MEMPHIS APPEAL.

SATURDAY : : FEBRUARY 28, 1885

A SUCCESSFUL RAILROAD COMMISSION.

Why do some of the railroads so strongly object to a fairly constituted commission? Such a commission has for its object only to see that railroads conduct their business upon the same business principles other business men observe. If the railroads require from the Legislature an amount of attention not given to other businesses, it is not because of the way their customers have treated them, but the way they have treated their customers. If the people are right in their complaints of extortion, unjust discrimination and acts of oppression, there ought to be a commission to redress their grievances. If they are mistaken and unjust in their accusations, a commission will defend the roads from the injustice and support them in their rights. It is a favorite allegation of the roads that so strenuously oppose the formation of a commission, that the interposition of such a body depreciates the value of railroad shares and prevents the extension of railroads in the States where they exist. Such assertions are made, not because they are true but to promote an unjust prejudice against railroad commissions. The facts speak the other way, and show that well-managed commissions are the contrary of injurious to railroads. The conditions of the railroads in Massachusetts and Georgia, for instance, overturn all these interested statements, or rather missatements. Georgia and the prosperity of the railroads in that State may be taken in proof, as that State adjoins our own, and the facts are easily accessible to us. The head of the commission there is a Tennessee man, the well-known and respected Gen. Wallace, himself a practical railroad constructor and manager, who built one of the first, if not the very first, railroads in this part of the South. The reports of his board are everywhere esteemed for their just views and for the equitable statements they make as to the doings of the commission and the condition of the Georgia roads. The general takes a strong interest in the introduction of a commission into Tennessee, calculated to promote the prosperity of the State, and two letters from him appear in the Nashville *Banner* effectually dispose of the false allegation as to the injury done to railroads by depreciation of the stock of the roads, and hindrance to the building of more roads on account of the State having a commission. Gen. Wallace shows, by citing the official quotations of the stocks of the roads in Georgia, Tennessee, Kentucky, Virginia, Alabama and South Carolina, that the market prices of the stocks of the Georgia roads are very far beyond those of any of the other States cited. This is evidence not to be contradicted. Such evidence every legislator in Tennessee ought to have the capacity to comprehend and the equity to act upon. Gen. Wallace says: "The great confidence prevailing among the citizens of Georgia in the stability of railroad investments under the railroad laws of the State has been especially confirmed, and is manifested in the increased number of new roads projected, surveyed, and many of them now in the actual course of construction." That confidence has recently been shown in the purchase by the Georgia Railroad and Banking Company of the Gainesville, Jefferson and Southern railroad, and the still more recent purchase by the Savannah, Florida and Western railroad of the Brunswick and Western railroad. In answer to other false assertions, Gen. Wallace states that the only litigation the commissioners have respects injury to persons—none for failure in the transportation of freight. Rates are so liberally arranged that some of the roads are, in instances, charging below the commissioners' requirements, and those have stood good for five years. The commissioner law of the State, and the rulings of the commissioners, have been tested in the Supreme Court of the United States, and fully sustained. Under these circumstances the venerable commissioner naturally says: "I am surprised at the statement being made about the Georgia railroads and the Georgia Railroad Commission by parties in your State." The net earnings of the Georgia roads have steadily increased since the commission regulated them, and "there is less litigation between the people and the railroads than at any previous time. There are very few cases in the courts of the State on account of the failure of the railroads to discharge their duty as common carriers. It is a matter of pride to the citizens of Georgia that the roads of the State, especially the older ones, compare favorably with the roads of other States both in their physical condition and in the discharge of their duty to the public in the transportation of persons and property." Truth crushed to earth will rise again, and whatever the Tennessee Legislature may do at the present, time will tell whether events will not compel them to defend the interests of the citizens of this State as those of Georgia are defended, by the establishment of a commission, and the more delay the stronger the commissioners' powers will be made.

THE ERROR OF PROHIBITION.

