VOL. XXVI.

# Daily Charlotte Observer.

CHARLOTTE, N. C., FRIDAY, DECEMBER 9, 1881.

NO. 3,971.

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Pain in the Back and Side. There is nothing more painful than these diseases; but the pain can be removed and the disease cured by use of Perry Davis'

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Pain Killer has been in constant use for forty years, and the universal testimony from all parts of the world is, it never fails. It not only effects a permanent cure, Being a purely vegetable remedy, it is safe in the hands of the most inexperienced. The record of cures by the use of PAIN KILLER would fill volumes. The following extracts from letters received show what those who have tried it think:

Edgar Cady, Owatonna, Minn., says:
About a year since my wife became subject
to severe suffering from rheumatism. Our
resort was to the PAIN KILLER, which speedily
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I had been afflicted three years with neuralgia and violent spasms of the stemach. The doctors at Westminster Hospital gave up my case in despair. I tried your Pain Killer, and it gave me immediate relief. I have regained my strength, and am now able to follow my usual occupation.

G. H. Walworth, Saco, Me., writes:
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the side by the use of your Pain Killer.

E. York says:

I have used your Pain Killer for rheumatism, and have received great benefit.

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Have used Pain Killer for thirty years, and have found it a never-failing remedy for rheumatism and lameness.

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All druggists keep Pain Killer. Its price is so low that it is within the reach of all, and it will save many times its cost in doctors' bills. 25c., 59c. and \$1.00 a bottle.

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TRIUMPH OF THE AGE.

SYMPTOMS OF A
TORPID LIVER.
Loss of appetite, Nausea, bowels costive,
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Pain in the Head, with a dull sensation in the back part, Pain under the shoulder-blade, fullness after eating, with a disincipation to exertion of body or mind, Irritability of temper, Low spirits, Loss of memory, with a feeling of having neglected some duty, weariness, Dizsiness, Fluttering of the Heart, Dots before the eyes, Yellow Skin, Headache, Restlessness at night, highly colored Urine. ness at night, highly colored Urine.

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THE COMPARATIVE EDITION II

THE RAILBOAD WAR, Gov. Jarvis Answers Senator Vance-A Reply to Senator Vance's Address to the People, of October 2, 1881, Raleigh News Observer.

STATE OF NORTH CAROLINA. EXECUTIVE DEPARTMENT,

RALEIGH, Dec. 3, 1881. Capt. S. A. Ashe, Editor News and Ob-

DEAR SIR:-The following paper was prepared to be spread upon therecords of the commissioners at their meeting the 10th of November. It was read by Commissioner Vance, and for reasons deemed sufficient it was not put on the record, I now beg that you will publish it with this note. Truly, yours,
THOS. J. JARVIS.

My conduct as a commissioner of the Western North Carolina Railroad having been misrepresented and unjustly criticised by one of my associate com-missioners and by the assignees and their supporters, I deem it a duty I owe to myself and to the trust I have had in charge to place upon record the facts in the case, as I understand them, and the misrepresentations that have form-

ed the basis of these criticisms. Although Commissioner Vance and myself have not been in entire accord in every particular in our action as commissioners of the Western North CarolinaRailread, yet I have not question his motives or criticised his course or permitted any one else to do so in my presence. I know he has discharged this duty, as he does every other public trust, as he believed in the best inter-est of the State. But while I concede to him this perfect integrity, I claim for myself the same honesty of purpose, and I deeply regret that I have not enjoyed the same measure of exemption from criticism by him.

The strictures by Commissioner Vance of which I complain are contained in the three extracts which I shall make from his recent address to the people. The statements made by him in these extracts, so far as they refer to me, are, to say the least, inaccurate, as I think I will be able to conclusively show. Not supposing the commissioner intended to misstate the facts, I would have paid no attention to them had not inferfrom these misstatements prejudicial it was to this, I presume, Mr. Badger missioner himself, assuming these misstatements to be true, expresses his as-

tonishment at my course.

The first extract I wish to make refers to my action on the question of extension, and is the following, to-wit: "Although I invited a suspension of action on the part of the other commissioners, and promised to explain to them in full the reasons for my course, this was not accorded me."

The show the inaccuracy of this statement of the commissioner, I quote his

WASHINGTON, May 12, 1881.

Governor T. J. Jarvis:

MY DEAR SIR:—Circumstances coming to my knowledge since our meeting in Raleigh induce me to withdraw my consent to the extension of time asked for by A. B. Andrews, president No legal application by the assignees has yet been presented, as Andrews promised, and I have reason to believe there will not be soon. I will explain fully when I see you. Meanwhile please notify Andrews that I do not hold myself responsible any longer to accept the proposition, when made. He ought to know at once.

1 will be at home early next week and can go over the work with you.

