repast, the magistrates did not feel like doing any amount of overwork at the afternoon session of court, so an early adjournment was unanimously voted for and carried.

LEGISLATIVE COUNCIL

Meeting Yesterday—Trouble Between the Taxing-District and Shelby County—Other Business.

President Porter Resigns on Account of the Repeal of Part of the Health Ordinance.

At three o'clock yesterday afternoon the legislative council assembled at the courthouse. The following members were present: President D. T. Porter, Messrs John Overton, jr., M. Burke, R. Galloway, J. M. Goodbar, W. N. Brown, John Gunn, C. W. Goyer. The minutes of the previous meeting were read by the secretary and approved. The following business was then transacted:

AWARDING PAVING BILL.

A communication from J. J. Fogerty, a bidder on the river landing paving, presented an amendment to his bid. It was received and filed.

UNSANITARY BUILDINGS.

The report of the board of health as to property condemned (and heretofore published in the APPEAL), was read, received and referred to a committee of three for consideration and report. The chairman appointed as that committee Messrs. Gunn, Overton and Goyer.

TAXING DISTRICT vs. THE COUNTY.

The following communication from Taxing-District Attorney Heiskell was received:

MEMPHIS, TENN., January 2, 1880.

To the Honorable Legislative Council:

GENTLEMEN—Under your direction I had a conference with the county attorney as to whether the county would expend two-thirds of the county revenue not levied to pay judgments or interest tax, in the civil district in which it has been collected, as provided in section 12 of the amendatory act, and I was answered that he had advised the county authorities not to comply with the law, as it was in his opinion unconstitutional. My opinion is that the act is constitutional and valid, and that the county can be compelled by writ of mandamus to comply with its provisions. I respectfully lay the matter before the council for action.

C. W. HEISKELL, Attorney.

ENFORCE THE LAW.

Mr. Goyer offered the following resolution, which was adopted:

Resolved, That the Taxing District attorney be directed to make up an agreed case with the county attorney as to the matter submitted by his communication, just read.

REPAIRING PROPERTY.

The petition of John M. Lea, by W. W. Goodwin, for permission to repair the damage done by fire to building No. 89 Monroe street, was referred to chief of fire department for a report.

IMPROVEMENT ASKED FOR.

The petition of A. T. Talbott, agent of the Union express company; Frank Lamont, assistant postmaster; Harry White, business manager of the APPEAL; John A. Signaigo, H. Ess, T. S. Ayers, C. M. Ayers, M. S. Montedonico, asking the council to improve the alley between Second and Third streets, running from Madison to Court streets, was referred to the engineer to make report of cost, etc.

BEGGING FOR TIME.

The petition of Sarah Flynn, keeper of a house of ill-fame, asking for time until the first of March to vacate the house she now occupies on Second street, near Madison, was referred to the board of police and fire commissioners.

HEALTH ORDINANCE REPEALED.

Mr. Gunn offered an amendment to the health ordinance, providing that the privy-vaults be not filled up until the sewers are laid in front of such property and connection can be made.

The result of the vote was as follows:

Ayes—Messrs. Overton, Burke, Galloway, Gunn and Brown. *Noes*—Messrs. Goyer, Goodbar, Porter.

The amendment is as follows, as passed on its first reading:

Be it enacted by the Legislative Council, That that portion of section 258, B, of the health ordinance, which reads: "and filled up with earth and clay by the owner or occupant of each and every one of the premises where there is such vault," be and the same is hereby repealed.

PRESIDENT PORTER RESIGNS.

When the announcement was made that the amendment to the health ordinance was carried, President Porter said:

GENTLEMEN—I regret that this amendment to the health ordinance was adopted, and I will at once send in my resignation to the governor. I stand pledged for the enforcement of this ordinance. It was recommended by the members of the National board of health and the scientists of that board who made the sanitary survey of Memphis. It will be the last time that I will preside over this council, and I feel relieved of great responsibility and labor. The action taken by the council will stop the work of sanitation, and I will not be responsible to the people in the future. I will certainly send in my resignation to the governor to-night, and in due time that resignation will be presented to the council.

