Wednesday October 29, 1873.

The Yorkville Enquirer-A Point at Issue.

The Enquirer of the 23d inst., thinks the OBSERVER has failed to meet "a single point at issue" in the controversy about the Chester & Lenoir Railroad in our yesterday's issue we premised that our contemporary should have no further grounds for complaint against us upon this scere. So, we preceed to-day to consider one of the main "points at issue," | 1 9

In the OBSERVER of October 1, we said:

The County Commissioners of York County are attempting to force the people of York to pay a heavy subscription to this road, against their will. Their authority to do this is questionable. Certainly the authority under which they claim to act is not clear and undoubted .-Judge Mackey recently decided in favor of the County Commissioners, and ordered the injunction against resting upon the case.

plied, "the OBSERVER'S assertion that the county commissioners of York are attempting to force the people of the county to pay a heavy subscription to the road against their will, is wholly presumptuous."

We go further to-day than we did in our issue of October 1. We say that it is a fact, positive and undeniable, that the county commissioners are attempting to force the people of York to pay this arbitrary subscription of an hundred thousand dollars against their will. And we shall prove it by incontestable evidence. We will show first that the commissioners in making this subscription acted directly, against the will of the people so far as that will could be ascertained without a vote of the county.

Before reciting the proof it is necessary, to a full understanding of this controversy, that the clause in the charter under which the county commissioners claim to have acted, be given. It is as follows:

Section III. That it shall be lawful for any county or town interested in the construction of the Chester & Lenoir Narrow Gauge Railroad to subscribe to the capital stock ofsaid company, or of any company with in our next issue. which it may consolidate or unite, such sum, and to be payable in such manner, as the people or proper authorities of such county or town shall deem best, determine and author-

that "the will of the people" previ- as the noonday sun. ous to elections, is commonly ascertained by public meetings? At all events, it will grant that, next to a direct vote, it is the nearest possible way of arriving at the state of the public mind upon any public question? And especially ought this to Memphis. There is danger of its be the case when the public meeting is held at the court house, the editor of the county paper is the secretary of the meeting, the judge of the circuit is the leading speaker, and the leading citizens of the county are there, and the persons present show a unanimity of sentiment on the question before them. Will not the Enquirer admit this? We must presume thatit will; we hope it has some reason left in spite of its mad

Well, "the will of the people" of York on this subscription question was plainly and most positively expressed in the manner above shadowed forth, at a railroad meeting in Yorkville on the 7th of April last. If the intolerant editor of the Enquirer will refer to his file of April 10, 1873, he will find a full report of this meeting. It is his own report, as it appears in the editorial column.-He denominates this assemblage "a meeting of the citizens of York county." Therefore, he must admit that their resolution expressed the will of "the citizens of York county." And if we show, by what we find in the columns of his own paper, that these citizens expressed themselves in favor of the question being submitted to a vote of the people, how can he have the face to say now that four assertion, that the commissioners are acting against the will of the people, is presumptuous?"

advocacy of its pet railroad scheme.

was stated, in the language of Judge Mackey (the principal speaker,) to be "whether the county of York should vote a subscription to the pro-

by saying, "I hope on the day of election, there will be a general turn out of the citizens, and, as this is an election possessing no elements of discord—nothing to break the ties of brotherhood between citizen and citizen—that all will vote with sound judgment, unbiased by prejudices of any kind, but solely with a view of promoting the common good of the whole county."

The editor of the Yorkville Enquirer, the secretary of the meeting, then goes on to say: "Judge Mackey took his seat amid continued applause, when J. S. R. Thompson, Esq., offered the following resolution, in support of which he said the meeting should give some expression as to its object and purpose:

"Resolved, That the county commissioners of York county be requested to submit to the voters of York county on the 20th May next, the question of subscription by said stock of the Chester & Lenoir Narrow Gauge Railroad Company.

"The resolution was seconded by Wm. I. Clawson, Esq., and adopted without a dissenting voice."

Thus we have shown that a large pub lic meeting of citizens from all parts of York was held at the court house -that the commissioners were rethem to be dissolved. But his opin- quested in a formal resolution to ion does not clear up the doubts submit the question to the veters of the county-that this was a unan-To this the Euquirer of Oct 9, re- imous request-and that the editor of the Enquirer was then and there present endorsing the action of the meeting, by acting as its secretary, and assenting to the resolution adopted.