The Tennessee Prohibitionists met in Nashville on Wednesday last and adopted a series of resolutions and recommendations. Among the latter was one in favor of a constitutional amendment to prohibit the manufacture and sale of intoxicating drinks in this State. Also, that a law should be enacted enabling the citizens of each county to vote whether intoxicating beverages shall be manufactured or sold within the county voting. The ladies were strong in advocacy of the prohibitive policy. At the evening meeting Mrs. Lide Meriwether, Mrs. Saxon and Mrs. M. L. Wills were among the speakers. The APPEAL has already expressed its views of the prohibitive policy. It regrets having to differ from the able and sensible ladies whose oratory charmed the meeting, but we cannot regard prohibition as an effectual way of decreasing or extirpating intemperance, because prohibition fails to prohibit. Time, talent, and toil, bestowed upon the theory of prohibition, appears to us to be lost, because that theory is an erroneous one, and while the attention of the temperance people is directed to it, it is diverted from efforts that would result in success. From want of power to command the support of the community, and from want of power to carry out its objects a prohibition law is a failure. A correspondent has called our attention to the decrease reported in the official returns of the liquor entering Maine. We have seen something of the working of the Maine law in its native State, and are therefore induced to doubt whether the amount of sales decreases in proportion to the amounts shown in the reports, even to doubt whether a great deal more intoxicating liquors do not enter Maine than the official returns record. One great failing of the prohibitive system is that it is an expenditure of effort to obtain that certain provisions be recorded authoritatively on a piece of paper at the State capitol. When that task is accomplished, all the real prohibitory work has to be done; the razor law will not do it, it only says it shall be done. That law passed, the temperance people await the effect, and the effect does not come. They complain that this, that and the other official fail to do their duty. Why fail in connection with this law, when they are diligent with respect to others? Because the law is not in consonance with public opinion, and therefore is a mere paper law. If the temperance people would undertake *themselves* to have the laws executed, if *they* would detect the unlawful manufacturer and catch the illegal seller, their cause would be stronger, but that they cannot do. A temperance man cannot enter an illicit bar, and "call for drinks," and swallow them, and then go out and inform upon the seller—that would be doing evil that good might come. The temperance man cannot enforce a prohibition law, a non-temperance man will not, the general public is indifferent, and the result is that prohibition does not prohibit. In dealing with a habit as old as before the days of Noah the approaches must be made by degrees, by accumulating restraint upon restraint until the object is accomplished. We regret to see the members of a great cause pursuing a false issue, and we frankly say so, and ask that our view shall be frankly considered.

THE BUSY BEE.

There must be a charm about keeping bees and gathering honey, for those engaged in the business appear to love their pursuit and to associate with others in the same occupation. It is appropriate that it should be so, for the hive and its busy occupants are associated with flowers and country sights and sounds. In New Orleans, a few days ago, there was a congress of bee-keepers with delegates from nearly all the bee clubs—usually calling themselves "apiarian societies"—in the United States, also from cold Canada and warm Cuba. From Canada a delegate exhilarated upon the blooming of plants there; he stated that the principal honey-producing plants are the white clover, basswood, and, strange to say, that nuisance the Canada thistle. Manitoba was stated to have too long and severe winters and too few flowers for much honey production. A paper from Michigan divided bees into two races—the brown and the yellow—the latter of which the writer thought to be preferable; for the South, however, the brown, known as the Italian, was the best suited, and the congress generally appeared to be in its favor. This was the first day of the congress, and the warm interest taken in the proceedings give reason to believe that the complete session will prove of high practical value. In the South bee culture is worth more general attention than it has yet received, for summers are long, our flowering vegetation extensive, and if even Canada can find the business profitable, surely here it ought to be much more so. While the farmer is busy in his fields, his bees, like unpaid servants, are busy also storing up cheap and wholesome food for his family, and if he please to keep them to that extent, providing a profitable article for the market. To the growers of small fruits and vegetables it is exceptionally worth while to consider whether bee culture might not be made an additional source of income.

THE SMOKE NUISANCE.

A while ago there was a great agitation in favor of reducing or abolishing the smoke nuisance in cities. That agitation has ceased for some time. We hear rather from hopelessness than from success, for we have heard of no absolute cure from the evil from any or all of the improved stoves and fireplaces and chimneys. Steam, electricity and other agencies and inventive applications have wrought wonders, but here is an evil that infests every house, and yet appears to baffle all attempts to conquer it. Inventions have lifted many men from poverty to riches, and he who shall invent a remedy for the smoke nuisance will reap a reward few have equaled. If we, the inventive people *par excellence*, have given up the hope of conquering this great enemy of health and comfort, the English are still struggling with the problem, and claim to have made some advance toward clearing the atmosphere of the black pall that now invades it, dims the light of heaven, and contaminates the air we breathe. There is an institution in England called the "National Smoke Abatement Institution," which has recently published its annual report, in reference to which the London *Chronicle* says marked progress is claimed to have been made in the introduction and adoption of improved systems of heating, by which the influx of smoke has been materially reduced or entirely prevented. The English Parliament has promulgated laws to aid the efforts to suppress smoke, but their administration is pronounced faulty and in need of revision and better enforcement. It is found that not only business establishments with their vomiting chimneys, but the domestic fire of the household requires reform, and there ignorance, bull-headedness and hatred of change prove to be serious obstacles. The report itself states that tests made in 1881 showed an average smoke density of 3, while those made in 1884 give an average of only 1.75, and it is found that grates of proper construction are now making in sizes suited for small consumers. In kitchen grates the density of smoke has been reduced from 4.18 in 1881 to 2.4. This looks like progress, and should give ground for encouragement; but the fact of such difference being made much of shows that the English, equally with ourselves, have failed to produce an actually efficient smoke preventer. Bakers' ovens have been great smoke producers, but the report declares that five systems of these ovens are practically smokeless, and very large quantities of bread are now baked in various districts without the production of any smoke. Here is another hopeful fact, for if the baker can be conquered others may surely be subdued. It is strongly recommended by the smoke institution that stokers should be submitted to examination and required to take out certificates. This is doubtless a good subsidiary measure, for an unskillful stoker adds greatly to the smoke nuisance. The absence of a really effective smoke consumer is shown by the declaration of the London *Chronicle* that "a perfect solution of the question is attainable only by the general adoption of smokeless fuel like coke or gas," and these, the *Chronicle* states, have come into increased use during the past twelve months. The institution's report says that "the British gas companies have hired out a large number of gas stoves." The use of these stoves is increasing among ourselves also, or their equivalent, oil burning stoves. As their handiness, utility, neatness, cleanliness, ease of management, and effective and satisfactory work become better known, they will come into universal use, for whoever will become adepts in manipulating them will never use the fire again for cooking when they can avoid it.

