

JOHNSTONE JONES, Editor and Proprietor. M. A. FARE, Business Manager. 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...

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.

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To this the Enquirer of Oct 9, replied, "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.

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 of said company, or of any company with which it may consolidate or unite, such sums, and to be payable in such manner, as the people or proper authorities of such county or town shall deem best, determine and authorize.

The Enquirer will agree with us that "the will of the people" previous 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?

Yellow fever has appeared at Bainbridge, Ga. The people are panic-stricken, and every train leaves the town packed with refugees.

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 faithlessness to its own people appear as clear as the noonday sun.

John C. Heenan, the prize fighter, is dead. General Bradley T. Johnson, is in Paris. Hon. Weldon N. Edwards is severely ill at his residence in Warrenton.

Wintermute, who killed General McCook, has been admitted to bail in the sum of \$50,000. Col. S. A. Sharpe, of Statesville, has been appointed and accepted the position of Chief Marshal at the Hickory Fair.

John Bragg, telegraph operator at Raleigh, will take charge as manager of the office of the Southern and Atlantic Telegraph Company at Atlanta.

Orange Court is in session this week. Mr. Turner, of the Sentinel, is at Hillsboro pressing his suit against Holden to a trial.

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 county of \$100,000 to the capital 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 public meeting of citizens from all parts of York was held at the court house—that the commissioners were requested in a formal resolution to submit the question to the voters of the county—that this was a unanimous 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 to the proposed road without asking the consent of the people! And the 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 OBSERVER, for asserting that the commissioners are attempting to force the people of York to pay the subscription 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 in our next issue.

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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 Memphis. There is danger of its spreading all along the Atlantic coast to the northern limits of the malarious 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 in Wilmington in a short time. John C. Heenan, the prize fighter, is dead.

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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.

Robert Sexbury, of Watertown, Conn., died on Saturday. He was a great hunter in Northern New York. He lost a leg at the age of 80. Several of Sexbury's children between 80 and 90 were at the funeral.

Orange Court is in session this week. Mr. Turner, of the Sentinel, is at Hillsboro pressing his suit against Holden to a trial.

"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.

There are 130 students at this time in 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 ocean.

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

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

The two women who are to occupy seats in the next Wyoming Legislature are already practicing throwing inkstands and dodging law books.

A Green Bay man called a young lady his "precious darling, little honey-dew of a rosebud," and then stood a 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 lynched.

A Maysville, Ky., paper says there is 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 picnics.

At the Vienna, Austria, Exposition, Warren county showed the largest cotton stalk ever exhibited.

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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 15th United States Army Band, lead by Prof. Bucher. An immense audience was present.

COLUMBIA, S. C., 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 prisoner fired.

Extracts from legal books were then read on the principles of self-defence. Tremaine then took up Stokes testimony in his own behalf, and claimed that his story was corroborated in almost every particular.

He animadverted at great length on Fisk's character and dwelt particularly on his threats against Stokes and the latter's fears. He reviewed the testimony as to Fisk's pistol, asserting that he had one and tried to 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.

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, and claimed these in all that Stokes was the aggressor.

MARKETS. NEW YORK, Oct., 28. Money easy at 4 to 5 per cent. Foreign Exchange quiet at 106½ to 106½ for 60 days, and 108 for sight.

Gold quiet and steady at 108½ to 108½. State bonds dull. Stock market closed firmer and higher.

State and Western flour closed active at a concession. Southern closed quiet but steady. No 2 3.75 to 4.65.

Baltimore, Alexandria and Georgetown mixed to good superfine 5.20 to 5.60. Extra and family 6.25 to 10.25.

Wheat closed easier. Corn closed stronger and fairly active. Provisions steady.

Cotton weak and lower; low mid. 14½; mid. 15½. CINCINNATI—Weak; mid. 14½; sales 96; stock 16,312.

Norfolk—Quiet and lower; low mid. 14½; sales 600; receipts 1,275; stock 7,848.

Wilmington—Very quiet; mid. 14½; sales 57; receipts 329; sales 75; stock 1,751.

Galveston—Weak; good ordinary 13½; receipts 738; sales 94; stock 14,927.