In the face of this the county commissioners (a negro, a Radical and a professed Conservative) a few days after, met together, and disregarding this request of the citizens of York, made an arbitrary subscription of an hundred thousand dollars the consent of the people! And the public. Yorkville Enquirer, that now prates of disinterested patriotism, was not true enough to its own people to remonstrate against this unprecedented act of tyranny!

Now who has been guilty of "presumption" in this matter-the OB-SERVER, for asserting that the comthe people of York to pay the sub- will soon follow this example. scription against their will, or the Enquirer for denying it? We leave it to an impartial public to say.

We have still further evidence, equally incontestable, to establish beyond cavil or doubt the truth of our assertion, and we will produce it

The Enquirer has made an unprovoked, and discourteous attack upon the Observer, and we intend not to let this matter drop until we have made its fickleness and its faithless-The Enquirer will agree with us ness to its own people appear as clear

> Yellow fever has appeared at Bainbridge, Ga. The people are panic-stricken, and every train leaves the town packed with refugees .-Savannah may share the fate of spreading all along the Atlantic coast to the northern limits of the malarions region. The citizens of Charleston, Wilmington and Norfolk, would, we imagine, show wisdom in preparing to meet the terrible scourge .-"An ounce of prevention is worth a pound of cure."

PERSONAL INTELLIGENCE.

Hon. A. M. Waddell, will lecture n Wilmington in a short time. John C. Heenan, the prize fight-

General Bradley T. Johnson, is in

Hon. Weldon N. Edwards is seerely ill at his residence in Warren-

McCook, has been admitted to bail week.

in the sum of \$50,000.

has been appointed and accepted the stealing turnips from him. Silas family 6.25 to 10.25. position of Chief Marshal at the Edwards was engaged last Tuesday Wheat closed eas

Hickory Fair. John Bragg, telegraph operator at Raleigh, will take charge as mana-ger of the office of the Southern and Atlantic Telegraph Company at At- says : The Methodist and Presbyte-

Robert C. Miller, of Caldwell county, died in the State Insane Asylum last Thursday. He had been a prominent man in his section, and at one time represented Burke and Caldwell

in the State Senate. Conn., died on Saturday. He was done so well. a great hunter in Northern New The very object of the meeting York. He lost a leg at the age of 80. Several of Sexbury's children between 80 and 90 were at the funer-

COMMUNICATED.

"Died on the Field of Glory." Dr. John T. Kennon, a prominent and useful physician of Memphis, has fallen a victim to the "pestilence that walketh in darkness" in that desolated city of the West. He was of that lineage which gave to the Mecklenburg Declaration one of its many illustrious names. The Doctor was unusually endowed with physical and moral courage. To abandon a post of duty and of danger as. signed him by Providence, he simply didn't know how. In his profession he seemed to be one of those 'to the manor born." Brave, generous, social, free-hearted, free-handed, he made many friends. Whilst living his heart was all aglow with the warmest impulses of humanity When death came and changed that manly brow to marble, Nature, proud of her noble son, encircled it county of \$100,000 to the capital with a wreath of immortelles which she had herself woven and reserved for the "bravest of the brave."

'Go tell the Spartans, thou that pass est by. That here obedient to their laws we

Davidson College, Oct. 27th, 1873.

GAMBROS.

NEWS OF THE DAY,

The City Hall at Hartford, Conn. nas been burned.

On Saturday at Dexter Park, Goldmith's Maid made a mile in 2:16.

Only ten new cases of yellow fever were developed in Memphie on Sunday. Doctor Blount is dead.

The Conservatives in England have gained twenty-one seats since the general election in 1868.

Fifty-one car loads of tea passed through Omaha, Neb., on last Satur-

and Lorraine have signed an address | the testimony as to Fisk's pistol, asto the proposed road without asking to the Assembly in favor of the Re- serting that he had one and tried to

The Stokes trial in New York is eliciting some extraordinary testimony, and the perjury of more than one of the witnesses appears to be

The Harmony Cotton Mills, at Cohoes, N. Y., the largest of their kind in the world, closed Saturday night last indefinitely. It is probamissioners are attempting to force ble that the woollen manufacturers

STATE NEWS.

The Goldsboro Fair grounds are to be sold on the 24th of November.

The Baptist State Convention

meets in Warrenton on the 5th of November next. Kinston having been nearly swept

from the face of the earth, is now talking about a fire company!

A disease resembling meningitis is quite prevalent in Lumberton and several children have died of it.

