

VOL. XXVIII.

WE

Dry Goods, Clothing, &c.

Bald Mountain

BOOM!

BOOM!

ALL the rich continues for our goods, and every day we receive something new.

Ask to see our colored Berbered Hemstitched Linen Handkerchiefs.

The best toilet for 50 cents ever shown in Charlotte.

And her lot of Misses and Children's Underwear just in by Express.

A very fine line of Boys and Misses Fur Caps.

We don't want you to forget that we are headquarters for Ladies' Cloaks, Bonnets, Corsets, Walking Jackets, &c., and have made special stock of the most stylish goods.

Our fourth stock of Black Cambrs has just come in, and we can now give you a Black Dress from 15c to \$1.75 per yard.

Seventy-five Gross Buttons all shades, arrived to-day by Express.

Our stock of Gloves, in Thread, Worsled and Kid, is complete.

Another Installation of Hose for Misses and Children.

Give us a call and be convinced that we keep the most complete stock of Goods in Charlotte.

Very Respectfully,

T. L. Seigle & Co.

P. S.—Ladies', Gents', Boys' and Misses' Rubber Coats and Gossamers, all sizes.

Medical.

Diphtheria.

A cold or sore throat may not seem to amount to much, and is promptly attended to, but if neglected, it may lead to consumption or diphtheria.

So medicine has never been discovered which acts so quickly and surely in such cases as PERRY DAVIS' PAIN KILLER.

PERRY DAVIS' PAIN KILLER is not an experiment. It has been used for forty years, and is the most valued remedy in the world.

A few extracts from voluntary testimonials read as follows:

PAUL KILLER has been my household remedy for the past twenty-seven years, and I have never known it to fail in either a cure of L. S. CROCKER, Williamsport, N. Y.

For thirty years I have used PAIN KILLER, and found it a never-failing remedy for colds and sore throat.—BARTON SISK.

I have received immediate relief from colds and sore throat, and consider your PAIN KILLER an invaluable remedy.—GEO. B. EVANCKER, Dickinson, N. D.

I have recovered from a very severe cold, which I have had for some time. I could get no relief until I tried your PAIN KILLER, which cured me immediately. I will never again be without it.—C. O. FORD, Louisville, Ky.

I have used PAIN KILLER for forty years, and have never known it to fail.—BARNUM LEWIS, Washington, D. C.

I began using PAIN KILLER in my family twenty-five years ago, and have used it ever since, and have found no medicine to take its place.—D. W. DYER, Druggist, Omaha, Neb.

I have used your PAIN KILLER for many years, and I can say that it is the best preparation I know of. It will cure without fail any cold, croup, whooping cough, sore throat, and all the ailments of the throat and chest, and I can say that it is the best medicine ever offered.—GEO. HOOVER, Wilmington, N. C.

Dr. WALTON writes from Colchester: Your PAIN KILLER cured my children and some horses, so that I can say that it is the best medicine I know of. It will cure without fail any cold, croup, whooping cough, sore throat, and all the ailments of the throat and chest, and I can say that it is the best medicine ever offered.—GEO. HOOVER, Wilmington, N. C.

My son was taken violently sick with diphtheria, high fever, and cold chills. I used your PAIN KILLER, and he was cured. I can say that it is the best medicine I know of. It will cure without fail any cold, croup, whooping cough, sore throat, and all the ailments of the throat and chest, and I can say that it is the best medicine ever offered.—GEO. HOOVER, Wilmington, N. C.

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SUPREME COURT DECISIONS.

Fall Term, 1882.

Reported for the Observer by Walton M. Busler.

Winthrop vs. Biggarstaff—Rutherford, ASHLE, J.

Civil action tried before Judge, Rutherford, on the 11th inst.

The plaintiff offered in evidence a deed to himself for the land, dated June 15, 1872, and admitted to probate, September 24, 1877, and the defendant offered in evidence a deed to defendant from Jason Winthrop and wife, for the same land, dated December 7, 1872, admitted to probate the day of its date and registered August 3, 1878.

Defendant alleged the plaintiff's deed was fraudulent as to subsequent purchasers and without notice, and upon the question of fraud offered in evidence a deed from Jason H. Winthrop, to his wife Louisa, for the same land, dated 10th August, 1871, and admitted to probate August 11, 1871. The objection of plaintiff to the admission of the wife's deed was overruled, and the judgment for defendant, plaintiff appealed. Held: The admission of the deed was irrelevant, and should have been excluded upon the principle of *res inter alios acta*. The case is different from that of *Brink vs. Black*, 77 N. C. 50, there the transactions were of the same character and between the same parties. In *Holmes vs. Hogue*, 2 Jones, 91, it was held, that it was not competent for a creditor in order to establish a fraud in a question by showing that a debtor had made a fraudulent transfer of other property to another person. Such evidence is irrelevant and mischievous, having a direct tendency to mislead the jury.

Error. *Ventre de novo*.

McKee vs. Lineberger—Gaston.

ASHE, J.