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

Mobile—Quiet; mid. 15½; sales 600; receipts 442; stock 20,958.

Charleston—Easier; mid. 14½; sales 1,000; receipts 2,062.

MISCELLANEOUS ITEMS. There are 130 students at this time in Wofford College, Spartanburg. Some of the journalists of New York are beginning to demand a reduction of city car fare to three cents.

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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 basements, 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, Oct 29 1m

Mince Meat. Just Received a lot of Atmore's celebrated Mince Meat, in 5 lb buckets, nice and fresh. Call soon at J. L. BROTHERS & CO'S. Oct 29

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. Oct 29

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

JOSH Billing's Farmers' Almanax For the Year of our Lord 1874.

Being the 98th year of American Liberty, and over 5 thousand years (if I don't disremember wrong) since Adam did the bizzen for us in the garden of Eden.

MORAL. In Adam's sin, We all joined in. For sale at TIDDY'S Book Store. Oct 29

CHARLOTTE, N. C., Oct. 28, 1873. Messrs. Culver Brothers: Having purchased from you and had in use 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. Elam Caldwell, J. Watt Kirkpatrick, R. B. Hunter, Wm McCall, C. N. Hutchinson, P. C. Harkey, A. B. Downs, Noah Bolick, W. O. Graham, Wm N. Alexander, J. A. Weaver, David Corven, J. E. Griffith, J. W. Griffith, W. A. McGinn, D. H. Smith, J. M. Coffey, R. H. Abernathy, S. A. Kirkpatrick, J. M. Strong, John M. Potts, W. B. Cochran, T. A. Wilson, Joshua Glover, R. H. Henderson, E. H. Richardson, S. H. Elliott, Samuel Williamson, C. M. Campbell, M. K. Bowdon, S. D. Smith, M. E. Alexander, James L. Grier, C. A. Sehorn, W. S. Wilson, M. M. Wallace, P. D. Furr, W. H. Taylor, S. M. Stafford, Timothy O'Connell, H. M. Dixon, J. E. Brown, R. W. Schorn, J. F. Stewart, J. S. Long, J. H. Black, Wm Taylor, E. A. McAulay, Jas L. Johnson, Joseph Weeks, W. H. Cashion, E. C. Grier, M. DeArmond, W. A. Helin, R. A. Torance, Wm L. Griffith, Robert S. White, Jonathan Stinson, A. S. Kirkpatrick, J. W. Stewart, E. C. Griffith, James Puckett, M. L. Cansler, Wm F. McCloud, J. C. McCatherine, Wm L. Harkey, J. S. Gribble, D. J. Reed, J. S. Gribble, J. Harkey, J. Bluner, R. M. McCloud, John C. Hunter, E. Griffith, M. J. Holbrooks, S. B. Blankenship, S. C. Jones, John B. Kerr, Jordan Underwood, J. C. Fite, James Connell, Wm C. Wolfe, M. S. Little.

Our leaves out over a hundred names for want of space. Oct 28

LOST. TWO Hounds. One black and tan, medium sized, with split in the left ear, and blue toe-nails. The other is a blue speckled dog, with the right eye a glass eye, and the left a brown eye; an altered dog, with blue toe-nails. Five dollars reward for each one. NATHAN CHAPEL, At Col Wm Johnston's residence, Oct 28 3t

Fair of the Carolinas. The following rules have been established for the regulations of the "Gyro Pigeon" match by the directors of the Fair of the Carolinas. Prize one double-barrel breach-loading shot gun valued at \$200. Time Friday, Nov 28th, 1873. 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. The match to be determined by the largest aggregate number of shots striking the pigeon. Entrance fee \$10. Those desiring to enter will please address without delay, JAMES H. ORR, Charlotte, Oct 28

New Advertisements.

FAIR OF THE CAROLINAS.

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.

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JACOB M. MENDEL, Manufacturer and Dealer in Cigars, Tobacco, Pipes, Snuff, &c. STREET. (Next door to Brem, Brown & Co's. Dry Goods Store.) CHARLOTTE, N. C. Dealers wishing to purchase Cigars, will do well to give me a call. Oct 24