A Desperado Killed.

WHITESBURG, KY., February 27.—On Wednesday, Ran Smallwood, a prominent member of the Law and Order organization, met Michael Adams, a desperado. A quarrel ensued, both drew pistols, and Adams was killed. Adams had killed two men in January, and defied the authorities. Smallwood was not arrested.

THE SILVER LETTER.

Mr. Cleveland's Reply to the Silver Advocates in Congress on the Currency Question.

He Favors the Suspension of the Silver Coinage and the Purchase of Bullion.

Senators Bayard and Garland Formally Invited to Take Positions in the Cabinet.

ALBANY, N. Y., February 27.—The following is the reply addressed by President-elect Cleveland to the silver coinage advocates in Congress:

THE LETTER.

To the Hon. A. J. Warner and others, members of the Forty-Eighth Congress:

GENTLEMEN—The letter which I have had the honor to receive from you invites, and, indeed, obliges me to give expression to some grave public necessities. Hesitation in advance of the moment when they would become objects of my official care and partial responsibility, year scruples that my judgment should have been carefully and deliberately formed is only just, and I accept the suggestion in the same friendly spirit in which it has been made. It is also fully justified by the nature of the financial crisis which, under the operation of the act of Congress of February 28, 1878, is now close at hand. Be compliance with the requirements of that law, all the vaults of the Federal Treasury have been filled, and are now heaped full of silver coins which are now worth, less than eighty-five per cent. of the gold dollar prescribed, as the "unit of value" in section 14 of the act of February 12, 1873, and which, with silver certificates representing such coin, are receivable for all public dues. Since this receivable, while also increasing in quantity at the rate of $28,000,000 a year, it has developed at exactly that the flow of gold into the Treasury has been steadily diminished. Silver and silver certificates have displaced gold and are now displacing gold, and the sum of gold in the Federal Treasury now available for the payment of the gold obligation of the United States and for the redemption of United States notes called "greenbacks," if not already encroached upon, is portionally near such encroachment. These facts, while they do not admit of difference of opinion, call for no argument. They have been forewarned to us in the official reports of every secretary of the Treasury from 1878 until now. They are plainly affirmed in the last December report of the present Secretary to the Speaker of the present House of Representatives. The support of the official documents of this Congress and in the records of the Treasury Department, of which this Congress is a member, and through which the bulk of the receipts and payments of the Federal government and country pass. These being the facts, our present condition, our danger and our duty to avert that danger, would seem to be plain. If you concur with me and with the great majority of those with whom I have conferred, the duty devolves at the present juncture to maintain and continue to use the gold and silver now in our Treasury as far as more of silver already coined. This is possible by the present law, and if it be the purpose of the citizens of silver, I am not aware that by any other method it is possible. It is of immeasurable importance to prevent the two metals from becoming, to prevent the increasing displacement of gold by the increase of coinage of silver, to prevent the disuse of gold in the customhouses of the United States in the daily business of the people, to prevent an ultimate exclusive gold and silver. The dangers which seek as these events would certainly precipitate, were it now to follow upon so long a period of commercial depression, which invites the people of every city and every State in the Union to fearful and disastrous results. The revival of business enterprise and prosperity so ardently desired, and apparently so near, would be hopelessly postponed. Gold would be withdrawn to its hoarding place and an unprecedented contraction in the actual volume of our currency would speedily take place. The business of the country—every workshop, mill, factory, store, and on every line of railroad and farm, the wages, salaries and profits of labor would suffer still further depression by the scaling down of the purchasing power of every one-dollar paid into hands of labor. From these impending calamities I seek to save the best, patriotic and grateful duty of the representatives of the people to whom, under Providence, we are sincere respect, your fellow-citizen,

GROVER CLEVELAND.

ALBANY, February 21, 1885.

MR. CLEVELAND TO LEAVE ALBANY TUESDAY.

President-Elect Cleveland, accompanied by his brother, two sisters and Col. Lamont and family, leaves for Washington early Tuesday morning, and will be there Tuesday evening.

Garland Formally Tendered the Portfolio of the Department of Justice.