Action to recover land. The appeal comes up upon exceptions taken by defendant and the refusal of the Judge to give the instructions asked for. The first exception was to the admission of a sheriff's deed in evidence, before there had been any evidence introduced to show any suit or action as a foundation for issuing the execution. 2d. The admission in evidence of the transcript of the docketed judgment of *Wright vs. Lineberger* and the certified copy of the judgment in the Supreme Court, of *McKee vs. Lineberger*, upon the ground that they were not in evidence, any suit constituted in either court on which said judgments were, or could be rendered. 3d. To the admission of the testimony of plaintiff to the fact that the execution was levied upon the hands of the sheriff at the time of the sale, because the sheriff was dead and the witness was incompetent under C. C. § 343. 4th. The reception of the recital in a sheriff's deed, and the recitations, as evidence of the levy and sale.

The court says: 1st. There was no error in the admission of the sheriff's deed, for during the progress of the trial the recital was withdrawn and execution, under which the sheriff's deed was made, were shown in evidence. Had the plaintiff failed to produce such evidence, the error might have been cured by the withdrawal of the testimony by the court. 2d. When the purchaser at sheriff's sale is not the plaintiff in the execution, he needs only the execution, and need not show the judgment.—*Rutherford vs. Raborn*, 10 Ind. 144. 3d. It was not incompetent for the witness to speak of a conversation with the sheriff. The knowledge of the fact that the execution was levied upon a sheriff's sale, was not necessarily obtained by a transaction with him. *Morgan vs. Bunting*, 56 N. C. 69; *Lockhart vs. Hill*, 56 N. C. 447. 4th. The recital in a sheriff's deed, *prima facie* evidence of the facts set forth. See *Harden vs. Clark*, 3 Jones, 125. 5th. The purchase made at the sheriff's sale was under the writ of judgment, and the plaintiff was a stranger and had the same right to buy under it as any other person. The doctrine of estoppel by reason of the other purchase does not apply.

No error. Affirmed.

The Miseries of a Man.

Burdette: Sometimes I wonder what a man thinks about when he goes to bed, when he turns out the light and lies down, when the darkness closes in about him and he is alone, and compelled to rest with himself. And not a bright thought, not a generous impulse, not a manly act, not a work of blessing, not a grateful look, comes to bless him again. Not a penny dropped into the outstretching hand of a beggar, nor the balmy of a loving word dropped into an aching heart; no sunbeam of encouragement cast upon a struggling life; the strong right hand of fellowship reached out to help some fellow man to his feet—when none of these things come to him as the "God bless you" of the departed day, how he must hate himself.

How he must try to roll away himself and sleep on the side of the bed. When the only victory he can think of is some mean victory, in which he has wronged a neighbor. No wonder he always sneers when he tries to smile. How pure and fair and good all the rest of the world must look to him, and how cheerless and dusty and dreary must his own path appear. Why, even one lone, isolated act of goodness is enough to scatter cracker crumbs to the bed of the average ordinary man, and what must be the feelings of a man whose whole life is given up to mean acts and heartache and misery in the world? Why, why should you add one pound of wickedness or sadness to the general burden? Don't be mean, my boy. Suffer injustice a thousand times rather than commit it once.

The Ravages of Hog Cholera in Pender County.

Wilmington Star.

We stated some weeks ago that the hog cholera was prevailing to a considerable extent in Caintock township, Pender county, and that many hogs had died of the disease. Mr. A. J. Pridden, of that section, who was in the city yesterday, reports that the plague is still raging, and that up to Saturday last his father, Mr. W. S. Pridden, had lost forty of one hundred and fifty hogs from the disease, while his own loss footed up fifty-four, and the other neighbors losing proportionately. A remedy is now being used, and it is hoped that the ravages of the plague may soon be stayed.

Federal Court.

Asheville Citizen.

The Federal Court which has been in session here for two weeks adjourned yesterday morning. There were no cases of unusual interest tried except those already alluded to, in our last issue, with the exception of the cases against W. H. Deaver on three indictments, which have been in the Courts for six years. They occupied the attention of the Court for the last 8 days, and resulted in the defendant being acquitted on all the cases. It is estimated that the Government has expended about \$11,000 in the prosecution of Deaver. Whatever opinions may have prevailed in the matter, there can be no criticism upon the jury which tried the cases, as proposed as it was of some of the very best men of this district.

Gray hair often comes annoying, which Park's Hair Restorer cures by restoring the youth of the hair.

A permanent restoration of exhausted and worn-out functions follow the use of Brain's Iron Bitters.

WASHINGTON LETTER.

Is Republican Recuperation Possible?

---The Chance for Capturing the Senate---Garfield in the Pagoda---Mrs. Hayes' "Counterfeit."

Correspondence of the Observer.

WASHINGTON, Nov. 22.—It is ludicrous for the Republicans to count on Democratic aid between this and 1884, while they make the breach in their own ranks wider with every effort to heal it. The National Republican reads homilies to the effect that the Philadelphia Press, and all the little organs of the two factions take up the patriotic refrain: "Let us have harmony, but you hush there."

Really, the prospect of a suture is not so good as it was before the election of 1880. The Republican Congressmen have prophesied disaster to the g. o. p. (grand old party) in 1884. And this is probably not so good a year for prophesying as the first order of the day.

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