The Charlotte Observer.

OBAS. H. JONES, Editor & Proprietor

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THURSDAY, JAN. 5, 1882.

THE GRADED SCHOOL CASE.

THE LAW AS DECIDED BY THE SUPREME COURT.

Public Schools a Necessity as Decided by the Superior as well as the Appellate Court--The Tax to be Levied.

Below we present the opinion of the Supreme Court on the appeal of W. S. Norment, et al., on the city graded school case:

North Carolina, Supreme Court, October Term, 1881, No. 274, Mecklenburg County.

W. S. Norment, et al., vs. The City of Charlotte.—Judgment.

This cause came on to be argued upon the transcript of the record from the Superior court of Mecklenburg county; upon consideration whereof, this court is of the opinion that there is no error in the record and proceedings of the said Superior court:

It is, therefore, considered and adjudged by the court here, that the opinion of the court, as delivered by the honorable W. N. H. Smith, Chief Justice, be certified to the said Superior court, to the intent that the judgment of the said Superior court be affirmed; and it is considered and adjudged further, that the defendant, the said City of Charlotte, do recover from the plaintiffs, the said W. S. Norment, and his surety for the appeal, H. G. Springs, the costs of the appeal in this court incurred, to-wit: the sum of $12.80, and let execution issue therefor.

A true copy.

Test: WM. H. BAGLEY, Clerk.

North Carolina, Supreme Court, October Term, 1881, No. 274, Mecklenburg County.

W. S. Norment, et al., vs. The Board of Aldermen of the City of Charlotte.—Opinion.

SMITH, C. J.: By the act of March 22, 1875, the board of aldermen of Charlotte were authorized upon the application of ten voters resident in each of the wards into which the city is divided to order an election and ascertain the sense of the qualified voters therein upon the submitted proposition to establish and maintain by taxation a system of graded schools. An election was accordingly held under the directions of the act, on the first Monday in June, 1880, whereat were cast eight hundred and sixteen votes, all with a single exception in favor of the measure. There was no new or revised registration made in contemplation of the election and the books contain the names of one thousand six hundred and seventy-nine voters, of which those voting are not a numerical majority, and before declaring the result, upon a suggestion that the lists were inaccurate and did not truly represent the number of resident voters at the time of the election, the board appointed a committee of their number to examine and revise the lists and make report thereof. The committee performed this duty and reported a correction by the erasure of one hundred and thirty-three names from the registry, and a majority of all the qualified voters of the city to have voted in favor of a graded school. The report was received and adopted and the result of the vote declared. Thereupon a tax of one-tenth of one per cent. on the value of property and thirty cents on the poll was levied and the tax list placed in the hands of the marshal for collection pursuant to the requirements of the law. The present suit instituted by the plaintiff on behalf of himself and other taxpayers, seeks to restrain the collection of the tax thus imposed, on the ground that a majority of the legal voters, as conclusively determined by the register's books, and not open to disproof, have not sustained the proposition submitted to them, and that consequently the tax is unauthorized and illegal. Upon the hearing of the application for a temporary restraining order, affidavits were offered by the defendants showing errors in the registry, and reducing the number of voters as therein contained, from deaths, removals and other causes, to an extent that leaves the votes cast for the schools in excess of a majority of the whole; and his Honor finds therefrom as a fact that a majority of the entire number of qualified voters in the city had voted in favor of the school. The restraining order was refused and the plaintiff appeals. The appeal presents one, and, upon its contingent solution, a second question for determination.

1. Is a majority of all the voters necessary under the act, or is a majority of those voting sufficient?

2. If a majority of all the qualified voters is required, is the registry conclusive of the number or may parol proof be heard in revision and correction?

The answer to the first inquiry has not been consistent in the adjudications in this State nor in those made elsewhere as to the interpretation to be put upon language, similar to that used in our statute, requiring the sanction of the electors to be first given to a proposed measure of legislation.

In Ruger vs. Commissioners of Beaufort, 70 N. C., 319, in construing an enactment declaring that "it shall be lawful for the commissioners of the town of Beaufort to subscribe by their agent for such an amount of stock" in the Beaufort Steam Ferry Boat Company, previously incorporated, "as they shall be authorized to subscribe by a majority of the voters of said town qualified to vote for commissioners, whose sense of subscribing a particular amount shall be previously ascertained by opening a poll for that purpose," &c.

Pearson, C. J., speaking for the court, says: "We incline to the opinion that the construction contended for, to-wit: there must be a majority of all the voters of said town, qualified to vote for commissioners is too narrow, for the act goes on to provide "whose sense of subscribing a proposed amount shall be previously ascertained by opening a poll for that purpose after advertisement, &c. The meaning of which is that all of the voters of the town who do not choose to attend at the poll are to be taken as assenting to the result of the election according to the votes actually polled."