WASHINGTON, February 17.—The *Star* says it is stated to-day upon unquestioned authority that Senator Garland yesterday received a letter formal in its tenor, to accept the portfolio of the Department of Justice, and the Senator mailed his acceptance. While no doubt has been entertained that Garland would be appointed, it appears that the formal tender of the position did not reach him until yesterday afternoon.

Bayard as Secretary of State.

WILMINGTON, DEL., February 27.—The *Every Evening* publishes a statement on entirely trustworthy authority, that Senator Bayard will enter Cleveland's Cabinet as Secretary of State, and will forward his resignation as Senator to the Legislature Wednesday.

THE WORLD'S FAIR.

Largely Increased Attendance at the Exposition.

NEW ORLEANS, February 27.—The news that an additional appropriation passed the House and the belief that the Senate will indorse the action, had the effect of increasing the spirit of exhibitors to a high degree. With the public good, the news was equally satisfactory, and hence the attendance was greater than yesterday. The weather was beautiful, and to the visitors who but yesterday were snowbound or rain-bound, the balmy breeze and genial sun proved a most agreeable surprise. The Board of Management now publishes the daily receipts:

The World's Fair Used for $24,000.

NEW ORLEANS, February 27.—Jones & Laughlin, of Pittsburg, to-day filed suit against the World's Exposition for $24,000. They ask for judgment, with mechanics' and vendor's lien on the buildings. The suit arises out of a contract for the machinery department, which was to have been paid for upon delivery on the cars at Pittsburg.

New Orleans Races.

NEW ORLEANS, February 28.—Attendance light at the races to-day; weather clear and pleasant; track heavy.

First Race.—Hurdle handicap, one and three-sixteenths miles. King Dutchman won; Fred second, Rowdy Boy third. Time—2:29½.

Second Race.—Three-quarters of a mile. Eileen Lowe won; Wasp second, Nat Lowe third. Time—1:17½.

Third Race.—Three-quarters of a mile. Lucy Johnson won; Captain Warren second, Twilight third. Time—1:21½.

THE SIGNAL SERVICE.

The Secretary of War Gives His Views on the Subject.

WASHINGTON, February 27.—The Senate bill introduced by Dawes to create the office of assistant chief signal officer, the design of which was to provide for the promotion of Lieut. Greely, having been referred by the Military Committee to the Secretary of War, the latter has made a reply, in which he gives his views on the Signal Service generally. A few extracts will suffice to give the spirit of the communication as follows: The bill referred to me is a further step toward a comprehensive military organization for the establishment of which there is no military need. Military signaling, or the conveyance of military orders or intelligence by telegraph or fog signal is not a proper object for the existence of a bureau of the War Department. A single staff officer on the staff of the commanding general of the army could easily supervise the issuance to company commanders of proper code books and current orders for use. The actual work of signaling by flag is always to be done by actual observers, and enough of them in every command are now and will always be required to be instructed in the very simple work. By various steps a Signal Service force of enlisted men has been authorized which now, under law, consists of 500 men, of whom 189 are sergeants and corporals. Of this force, about 175 are now on constant duty in the city as clerks, printers, etc., and the remainder, except a few telegraphers and isolated observers of weather, in the Weather Bureau Service. The work is all necessarily incidental to and directed at the great central office in Washington, and to do this are stationed here the Chief Signal Officer and six subordinates detailed from the Army, and five second-lieutenants of the signal corps and 175 enlisted men. There is also stationed here a large force of civil officers and employes. If it be asserted that all military and civil officers and employes, all performing civil duties without pay in other branch of the public service, and it would see with regret any further step toward preventing an establishment so organized becoming in time purely civil in its organization. A military organization seems to be entirely inconsistent with our policy in such matters. When it is recollected that the "Signal Service" means, by the transmission of the nonsense about which has been editorially, of 1883 by leasing the convict labor, Mr. W. H. Cherry's testimony is quite frequently used in this discussion, and Col. A. S. Colyar seemed to enjoy the *Banner's* articles very much.

On more than one occasion the colonel expressed his pleasure over the strictures made upon Mr. Cherry, and the colonel even told the reporter that Mr. Cherry having Capt. Tom Green employed as his attorney or lobbyist.

Col. Colyar also said to the writer one day in 1884 a memorandum was made, immediately after the conversation, that "the *Banner* was in error concerning the contract over the lease bill. The bill that was made over the short term or five months extension of the lease, and when the fight was completed, the bill providing for the present, or six years lease, passed the Legislature without any trouble."

The journals corroborated this utterance, for we find that Senator S. A. Champion introduced a bill into the Senate on January 19th to extend the then existing lease five months.

The bill granting that extension did not pass until March 14th, two months after the introduction—the same bill having been introduced into the House the same day, January 19th.

From the testimony yesterday it was shown that the contract between the Tennessee Coal, Iron and Railroad Company and Cherry, Morrow & Co. was made March 6th, or just preceding the passage of the five-months extension bill.

The committee were in possession of the information given by Col. Colyar to the writer, and the committee also knew of the other two corroborating facts just mentioned, and yet not a word was Col. Colyar made to tell about the "big fight" or the "compromise" that was made.

