PUBLIC OPINION.

Leading Citizens Unanimously Favor the Immediate Repeal of the City Charter and the Creation of a New Government.

The Bland and Impertinent Bondholders are to Be Checkmated in Their Game to Ruin Memphis—The Course of the Appeal Indorsed by the People.

The course of the Appeal on yesterday morning in indorsing the action of the general council demanding the repeal of the city charter, created no little satisfaction in all circles of business. The greed of the bondholders and their demand for the pound of flesh, like the "Shylock" of Shakespeare, and the service of nearly seventy-nine thousand dollars in peremptory mandamus upon the general council, should bring every good citizen, who has the interest of Memphis at heart, up to the charter-repealing standpoint. Yesterday the United States court issued peremptory mandamus against our oppressed tax-payers for thirty thousand dollars, making in gross one hundred and nine thousand dollars of mandamus suits issued within two days, and suits for a still larger amount will be issued for days to come. Our reporters were around town yesterday and interviewed many citizens, who expressed themselves as highly pleased with the hearty indorsement which the Appeal of yesterday morning gave to the action of the general council in demanding a repeal of the city charter.

Dr. D. T. Porter, of Porter, Taylor & Co., one of our leading Front Row grocery and commission merchants, expressed himself in positive language. He, like the Appeal, was opposed to repudiating debts, and he would gladly accept a fair compromise with the city's creditors; but, owing to the great falling off in all values, the calamity which overtook the city last summer in the shape of a frightful epidemic, the impoverished condition of all classes of citizens, the heartless conduct of the avaricious bondholders, and their refusal to accept any fair compromise, imperatively demanded that the people of oppressed Memphis should make some effort to protect themselves. It was a question of life and death. Dr. Porter was enthusiastically in favor of the repeal of the charter, and he believed that the only true remedy had been discovered. He warmly indorsed the course of the Appeal, and said it was the people's paper.

Mr. J. E. Godwin, cotton factor, expressed almost the same sentiments as those stated by Dr. Porter. He wanted to teach the ungenerous creditors of the city that forbearance often had to cease to be a virtue. A city had no right to commit suicide, and he believed our repeal of the charter would place Memphis on her feet and on the high road to prosperity. He was glad to see that
**A FILTHY DISTRICT.**


The old city authorities failed to keep the streets and alleys in good condition, and the board of health, for want of funds, could do nothing, and can yet do nothing. Nuisances prevail everywhere, all over the “district,” and there is nobody to abate them. “What’s everybody’s business is nobody’s business” is a trite adage. The new police and fire commissioners will have a big and dirty job on their hands when they, with the members of the board of public works, commence to clean up the city and abate nuisances. Slops are thrown into streets and alleys because the city has failed to furnish garbage carts. The new anorhines will soon have to go to work earnestly and enforce all the sanitary measures, and this is what we are assured they will do. But soon.