The short speech created a sensation among those who voted for the amendment, and silence reigned for a few minutes, when President Porter said: "Mr. Secretary, have you any other business?"

SEWERAGE-PIPE TOOLS.

A communication was read from Colonel Waring, as to special tools necessary to be ordered for the work of laying down the sewerage pipe in Memphis. The matter was laid over until the fifteenth instant, when the time for advertising bids for a system of sewerage will have expired.

THE PUBLIC PRINTING.

The bid of the *Evening Ledger* for the public printing being the lowest, was accepted, and the contract for the work was so awarded.

PROPOSAL FOR BUILDING CULVERT.

The communication of T. L. Fossick & Co., as to the building of an arch culvert at the intersection of Main and Jackson streets, proposed to do the necessary work for three thousand dollars. The communication was referred.

LANDING IMPROVEMENTS.

The report of Engineer Meriwether on the proposals of contractors for rip-rap stone and for grading and paving the levee between Union and Beale streets, was read and referred, with the bids, to a committee of three, to make report at the next meeting. President Porter appointed the following committee: Messrs. Brown, Burke and Overton.

THE RESIGNATION AGAIN.

There being no other business before the council, President Porter stated that he felt pledged to rigidly enforce the health ordinance, and now that that ordinance had been so amended, he felt in duty bound to resign his office, and he would send his resignation to the governor that night. Those of the council who voted to amend the ordinance felt no doubt that they represented the people in so doing, and represented their wishes in so voting.

Mr. R. Galloway said he had met a number of people who stated to him that they desired to clean out their privy-vaults but opposed filling them up until sewers had been put down in front of their property.

Dr. Porter replied that he stayed here during the epidemic of the present year, but he would not do so again. He was now free to get out of office and go away from the city when an epidemic broke out, like the balance of the council. If in office, he would feel compelled to remain, epidemic or no epidemic.

Mr. M. Burke said he was opposed to the ordinance in the first start; he was so then, and he was so now. Their warmest supporters said to him that they could not stand filling up the privy vaults; they could not stand the pressure, and they opposed it. He favored putting privies in a proper sanitary condition, but he opposed filling the vaults up at the present time. He joined the council in begging the president to reconsider his determination to resign.

President Porter answered that he would never reconsider it; that there was nothing before the council, and a motion to adjourn would be in order.

On motion the council adjourned, subject to the call of the president.

DR. PORTER RETIRES FROM OFFICE.

On adjournment Dr. Porter asked Mr. John Overton to hold police court for him in the morning; that he was out of office and was going to New Orleans to take a rest; that he felt worn out; that he did not regard the action of the council as personal to him, but he could not remain in office and break his pledges as to the enforcement of the health ordinance recommended by the scientists of the National board of health. Dr. Porter then dictated to Secretary Pullen a communication to Governor Marks, tendering his resignation as President of the Taxing-District, and thanking the governor for the honor conferred upon him in the appointment. Dr. Porter took the document for the purpose of mailing it, but on further consideration he left for Nashville on last night's train, in order to present his resignation to the governor in person and secure its acceptance.

Prison Escapade.

COLUMBUS, January 5.—The prisoners confined in the Franklin county jail made a break for liberty at five o'clock this afternoon, just after the new sheriff had assumed charge, and nine escaped through the entrance doors. James Herrell, alias Kerr, indicted for murder in the first degree, and J. W. Dodse, for cutting with intent to wound, are among the missing.

TWO MORE HORRORS.

A New York Ball-Room Destroyed by Fire, and Several of its Inmates Burned to Death—Sickening Details of the Scene.

A Frightful Explosion in Newark, New Jersey, Causing the Instant Death of Three Men and the Fatal Burning of Two Others.

NEW YORK, January 5.—A fire broke out this morning in the basement of the Turner hall, on East Fourth street, occupied by William Winkle as a ball room, and when the flames were extinguished William Gieb, ten years of age; Louis Schmitt, aged thirty years; Henry Gehweiler, aged twenty-five years, and Terresa Enradt, aged twenty five years, were found on the top floor dead. Winkle and his wife were badly burned and were sent to the hospital. Annie Bauer received internal injuries by jumping from the fourth story window, and was badly burned about the hands and face. An unknown woman had both legs broken by jumping from the top floor. The damage to the building and stock is estimated at twelve thousand dollars.