In the subsequent case Railroad Co. vs. Caldwell, 72 N. C., 486, the constitutional restriction imposed upon municipal corporations in contracting a debt or levying a tax, except for necessary expenses, "unless by a vote of a majority of the qualified voters therein," was held to require the concurrence of a majority of all the qualified voters, whether voting or not, to the validity of the county subscription to the stock of the plaintiff company, and a distinction is drawn between this and the case referred to.—Const. Art 7, Sec. 7.

At a contemporary session of the Supreme Court of the United States a similar conclusion was reached and announced by that court in Harshman vs. Bates county, 92 U. S. 569. The constitution of Missouri prohibits the General Assembly from conferring authority upon "any county, city or town to become a stockholder in or to loan its credit to any company, association or corporation unless two-thirds of the qualified voters of such county, city or town, at a regular or special election to be held therein shall assent thereto." Const. Art. 11, Sec. 14. The General Assembly passed an act by which on application of twenty-five tax-payers of a township, the county court might order an election to determine whether any and what subscription should be made to a railroad to be constructed in or near the township; and providing that, "if two-thirds of the qualified voters of the township, voting at such election, are in favor of the subscription," it should be made with authority to issue bonds in payment therefor. These facts appearing in the complaint, on demurrer thereto, it was declared that the statute deviated in terms from the constitution which was in operation, and that a majority of those voting, when less than a majority of the whole number of voters in the township, was insufficient to warrant the subscription and loan.

The consistency of the same constitutional and statutory provisions came again before the court in County of Cass vs. Johnston, 95 U. S. 360, where the former decision was overruled and it was held that the legislative enactment was in harmony with the true and proper rendering of the constitution.

The subject is reviewed with great care and the authorities fully examined by the Chief Justice, who adopts the opinion in Ruger's case, and thus declares the rule, in the absence of any statutory regulation to the contrary: "All qualified voters who absent themselves from an election duly called are presumed to assent to the expressed will of the majority of those voting, unless the law providing for the election otherwise declares. Any other rule would be productive of the greatest inconvenience and ought not to be adopted, unless the legislative will to that effect is clearly expressed."

Two of the Justices dissented, adhering to the decision in the former case as a correct exposition of the clause of the State constitution.

In this unsettled state of judicial opinion upon the effect to be given to this and similar language which is used in a law, we are not required to depart from the interpretation put upon the section of our own constitution inasmuch as it is affirmatively found that the proposition for a graded school to be maintained at public expense did receive a majority of all the voters resident in the city.

While the registry of the voters is *prima facie* evidence of their number at any given time "so that," as Rodman J. says in the case cited, "practically the number of qualified voters and of voters so registered is the same." Yet, he adds, "the terms qualified voters and registered voters are not exactly co-extensive. The former is the most extensive." The dissenting opinion of Justices Bradley and Miller recognizes the admissability of other modes of showing the number of legal voters in a district as well as by the production of the books of registration and declares that "the objection that some persons not entitled to vote may be registered, has no force," and adds, "if any one choose to raise that issue it might be open to him to do so; but the registry would certainly furnish *prima facie* evidence of the number of legal or qualified voters."

If the fact be established upon full proofs that the contemplated school had the support of the greater number "of the qualified voters of the city," and those who are authorized and directed to determine the result of the election have so officially declared, it seems to us plain there has been a full compliance with the provisions of the act upon any construction of its meaning, and the raising the means by taxation to sustain the schools became an imperative duty. We have refrained from expressing an opinion upon the legal effect of the decision of the Commissioners upon whom is devolved the duty of passing upon the returned vote and its sufficiency in numbers to give force to the act, and only suggest the serious inconveniences that may flow from a concession to the tax-payer to the unqualified right to call in question the ruling of those who are charged by law with the duty of collecting and ascertaining the popular will, upon which the efficacy of the act depends, and to arrest the proceedings for the enforcement of an imposed tax to give it effect.

It is of the highest importance that the underlying condition should be definitely and conclusively settled, and not remain open to contest by any dissatisfied person who may be required to contribute his share to the public burden.

The rule is very forcibly and clearly laid down in the opinion of Mr. Justice Strong in the case of Black vs. Commissioners, 99 U. S. 686, when the declared vote was sought to be invalidated by returns subsequently sent in from an omitted district, which if counted would reverse the result, in these terms: "For all legal purposes, the result of an election is what it is declared to be by the authorized board of canvassers, empowered to make the canvass, at the time when the returns should be made, until their decision has been reversed by a superior power, and a reversal has no effect upon acts lawfully done prior to it."

And so this Court, in construing a statute which required the Commissioners to examine and declare the result of an election directed to be held, said "their decision upon the returns of an election regularly and properly held, is final and conclusive of the question." Simpson vs. Commissioners, 84 N. C. 158.