Knowing the great anxiety of our citizens in regard to the sanitary condition of the city, our reporter started on a tour of observation of the streets, alleys, etc., with the following result: Main Street, from the Mississippi and Tennessee depot to the Louisville and Nashville depot; in a fearful condition. At the corner of South and Main streets the cotton has been piled up so as to almost blockade both sidewalk and street; at this point the wooden pavement has been worn away, leaving ruts and large holes, making it almost impossible for loaded drays and wagons to pass, especially when the street-cars are running. As for the sidewalks, curtained as they are, ladies find it difficult to pass through these lanes of cotton bales without soiling their dresses. Front street—one of the most prominent business streets, or lanes, in the “filthy district”—is in a most deplorable condition; between Union and Gayoso streets the Nicolson has rotted away, and the holes have been lately filled in with stones, but when the wooden pavement rots away from the stones, the street will be in a worse condition than before. Shelby street, south from Gayoso, is simply horrible; the street is cut up so badly that one is surprised to see a loaded wagon or dray pass over it. Not only so, but garbage, dirt and filth of every description is piled up along its entire length. Beale street, for anything but the streetcars, is almost impassable; at the corner of St. Martin, on this street, there is a mud-hole that will almost swallow up a dry, mule, driver and load; the entire street, in fact, is awful to behold. At the corner of M’Call and Shelby streets cotton is piled up in such a manner that ladies can barely pass, and should a drunken fellow attempt to pass with a lighted cigar a grand conflagration would probably ensue, involving the destruction of thousands of dollars worth of property. Mulberry and St. Martin streets are in such a condition that an old “dugout” is better able to traverse them than are drays and other wheeled vehicles. The alley which is in the rear of the Second Presbyterian church, and extends from Beale street north, is in a horrible condition. The manure, slops and garbage from the houses and stables that run back to it have been thrown into it, and the stench arising from it is perfectly awful. Second street is not in such poor condition, but the street force have raked into piles on each side of the way all the filth and dirt of the street, which, owing to the rain we now enjoy, will send forth an almost insupportable stench when the bright sun shines upon it. Union street, owing to the great number of holes and ruts which the wear and tear of traffic has made, is also in a fearful condition; piles of ashes, dirt, and garbage of all descriptions is to be seen from one end to the other. The alley between Main and Second streets, and between Union and Monroe, running east and west, as well as the one running north and south, between Monroe and Madison, are in such a condition as to defy description, filled with filth and ashes. Madison street is perhaps the worst street in the city, taking into consideration its central position; especially is it horrid near the Memphis and Charleston depot. In fact, we venture to say that no city of the size and population of Memphis can be anywhere put in as bad shape as it is in the amount of filth and mud that is accumulated in front of that depot, from the streets leading to it. It is simply a sea of mud and slush, and barely passable. East Court street is on a par with the others, and in some places it looks far ahead; at, for instance, the crossing just below the Exhibition building. Third street, although the travel is not near so great upon it, is bad, and as you approach its northern extremity it gets worse. Jefferson street is no worse nor better than the others; full of holes, ruts and covered with one to two inches of mud. The alleys from Front to Third, running north and south, as also those running east and west, have apparently been made the depositories of every kind of filth. Take the alley between Main and Second, extending north from Adams one square, and it will be found filled with dirt and mud taken from elsewhere, which are in process of being cleared out. On Washington street, the street railroad track, as it is upon all the streets wherever laid, is from one to two inches above the level of the street, and upon each side of the track deep holes are seen, making it impossible for vehicles of any description to cross. Just north of Washington, on Main street, the streetcar company have filled in some large holes between their tracks with tin cans, blocks of wood, etc., and over all have spread a thin layer of sawdust. On Exchange street, both east and west of Main, there are several large holes, in which it seems almost impossible for mules to swim. Although we have given but a brief synopsis of the condition of the streets, and that of the most prominent as well as most centrally located ones, yet our readers will be enabled to judge from this the fearful sanitary condition our city is in. If the streets in the center of the city are as bad as portrayed, how are the suburbs and byways of the suburbs? They are, no doubt, beyond description.
THE WORK TO BE DONE

In Order to Put Memphis in a Thorough and Safe Sanitary Condition, as Agreed Upon by the Sanitary Committee of the National Board of Health.

Skilled Sanitary Officials to be in Charge of the Work—The City to Control the Waterworks and Bayou Gayoso—Condemned Houses to be Destroyed, Etc., Etc.

WASHINGTON, December 13.—The committee appointed to make a sanitary survey of Memphis, including the house to house inspection, recommend:

First—That a movement be taken at once to secure the proper superintendency and subsequent care of the sanitary work to be undertaken by the city; this will involve among other things the employment of trained and thoroughly competent sanitary officers, and it is absolutely necessary such intelligent superintendency and care shall be provided and continued if good results are to be obtained from any comprehensive system of municipal sanitation.

Second—That, as soon as possible, there shall be carried out a methodical and thorough system of opening, ventilating and chilling of all houses in the city, whether occupied or unoccupied.

Third—That it is important that the city should have control of the waterworks, at least to such an extent as to insure a change in the present source of supply, and also to insure that a sufficient amount of water for sanitary purposes shall at all times be at the disposal of the city. The use of all polluted cisterns and wells should be at once discontinued.

Fourth—That a large number of houses in the city should be condemned, torn down, and the material destroyed by fire.

Fifth—A system of sewerage should be introduced that would discharge subsoll drainage into the Mississipi river. This, it is estimated, will require an expenditure of two hundred and twenty-five thousand dollars. The connection of houses with this system of sewerage should be under municipal control, and in accordance with specifications to be prepared by the sanitary authorities.

Sixth—That the bayous, with a sufficient strip of ground on each side to insure their control and freedom from pollution, should be made the property of the city for securing drainage and as a public park, the banks being properly grassed and a constant stream of clean water being secured. The backing up of high water from the river into the bayou should be prevented by means of a dam, in connection with which it must be furnished with pumping machinery to dispose of the ordinary flow during such period of high water.