The progress of the fire was so great that it was hardly five minutes after the first engine company arrived before the entire inside of the premises seemed alive with flame, tongues of which ran up the woodwork with a speed that put to naught the first efforts of the firemen. Premises No. 668 were occupied by Turner hall proper, and in the upper stories of No. 64, William Winkle, proprietor, resided with his family and several employes. As soon as the firemen could reach the roof they cut holes in it and broke in the skylight, but the fire had already done its fearful work on several victims, surrounded as they were, by flames and cut off from all access to safety below by the burning staircase. Several persons sustained severe injuries by leaping from the highest stories on the building. One man, while crying frantically for aid to the firemen beneath, was all the while pushing a woman, who seemed to be resisting, from the fourth story window. She finally leaped and struck the ground on her feet with a sickening crash, breaking both legs and arms and almost crushing her to death. Of twelve or fifteen persons sleeping in No. 64, four were burned to death and five injured. The little boy was burned to a crisp. Others were either burned to death when taken from the building or died before they reached the stationhouse. The actual cause of the fire is unknown. An examination showed a mass of *débris* in and around where the winding stairway emerged from the basement into the lower hall, and a look aloft showed that the flames had every possible advantage and must have shot up from the burning basement staircase. All persons known to have been in the burning building are accounted for. Crowds of people, mostly of German extraction, were around the burned building the entire forenoon.

Another and Equally Horrible Disaster.

NEWARK, N.J., January 5.—A frightful explosion took place about four o'clock this morning in the converting room of the Celluloid manufacturing company, at Ferry and Ashbridge streets, by which three men were instantly killed and two others so badly burned that they cannot survive. The workmen were in their accustomed places when, from some unknown cause, a mass of celluloid, which is a highly inflammable material, suddenly exploded, destroying a one-story brick building with all its contents. William Fenton, aged fifteen, was killed. His body was found in the ruins, a ghastly spectacle. Under this body were the disfigured remains of Frederick Stiles, of Roselle, so charred that it was scarcely recognizable. John Yates, residence unknown, was also killed. Spencer Atwood died in ten minutes from concussion of the brain. Elmer Bogart, of 54 Blum street, and Frederick Pierce, of Pacific street, were fearfully burned, and were taken to the hospital; there is no hope of their recovery. Stephen W. Wade, of Springfield avenue, was severely but not dangerously injured. Loss on building and contents estimated at ten thousand dollars; insured. The manager of the Celluloid company says the explosion probably occurred from gas, or the machine run by Fred Stiles, who was killed. The machine was used for mixing and grinding the material.

DIED.

HUBER—On Monday, January 5, 1880, at 6 p.m., VERONIKA HUBER, wife of August Huber, aged 32 years.

The funeral will take place this (TUESDAY) afternoon, at 2½ o'clock, from No. 186 Main street. Friends of the family invited.

CUTLER—On January 5, 1880, Dr. S. P. CUTLER. Funeral this (TUESDAY) afternoon, from his late residence, corner of Adams and Main, at 2 o'clock.

SCOTT—The friends and acquaintances of Mr. Patrick and Lizzie Scott are invited to attend the funeral of their youngest daughter, ELLA, from their residence, corner of South and Shelby streets, this (TUESDAY) afternoon, at 2 o'clock.

Condition of the Union and Planters Bank of Memphis, Tennessee, at Close of Business, December 31, 1879.

RESOURCES.

Loans and discounts		$1,095,229 38
Bankinghouse, office fixtures and other real estate		48,491 10
Sight exchange	$72,707 84	
Cash on hand	243,104 96	315,812 30
		$1,459,532 78

LIABILITIES.

Capital paid up		$ 600,000 00
Net earnings last six months	$25,614 09	
Previous undivided profits	69,483 13	95,097 22
Deposits		764,435 56
		$1,459,532 78

S. P. READ, Cashier.

DIVIDEND.

UNION AND PLANTERS BANK OF MEMPHIS, }
Memphis, Tenn., January 5, 1880. }

A DIVIDEND of four per cent., payable on demand out of the net earnings of the past six months, has this day been ordered by the Directory. This is net of all taxes. S. P. READ, Cashier.