But it is unnecessary to consider and determine the point since, in our opinion, the finding of the Court, following the action of the Commissioners, conclusively settles the preliminary fact that a majority of all the qualified voters of Charlotte have given their approval to the graded school. There is no error and the judgment is affirmed. This will be certified to the court below.

A true copy—teste:

W. H. BAGLEY, Clerk.

Talking up Sorghum.

ST. LOUIS, Jan. 4.—At the afternoon session of the Cane Grower's convention yesterday, President Hodges delivered an address in which he gave a sketch of sorghum growing in the North, the increased facilities for producing sugar, the multiplication of sugar mills, operations in various parts in the North and the identity of interests between the North and the South in the cultivation of sugar. The Secretary of the Louisiana cane grower's association made some remarks about the growing of Northern cane in the South, and said the result had been satisfactory: J. Nicsal of the Louisiana delegation read a paper giving the resul of the same, experiments he had made with orange sorghum cane, which were quite satisfactory. Prof. Magriss Swinson, of the Wisconsin university, and Prof. Scoville, of the Industrial university of Illinois, read papers giving accounts of their experiments with cans and the production of sugar. Mr. Headges and Col. N. J. Coleman, of St. Louis, were appointed a committee to represent the association of the Agricultural convention to be held in Washington.

Death of a Prominent Connecticut Democrat.

HARTFORD, January 4.—Hon. George N. Pest, of Canton, Conn., is dead. He was a prominent Democratic politician and State Senator. In 1880 he was a candidate for the National Congress.

Struck a Rock and Sprung a Leak.

LONDON, January 4.—A telegram from Montevideo states that the bark Frank Marion from Brunswick, Ga., struck a rock while in charge of the pilot which caused her to leak. She is discharging for repairs.

GUITEAU.

Jaudge Cox Permits the Defence to Introduce new evidence--The Prisoner Approves the Judge's Decision, Expresses his opinion of Expert Evidence and Informs Scoville that he is a Jackass---Counsel for the Prosecution put in that Point in Law and the Court Adjourns until Saturday.

WASHINGTON' Jan. 4.—At the Guiteau trial this morning before the proceedings commenced, Guiteau said "this is a good time to make a speech but I promised the Marshal I would keep quite to-day, and I will try to do so."

Mr. Scoville read an affidavit, setting forth that the affidant is sole counsel for the prisoner; that the prison has been in such a state of mind that he has been unable to render any assistance or suggest the names of any witness, and that the affiant has, since closing the case, learned the names of certain witnesses who can testify to the material facts for the defence. After giving the names of witnesses and briefly stating what he expected to prove by each, Scoville moved he be allowed to introduce this evidence.

Judge Cox enquired if the counsel desired to be heard upon the motion.

Col. Corkhill said: "I hardly think anything need be said.'.

Col. Reed addressed the court in favor of the motion. He was aware that the matter was entirely within the discretion of the court. It was not, however, without precedent and that, too, in the United States court. He then cited cases in support of his argument, and said in this country it was the boast of our free institutions that a poor man should have the same rights in a court of juftice as denizens of palotial mansions, and he felt assured the American people would not begrudge one extra day's trial, as is now asked in behalf of this prisoner, in the name of justice and a fair trial.

Mr. Davidge replied at some length and decided that if any precedent existed for reopening this case, simply to introduce cumulative evidence, particularly in the case of Dr. McFarland. He believed it would be scandelous to admit the testimoyn of a man so reckless as to form an opinion and be willing to swear to it merely from reading newspapers.

After considerable discussion by Counsel, which was interrupted by Guiteau, Judge Cox said, the counsel for the defence came here a stranger to the courts of the district and even to the prisoner himself, and found himself environed with difficulties from the first.

The most serious difficulty was that the odium attaching to the assasssination made witnesses unwilling to even allow their names to be known to the defence. Appreciating all these difficulties, which embarrassed the defence, he, Judge Cox, had felt disposed to assist them with an equal latitude and more than ordinary facilities in the preparation of their case. Evidence of insanity could not be offered in surrebuttal. In his opinion proof of insanity should be limited to evidence in chief of defence and rebutting evidence of the prosecution. He, therefore, must exclude the evidence of Dr. McFarland. The testimony, however, of these witnesses by which the defence expected to prove that the prisoner asserted on the day of the assassination and upon the day after the motive for his act, the court held should be admitted as evidence in sur-rebuttal.

J. J. Brooks, chief of the treasury secret-service was called. The witness visited the prisoner at the jail the night after the shooting; Guiteau was in bed at the time. He arose in great anger and excitement, said the witness, and wanted to know what I meant by disturbing his rest and quiet at that hour of the night. I said it ill became him, a murderer, to speak in that manner; that he had disturbed the rest and quiet of the whole nation. He came back at me that he was no murderer, but a christian and a gentleman, that his mind was made up, that he had been moved to do the act, as a political necessity and that it was for the good of the country. The witness continued, "I told him I was a republican and a stalwart, and he replied, you can appreciate why I did it."