Seventh—That a system of building regulations be enacted and enforced, providing that no buildings shall be hereafter erected in the city unless the plans have been approved by the sanitary authority, and that the construction shall also be subject to its inspection and approval. All uncondemned buildings whose lower floors are less than two feet from the ground should be raised to that height as early as possible, and in the future all dwellings should be built with their lower floors at least two feet from the ground; also that all cellars and basements should be freely ventilated. All this should be enforced by municipal authority.
THE SANITARY TRUCE.

After several day's delay, much discussion and many consultations, the legislative council came to an understanding Saturday afternoon which will doubtless be generally accepted as a fair adjustment of the differences which have existed in that body and in the public mind. The compromise, we understand came from Dr. Porter's side of the question, although offered by Mr. Gunn. It came in the shape of a further amendment to the health ordinance, and in a word provides that there shall be some discrimination in the work of cleaning up and the filling up of privy vaults. Inspectors will condemn the worst privies, and all such must be cleaned out at once and filled up with fresh earth. The occupants or owners of the premises may, however, appeal from the report of the inspector to the Board of Police and Fire Commissioners, who may appoint a committee of three citizens to visit and report upon the condition of the vault. It is further provided that after such vaults are filled up, the fecal matter shall be removed at the expense of the Taxing District. This will give the box system a fair trial. We have no faith in it, any more than we had before this agreement was patched up. Yet we believe that where people are intelligent and very careful, it may possibly be made to answer a short time, until connections can be made with sewers. The contract for sewerage the city will probably be signed soon after the 15th inst. This, more than anything else, will give assurance that something is really to be done. We hope now that the people will take this matter in hand, go to work in earnest, and do something more than talk. It is important to pay up the one per cent. tax that will fall due on the 18th of February, in order that the local government may be able to make contracts for sewerage and subsoil drainage at once. Those who may
THE WATER QUESTION.

The Company to the Citizens' Committee.

And the Latter Reply That They Are Not Satisfied.

After several conferences between Judge T. J. Latham, President of the Memphis Water Company, on the one hand, and the Citizens' Committee, headed by Colonel Napoleon Hill, on the other, the following correspondence has been submitted. It speaks for itself. Comment is reserved for another day.

EDITOR LEDGER—Please publish reports which have been held two days at the request of President Latham of the Water Company, saying that same proposition to make which would be satisfactory to the public. Said propositions have never been received, and his advertisement for six months' pay in advance for water in direct conflict with our agreement.

NAPOLEON HILL,
Chairman Citizens' Committee.

To Napoleon Hill, Chairman Committee on Water Supply:

On the 15th of June a petition, signed by forty or fifty representative citizens, was presented to the Water Company urging that the company go to the Mississippi river for our water supply. This led to several interviews at the last of which, on the 3rd inst, it was agreed between the Citizens' Committee, of which you are chairman, and the Water Company that said company was not to compel payment of water rates until August 1, by which date said company was to submit to your committee the result of the investigations as to the practicability of a supply from the Mississippi river. This we have done through the report of Mr. Laramy, presented to your committee to-day, which was substantially as follows:

"Though the present pumping station is as favorably situated as it well could be, and was located with a view to an ultimate connection with the Mississippi river, the outlay for the change, including new pumping engines, boilers, buildings, foundations, large mains from Mississippi river to the present works, and for reservoirs would cost $400,000, and for additional distribution mains now needed in the city and suburbs, $100,000 more, aggregating fully $500,000 to be expended within the next twelve or eighteen months; besides greatly increasing the operating expenses, by necessitating two plants, and two pumpings instead of one, as at present; for it must not be supposed that our people would be any better pleased with Mississippi river mud than with Wolf river mud, especially when we consider that taking the year through, there is more than five times as much mud in the former and the latter will settle if allowed a few days to stand, but this involves the large and expensive reservoirs and double pumping referred to above."

Mr. Heramy further showed that these heavy expenditures would be in an endeavor, largely experimental and hazardous, that the pipe lines would be through an unreliable alluvial soil; that to protect the inlet pipe would be expensive, and that the location of the pumping station on a craggy bank that annually overflows, would be both expensive and perilous; and stated that the site he selected 15 years ago for the works, above the mouth of Wolf river, was now about 300 feet in the river.