Does that look like thorough investigation?

The Editor of the Lease.

All during 1884 Col. A. S. Colyar was on the very best of terms with the *Banner* people, and to them he appeared to greatly enjoy the strictures of the "penitentiary ring," as long as only Mr. Cherry's name was mentioned.

So intimate did the colonel make himself with us that Mr. Cherry's own paper accused his son John of being "one of the editors of the *Banner*," and further alleged that the colonel himself owned the controlling interest in the *Banner*, afterward modifying this last assertion to an "option on the *Banner*."

None of the statements by Mr. Cherry's paper were true, but they go to show the friendly relations between Col. Colyar and the *Banner* people.

But when the *Banner* went on accumulating facts about the penitentiary, and knew no man that had any connection with it, and could not close after matters that affected Col. Colyar's personal interests, he rushes into the area of Mr. Cherry for protection, and together they join in an effort to crush the *Banner* and silence its editors.

Col. Colyar stands up before the committee and says that he has been patiently enduring abuse from the *Banner* for a whole year, and that he has waited the patience of a quiet citizen and restrained himself from passion, but that he will not stand it much longer.

We do not know whether Col. Colyar thus means to threaten a personal attack upon the editors of the *Banner*, and we do not care, but we do know that such statements as he made to the committee do not consist with his actions during the past twelve months. Col. Colyar's present attitude toward Mr. Cherry and his past relations with the *Banner* people smack smartly of great duplicity.

GLADSTONE SUSTAINED.

The Vote of Censure Rejected by the Commons by a

Good Majority, but Adopted in the Lords by a Large Vote.

LONDON, February 27.—Great excitement prevails throughout England in view of the possible defeat of the government to-night.

In the Commons.

In the House of Commons this evening Henry Labouchere gave notice that he would move that the House regrets that the militia has been embodied, because it indicates a resolution on the part of her majesty's government to interfere in the Soudan by force of arms.

Debate was very protracted on the motion of censure, but when brought to a vote it resulted in rejection by a vote of 302 to 288.

In the Lords.

In the Lords, Kimberly, Secretary of State for India, said the policy of the government was to leave Egypt when good government was established. It was simply impossible for any English government to remain in Egypt in the face of the European antagonism which exists.

Speeches were also made by Granville, Foreign Secretary, and the Marquis of Salisbury. The motion of censure was finally adopted by a vote of 189 to 68.

THE NICARAGUAN CANAL.

The United States Surveying Party at the Field of Operations.

WASHINGTON, February 27.—Civil Engineer Menocal, in charge of the expedition to survey the route of the proposed Nicaraguan canal, reports to the Navy Department, under date of San Juan river, January 31st, the arrival of his party there on the 22d of January. A camp is being established near the junction of the San Juan and Serapiqui rivers. Some objection was offered by the officials of the Costa Rican government to his making any surveys within Costa Rican territories without further instructions from the government. A special messenger was sent to San Jose on the subject, but in the meantime the survey was begun on the left margin of the San Juan river and carried to the other side. The engineer made a careful examination of that river and tributaries for several miles above the mouth, which satisfied him of the impossibility of raising the waters of that river for the canal by a dam at that point. The survey is being prosecuted with encouraging signs of success

BUSINESS TROUBLES.

Failures for the Week.

NEW YORK, February 27.—Failures the last seven days reported to R. G. Dun & Co. number for the United States 340; Canada, 40; total, 283, compared with a total of 290 last week. A great bulk of the casualties are in the Western, Southern and Pacific States.

Will Retire from Business.

BOSTON, February 27.—The Merchants' Insurance Company has voted to retire from business, re-insuring outstanding risks.

Somewhat of a Flurry at St. Louis.

ST. LOUIS, February 27.—Something of a flurry was produced on Change to-day by the report that Ben W. Lewis, a wealthy man and at times a heavy speculator in grain, had failed. Inquiry disclosed the fact that Lewis was "long" on May wheat to a large amount and concluding not to lose any more money he called his broker to sell him out, which was done. Upward of 1,000,000 bushels have already been sold on Lewis's account and the whole deal will be closed out. His loss is understood to be $50,000 to $60,000, which he can easily stand. His brokers are fully secured.

It is alleged to-night that Lewis is still largely behind on his margins, and there is considerable doubt as to the truth of the report that he ordered his broker to sell him out.

Later.—The large commission house of E. M. Samuel & Sons stopped paying margins on wheat this afternoon, and announced that they would suspend until they could look into their affairs and be certain how they stood. They are heavily "long" on wheat, but say they cannot make a statement of their condition until to-morrow.

Financial Condition of the United States Bank.

NEW YORK, February 27.—Hastings Grant, president of the United States National Bank, about the financial soundness of which many reports have been circulated, made the following statement: "Bank-Examiner Screba has nearly completed his examination of the books of the bank, which, he says, is perfectly sound, and that there is absolutely no reason why the depositors, shareholders or anybody, should have fears. That covers the whole ground, and I am happy to say I can confirm every word of it. Grant stated that Logan, vice-president of the bank, was expected to arrive Monday."