The witness detailed at some length his conversation at that time. He, the witness, said to the prisoner:

"If you had taken the Deity into consideration you could not have done such an act."

The prisoner replied that he had thought over the matter and prayed over it for six weeks and the more he thought and the more he prayed the more he became concerned that the President must go, and that it was his duty to remove him.

Notwithstanding his promise in the morning, Guiteau continued to interrupt and became involved in an altercation with one of the bailiffs who tried to silence him.

"I'll slap you in the mouth," he frequently snarled at him, but made no demonstration of carrying his threat into execution.

At another time he said to him you are nothing but a miserable underling, while I speak to fifty thousand people when I talk.

When Judge Cox had finished his remarks upon Scoville's motion, Guiteau insisted upon expressing his opinion.

"That's a first-class decision, Judge; that's all I want to get before the jury. What I said at that time relative to the causes that impelled me, upon the president, as for the rest I don't care o snap. I would not give 50 cents a bushel for this expert testimony. If I had money enough I could get fifty of the best experts in the country to swear that I am as crazy as a loon. That's just how much that kind of evidence is worth."

Scoville introduced a letter witten by the prisontr's father, in which he spoke of the prisoner and expressed an opinion that he was insane. Guiteau cried sneeringly: Was the object of reading that letter is to show that my father is a crank or that I am? You are the biggest Jackass, Scoville, I ever saw. If you can't learn any sense, I shall have to rebuke you in public.

The prosecution then submitted a statement of the law points on which they would rely as follows:

First: The legal test of responsibility when insanity is set up as a defence for an alleged crime is whether the accused at the time of committing the act alleged knew the difference between right and wrong in respect of such an act. Hence in the present case if the accused at the time of committing the act charged knew the difference between right and wrong in respect of such an act, that is if he knew what he was doing was contrary to the law of the land, he is responsible.

Guiteau: I didn't, because my free agency was destroyed.

Second: If the accused knew what he was doing and that what he was doing was contrary to the law of the land it constitutes no defence even if it were true that when he committed the act he really believed that he was thereby producing a public benefit or carrying out an inspiration of Divine origin or approval. Such belief would not afford any excuse, nor would such excuse be afforded by the fact that in the commission of the act he was impelled by a depraved moral sense, whether innate or acquired, or by will, passion, or in deference to moral obligation.

Guiteau: All of which is false.

Third: Insanity, would, however, constitute a defence if by reason of disease the accused at the time of committing the act charged did not know what he was doing, or if he did know it, that what he was doing was contrary to law.

Guiteau: I had no choice in the matter.

Fourth: The only evidence in the present case tending to show irresistible impulse to commit a homicide is the claim of the accused that his free agency was destroyed by his alleged conviction that the death of the President was required for the good of the American people, and was divinely inspired; that such conviction, even if it really existed, could not afford any excuse when the party knew what he was doing and that it was contrary to law. No mere delusion or error of judgment, not even a fixed belief that what is prohibited by law is commanded or approved by divine authority [Guiteau: God's law is higher than man's law.] can exempt the accused from responsibility for breaking the law. To have such an effect the commission of an act charged must have been the result of an insane delusion which was the product of disease and of such force as to deprive the accused of the degree of reason necessary to distinguish between right and wrong in respect of the act, so that at the time of committing the act he either did not know what he was doing, or if he did, that the act was wrong or contrary to the law of the land.

At Scoville's suggestion the court was then adjourned till Saturday morning to give time for the defence to prepare their points of law.

Vessels Blown Ashore--No Opposition to Lamar--A Louisiana Tragedy.

NEW ORLEANS, Jan. 4.—A Pensacola special says the schooners Smith and Stoop Wanderer were recently blown ashore on Sata Rosa Island and three men were drowned,

A Jackson, Mississippi, special says the Democratic caucus will be held tomorrow night on the senatorial question. Col. Lamar is in the city and will remain until after the caucus, when he will return to Washington. He will have no opposition for re-election.

A Minden Louisian special says, a terrible tragedy occurred on the 30th of December, on a plantation four miles above here. Robert Lewis, son of the late judge Langdon Lewis and brother of Will S. Lewis, shot Mrs. Will. S. Lewis and her sister, Mrs. Thompson, both seriously, but not necssarily fatal, then killed himself. Cause of the tragedy unknown.

New York Stock Market.

NEW YORK, Jan. 3—11 a. m.—The stock market opened ⅛ to 1 per cent. lower than yesterday's closing quotations, the latter for Richmond and Danville. In early dealings the market declined ⅛ to 1½ per cent., Louisville and Nashville and Denver and Rio Grande leading the decline. Subsequently an advance of ¼ to 1¾ per cent. took place, Louisville and Nashville, Richmond and Danville, Denver and Rio Grande, Northern Pacific preferred, Metropolitan elevated and Lake Shore being most prominent therein.