The Sentinel says that Mr. Gibson Martin, of Wake, raised fifty bushels of sweet potatoes on one-fourth of

A negro named Jack Robinson

met his death while out hunting one day last week near Goldsboro, by the accidental discharge of his gun. The Argus says another and richer

vein of coal has been discovered on the plantation of Major Boggan, near Wadesboro. The Monroe Enquirer has seen the limb of a cotton stalk, with six bolls

all branching off from the end of the limb, and opening in a mass. The Monroe Enquirer says that Mr. P. C. Rae, of Providence town- and claimed these in all that Stokes ship, Mecklenburg county, recently was the aggressor.

picked out 434 pounds of cotton in eight hours. The News is authorized to say that the premiums taken at the State Fair will be paid immediately, the

Executive Committee beginning on yesterday. The Goldsboro Messenger cautions

the public to beware of an imposter, 108\$. sailing under the name of St. Clair, and claiming to sell steam engines for cotton gins on a credit. He stole a higher. quantity of wearing apparel and also Wintermute, who killed General a horse in Sampson county last active at a concession. Southern

night in the sport of stealing turnips from another negro who just ups and killed him.

The Raleigh Christian Advocate rian congregations at Concord, N. C., held a mass meeting by agreement, in the Methodist Church, on Sunday night, the 19th inst., and, after hear- 96; stock 16,312. ing addresses from their Pastors. Rev. Messrs. Bruton and McKinnon, raised \$105.00, and forwarded it to the Memphis sufferers. According Robert Sexbury, of Watertown, to size, no town in this State has

The Wilmington Star regrets very much to learn that a serious accident occurred to Captain George Morrison, conductor on the Carolina Central Railroad, Saturday evening. It appears that he was on a hand-car posed railroad." He then proceeded to speak in favor of the project, and said "I hope when the day of specified comes, the people of York—the town and county—will vote carly" &c. He concluded his speech

TELEGRAPHIC

FROM THE AMERICAN PRESS ASSOCIATION. BY THE

SOUTHERN AND ATLANTIC LINE.

BY TELEGRAPH TO THE OBSERVER.

Special to the Observer. COLUMBIA, S. C., Oct. 27 .- A grand concert for the benefit of the Memphis and Shreveport sufferers took place to-night at "Parker's Block." The finest musical talent of the State participated, aided by the celebrated 18th UnitedStates Army Band. lead by Prof. Buchar. An immense audience was present. Columbia will not forget the sufferers, but do her part. Our townsman, Prof. Jos. H. Denck and Miss Feinneger dis coursed splendid music. both vocal and instrumental.

NEW YORK

NEW YORK, Oct. 28.-To-day was the 18th day of the Stokes trial. The crowd in and about the court room showed that public interest in the case had not abated. Tremaine concluded this morning. He continued his argument on his third and fourth points, and took up the subject of nervous fears and apprehensions on the part of Stokes, and argued that if the jury believed in the existence of these, it effectually did away with all idea of murder or manslaughter. The prisoner and the man he killed met unexpectedly; acting on the principle of self-defence, the prison-

Extracts from legal books were then-read on the principles of selfdefence. Tremaine then took up Stokes testimony in his own behalf, and claimed that his story was corroborated in almost every particular. He animadyerted at great length on Fisk's character and dwelt particularly on his threats against Stokes tion, Warren county showed the Thirty former deputies of Alsace and the latter's fears. He reviewed largest cotton stalk ever exhited. shoot Stokes

He contended that the evidence furnished by the clerk was worthless. asserting that it had been altered since the shooting. He also made the point that if Stokes did not see the pistol in Fisk's hand, as he swore he did, he might be insane.

Tremaine finished with an earnest appeal in behalf of his client and the

court took recess. At 1-45 P. M., District Attorney Phelps commenced to sum up in behalf of the people. He commenced by a complimentary allusion to the elegant speech of the counsel for the prisoner, which couldn't have failed to touch their hearts. But some thing in his argument were not so becoming. This was not the place for display of personal criticism, and he regretted that in his speech the counsel had taken such a course. Phelps then spoke of the solemn duty and the duty devolving upon the jury. He referred to rumors about the conduct of the counsel, and of the jurors, but said he would not discuss them and would take no further notice of any accusation upon himself or his assistant counsel .- The Society's buildings are ample, and He argued that the plea of insanity was a mere subterfuge, and asserted that Fisk's wound was mortal, because he died of it, and that the idea of his treatment killing him could not be entertained, as the attending surgeons concurred in a certain treatment, and this treatment was proved correct by the success which attended it up to the point when discontinued. They could not leave him to die without giving some relief. He said Stokes' testimony was not corroborated and showed no justification for the killing. He reviewed the hostilities between the prisoner and Fisk, the quarrels and reconciliations, the legal proceedings in which Mrs. Mansfield was a party

MARKETS.

