DAILY OBSERVER.

CHAS R. JONES, Editor & Proprietor.
W. E. AVERY, Associate Editor.

Wednesday, August 18, 1875.

"Free from the doting scruples that fetter our free-born reason."

THE "OBSERVER" IS THE ONLY PAPER PUBLISHED IN THE STATE WEST OF RALEIGH WHICH GIVES THE LATEST TELEGRAPHIC DISPATCHES EVERY MORNING. BUSINESS MEN WILL PLEASE MAKE A NOTE OF THIS.

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We cannot, under any circumstances, return rejected communications, nor can we undertake to preserve manuscripts.

Articles written on both sides of a sheet of paper cannot be accepted for publication.

OBSERVATIONS.

There have been six wife-murders in Brooklyn since the first day of January.

General Sheridan's honeymoon is marred by an action brought against him by Jas. S. Wheeler, of Louisiana, to recover $58,778, the value of property confiscated by "little Phil" during his reign in 1867.

Webb, the English swimmer, failed in his attempt to swim the English channel. But then he did not have Boyton's floating apparatus.

Dr. T. D. Johnson, of Clarksville, Tenn. has been appointed a surgeon in the army of the Khedive of Egypt. The Khedive has a remarkable love for Americans and is drawing constantly on this country for legal and military talent.

Cardinal Manning and Gladstone are sparring about the Catholic question. Gladstone's pamphlet, published the other day, predicted that the Roman Catholic church would yet deluge the earth with blood to assert church's authority.

Edwin Booth will play Richard III during the coming season from the text of Shakespeare. He will drop the Cibber alterations. Wolsey has also been added to his list of acting parts.

Mail was received on Saturday night, July 31, at the San Francisco postoffice which had been but fifteen days in coming rom London thither, and but fourteen days from Dublin. This is the fastest time on record.

Mr. Charles Francis Adams is the heaviest taxpayer at Quincy, Massachusetts, his tax being $17,000.

We regret to hear that the "pin-back dresses" are going out of fashion. This regret springs from no admiration for the "pin-backs," but from the fear that they will be succeeded by something worse, if anything can be worse.—Courier-Journal.

The Californians are to have a little outside help in making up their minds this year. Thurman, Heister, Clymer, Sunset Cox, and ex-Governor Walker, of Virginia, are expected by the democrats, and Congressman Burrows, of Michigan, by the republicans.

It is Speaker Blaine who was first to discover what a narrow escape the President recently made—that he came in one of being the grandfather of twins.

Keely says he will bring out his mo or in about three months. He can't stop the motor from coming through the pores of the metal in which it is bottled up.

An agent of the Russian government is traveling in the South to make a study of cotton culture, which that government contemplates attempting to introduce into Turkistan.

"There's $500 of hard-earned money in that dress," said Smith, as he watched Mrs. S. mincing along before him. "Which explains," remarked his friend, "why money is so tight." Smith wept.

It is said that a Dane connected with the Observatory at Copenhagen has discovered a means of sending any number of telegraphic messages over the same wire, by the simple method or pitching each message in a different key with the aid of tuning forks.

In the garden of the late Andrew Johnson's residence is a magnificent willow, grown from a twig taken from the willow which bends over the grave of Napoleon Bonaparte at St. Helena, and sent to the ex-President. A twig from this noted tree will be planted over Mr. Johnson's grave on Johnson's Hill.

Saratoga has been visited, by an unusual number of Governors and ex-Governors this summer, and on the hooks of the hotels have appeared the names of Governor Tilden, ex-Governor Graham, ex-Governor Hoffman, Governor Hendricks, of Indiana, ex-Governor Curtin of Pennsylvania, ex-Governor Aiken of South Carolina, ex-Governor Jenkins of Georgia, ex-Governor William Pinkey Whyte of Maryland, and ex-Governor Rister.

The Lancet, which is high authority among the followers of Esculapius, records, as it says, "another case of inflammation of the feet, caused by the wearing of socks with orange red stripes." It supposes that the poisonous dye used is corallina. The color is pretty and fashionable, hence, if the fabrics be colored, numerous cases of feet poisoning may be imminent.

A little girl who sometimes reflects intensely upon the phenomena of the great world around and above her, and looking up into the starry night one time she said she thought God must have lots of compasses, there were so many lights in his front room.