Liabilities and Assets.

JERSEYVILLE, ILL., Jan. 4—The liabilities of Enoch Littlefield, banker, whose suspension was announced yesterday are $50,000; assets $90,000. A committee has been appointed to wind up his affairs. Creditors are to be paid id full.

Tickling induces laughter, except tickling in the throat, which causes coughing, at removed by Dr. Bull's cough syrup. 25c a bottle.

Killed while Resisting Arrest.

GALVESTON, January 4.—A News Austin special says a young man named McPhail, an escaped convict for horse theft, was killed last night in a house of ill-fame by Special Police officer McLund, while resisting arrest.

In October, when the woods are glorious in their scarlet and golden drapery, is the time to seek the Autumn leaves and ferns. A severe cold is often the result of such pleasure trips. Dr Bull's cough syrup always cures coughs and colds. Price 25c.

Coffee drinkers should read the advertisement in another column headed "Good Coffee."

FADED OR GRAY HAIR gradually recovers its youthful color and lustre by the use of Parker's Hair Balsam, an elegant dressing, admired for its purity and rich perfume.

Coffee drinkers should read the advertisement in another column headed "Good Coffee."

NATURE'S SLUICE WAY.

The kidneys are nature's sluice way to wash out the debris of our constantly changing bodies. If they do not work properly the trouble is felt everywhere. Then be wise and as soon as you see signs of disorder get a package of Kidney-Wort and take it faithfully. It will clean the sluice-way of sand, gravel or slime and purify the whole system. Druggists sell it, both liquid and dry, and it is equally efficient in either form.—Independent.

MARKETS BY TELEGRAPH

JANUARY 4. 1882

PRODUCE.

WILMINGTON, N. C.—Spirits turpentine quiet at 52c. Rosin firm; strained $2.05; good strained $2.10. Tar steady at $1.90. Crude turpentine steady at $2.25 hard; $3 50 for yellow dip; $2 80 for virgin inferior. Corn steady; prime white 81@82; mixed 78@79.

BALTIMORE—Noon—Flour steady, with more inquiry and unchanged; Howard street and Western super $4 37@$5.00; extra $5.25@$6.87; family $6.50@$7.25; city mills, super $4.50@$5.25; extra $5 50@$6.50; family $7.50@$7.75; kilo brands $7.25@$7.87; Patapsco family $8.25. Wheat—Southern higher; Western ruled higher and closing at a slight reaction; Southern red $1.35@$1.40; amber $1.42@$1.45; No. 1 Maryland $1.45; No. 2 Western winter red spot $1.39½@$1.39¾; January $1.39½@$1.39⅝; February $1.42⅛@$1.42¼; March $1.44⅝@$1.44¾; April $1.47. Corn—Southern higher; Western higher and inactive; Southern white 72@78; do. yellow 68.

BALTIMORE—Night—Oats quiet; Southern 45@50; Western white 48@51; mixed 46@47; Pennsylvania 48@50. Provisions—firm and a shade higher; mess pork $17.75. Bulk meats—shoulders and clear rib sides, packed 7½@9½. Bacon—shoulders 8½; clear rib sides 10½; hams 12½@13½. Lard—refined 12¼. Coffee—firm; Rio cargoes—ordinary to fair 9@10½. Sugar—dull; A soft 9⅛. Whiskey—steady, at $1.17½. Freights dull.

CINCINNATI—Flour active and firm; family $6 10@$6.40. Wheat—scarce and firm; No. 2 red winter $1.38@$1.40. Corn—firmer, at 70. Oats—firm, at 48. Pork—firmer, at $7.25@$7.50. Lard—stronger, at $10.92½@$10.95. Bulk meats—quiet; shoulders $6.25@$6.50; clear ribs $8.65@$8.75. Bacon—scarce and firm; shoulders $7.50; ribs $10.00; clear $10.50. Whiskey—firm, at $1.15; combination sales of finished goods 1,140 barrels on a basis of $1.15. Sugar—quiet and unchanged; hard 9¾@10¼; New Orleans 7@8. Hogs—quiet; common and light $5.00@$6.30; packing and butchers $6.20@$6.60.

NEW YORK—Southern flour steady and quiet; common to fair extra $5.65@$6.70; good to choice do $6.75@$8 00. Wheat—closed at a slight advance; ungraded winter ——; ungraded red $1.29@$1.44; ungraded white ——; No. 2 red and January $1.42½@$1.42¾; February $1.44⅝@$1.45⅜. Corn—opened ¼@⅜c lower, closing quiet and weak; southern yellow 69½@71½; do white 77. Oats—½c lower and closing dull and weak; No. 3 49½. Hops quiet and steady; yearling 12@22. Coffee—unchanged and dull; Rio 9¼@11½. Sugar—steady and moderately active; fair to good refining quoted at 7⅜@7½; refined steady and in good demand; Standard A 8⅜. Molasses—foreign unchanged and dull; New Orleans ——. Rice—steady. Rosin—firm, at $2.85@$2 45. Turpentine—higher and firm, at 56. Wool—quiet and very firm; domestic fleece 36@50; Texas 14@31. Pork—firm and moderately active; middles dull and nominal; long clear 9¼@9⅝. Lard rather more active and closing a shade higher, at 11 21½. Freights to Liverpool market firmer.