NEW YORK, Oct., 28. Money easy at 4 to 5 per cent. Foreign Exchange quiet at 1061 to 106 for 60 days, and 108 for

Gold quiet and steady at 108; to

State bonds dull, Stock market closed firmer and

State and Western flour closed

Wheat closed easier. Corn closed stronger and fairly active.

Provisions steady. Cotton weak and lower; low mid. 143: mid. 153.

COTTON.

Cincinnati-Weak; mid. 147; sales

Norfolk—Quiet and lower; low mid. 144; sales 600; receipts 1,275, stock 7,848.

Wilmington — Very quiet; mid 141; sales 57; receipts 329; sales 75; stock 1,751. Galveston Weak; good ordinary 131; receipts 738; sales 94; stock 14,-

Savannah-Steady; mid. 14½; sales 2,739; receipts 3,813, stock 52,425.

Mobile--Quiet; mid. 151; sales 600, receipts 442; stock 20,958. Charleston-Easier; mid. 14%; sales ,000; receipts 2,062.

Baltimore-Dull and lower; mid. 143; receipts 1,800; stock 6,228.

MISCELLANEOUS ITEMS.

There are 130 students at this time n Wofford College, Spartanburg.

Some of the journalists of New York are beginning to demand a reduction of city car fare to three cents.

Donaldson, the balloonist, is building a paper balloon, in which he proposes to attempt to cross the

Virginia City, Nevada, is suffering for want of drinking water. The great majority of the male population do not mind it.

Polygamy is said to be on the decrease in Turkey, in consequence of the general adoption of European

Of thirty thousand Americans permanently residing in Paris, twentyfive thousand are said to be from the South.

it is said, the members are pledged never to go to law with each other, but to settle all their disputes by arbitration.

In some of the Western granges

The two women who are to occuoy seats in the next Wyoming Legislature are already practicing throwing inkstands and dodging law books. A Green Bay man called a young

ady his "precious darling, little honey-dew of a rosebud," and then stood breach of promise case before he could marry her.

They manage things differently in Rome, Ga. An aeronaut collected \$200 for a balloon voyage, and then backed out. He was properly lynch-

A Maysville, Ky., paper says there s a servant girl in that town who has lived with the same family for a whole month, and during that time has been to one but circus, one fair, a colored funeral, six prayer meetings and pienies.

At the Vienna, Austria, Exposi-

New Advertisements.

THIRD ANNUAL EXPOSITION

WILL BE HELD IN CHARLOTTE, N. C.

NOVEMBER 25th, 26th; 27th, 28th, 29th. Liberal Premiums on Money,

and in the

Society's Diplomas and Silver Medals, Made Expressly for the

Fair of the Carolinas. Annual Address will be Delivered by

GEN. WADE HAMPTON, OF SOUTH CAROLINA.

well arranged. Railroad rates for transportation as liberal as for any other Fair.

Articles for Exhibition Free of charge. Half Mile Race Track, as good as any in the country Balloon ascension during Fair Week under management of

PROFESSOR GRONER.

Gyro Pigeon shooting match for a \$200 breach-loading gun. Other prizes will be added.

Charlotte Cornet Band,

engaged for the week. Season Ticket.....\$2.00 Single Admittance..... For Premium Lists and other informa-

THOS. L. VAIL, tion, address,

WATERS & MARSE,

COMMISSION MERCHANTS.

WE are prepared to make liberal cash advances on cotton shipped to our friends in Charleston, or New York. Will also attend promply to sales of cotton consigned to us. Office at Wittkowsky & Rintels', Charlotte, N. C.

FISH & OYSTER SALOON.

HAVING fitted up a Fish and Oyster Saloen in connection with my store, Wintermute, who killed General a horse in Sampson county last active at a concession. Southern to some standard to bail week.

Green county darkies make short closed quiet but steady. No 2 3.75 and Georgetown mixed to good superfline 5.20 to 5.60. Extra and call. We promise them more fish and oysters of less money than they usuters for less money than they usually have. We are also prepared to furnish meals for regular Day Boarders; having our provisions in quantities from first hands enables us to furnish board as low if not lower than the lowest.

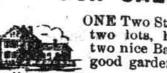
oct 29

Cigars

TRADE

B. N. SMITH.

Dwelling Houses and Lots FOR SALE.