Union and Planters Bank of Memphis.

MEMPHIS, TENN., December 8, 1879.

STOCKHOLDERS are hereby notified that an election will be held at this bank, on MONDAY, January 12, 1880, for the purpose of choosing Fifteen Directors to serve for the ensuing year.

S. P. READ, Cashier.

Ucuq.

REGULAR MEETING Wednesday evening, January 7th. INITIATIONS.

KNIGHTS OF HONOR.

FOUNTAIN LODGE, No. 296, K. OF H.—Will meet TUESDAY NIGHT, Jan. 6th, 7.30 o'clock, for installation of officers, at 298 Second street, just under old hall.

L. H. ESTES, JR., Vice Dictator.

Workingmen's Building and Loan Association.

THE regular monthly meeting of this Association will be held on Tuesday evening next, January 6th, for the payment of dues and other business.

Fines will be imposed for non-payment. See Art. III, Sec. 7 of the Constitution.

Payments may be made to the Secretary during business hours at the office of the Planters Insurance company.

L. LAGRILL, President.
CHAS. T. PATERSON, Secretary.

DIVIDEND NOTICE.

GERMAN NATIONAL BANK,
MEMPHIS, TENN., January 5, 1880. }

At a meeting of the Board of Directors, held this day, a dividend of ten per cent. on the capital stock of the bank was declared out of the net earnings of the last six months, payable on demand.

W. C. M'CLURE, Cashier.

Headquarters Bluff City Grays.

SPECIAL ORDER, No 1—Every member of the command is earnestly requested to attend the meeting of the company this (TUESDAY) evening, Jan. 6th, at 7:30 o'clock, in fatigue uniform. Honorary members are also requested to attend.

By order T. A. LAMB, Captain Com'dg.
F. A. BRASSIG, Acting O. S.

To the Planters of the Mississippi Bottom.

The attention of all who ship Cotton seed to Memphis is called to the following quotation from the Ledger, of the 31st of December:

"A rich reward is enjoyed this season by the Cotton-seed oil men. The raw material costs no more than last year, freights are as cheap, or cheaper, and their productions are largely advanced in value. Crude oil is now worth at New Orleans 37@38c per gallon, and refined at 48@49c per gallon. Seedmeal is $15 to $20 50 per ton, and cake $22 to $28 50 per ton."

These figures, we are assured, are substantially correct, and in view of the low prices paid in Memphis for Cotton seed—an arbitrary price being fixed all the season round by the Cotton-seed Association—we feel that some action should be taken for our common protection. So safe are the oil-works here in the price fixed, that no changes were made on account of fluctuations in the oil market. It is an absolute monopoly, by an understanding with a similar association in New Orleans, from which there is no appeal except by the united action of those who produce the seed. We, the undersigned, therefore unite in calling for a convention of the planters of the Mississippi Valley who ship seed to Memphis, to be held in this city, at the PEABODY HOTEL, at 10 o'clock, on **Monday, January 19th**, to take into consideration our interests and the best means for their protection.

T. H. Allen & Sons,	A. J. Foster,
E. E. Clarke,	Jefferson & Hughes,
F. M. White & Co.,	C. P. Hunt & Co.,
E. M. Apperson & Co.,	J. F. M'Kinney,
J. R. Matthews,	Frank M'Connel,
Russell Hulbert,	W. E. Scanlan,
Clarke Brewer,	Joe Earle,
Fox Bros.,	West Harris,
Barney Armstrong,	Henry Grider,
Pete Burgett, Collins Bros.,	Robert Ward.

Chickasaw Lodge, A O.U.W.

VERY IMPORTANT MEETING of this lodge will be held TO-NIGHT, January 6th. Every brother should be present.

NICHOLAS WILLIAMS, M. W.
C. MUNDINGER, Recorder.

Masonic Notice.

DESOTO LODGE, No. 299, F. & A. M.—Will hold a special communication this (TUESDAY) evening, Jan. 6th, at 7:30 o'clock sharp, for work in the E. A. degree. Members of sister lodges are fraternally invited.