COTTON.

GALVESTON—Easy; middling 11⅜c; low min'ng 11c; good ordinary 10⅝c; net receipts 2,754; gross 4,163; sales 1,15?; stock 109,084; exports coastwise ——; to Great Britain 1,819; to continent 1 308; to France ——.

NORFOLK—Nom'l, middling 11 7-16c; net rec'pts 2,439; gross ——; stock 59,841; exports coastwise 2,102; sales 878; exports to Great Britain 2,255; to continent ——.

BALTIMORE—Quiet; middling 11½c; low middling 11; good ordinary 10; net rec'ts ——; gross 1,848; sales ——; stock 54,831; exports coastwise ——; spinners 150; exports to Great Britain 1,094; to continent ——.

BOSTON—Quiet; middling 12c; low middling 11⅝c; good ordinary 10⅝c; net receipts 1,206; gross 3,161; sales ——; stock 5,195; exports to Great Britain ——; to France ——.

WILMINGTON—Nothing doing, mid'g ...; low middling ...; good ordinary ...; receip s 370; gross ——; sales ——; stock 15,737; exports coastwise 1,196; to Great Britain ——; to continent ——.

PHILADELPHIA—Quiet; middling 12c, low middling 11⅝c; good ordinary 10⅝c; net receipts 927 gross 1,740; sales ——; spinners 296 stock 16,451; exports Great Britain 900; to continent ——.

SAVANNAH—Dull; middling 11⅛c; low middling 10⅝c; good ordinary 10⅛c; net receipts 4,066; gross 4,447; sales 2,100; stock 121,885; exports coastwise 1,116; to Great Britain ——; to France ——; to continent ——.

NEW ORLEANS—Quiet; middling 11⅜c; low middling 11c; good ordinary 10½c; net receipts 481; gross 1,481; sales 4,000; stock 402,969; exports to Great Britain ——; to France ——; coastwise 6,667; to continent ——.

MOBILE—Easier; middling 11¼c; low middling 10⅞c; good ordinary 10⅛c; net receipts 895; gross ——; sales 1,000; stock 50,700; exports coast 619; France ——; to Great Britain ——.

MEMPHIS—Quiet; middling 11¼c; receipts 727; shipments 1,151; sales 950; stock 100,027.

AUGUSTA—Dull; middling 10⅞c; low middling 10½c; good ordinary 10c; receipts 236; shipments ——; sales 320.

CHARLESTON—Dull; middling 11¼c; low middling 11c; good ordinary 10½c; net receipts 1,013; gross ——; sales 500; stock 95,704; exports coastwise 457; to Great Britain ——; to continent ——; to France ——; to channel 956.

NEW YORK—Quiet; sales 296; middling uplands 11 13-16c; middling orleans 12⅛c; consolidated net receipts 18,266; exports to Great Britain 6,068; to France ——; to continent 1,403; to channel 956.

LIVERPOOL—Noon—Easier; middling uplands 6⅝d; middling orleans 6¾d; sales 8,000; speculation and export 1,000; receipts 12,100; American 7,500. Uplands low middling clause: January delivery ——; January and February 6 17-32d; February and March 6 19-32d@6 9-16d; March and April 6⅝d@6 19-32d; April and May 6 1-16d@6 21-32d; May and June 6 23-32d@6 11-16d; June and July 6¾d; July and August 6 20-32d; August and September ——. Futures quiet.

FUTURES.

NEW YORK—Futures closed strong. Sales, 246,000.

January	11 82@.83
February	12.04@.05
March	12.26
April	12.45@.46
May	12.59@.60
June	12.72@.73
July	12.84@.85
August	12.95
September	12.32@.34
October	11.56@.58
November	11.40@.42

FINANCIAL.

NEW YORK.

Exchange	4.79¾
Governments—steady and unchanged, except extended 6's, which were down ¼c	
New 5's	1.02
Four and a half per cents	1.14⅝
Four per cents	1.17⅝
Money	6 plus 1-16
State bonds—rather dull	
Sub-treasury balances—Gold	$80,635,000
" " —Currency	4,011,600

STOCKS—Opened active and higher:

Alabama—Class A, 2 to 5	80½
Alabama—Class A, small	81
Alabama—Class B, 5's	1.03
Alabama—Class C, 4's	82
Chicago and Northwestern	1.25¼
Chicago and Northwestern preferred	1.37¾
Erie	40
East Tennessee	13⅞
Georgia	1.83
Illinois Central	1.29½
Lake Shore	1.12¼
Louisville and Nashville	98⅞
Memphis and Charleston	70
Nashville and Chattanooga	85¾
New York Central	1.30½
Pittsburg	1.35
Richmond and Allegheny	38
Richmond and Danville	1.81
Rock Island	1.31
Wabash, St. Louis & Pacific	35¾
Wabash, St. Louis & Pacific preferr'd	63⅜
Western Union	79⅝

CITY COTTON MARKET.