LITERARY.

THE March *Century* has followed the example of its recent predecessors and gone out of print—this time within two days of issue. A second edition of 35,000 is on the press, making the total 235,000.

C. DAVIS ENGLISH begins in *The Current*, of February 28th, a consideration of "The Future of American Criticism." He severely censures "the critical laxity and independence of to-day," and holds that contemporary criticism in the United States is lacking in decisive authority.

MAJ. W. H. POWELL, United States army, continuing, in *The Current* of February 28th, his series of papers on "Our Prospective Complications," shows the present political and commercial status of Cuba, and the relation the island bears to the United States. It will surprise many to to learn that there are 20,000,000 acres of wild land in the island.

Frances Elise Cavanagh presents in *The Current*, of February 28th, the first of a series of papers on "The Destruction of American Forests." He begins naturally with the influence and use of forests, showing their value in modifying temperature, in staying floods and checking storms. He gives the best scientific opinion on these important points. The remaining papers of the series will comprise the results of the most laborious study of all phases of the forestry question, which is now agitating the minds of so many economists.

SCOTT obtained £110,000 for eleven novels and nine volumes of tales; Lord Beaconsfield was offered £10,000 for *Endymion*; Longfellow received £7000 for *Romola*, and it is reported that her *Life* has already cut £8000 into the pockets of the publishers. The profits of several continental authors have, however, been equally substantial. Lamartine received £20,000 for his history and £1800 for *La Chute d'un Ange*; for the manuscript of *Notre Dame* Victor Hugo was paid £2400; Chateaubriand made £22,000 by his books; Thiers disposed of his *History of the Consulate and Empire* for £20,000; and even Lamennais obtained on an average £600 for each of his volumes. Judged from the pecuniary point of view, M. Emile Zola is probably the most successful of living authors. A Par s paper, to which he is an occasional contributor, states that his income from literary work has during the past five years averaged £12,000.

WHEN gazing in your lover's eyes, How soon his sense of rapture dies

If there's no sweetness in your breath; It by your falling teeth be shown That SOZODONT to you's unknown, And that your mouth is a foaming death.

THE LEGISLATURE.

A Number of New Bills Introduced in the House and Senate—The Bill to

Amend the Gambling Laws Rejected in the Senate—The Railroad Bill in the House.

The Penitentiary Investigation — The "Banner" on the Lease—Spence's Sentence Commuted.

[SPECIAL TO THE APPEAL.]

NASHVILLE, February 27.—*Senate*—A communication from Commissioner McWhirter was read by the clerk. It invited the members of the Legislature and the reporters who contemplate visiting the New Orleans Exposition to send him their names, so that accommodations may be looked after.

NEW BILLS.

By Mr. Stoval: To amend an act to prohibit the sale of intoxicating liquors near institutions of learning.

By Mr. Smith, of Shelby: To fix the time to collect taxes in taxing-districts.

By Mr. Shaver: To amend the act in regard to the exemption laws.

BILLS ON THIRD READING.

By Mr. Shaver: To protect and encourage sheep raising and to punish any person for keeping a sheep-killing dog. The Judiciary Committee recommended a substitute for Mr. Shaver's bill. The substitute passed.

By Mr. Metcalfe: To regulate the hearing of cases in the Supreme Court.

The chairman announced that the hour for considering the bill providing for a constitutional convention had arrived, but on motion of Mr. Lyle consideration was deferred to March 10th.

The Judiciary Committee recommended a substitute for Metcalfe's bill, which was adopted and passed.

By Mr. Kercheval: To define and punish the crime of teaching the doctrine of polygamy. The Judiciary Committee recommended the rejection of the bill, but it passed—yeas, 35; nays, 5.

Mr. McDowell moved to amend the gambling laws. Mr. McDowell offered an amendment to his bill, as he had been informed that the original was unconstitutional as it was. The amendment was rejected by a vote of 14 to 11. Mr. Case said the bill was not unconstitutional. The bill was rejected—4 to 23. Mr. Blackmore entered a motion to reconsider. Mr. Case moved to lay on the table, which was carried. Mr. Case said he would like to withdraw the motion to lay on the table, as some members wished to take a vote to repeal the bill now on the statute books. The Senate refused to take Mr. Blackmore's motion to reconsider a call of the yeas and nays. The motion to reconsider was rejected.

Mr. Keith moved to adjourn until Monday.

Adopted, and the Senate adjourned till Monday.

The House.

Mr. Blackburne introduced a resolution that it is the sense of the House of Assembly that the members should not travel on free passes furnished by the railroads when they go to New Orleans. The rules were suspended to take up the resolution, and after some discussion the resolution was tabled by a vote of 25 yeas to 22 nays

NEW BILLS.

By Mr. Cummings: For the benefit of mechanics and laborers.

By Mr. Binns: To protect the people and prevent the spread of disease.