ONE Two Story House with two lots, has six rooms, two nice Bay Windows, a good garden and well of

excellent water. Also, one house with eight rooms, two stories high, with two good brick basc. ments, a good well of water, with either one or two lots, as may be desired. All new and in good condition; fences new Terms and prices liberal.

Also, several very desirable lots for sale,

well located. Apply early.
S. P. SMITH. P. S. The above houses if not sold soon will be for rent.

MINCE MEAT.

Just Received a lot of Atmoe's celebrated Mince Meat, in 5 ib buckets, nice and fresh. Call soon at J. L. BROTHERS & CO'S.

WANTED. I wish to employ a number of reliable and industrious men for the Fair of the Carolinas, as assistants, guards, &c., at its approaching exhibition. Hand in your names to me immediately. T. L. VAIL, Treas.

Fair of the Carolinas.

FOR SALE BY the ounce quart or gallon, Silver Spray Sewing Machine Oil, at the Home Shuttle Office. oct 29 1 w

JOSH

Billing's Farmers' Allminax For the Year of our Lord

1874.

Being the 98th year ov Amerikan Liberty, and over 5 thousand years (if i don't disremember rong) since Adam did the bizzness for us in the gardin ov Eden.

MORAL. In Adam's sin. We all jined in.

For sale at

S D Smith,

P D Furr,

James L Grier,

WS Wilson,

8 M Stafford,

H M Dixon,

Wm Taylor,

Jas L Johnson

W H Cashion,

R A Torance,

E C Griffith,

D J Harkey,

R M McCloud,

S B Blankenship,

JS Reed,

M L Cansler,

JS Long,

TIDDY'S Book Store.

CHARLOTTE, N. C., Oct. 28, 1873. Messrs. Culver Brothers :

Having purchased from you and had in ise in our families for sometime past your Farmer's Cooking Stoves, we cheerfully bear testimony to its many good qualities -its economy in the use of fuel, the rapidity with which it does its work, the uniformity of its baking and cooking and the many conveniences combined in it, all tend to make it in our judgment, the best cooking stove in use, and as such we would recommend it to the public :

J P Houston, M L Harris, J Watt Kirkpatrick. Elam Caldwell, Wm McCall. R B Hunter, C N Hutchinson. P C Harkey, Noah Bolick, A B Downs, W C Graham. Wm N Alexander. David Corven, J A Weaver, J E Griffith, J W Griffith, W A McGinn D H Smith, J M Coffey, R H Abernathey, S A Kirkpatrick J M Strong, John M Potts, W B Cochran, T A Wilson, Joshua Glover, R H Henderson, S H Elliott, C M Campbell,

E H Richardson, Samuel Williamson, M K Bowdon, M E Alexander. C A Sehorn, M M Wallace, W H Taylor, Timothy O'Connell, JE Brown, J F M Ferrell, J H Black, E A McAulay, Joseph Weeks,

E C Grier, M M DeArmond, E A Helm, Win L Griffith, Robert S White, Jonathan Stinson, A S Kirkpatrick, J W Stewart, James Puckett, Wm P McCloud Wm L Harkey, J C McCatherine, J S Gribble, J Bluner, John C Hunter,

M J Holbrooks,

S C Hager

Jordan Underwood, John B Kerr, James Connell, Wm C Wolfe, M S Little, We leave out over a hundred names for

NWO Hounds. One black and tan, me-I dium sized, with split in the left ear, and blue toe-nails. The other is a blue speckled dog, with the right eye a glasseye, and the left a brown eye; an altered dog, with blue toe-nails. Five dollars re-

NATHAN CHAPEL, At Col Wm Johnston's residence, Charlotte.

Fair of the Carolinas.

THE following rules have been establish-A ed for the regulations of the "Gyro Pigeon" match by the directors of the Fair of the Carolinas. Prize one double-barrel oreach-loading shot gun valued at \$200.

Place, Charlotte, N. C. Twenty-five yards rise. One and one-fourth oz of shot No 6. Powder not limited. Bussey's Gyro Pigeon will be used. Each contestant to have ten shots.

largest aggregate number of shots striking Entrance fee \$10.

Those desiring to enter will please adpress without delay, JAMES HORR. Charlotte,

JACOB

Manufacturer and Dealer in



CHARLOTTE,

Dealers wishing to purchase Cigars, will do well to give me a call,

LOST.

ward for each one.

Time Friday, Nov 28th, 1873.

The match to be determined by the

(Next door to Brem, Brown & Co's. Dry Goods Store,)