OFFICE OF THE OBSERVER, CHARLOTTE, January 5, 1882.

The market yesterday closed weak at the following quotations:

Good Middling	11⅛
Strictly middling	11
Middling	10⅞
Strict low middling	10⅝
Low middling	10⅜
Tinges	9¼@9½
Storm cotton	6@9

Sales yesterday 11 bales.

Charlotte Produce Market.

JANUARY 3, 1882

BUYING PRICES.

CORN, per bush'l	85
MEAL, "	90
WHEAT, "	
BEANS, white, per bushel	1.25a.50
PEAS, Clay, per bush	90a1.00
Lady, "	1.50
White, "	75a80
FLOUR—	
Family	4 25a4.50
Extra	4 00
Super	3.75
OATS, shelled,	55a65
DRIED FRUIT—	
Apples, per lb	4½a6
Peaches, peeled	15a20
" Unpeeled	7a10
Blackberries	3a5
POTATOES—	
Sweet	75
Irish	1.00
BUTTER—	
North Carolina	15a20
EGGS, per dozen	25
POULTRY—	
Chickens	12½a15
Spring	10a12½
Ducks	15
Turkeys, per lb	8
Geese	25a30
BEEF, per lb., net	5a6
MUTTON, per lb., net	
PORK, " "	8a9

SELLING PRICES—WHOLESALE.

BULK MEATS—	
Clear rib sides	10½
COFFEE—	
Prime Rio	14a16½
Good	12½a15
SUGAR—	
White	10a11½
Yellow	7a9
MOLASSES—	
Cuba	32a35
Sugar Syrup	35a50
Choice New Orleans	50a60
Common	40a45
SALT—	
Liverpool fine	1.00a1.25
" coarse	85a1.00
WHISKEY—	
Corn, per gallon	$1.75a2.00
Rye, "	$2 00a3.00
BRANDY—	
Apple, per gallon	$2.00a3.00
Peach, "	$2.50
WINE, Scuppernong, per gallon	$1.50
RETAIL.	
CHEESE	20
LARD, per lb	15
TALLOW, per lb	8a10
BACON—	
N. C. hog round	10a11
Hams, N. C.	18
Hams, canvassed	15a16½
RICE	8a10
FRUIT—	
Apples, Northern, per bbl	3.25a.50
" Mountain, "	3.00
FISH—	
Mackerel—No. 1	1.25
" —No. 2	1.00
" —No. 3	75
Codfish	15
CABBAGE, per lb	4a5

Miscellaneous.

Chew only the brand of tobacco known as The Old Oaken Bucket.

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

CHAS. R. JONES,
Charlotte, N. C., Sole Agent.

☞ Liberal terms to dealers.

THE NEW DRUG STORE,

Corner of College and Trade streets.

(Wilson & Black's old stand.)

IS NOW OPEN.

Parties desiring Fresh and Reliable Drugs will do well to give us a call.

jan 4 tf O'DONOGHUE, HAND & CO.

Ladies, Gentlemen, Misses, Boys and Children

CANNOT FAIL TO BE SUITED IN

OUR STOCK OF BOOTS AND SHOES

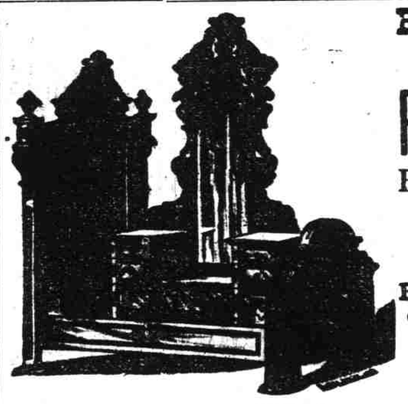
FOR THE FALL AND WINTER TRADE.

WE guarantee that every pair of SHOES we sell shall be found just as represented, and shall allow no house to give you better goods than we do for the money. Our stock has been carefully selected with a view to the wants of all classes of customers, and comprises a full line of beautiful and seasonable goods, of the very best quality and all grades, from the finest French Kid Button Boot to the Heaviest Brogan. If you wish to get your boots and shoes to suit you and at the lowest possible prices, you cannot do better than at our store. Give us a call.