"We think it will not be denied that these figures, together with experimental features of the scheme, place it far beyond the reach of the Company. Knowing the general desire for the change, we had earnestly hoped for a different result, but we do not feel justified in disregarding what we consider sound and conservative counsel. We have heretofore shown that it would be greatly to our pecuniary interests to improve the water supply on any reliable basis, at any reasonable outlay, either by going to the Mississippi river or by wells, or by filtration of the present supply, or otherwise, and while we have not, nor do now, promise results which we do not yet see clearly before us, we think we have furnished ample evidence of good faith in our efforts, and we are ready to co-operate with any gentleman in the solution of this vital and important question. At the suggestion of a prominent citizen we will in a few days investigate the feasibility of a supply from Horn Lake, which, while it may show still greater cost, would be exempt from some of the uncertain features of the Mississippi river question.

In conclusion, I would assure you I fully appreciate your earnest anxiety to discover some feasible mode of improving our water supply, and thank you for uniform courtesy during this investigation.

T. J. LATHAM,
Memphis, July 33, 1883.

[REPLY]

T. J. Latham, Esq., President Memphis Water Company.

We, the Citizens' Committee, have carefully examined and duly considered your report of yesterday. In view of the fact that the life and property of our city and its people depend upon ample supply of good water, we are found to the conclusion that your report is not satisfactory. Being fully satisfied that good water can be had we are of decided opinion that our people should have it at what cost, knowing that a fair dividend can be made upon any probable amount of cost without being burdensome to the people.

We have considered the Horn Lake project, which has been suggested in your report and think favorably of it and recommend the matter to your
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THE CONTEST CLOSED.

THE ARTISIAN WATER COMPANY GETS ASSENT TO CONSOLIDATION.

City Authorities Say the Company is in a Hole, the Company Says the City Gets a Big Thing, Yet Both Sides Jump at the Settlement With Engerous.

The water question in Memphis has been settled for many years, so far as the city authorities are concerned.

This conclusion was reached in short order at the Legislative Council meeting yesterday afternoon.

From comments directed at the Appeal reporter, who “took in” the meeting and witnessed the harmonious settlement, the city authorities consider themselves the expert of experts in drawing contracts, and the water company men are “downs.”

“Do you know those fellows are in a pretty bad hole?” inquired President Hadden of the reporter.

“Nay; are they, really?” was the reply.

“They are that!”

Col. George Gantt, attorney for the water company, also remarked that the city was getting a big thing, but it was observed that all hands jumped at the settlement, lest it slip through.

Following is the report of the committee, composed of Messrs. Petit, Kney, Lee and Hadden, appointed at the preceding meeting to consider ways and means, as it were, for the two companies to consolidate:

THE REPORT.

The committee to whom was referred the question of a consent on the part of the Taxing District to the purchase by the Artesian Water Company of the properties and working franchises of the Memphis Water Company, report:

1. That the resolution to be passed by the Legislative Council giving such evidences in a contract to be executed by all the parties.

2. The draft of that contract.

3. A resolution passed by the board of directors and annested by all the stockholders of the Memphis Water Company, abandoning and surrendering all claim to an exclusive privilege in that company.

PREAMBLE AND RESOLUTIONS.

Whereas, By an act of the General Assembly of the State of Tennessee, entitled “An act to empower water companies in this State to acquire, by purchase or otherwise, the property and working franchises of other water companies,” passed March 30, 1889, and approved by the Governor April 2, 1889, it is provided in all cases where there are two chartered water companies in any town, or city of this State, that one of said companies shall have the right and power to acquire, by purchase or otherwise, the property and working franchises of the other company, by and with the consent and approval of the municipal authorities of the town or city in which said companies may be located, for the purposes and under the conditions in said act mentioned; and whereas, There are located in the Taxing District, known as the Artesian Water Company, on the property of the said Memphis Water Company, two water companies duly chartered and organized under the laws of this State, one called the Memphis Water Company and the other the Artesian Water Company, and the said Artesian Water Company is desirous of purchasing from the former, in due legal form, all its property and working franchises for the purpose of enabling the said Artesian Water Company to carry out the said contract, and to comply with its contract for a public and private supply of water, and especially its contract with said Taxing District of date 20th of July, 1887; and the said Artesian Water Company, not being in the position of being able to pay cash, or to be operated and run in competition with each other, and such purchase, is upon the terms and conditions hereinafter specified, satisfactory to the municipal authorities of said District now therefore be it.