Yours, truly,

(Signed)

Z. B. VANCE. This is the only letter or message of any kind I received from him on this subject, and there is not the slightest request or invitation in it for "a suspension of action on my part." On the the contrary, the letter left me completely in the dark and entirely at liberty to take the course I should deem

best under the circumstances. The second quotation I make is upon the same subject, and has in it a similar inaccuracy. The commission says:
"I quote the following letter to Gov.
Jarvis in answer to his of the 13th of May, in which he implied that he would wait and hear my explanation." My letter referred to is as follows:

RALEIGH, N. C., May 13, 1881. Hon. Z. B. Vance: MY DEAR SIR: I am just in receipt of yours of the 12th inst., and have informed Col. Andrews of its contents, and given him the notice requested.

On Monday, the 9th instant, Col. An-

drews presented me with the paper pre-

I have been recently very much en-couraged with the belief that the pres-ent owners are about to begin work in ent owners are about to begin work in earnest on both lines of the road, and I shall regret to learn that you have in your pessession any facts to prove that they do not so intend to act.

If it shall turn out that I am right as to their purposes, I trust that no question of reasonable time shall prevent their going on with the work. If, on the other hand, it shall turn out that I am deceived and that they do not intend to

the State, a thing I shall be slow to do town line as soon as the extension was as long as there is any reasonable pros- a fixed fact. I believed him. It was pect of the work being done in any important to him to have this question reasonable time.

I am, truly yours.
Thos. S. Jarvis. (Signed) This is the only communication of any kind the commissioner had from me, and in this I submit there is not the slightest intimation that I would wait and, therefore, could not have intimated a purpose to do so. I think if there is any intimation of my purpose in my letter, it is that I felt my own responsi-bility in the matter, and then I intend-ed to meet it in my own way. 1 told him it was either to declare the con-tract forfeited, and throw the road back upon the State, or to extend the time. On these alternate propositions I think I gave no uncertain sound. Said I to him, I am determined, as far as in me lies, to have this road completed without further costs or trouble to the State; out further costs or trouble to the State; and I believe by proper management it can be done. To declare the contract forfeited throws the road back upon the State, a thing I shall be slow to do as long as there is any reasonable prospect of the work being done in any reasonable time. Now, might I not well say, judge of my astonishment when I saw that the commissioner had stated that he had invited me to suspend action till I could hear him, and that I concerned that been too long delayed, but it was then, in my opinion, about to be begun in good earnest. Impressed with these beliefs and inspired by these hopes I could not let the wishes of any man, however much I esteemed him, influence me to do anything that tended to longer hinder or delay this work. Hence I did not hesitate to sign the extension.

CONCLUDED ON FOURTH PAGE.

had intimated I would do so? But, to enable one fully to understand my acenable one fully to understand my action upon the question of extending the time in which the assignees were to complete the road to Paint Rock and Pigeon River and to completely acquit myself of the unjust reflections made by the commissioner upon this action, I will give the facts in the case.

At the meeting of the commissioners, held in Raleigh on the 30th of April, an agreement, was entered into between

agreement was entered into between the commissioners on the one side and Col. Andrews, representing the assignees, on the other. The agreement was to the effect that if the assignees would reform their application for an extension of time by inserting certain promises in it, which have been heretofore published, and the assignees themselves sign it, the commissioners would give the assignees a four months' extension. The suggested amendments were handed Col. Andrews, and then, at his request, the exact form in which the extension was to be drawn up was discussed and agreed upon. It was then written out by me, read ever and agreed to by all the commissioners. This paper, not signed, was delivered to him in the presence of all the commissioners and with their approval. It was then agreed that the commissioners would go over the road on the 16th of May. I had to go to Spartanburg on the 11th, and could not go before, and Commis-sioner Vance had to return to Wash-ington, but felt certain he could get away by that time. On the 9th of May, Col. Andrews, as before stated, handed me the new application, reformed strictly as agreed upon. I told him to hold it till we met on the 16th, and we would then sign the extension as agreed upon. This was entirely satisfactory to him. He did not question that the commissioners would keep their promise, but remarked to me that he would go on with his preparations to let the work to contract on the 18th, as advertised, and that he hoped to be able to do so while the commissioners were up there. On the 13th, I received Commissioner Vance's letter, requesting me to notify Col. Andrews of his with-drawal. This I at once did by a written notice, and in that very notice I pledged myself to stand by my promise; and it was to this written pledge I referred in ences and conclusions been drawn my letter to Commissioner Worth, and referred when he told Commissioner Worth that I had already signed the extension. As soon as Col. Andrews got the notice of Commissioner Vance's withdrawal, he came to see me and asked me what it meant. I told him I did not know, that the letter of the commissioner left me completely in the dark. He then asked me what he had better do. I told him to go on with the work, that I had no doubt it would all be made right when the commissioners be made right when the commissioners met. He replied that he could not afford to enter into new contracts which required the expenditure of large sums