By order BUN F. PRICE, W. M.
Attest: L. F. PETERS, Secretary.

NOTICE.

MR. S. W. CUTTER has full control of my business on the levee. All (tarpaulins and skids) bills will be collected by him. Orders promptly attended to. MRS. M. W. KENNEY.
Memphis, January 5, 1880.

GREAT DRY GOODS SALE!

MENKEN BROTHERS,

Owing to the continous warm weather, offer all Fine Winter Goods at Half Value.

$50.00 Dolmans now $25.00.
$25.00 Cloaks now $12.50.
$15 Misses' Cloaks now $8.
$12 Boys' Overcoats now $7.00.
Imported Dress Goods, half price.
Fine Blankets and Comforts, At Half Price.

MENKEN BROTHERS.

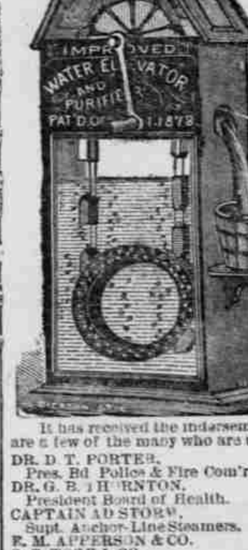
SAMPLES SENT ON APPLICATION, AND PRICES GUARANTEED.

SPECIAL.
M'CARTHY,
The Star Shirtmaker and Gents' Furnisher,
—HAS REMOVED TO—
NO. 293 MAIN STREET, 3 DOORS SOUTH OF MADISON,
(Formerly occupied by German National Bank.)
FIRST-CLASS GOODS AT LOW PRICES.

BLANK BOOKS! SCHOOL BOOKS!
CLAPP & TAYLOR,
BOOKSELLERS AND STATIONERS;
Blank Book Manufacturers and Job Printers,
315 Main Street, : : Memphis, Tenn.
WE would inform the Trade that our Stock of Blank and School Books, and Office and Fancy Stationery is the largest in our city. PROMPT ATTENTION TO ORDERS.

REMOVAL
Isaac Friedman & Co.
JOBBERS OF
HATS, CAPS AND STRAW GOODS
HAVE REMOVED TO
304 Main, formerly occupied by Schwab & Co.
Having purchased an immense stock of WOOL, SAXONY, and low-priced FUR HATS before the advance, are prepared to offer Great Inducements to our customers and the trade in general.

THE IMPROVED
WATER ELEVATOR
And Purifying Pump
PURIFIES by OXYGENATION



IT HAS NEITHER WOOD OR IRON TUBING. IT AGITATES and forces the air into the water and is guaranteed to purify the foulest well or cistern in a few days time. Water allowed to stand undisturbed soon becomes stagnant and impure. It must be kept in motion, and while agitated must come in contact with an abundance of pure air to insure pure water.
THIS PUMP FOR SIMPLICITY AND DURABILITY IS UNSURPASSED.
It has received the indorsement of thousands who have investigated its merits. The following names are a few of the many who are using them and to any of whom we refer:

DR. D. T. PORTER, Pres. Bd. Police & Fire Com'rs.	S. H. LAMB, Sec'y and Treas. M. & T. R. R.	JAMES, ROOSA & [illegible]HAM, Wagon Manufacturers.
DR. G. B. THORNTON, President Board of Health.	ORGILL BROS. & CO., Wholesale Hardware M'chts.	W. H. BERRY, Grubbs, Austin & Berry.
CAPTAIN AD STORM, Supt. Anchor-Line Steamers.	H. WETTER & CO., Wholesale Tin and Stoves.	JAS. B. COOK, Architect.
E. M. APPERSON & CO.	R. A. PARKER, Cashier Bank of Commerce.	JONES & BALDWIN, Architects.
S. C. TOOF & CO.	COLONEL W. F. TAYLOR, Porter, Taylor & Co.	DR. A. ERSKINE.
W. A. M'GUIRE.	J. R. GODWIN & CO.	DR. R. B. MAURY.
W. M. FARRINGTON.	J. F. FRANK & CO.	RALPH WORMELEY.
EDWIN CLARK.	HARTMUS & CO.	W. K. HAYNES.
R. C. GRAVES, Bohlen, Huse & Co.	W. H. GOODLETT & CO.	AMOS WOODRUFF, Pres State National Bank.
E. M'DAVITT.		C. W. GOYER & CO.
		C. J. HARRIS, Ripley, Miss.