Resolved by the Legislative Council of said Taxing District, That it does now and hereby consent, and approves of the purchase of the said Artesian Water Company from the said Memphis Water Company, of all such parts of the property and working franchises of the latter company, as the former may desire, upon some terms as may be agreed upon between them or their respective representatives, the consent of said Taxing District being given upon the terms and conditions set forth in a draft executed contemporaneously with the passage of this resolution.

THE CONTRACT.

The Taxing District of Shelby County, party of the first part; the Memphis Water Company, party of the second part, and the Artesian Water Company, party of the third part, hereby make and enter into the following contract, to-wit:

An act of the General Assembly of the State of Tennessee entitled “An act to empower water companies in this State to acquire, by purchase or otherwise, the property and working franchises of other water companies,” passed March 30, 1889, and approved by the Governor April 2, 1889, authorizes the purchase by said Artesian Water Company of the said Memphis Water Company, and with the consent of said Taxing District.

And the said Artesian Water Company and the said Memphis Water Company, having agreed upon a sale of the property and working franchises of the latter to the former, and having applied to the said Taxing District for its consent to said sale and purchase, the said Taxing District does hereby give its consent thereto in consideration of the premises following:

And the said Memphis Water Company and Artesian Water Company in consideration of the giving of the consent aforesaid do hereby respectively agree as follows:

1. The said Taxing District may at its option, and at any time it may see fit; annul and cancel the contract herebefore existing between it and the said Memphis Water Company, dated 1st day of May, 1882, the said cancellation and annulment to be consummate and complete upon the same date of resolution, to effect by the Legislative Council of said district.

2. The said Memphis Water Company, for the benefit of said Taxing District and its inhabitants, hereby abandons and relinquishes to the State of Tennessee all claim, under its charter or otherwise, of an exclusive privilege to supply the said Taxing District and its inhabitants with water, this abandonment and relinquishment being made by the Memphis Water Company by virtue of a unanimous vote of its Board of Directors, authorized and assented to by all the stockholders of said company, the said state and authority of the said stockholders being evidenced by a certain Board of Directors and by the original paper, signed by all the stockholders of said company, assenting to said resolution, both of which are attached to and made part of this contract.

3. The said Artesian Water Company for the aforesaid consideration agrees to supply water for two more fountains, to wit: One a Court Square and one in Market Square and also for the purpose of 1,000 fountains for man and beast, in addition to those heretofore agreed to be supplied by it.

Witness the hands and corporate seals of said parties aforesaid, this 11th day of April, 1889. DAVID H. HADDEN, J. T. PERRY, Secretaries.

Board of Fire and Police Commissioners,

APPROVED:

CHARLES KNEY,

LEON M. STEWART,

SAMUEL HIRSCH,

T. J. GRAHAM,

J. R. RANDOLPH,

Board of Works,

MEMPHIS WATER COMPANY,

By W. S. REECE, Vice-President.

ATTORNEY: L. SIMPSON, Secretary Memphis Water Company.

ARTESIAN WATER COMPANY,

By R. C. G. BATES, Vice-President.

ATTORNEY: L. SIMPSON, Secretary Artesian Water Company.

EXIT MEMPHIS WATER COMPANY.

“Whereas, On the 11th day of April, 1889, the Taxing District of Shelby County agreed to give its consent to the sale of the property and franchises of the Memphis Water Company to the Artesian Water Company, on condition, among other things, that the former company would forebear and refrain from the exclusive privilege of supplying said District and its inhabitants with water; therefore,

Resolved, That in consideration of the giving of said consent, and for other good and valuable considerations, the said Memphis Water Company does hereby surrender and release to the said Artesian Water Company, for the benefit of said Taxing District, all claim whatever to the exclusive privilege aforesaid, the purpose being to extinguish, but in transfer, said exclusive privilege to the Taxing District.

“1. The said stockholders of the Memphis Water Company, we assent to the passage of a resolution to the foregoing effect by the Board of Directors of said company.

This is duly signed by all the stockholders of the Memphis Water Company, sworn to before J. B. CROSS, notary public, on April 10, and attested by L. SIMPSON, secretary of the company.

The statement was read out in open meeting, that the contract with the Memphis Water Company was not referred to oblivion and consigned to the realm of ancestors, but a plan to have all who might wish to attack the contract with the Artesian Water Company might be given a voice. As President Hadden has stated, the old contract was for Wolf River water.

The papers were forwarded to Judge T. J. LEAHY, at New York, last night, who will now proceed to collect the $500,000 on new bonds.