By Mr. Lewis, of Henry: To repeal an act establishing taxing-districts of the second class.

By Mr. Dickson: To prevent damage to land along the creeks and small streams in Tennessee.

HOUSE BILLS ON THIRD READING.

Mr. Cormack called up his bill to amend an act of 1883, so as to authorize such Masonic lodges as have taken advantage of the act to increase their issue of bonds to $40,000, and it passed by a vote of—yeas, 66; nays, 2.

SENATE BILLS ON THIRD READING.

To amend the act to provide relief for soldiers who lost their eyes in battle. Mr. White moved that the bill be the special order for next Wednesday at 2 o'clock. Carried.

THE RAILROAD BILL.

The Senate bill repealing the railroad commission law came up on second reading and on motion of Mr. Ruhm, it was read. Mr. Haynes, of Madison, moved that the Committee on Railroads be instructed to report to the House all bills in reference to the commission for consideration next Tuesday at 2:30 o'clock p. m.

Mr. Trousdale said as a member of the committee he asked that they be allowed their discretion in reporting bills and that they be not instructed by the House.

Mr. Haynes said the matter had already been decided upon and the report ing was a mere clerical labor.

Mr. Trousdale replied that the committee was still at work on the bill. The motion failed.

The Senate bill to give Circuit and Criminal Courts certain powers in cases of felonies passed first reading.

Adjourned till 2 o'clock p.m.

AFTERNOON.

The House bill to the third reading to declare bastardy a misdemeanor, to be fined not less than $50, or not more than $100, was taken up with the Senate amendment, that the defendant be a competent witness in his behalf. The bill, as amended, was adopted.

Bills also passed for the relief of the Pulaski and Elkton Turnpike Company; to enable the town of Pulaski to provide for a system of waterworks; to change the name of the county seat of Johnson county from Taylorsville to Mountain City; to repeal the charter of the town of Hollow Rock; to transfer certain escheated property in the town of Columbia to John Brown, colored.

The House has made the railroad bill the special order for the 25th of March.

Col. Spence's Sentence Commuted.

The death-sentence of Col. Spence was to-day commuted by Gov. Bate to imprisonment for life in the penitentiary.

The Penitentiary Investigation still drags its weary length along. The Bonner lease only to-day had no sensational developments. The evidence was confined to the branch prisons, where some bad treatment of convicts was testified to. Dr. Sims was on the stand, but said but little. He said the only objection he had to the main prison was the bad sis ed of the cells.

Meeting of the State Executive Committee of the Y. M. C. A.

The State Executive Committee of the Young Men's Christian Association of Tennessee meets in parlor of the Association, No. 82 Noel block, Church street, at 9 o'clock a.m. today. Mr. Robert Weldenall not will the committee. There was full attendance of the members.

THE PENITENTIARY LEASE.

Comments of the Nashville "Banner" on the Testimony Before the Investigating Committee

Why did not the *Americus* publish the terms of the contract made between the Tennessee Coal, Iron and Railroad Company and Cherry, Morrow & Co., on the 6th of March, 1883, before any legislation had been had by the legislature and long before the present lease was made? Why should not the public have been allowed to see the terms of the contract, that a division of the convict labor was agreed upon between these companies before any lease of that labor was made, either for five months or six years. That contract and the further understanding between these companies amounted to collusion and fraud the moment their terms came to bidders at a public auction, and all the explanations of the lessees cannot make it anything else.

Mr. Cherry's Lobbyists.

If the penitentiary investigating committee is organized for a thorough report, we should like to know why Mr. W. H. Cherry was not asked what he wanted with paid attorneys to represent him before the Legislature in 1883? Why Mr. Cherry's lobbyist was not notified that Mr. Cherry had Capt. Thomas Gregory employed to have something done in the Legislature," and the committee had been informed that S. A. Champion was his lobbyist, and he said that Mr. Cherry's paid "lobbyists" and friends were employed to see that the lease bills were properly drafted and to protect the rights of Cherry, Morrow & Co., and yet when Mr. Cherry is on the witness stand, he is asked if he made to tell about his hired "lobbyists" and lawyers. Gen. Gregory is a man who has no personal knowledge of these matters, are before the committee they are severely questioned and some of them declared in contempt for not disclosing the sources of their information, but when witnesses come who personally know things they are permitted to go unquestioned concerning them.

The "Big Fight" and "Compromise."

During a former discussion of the lease question by the *Banner*, certain allegations were made concerning an agreement between Cherry, Morrow & Co. and the Tennessee Coal, Iron and Railroad Company that ended a contest over the bills for the lease, in 1883 for leasing the convict labor. Mr. W. H. Cherry's testimony is quite frequently used in this discussion, and Col. A. S. Colyar seemed to enjoy the *Banner's* articles very much.

On more than one occasion the colonel expressed his pleasure over the strictures made upon Mr. Cherry, and the colonel even told the reporter that Mr. Cherry having Capt. Tom Green employed as his attorney or lobbyist.