FOR TERMS, CALL ON OR ADDRESS GEO. RUBSCH & CO.
46 and 47 Charleston Ave.,
MANUFACTURERS OF
PUMPS, GALVANIZED IRON CORNICE WORK
TIN, IRON AND SLATE ROOFERS.

Sternberg & Lee
THE OLDEST ESTABLISHED
TOBACCO AND CIGAR
House in Memphis, offer to the Trade, at close figures, an Immense Stock of Goods in their line, prominent among which are
100 butts Lone Star,
100 butts June Bug, Dime and Nickel Pieces.
50 butts Star Navy,
50 butts Horseshoe Navy, All Sizes.
50 butts Golden Charm Twist,
50 butts Drummond's Hard and Soft Pr. Nat. Leaf,
2500 lbs Blackwell's Durham,
1000 lbs Duke of Durham,
1000 lbs Seal of North Carolina,
25 butts Calhoun Tobacco,
25 butts Bayard Tobacco,
25 butts Log Cabin,
25 butts B. F. Gravely,
25 butts Peabody Twist.
CIGARS!
From the Cheapest to the Costliest Imported Havanas.
A full line of Meerschaum Goods. Sole Agents in Memphis for Vanity Fair Cigarettes.
STERNBERG & LEE
313 MAIN STREET.

Hirsch & Gronauer,
GEN'L INSURANCE AGENTS
—FOR—

London Assurance Corporation, of London—assets	$16,000,000
Scottish Commercial Insurance Company—assets	10,000,000
LaCaisse Generale, Paris—assets	6,000,000
American Central Insurance Co.—assets	1,100,000
Boylston Insurance Co., of Boston—assets	1,000,000
Northern Insurance Co., of N.Y.—ass'ts	450,000

Office---291 Main street,
Up-stairs........Memphis, Tenn

Office of
The Mercantile Agency
R. G. DUN & CO.
IMPORTANT NOTICE.
Our Jan'y, 1880, Reference Book.
1st—It will be a Post Office Directory containing every Post Office and Money Order Post-Office in the United States and Canada. This feature will not be found in any other single book.
2d—Every Railroad Station in the United States and Canada, with the railroads on which each is located.
3d—Also the Nearest Railroad Station to every Post Office that is not on a Railroad.
4th—The Delivering Express Company at [illegible] place, or at the nearest Railroad Station.
5th—The work will contain the names and [illegible] tions of over sixty thousand places—a [illegible] larger number than any work of the kind in existence.
6th—It can, and will be adjusted to the shipping wants of every large business center, with minute and accurate directions for the SHIPPING OF FREIGHT, such as has never before been attempted.
7th—A list of the Counties in the United States, their respective County Seats, and the [illegible]cal position of each county in its State, in order to make this portion of the [illegible] more valuable, the Laws of each State [illegible] the locality in which legal instruments [illegible] or are registered, will be inserted [illegible] each State heading.
None of These Last Three [illegible] Can be Found in any other [illegible].
For the benefit of Cashiers and Collectors information regarding the nearest banking [illegible] each locality in the Reference Book will [illegible] cated, also an Estimate of the Population of [illegible] town will be inserted.
[illegible] NICHOLSON, Man[illegible]

Election Notice.
STATE NATIONAL BANK,
MEMPHIS, TENN., December 12, 1879.
A meeting of the stockholders of this Bank will be held on TUESDAY, January 13, 1880, at their Bankinghouse, for the purpose of electing Thirteen Directors to serve for the ensuing year. Polls open from 11 a.m. to 2 p.m.
J. A. HAYES, JR., Cashier.

Vaults Cleaned
AND filled promptly. Leave orders at No. 286 Main street. J. B. SAINT & CO.

Masonic Temple Bonds
THE January, 1880, Coupons of the Masonic Temple Bonds will be paid by W. W. Thacher, treasurer, at the First National Bank, on and after January 10th. H. C. WILLIAMSON, Secretary.