The War Department decides that Fitz John Porter's case cannot be reopened, for these reasons: No irregularity appears in the original proceedings; he cannot, under the constitution, be put on second trial in jeopardy of life, as he was by his first trial; being not a civilian, he cannot ask a court of inquiry; and a board of investigation would be an unauthorized body, with no power to vindicate, and only capable of criticising a judicial proceeding sanctioned by the highest law of the land, the Supreme Court having decided that the decision of the court-martial is final.—Springfield Republican.

IF ALL STATE OFFICERS MUST BE ELECTED BY THE PEOPLE, WHY SHOULD NOT ALL FEDERAL OFFICERS BE ELECTED IN THE SAME WAY?

It is hardly probable that with the small majority we will have in our State Convention, the Democrats will be able to make any important changes in our present Constitution, and if the Republicans oppose it as they are likely to do, we can hardly hope to have this system of electing judges by the people abolished. If Republicans by appealing to the passions and prejudices of the masses will defeat every effort at reform in this direction in State governments, why should not the Democratic party advocate electing all Federal officers by the people too. Let us make the Federal and State governments consist.

While Gov. Vance was speaking on the Convention question over the mountains a set of Revenue officers were very noisy and were interrupting him with questions about whether he was in favor of taking away from the people the power to elect judges etc. when he turned on them and asked "who elected you? where is the decent white man or well regulated negro that would vote for any one of you? You are a pretty set to be talking about the rights of the people to elect their own officers!

Why should the Democrats not go into the campaign in 1876 on this platform? Let the Federal Constitution be so amended as to throw the selection of Federal judges into the hands of the people. Let the people elect all the subordinate officers of the Court. A Federal judgeship is a more lucrative office than that the Chief Justice of the State, the District Attorney's income is equal to the salaries of all our Supreme Court judges combined, while the salary of the clerk of the Federal Court is larger than that of the Governor of North Carolina. Why then should the people not say directly who shall have these offices? Let the people elect their own marshall and every district its deputy marshalls. Why should the people not elect Revenue Collectors and all the subordinate officers of that department. The people are certainly as honest as the administration and we do not see why the people of a county should not elect government Store-keepers too, though this whole Internal Revenue department ought to be abolished root and branch. But what would please the people most would be the privilege of electing their own postmasters. It is only the people who live about a town or neighborhood who are qualified to select a suitable postmaster. There is too much patronage in the hands of the Federal administration any way. Take away all this patronage and give it to the people and then let them bring on their third-termers. We shall refer to this subject again.

"TIMEO DANAOS ET DONA FERENTES"

Was the exclamation of the cautious Trojan when he saw the Greeks "bearing gifts," and, ere long, Troy, plundered and in ashes, showed that his fears were well founded. Thus it is with the Republicans of North Carolina; we fear them "even bearing gifts," in fact, we fear them *most* when they come bearing gifts. Strip them of the power to bestow "gifts" and they are harmless. So when the Radical organ at Raleigh announces that the policy of the party hereafter will be to throw no more Federal or State crumbs to hungry Democrats, it is rather good news for the Democratic party. The organ alleges that a number of Democrats about Raleigh who had been employed as clerks, &c., by Federal and State officials actually had the audacity at the late election to exercise a privilege which Democratic farmers have all along conceded to their negro hands, viz: the right to vote as they pleased. Now we venture to say that each one of these gentlemen, broken in fortune and probably enfeebled in health thought when he accepted the position, whatever it may have been, that his labor was an equivalent for the salary or pay he received and no obligation of any magnitude was created, or he may have thought that such position was tendered him because he was considered best qualified to fill it, and that his selection was no more intended to influence his political course than was the selection by Democratic stockholders of two leading Republicans for the presidencies of the North Carolina and A. T. & O. Railroads intended to influence the political course of these two officers. But the Raleigh organ tells these Raleigh gentlemen that there is just where they made a mistake.

A DEMOCRATIC CONSTITUTION.—A majority of the Missouri papers favor the ratification of the new Democratic constitution of that State, which will put a quietus on many abuses. A private letter from Hon. D. H. Armstrong of St. Louis, to Judge E. H. Norton, contains the following extract:

"So many stringent and wise safeguards hedge about the great interests represented by the tax-payer, I verily believe the new constitution will be adopted by 100,000 majority."

This is the way Democrats do in Missouri and it is the way they always do. The Democratic party has always been the friend of the whole people, and it is for that reason it was allowed to rule this country for seventy odd years of its existence. So firmly did it have the confidence of the people that it could never have been defeated but for this negro business and the war. Yet white men in North Carolina were made to believe that this party meant to interfere with their rights. The Radical party is the office-holders' and negroes' party while the Democratic party is the people's party.