A. E. RANKIN & BRO.,

Central Hotel Block, Trade Street.

sep18



BURGESS NICHOLS,

Wholesale and Retail Dealer in

ALL KINDS OF

FURNITURE,

BEDDING, &C.

A FULL LINE OF

Cheap Bedsteads,

AND LOUNGES,

Parlor & Chamber Suits.

COFFINS OF ALL KINDS ON HAND.

NO. 5 WEST TRADE STREET, CHARLOTTE, N. C.

W. T. BLACKWELL & CO.

Durham, N. C.

Manufacturers of the Original and Only Genuine

TRADE MARK.

DURHAM TOBACCO

Our claim for merit is based upon the fact that a chemical analysis proves that the tobacco grown in our section is better adapted to make a GOOD, PURE, satisfactory smoke than ANY OTHER tobacco grown in the world; and being situated in the HEART of this fine tobacco section WE have the PICK of the crop. The public appreciate this, hence our sales EXCEED the product of All the leading manufactories combined. [illegible] Bull.

Mar 22 1y

Miscellaneous.

TRADE S.S.S. MARK

Cures SYPHILIS in any stage. CATARRH, ECZEMA, OLD SORES, PIMPLES, BOILS, or ANY SKIN DISEASE.

TRADE S.S.S. MARK

CURES SCROFULA AND RHEUMATISM, MERCURIAL or SYPHILITIC.

CURES WHEN ALL OTHER REMEDIES FAIL!!!

If you doubt, come to see us, and we will CURE YOU, or charge nothing!!!

Write for particulars, and a copy of the little book "Message to the Unfortunate Suffering."

Ask any prominent Druggist as to Our Standing.

☞ $1000 REWARD will be paid to any chemist who will find on analysis of 100 bottles of S. S. S. one particle of Mercury, Iodide of Potassium, or any Mineral substance.

SWIFT SPECIFIC CO., Props., Atlanta, Ga.

(PER BOTTLE.)

Price of Small Size	$1.00
Large Size	1.75

SOLD BY ALL DRUGGISTS.

dec31

GOOD COFFEE.

Everybody wants it, but very few get it, because most people do not know how to select coffee, or it is spoiled in the roasting or making. To obviate these difficulties has been our study. Thurber's package Coffees are selected by an expert who understands the art of blending various flavors. They are roasted in the most perfect manner (it is impossible to roast well in small quantities), then put in pound packages (*in the bean, not ground,*) bearing our signature as a guarantee of genuineness, and each package contains the Thurber recipe for making good Coffee. We pack two kinds, Thurber's "No. 34," strong and pungent, Thurber's "No. 41," mild and rich. One or the other will suit every taste. They have the three great points, *good quality, honest quantity, reasonable price. Ask your Grocer for Thurber's roasted Coffee in pound packages, "No. 34" or "No. 41."* Do not be put off with any other kind—your own palate will tell you what is best.

Where persons desire it we also furnish the *"Ideal"* Coffee-pot, the simplest, best and cheapest coffee-pot in existence. Grocers who sell our Coffee keep them. Ask for descriptive circular.

Respectfully, &c.,

H. K. & F. B. THURBER & CO.,

Importers, Wholesale Grocers and Coffee Roasters, New York.

P. S.—As the largest dealers in food products in the world, we consider it our interest to manufacture only pure and wholesome goods and pack them in a tidy and satisfactory manner. All goods bearing our name are guaranteed to be of superior quality, *pure and wholesome,* and dealers are authorized to refund the purchase price in any case where customers have cause for dissatisfaction. It is therefore to the interest of both dealers and consumers to use *Thurber's brands.*

FOR RENT.

A dwelling house containing 5 rooms, kitchen with 2 rooms, and a well of good water in the yard; within five minutes walk of public square. Also, a cottage containing 4 rooms, with a well of good water in the yard and a good garden. Possession given immediately.

jan4 J. W. WADSWORTH.

FOR RENT.

A neat cottage on B street

jan4 3t D. M. RIGLER.

FOR RENT.

CENTRAL HOTEL, Greensboro, N. C., first-class in every respect, and the best located house in the city. Terms that will insure success. Apply soon to

H. H. TATE, Greensboro, N. C.

dec30 1w

Lotteries.

L. S. L.

Particular Notice.

All the drawings will hereafter be under the exclusive supervision and control of GENERALS G. T. BEAUREGARD and JUBAL A. EARLY.

DIEND OPPORTUNITY

TO WIN A FORTUNE FIRST GRAND DISTRIBUTION, CLASS A, AT NEW ORLEANS,

TUESDAY, JANUARY 10, 1882.

140th MONTHLY DRAWING.

Louisiana State Lottery Company.

Incorporated in 1868 for 25 years by the Legislature for Educational and Charitable purposes—with a capital of $1,000,000—to which a reserve fund of $850,000 has since been added.

By an overwhelming popular vote its franchise was made a part of the present State Constitution adopted December