of money upon such uncertainty; that he must know absolutely before the 18th that the extension would be signed or he would be compelled to abandon letting the work to contract. I still urged him to go on and that it would all be right. He replied that until the action of Commissioner Vance the veraction of Commissioner Vance the ver-bal promise of the commissioners was sufficient, but now the extension must

be in writing before he could spend money on the faith of it. I replied that he already had my agreement to the ex-tension in writing. "That is only one," said he; "I must have two before I can said he; "I must have two before I can know I am safe." He then asked me to telegraph Commissioner Worth to come to Raleigh at once. This I declined to do. He urged me to do so on the ground that the commissioner would come on my telegram, but not on his, and offered to pay all the expenses of the telegram and of the messenger from High Point. I still declined. He then said there was nothing left for him to do but to go or send a mes-

for him to do but to go or send a messenger to Commissioner Worth at his home in Ranolph. I replied promptly that was exactly what I would do, were I in his place. His final determination to send a messenger to Commissioner Worth was not reached until about Worth was not reached until about night on Saturday, long after the pas-senger train had left. After he concluded to send a messenger, he asked me to write a letter to Commissioner Worth. This I readily did and wrote the letter which Commissioner Vance denominated "urgent," and which has already been published. In that letter I told Commissioner Worth of Commissioner Vance's withdrawal and of my idea of the situation, to-wit, that he and I had to take the responsibility to

extend the time or to stop the work. On the return of the messenger on Monday, the 16th, at Col. Andrew's redrews presented me with the paper prepared strictly as agreed upon with all the suggested amendments, made and signed by Messrs. W. P. Clyde, A. S. Buford and T. M. Logan, assignees. He wished to have it presented to each of the commissioners at once, but I told him to wait till we met to examine the work, as that was our understanding. He will so present the paper when we can be got together.

I have been recently very much entire time of the stop and monday, the 16th, at Col. Andrew's request, I drew out my consent to the extension more formally than I had done in my note to him on the 13th. In thus detailing what took place between Col. Andrews and myself, I have only attempted to give the substance. We were together on Friday, and several times on Saturday and talked much about the matter. The situation gave us both much concern. He was anxus both much concern. He was anxious about the extension and I about the work on the road, which I feared was about to be stopped. I could not conjecture what the circumstances were that had come to Commissioner Vance's knowledge. I remembered that in our April meeting the commissioner had expressed the belief that the assignees did not in good faith intend their going on with the work. If, on the other hand, it shall turn out that I am deceived and that they do not intend to work on the Ducktown line, you will find me ready to do my full duty in the matter.

I am determined, as far as in me lies, to have this road completed without further costs or trouble to the State, and I believe by proper management it can be done. To declare the contract forfeited throws the road back upon the State, a thing I shall be slow to do says in the deceived and that they do not intend to work on the Ducktown line, while I wondered if it were possible that any facts had recently come to his knowledge to strengthen him in that belief. Such thoughts as these were running through my mind, as any one can see, when I wrote my letter to him. On the other hand, Col. Andrews gave me the most positive assurances that he did intend to work on the Ducktown line as soon as the extension was

settled at one, and when he pro-posed to send a messenger to Commissioner Worth I encouraged him in it. I not only felt bound by my agreement of the 30th of April, but I any kind the commissioner had from me, and in this I submit there is not the slightest intimation that I would wait and hear his explanation. The fact is, I did not know he wanted me to wait, and, therefore, could not have intimataction on my part even if Commissioner Vance's letter had contained an invitation to me to do so. When the Best contract was made I had high hopes of seeing both lines of the western road completed, and not withstanding one of the leading journals of the State denounced any man as an idiot who believed that a spadeful of dirt would ever be thrown on the Ducktown line, yet I have believed that the contract was such as to insure the completion of both lines. It is true that work under this contract had been too long delayed, but it was then, in my opinion, about to

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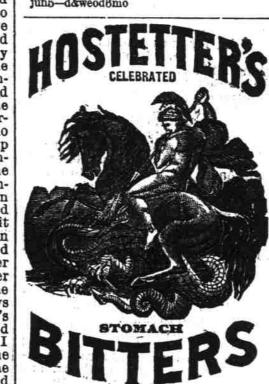
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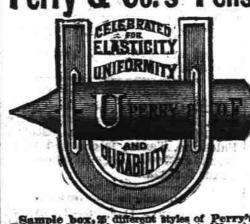
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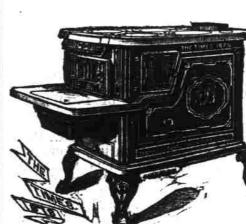
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THE old Oaken Bucket, The iron-bound bucket, The moss-covered bucket, That hung in the well.

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