JOURNALISTIC.—The SOUTHERN ILLUSTRATED AGE is on our table. It is published by R. T. Fulghum, Esq., late editor of the *Agricultural Journal*. The first number contains fine cuts of Ex-Gov. Graham, Gov. Brogden and Scott Partin. The illustrations, if we may judge from the number before us, will not embrace incidents but individuals. This is the first experiment in illustrated journalism that has ever been made in North Carolina, and we hope it will prove successful. Pictures go a long way with the rural population of this State and that is one reason why our local and State papers have been unable to cope successfully with these cheap Yankee periodicals, such as *Saturday Night*, &c. Those of our people who have a partiality for illustrated papers have an opportunity to patronize a home enterprise and at the same time gratify their fondness for pictures by subscribing for the *Age*. The editorials of the *Age* are ably written and much taste is exhibited in the selections. As to the scope and purposes of this paper we quote from the salutatory of its editor, Mr. Fulghum: "The *Age* supplies a deficiency in Southern journalism long felt and deplored, and we enter into the untried but inviting field feeling sanguine that the people of the South will extend to the *Southern Illustrated Age* as hearty a support as the Northern people do to their illustrated papers. We propose to give to the public a weekly paper which will be an exponent of the literature of the South. It will be an illustrated record of the times. It will treat of every topic—political, historical, literary and scientific—which is of interest, and give the best illustrations that can be obtained—original and foreign."

THE ASHEVILLE PIONEER announces an accession to its editorial staff in the person of Col. W. S. Pearson. Colonel Pearson has been contributing to its columns for several months past, but made now formal announcement of his connection with the paper till its last issue. Col. Pearson wields an able pen and we only wish his talents were exerted in a better cause. But, however much we may deplore his political sentiments, personally, we wish him the greatest success.

The *Herald* had Fernando Wood interviewed at Long Branch, and he disposed of the speakership as follows: "I really know nothing about the prospect," said Mr. Wood; "I have been rusticating all the summer in quiet nooks and corners where such questions are unheard. As for myself, I regard the position at this time as one involving grave responsibility, since the next House of Congress is the advance guard of the democratic party in its march to reclaim power in the nation. I have no special wish to assume that responsibility, still less should I think of shrinking from it should my political friends think proper to assign it to me. The gentlemen spoken of for the position are all honorable and capable, and, would, doubtless, perform its duties acceptably. I have heard a great deal of talk about the result being a certainty for this or that candidate, but that I know to be an idle rumor."

The Salt Lake (Utah) *Herald*, which always speaks a good word for Brigham Young, and is really an organ of the Mormon church, takes this view of the recent Mountain Meadow massacre trial at Beaver, which is interesting as expressing the Mormon estimate of the proceedings:

Bloody as the crime was, and guilty as Lee may have been, the prosecution did not desire his conviction, and while they labored hard to bring out all the testimony possible to find, they worked with quite as much energy and skill to avoid a verdict of guilty. As evidence of this fact, we cite the reader to Mr Baskin's argument to the jury, which plainly indicates that it is not particularly John D. Lee that is desired to punish, nor is it so much the bringing to justice of the blood-stained participator in the foul massacre. The great object to be achieved is the crushing out of an entire community, and the placing of a prosperous Territory into the hands of political spoilers. There is no way to accomplish this save by prescriptive Congressional legislation for Utah, and the Mountain Meadow trials will be made the pretext upon which the necessity for such laws are to be demanded.

WHAT IS A LEADER?—Rev. Dr. Bulé Evans writes to the *Guardian*:—"It is so certain as the Dean of Westminster's speech on journalists would induce us to imagine, that the name 'leader' in a paper is derived from the verb to lead—*i. e.*, to guide (public opinion?) Is it not rather to be traced to the fact that such articles are generally printed in *leaded* type—*i. e.*, with a wide space between the lines?"

We think that both these authorities have mistaken the origin and meaning of the term *"leader"* as applied to editorial articles. The leader is the most prominent article that leads off the editorial discussions.

The Constitutional Convention of Missouri has adopted a provision providing for the consolidation of city and county governments in certain cases. The details, however, are left to the Legislature, as the constitutional provision simply says that the city and county government may be consolidated in such manner as may be provided by law.