Col. Colyar also said to the writer one day in 1884 a memorandum was made, immediately after the conversation, that "the *Banner* was in error concerning the contract over the lease bill. The bill that was made over the short term or five months extension of the lease, and when the fight was completed, the bill providing for the present, or six years lease, passed the Legislature without any trouble."

The journals corroborated this utterance, for we find that Senator S. A. Champion introduced a bill into the Senate on January 19th to extend the then existing lease five months.

The bill granting that extension did not pass until March 14th, two months after the introduction—the same bill having been introduced into the House the same day, January 19th.

From the testimony yesterday it was shown that the contract between the Tennessee Coal, Iron and Railroad Company and Cherry, Morrow & Co. was made March 6th, or just preceding the passage of the five-months extension bill.

The committee were in possession of the information given by Col. Colyar to the writer, and the committee also knew of the other two corroborating facts just mentioned, and yet not a word was Col. Colyar made to tell about the "big fight" or the "compromise" that was made.

Does that look like thorough investigation?

The Editor of the Lease.

All during 1884 Col. A. S. Colyar was on the very best of terms with the *Banner* people, and to them he appeared to greatly enjoy the strictures of the "penitentiary ring," as long as only Mr. Cherry's name was mentioned.

So intimate did the colonel make himself with us that Mr. Cherry's own paper accused his son John of being "one of the editors of the *Banner*," and further alleged that the colonel himself owned the controlling interest in the *Banner*, afterward modifying this last assertion to an "option on the *Banner*."

None of the statements by Mr. Cherry's paper were true, but they go to show the friendly relations between Col. Colyar and the *Banner* people.

But when the *Banner* went on accumulating facts about the penitentiary, and knew no man that had any connection with it, and could not close after matters that affected Col. Colyar's personal interests, he rushes into the area of Mr. Cherry for protection, and together they join in an effort to crush the *Banner* and silence its editors.

Col. Colyar stands up before the committee and says that he has been patiently enduring abuse from the *Banner* for a whole year, and that he has waited the patience of a quiet citizen and restrained himself from passion, but that he will not stand it much longer.

We do not know whether Col. Colyar thus means to threaten a personal attack upon the editors of the *Banner*, and we do not care, but we do know that such statements as he made to the committee do not consist with his actions during the past twelve months. Col. Colyar's present attitude toward Mr. Cherry and his past relations with the *Banner* people smack smartly of great duplicity.

APPEAL SPECIALS.

Last Day's Session of the Grand Army Encampment at Chattanooga—The Blue and the Gray.

Temperance Lecture by Ex-Gov. St. John at Aberdeen, Miss.—Sudden Death of

The Rev. M. P. Lowrey, President of the Blue Mountain (Miss.) Academy, at Middleton, Tenn.

[SPECIAL TO THE APPEAL.]

CHATTANOOGA, February 27.—The encampment of the Grand Army of the Republic for the States of Tennessee, Alabama and Georgia, closed its session today by adopting resolutions indorsing the organization of the Sons of Veterans and urging the organization of the Women's Relief Corps. To-night there was a grand banquet, at which ex-Confederates and Union veterans sat side by side. The feature of the evening was the toast, "The Blue and the Gray," responded to by Dr. T. C. Warner, of this city, late chaplain of the Grand Army of the Republic of Ohio, and Col. Garnett Andrews, of Chattanooga, formerly of Yazoo City, Miss., in behalf of the gray; the two ex-soldiers clasped hands on the stage, while the audience rose to a man and sang "Marching Through Georgia" and "Dixie." The next meeting of the encampment will be held at Atlanta.

FORREST CITY, ARK.

Death of the Hon. William H. Howes, After a Short Illness.

[SPECIAL TO THE APPEAL.]

FORREST CITY, February 27.—The Hon. William H. Howes, Grand Junior Warden of the Masonic Grand Lodge of Arkansas, after an illness of several days, died at his residence in this city at 6:30 o'clock.

BIRMINGHAM, ALA.

Application for Charter for the Curry Company.

[SPECIAL TO THE APPEAL.]

BIRMINGHAM, ALA., February 27.—Application was made to-day for the incorporation of the Curry Press Company with an authorized capital of $1,000,000. It will manufacture cotton, hay, fruit, cheese and tobacco presses. It was patented by B. J. Curry, who is finally making them in a small way in Huntsville. The company means to do more work next year, probably in this city.

The United States District Court established here at the last session of Congress will open Monday for its first term.

ABERDEEN, MISS.

Temperance Speech by Ex-Gov. St. John —Liquor Licenses Granted.

[SPECIAL TO THE APPEAL.]

ABERDEEN, MISS., February 27.—The opera house was packed to immense audience last night to hear a temperance lecture by Ex-Gov. St. John, late the Prohibition candidate for President. He only incidentally referred to politics, declaring that he quit the Republican party because of its cowardice on the prohibition question. His speech was strong, impressive and dignified, by far the ablest speech on that subject that has ever been delivered before an A