MISSISSIPPI WHEAT.—The people of some Mississippi counties are bragging of their wheat crop, and it would appear that they have good grounds for their boasts. A Mr. Brown of Tate county, gathered forty-seven bushels and three pecks off one acre, and he expects that twenty acres that he had in wheat will yield 400 bushels. A neighbor of his, Mr. Sanders, says his crop will turn out twenty-four bushels and one peck to the acre. There was so large a wheat crop raised in Tate county, and the planters are so encouraged with their success that several new flouring mills are being erected. This is much better than the "all-cotton" policy so long pursued in the South.

A Eu. *London* as the

[From the Raleigh News.]

Opinion of the Supreme Court in the Building and Loan Association Cases.

Chief Justice Pearson has rendered the following opinion in the case of Peter H. Smith and wife vs. Mechanic's Building and Loan Association, from Wilmington:

The complaint alleges, among other things, that the mortage deed secures the repayment of $1,366, the sum advanced to plaintiff for the redemption of his stock. The answer admits this fact and admits further that it was a violation of the Charter and By-Laws of the Association to include this sum in the mortgage. It then alleges that the mortgage was so drawn by the mistake of the drafts man, and prays to have the deed reformed by making it conform to the Constitution and By-Laws.

His Honor, without disposing of the question of reforming the mortgage deed, refuses to grant the injunction. In other words, he vacates the restraining order and permits the defendant to sell under a deed which, by the admission of the defendant, covers too much and is in violation of the Charter and By-Laws of the Association.

There is error. Order reversed and cause remanded, to the end that an injunction issue, as prayed for in the complaint, and continued until further order, and to the end that the pleadings may be so amended as to be tried by a jury, under instructions by the Court, to the effect following:

"Was the mortgage deed mentioned in the pleadings drafted so as to include the sum paid to the plaintiff by the defendant, as the price of the redemption of his stock, by accident, mistake or by the ignorance of the draftsman? Or, was the mortgage deed mentioned in the pleadings drafted so as to include the sum paid by the plaintiff to the defendant as the price of the redemption of his stock, by design and on purpose and with the privity and knowledge of the defendant, and with a view to oppression and wrongful exaction?"

A verdict upon this issue will enable the Court to see whether *"the mortgage deed"* comes under the rules in regard to the correction and reforming of deeds, or under the rules in regard to declaring deeds void for fraud and circumvention.

The case may thus be disposed of upon the matter of the mortgage deed; but should the verdict be that the deed was made to include too much, by accident, mistake or the ignorance of the draftsman, and the deed be reformed, so as to conform to the Charter and By-Laws, then the general question, which was argued with much earnestness: Are these association a swindle and a means of deluding and cheating ignorant mechanics which the courts have power to suppress, as contended for by plaintiff's counsel, or are these Associations *bona fide*, and a means of enabling poor mechanics to borrow money and pay it back by small monthly installments, so as to ease and favor him, by fitting the payment of interest and dues to what may suit his convenience? And, in the second place, suppose the mechanic comes in, according to the Charter and By-laws, and indirectly borrows money from the Association at the rate of 25 per cent. must he abide the consequences, or, in the face of the statute, and the Charter of the Association, have the courts power to interfere?

Upon this general question we are not now at liberty to express an opinion. Error. Let this opinion be certified. Remanded.

AMERICAN QUEENLINESS IN LONDON.—An American lady, the widow of a wealthy merchant named Hicks, has reached distinction in London upper-tendom by an original and peculiar method. Mrs. Hicks recently arrived in London, and immediately engaged all the best rooms in a certain fashionable hotel. Soon afterwards the government notified the landlord that these same apartments had been selected for the Queen of the Netherlands who was daily expected to arrive. The landlord informed Mrs. Hicks that he must have the rooms for royalty. Mrs. Hicks respectfully but firmly declined. She had engaged the rooms; she was in them; they made her castle, and as an American woman she, too, was a sovereign. The vexed landlord was disturbed; he was excited. He would have torn his hair had he possessed any. As he was quite bald he appealed to the government. Mrs. Hicks appealed to our minister, her cousin. The vexed question become a question of State, and no end of diplomatic correspondence passed before a compromise was effected. It was arranged at last that the Queen should occupy the rooms as the guest of Mrs. Hicks. The Queen did so, and she was delighted with our fair countrywoman, Mrs. Hicks received with her guest; was invited to court and court balls with her royal visitors; and now she is dined and wined and entertained in a way to endanger her constitution.

Faltered at the Altar.—The Columbus (Ga.) *Inquirer* says: On Saturday last, Mr. W. and Miss S., young and handsome, left Auburn for Opelika to become man and wife. They had no parental sanction, but love laughs at that when a railroad is near. Arrived at their destination, the gentleman soon procured a license and a minister, when the ceremony began. It had got on as far as the joining hands, and the words making them one were almost announced, when the fair one peremptorily backed out, and no persuasion could induce her to go further. The pair returned to Auburn unmarried. A wise thought probably influenced the maiden.

The proposition to nominate the Hon. Reverdy Johson as an "Independent" candidate for Governor of Maryland does not meet with favor at his hands. In an interview published in the Baltimore *Gazette* he says that, while it would hardly be proper to decline a nomination not yet tendered, he can freely assert that under no circumstances would he accept a nomination for Governor in opposition to the Hon. John Lee Carroll, the Democratic nominee.

Gen. Butler, looking forward to further political promotion, is fishing for the Irish vote with a hook baited with a stick of molasses candy. "As a not very remote son of Ireland," says he, "I look forward to the time when Ireland shall govern New England and New England govern the United States." It is to be hoped that the not very remote son of a gun will never see New England govern anything more than she governs now, no matter who may govern New England.—*Courier-Journal*.

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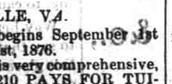

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BOYDEN HOUSE,

SALISBURY, N. C.,

MRS DR REEVES, : : PROPRIETRESS.

THE proprietress returns her sincere thanks to the travelling public for their liberal patronage while she was connected with the National Hotel.

Not having room enough to accommodate her guests properly, she rented the Boyden House, and she feels satisfied that she can give accommodations to her guests comfortably, and in the very best style, in this newly furnished house, with all the modern improvements.

Passengers going up the Western North Carolina Railroad from the East, take breakfast at the Boyden House.

First class Bar and Billiard Saloon connected with the Hotel.
jul9

St. Charles Hotel

STATESVILLE, N. C.

Situated in the Centre of Town.

THIS HOTEL has been thoroughly refitted and refurnished, and under my management as lessee, offers to the travelling public the advantages of a first-class Hotel.

Omnibus at the depot on the arrival and departure of all trains.

M. SCHLOSS,
sept 4tf Formerly of Raleigh.

COCHRANE'S RESTAURANT.

European Plan.

I would inform the public that, on the 1st of November, I will open a RESTAURANT and BOARDING HOUSE on Tryon street, in the second story of the Building adjoining the Bank of Mecklenburg, and hereafter will be prepared to entertain Boarders, regular and transient, in a style unsurpassed by any house in the city. The table will be supplied with all the deliacies of the season. Game, Fish, Oysters, &c.

Terms moderate. Satisfaction guaranteed or no charge. I respectfully solicit your patronage.
oc30-tf W. R. COCHRANE.

A NEW BUSINESS

IN

CHARLOTTE!

I HAVE opened in Charlotte an establishment for the purpose of

BOTTLING SODA WATER,

In connection with the manufacture of the Celebrated

BELFAST GINGER ALE.

All my machinery is new and of the most approved pattern, and cannot fail to do good work.

My manufactures are put up in such boxes as to suit for use in families and for shipping purposes.

The Soda Water is flavored and prepared for immediate use.

Call on me in rear of Vogel's Tailoring establishment opposite Charlotte Hotel.
jan 8 tf T W WEST.

Change.

The undersigned having purchased the Charlotte Marble Yard, his aim is to make it second to none in the South, and to offer better inducements in the manufacture of Gravestones and Monuments than have ever been offered in this market. I have employed a number of competent artists, and am prepared to manufacture Gravestones and Monuments of every description lower than the same can be purchased in any of the Northern cities. Parties living at a distance can receive all necessary information by writing to me for Price Lists and Drawings. Satisfaction guaranteed in every respect.

JAMES A JOHNSTON.
jul20 tf

Frescoe! Frescoe!

HAVING EMPLOYED MR. F. KRUEGER, (ARTIST,) and MR H. MAC SMITH, I am now prepared to do FRESCOEING in the latest and most approved STYLES. I refer to the work already done at the CENTRAL HOTEL, FIRST NATIONAL and MERCHANTS & FARMERS' BANKS, and 2ND PRESBYTERIAN CHURCH.

aug11 E. M. ANDREWS.

ARCHITECT.

GEORGE WELCH

Offers his professional services to the citizens of Charlotte and vicinity, and pledges the experience and practice of fourteen years training as a guarantee of competency.

Office Trade Street, Charlotte.
jan 8 tf

A FINE LOT OF

Whips and Bird Cages, just received at WALTER BREM & MARTIN'S, Hardware Store.
jul 17