

Daily Charlotte Observer.

CHARLOTTE, N. C., FRIDAY, DECEMBER 8, 1882.

VOL. XXVIII.

NO. 4,264.

1882. OUR 1883.
FALL and WINTER
S-T-O-C-K
-or-
BOOTS, SHOES,
HATS, TRUNKS,
Valises & Traveling Bags,
IS NOW COMPLETE.

It has been selected with unusual care to meet the wants of the Trade, and to give them the BEST GOODS MANUFACTURED.

Ladies', Gents' & Children's
FINE BOOTS,
SHOES AND SLIPPERS

A specialty. Our stock of
Trunks, Valises and Traveling Bags,
IS LARGE AND VARIED.

HATS! OUR LINE OF HATS
-IS COMPOSED OF THE-
Best Brands and Latest Styles of

SILK, STIFF AND FELT.

Call and try the Old Established House of

Pegram & Co.

\$30,000

-WORTH-

DRY GOODS,

Watches, Clocks and Jewelry,
Silver and Plated Ware.

THAT MUST BE
NORTH CAROLINA.

30 DAYS TRIAL
DR. DYER'S
NO. 1

CLOSED OUT

January 1st, 1883.

Alexander & Harris

Dry Goods, Clothing, &c
Head Quarters

Xmas Goods!

WHEN YOU ARE OUT LOCKING FOR THE
SLAUGHTERING
GOING ON IN THE CITY.

SELL GOODS CHEAP.

T. L. Seigle & Co

Medical.

Diphtheria.

Call and try the Old Established House of

Pegram & Co.

\$30,000

-WORTH-

DRY GOODS,

Watches, Clocks and Jewelry,
Silver and Plated Ware.

THAT MUST BE
NORTH CAROLINA.

30 DAYS TRIAL
DR. DYER'S
NO. 1

CLOSED OUT

January 1st, 1883.

Alexander & Harris

SUPREME COURT DECISIONS.

Fall Term, 1882.

ASHLE, J.

Smith v. C. J. J.
This proceeding was instituted to compel the defendant as Administrator of the estate of Isaac Wright deceased, to sell certain lands which had been devised by his testator to make assets for the payment of his debts. The will of Isaac Wright was proved and administration taken on his estate prior to the act of 1880, and the act of 1880, which relates to the administration of estates, does not apply. The estate is to be dealt with and settled as the law existed prior to the act of 1880. The issue in the case is: "I give unto the children of my deceased daughter, Lucy C. Monroe, all the lands I own on the south side of the river, situated on either White or Hummonds creek, and as it lies on the river, or stands on the same, embracing the McDougald and other pieces or tracts; but if either should die leaving no child or children of the deceased to represent him or her, then to the survivors of them and their heirs." The plaintiff, who is the administrator, claims that the lands should be sold to pay the debts of the estate. The defendant claims that the lands should be given to the children of the deceased daughter, Lucy C. Monroe, as provided in the will.

The court holds that the will is valid and that the lands should be given to the children of the deceased daughter, Lucy C. Monroe, as provided in the will. The court orders that the lands be given to the children of the deceased daughter, Lucy C. Monroe, and that the administrator be required to deliver possession of the lands to them. Judgment modified and remanded.

Logan vs. Fitzgerald—Buncombe.

SMITH, C. J.
The issue submitted is the simple inquiry as to whether the title, permitting it to be antagonized either by proof of an adverse possession for 30 years unsupported by any written instrument as to the possession, or by proof of a continuous possession under the will and the partially proved and registered deed with its well defined and fixed lines, as affording color of title. Had the issue been framed as to present the two independent sources of title relied on, there would have been no error.

Hunyan vs. Patterson—Cleveland.

SMITH, C. J.
The damages for which redress is sought in this action were caused by the plaintiff's cow breaking into and eating the defendant's corn. The plaintiff's fence was known to be a sufficient fence at least five feet high. The court holds that the plaintiff is liable for the damages caused by the cow. Judgment for the plaintiff.

State vs. Propst—Catawba.

RUFFIN, J.
Defendant charged with retailing spirituous liquors without license. It was admitted that he sold whiskey in quantities less than a quart in the town of Hickory at divers times between October 1881 and the last of April 1882. He had license from the town authorities dated Oct. 15, 1881, for the year ending April 30, 1882, and a license from the county authorities dated July 1, 1882, for the year ending July 1, 1882. The court instructs the jury that according to his admissions he was guilty of the offense charged. Judgment for the State.

East vs. Setzer—Catawba.

ASHLE, J.
Civil action to recover land, tried at Fall Term, 1882, before Avery, Judge. The plaintiff claims that the defendant is in possession of land which he claims to be his. The court holds that the plaintiff is entitled to the land. Judgment for the plaintiff.

East vs. Setzer—Catawba.

SMITH, C. J.
This was a trial of the issue as to the execution and validity of a deed offered in proof as the last will of Joseph East, deceased, and offered by the defendant. The court holds that the deed is valid and that the defendant is entitled to the land. Judgment for the defendant.

Lutz vs. Thompson—Cleveland.

RUFFIN, J.
This was an action upon a promissory note. The plaintiff claims that the defendant is liable on the note. The court holds that the defendant is liable on the note. Judgment for the plaintiff.

proper question, as tending to influence the verdict, when no response is given the question becomes harmless and the exception to it without force. It was competent to prove and ascertain by the question asked and other german inquiries, the scope and extent of the intellectual faculties of the deceased, and whether they came up to the measure demanded for the effectual disposition of property by will.

III. The evidence of the widow, from the remoteness in time from the act on which it bears, may and perhaps should have but slight weight in determining the fact of sanity it is not thereby rendered incompetent, requiring its rejection.

A single exception to the entire charge will not be entertained in the appellate court. It is neither just to the parties nor to the trying Judge. A single exception to a series of instructions will be overruled, unless each of the series is erroneous.

No error. Affirmed.

NATURAL FRUIT FLAVORS.

Dr. Price's SPECIAL

FLAVORING EXTRACTS.

STEELE & PRICE,
Chicago, Ill., and St. Louis, Mo.

Lotteries.

L.S.L.

UNPRECEDENTED ATTRACTION!

Louisiana State Lottery Company

EXTRAORDINARY SEMI-ANNUAL DRAWING

LIST OF PRIZES:

APPROXIMATION PRIZES:

50th

COMMONWEALTH DISTRIBUTION CO.

THURSDAY, NOVEMBER 30th, 1882.

THE BEST IS \$300

diction of the principal matter of an action, as on a bond, must necessarily be the jurisdiction of an incidental question necessary to its proper determination.

IV. The evidence of the widow, from the remoteness in time from the act on which it bears, may and perhaps should have but slight weight in determining the fact of sanity it is not thereby rendered incompetent, requiring its rejection.

A single exception to the entire charge will not be entertained in the appellate court. It is neither just to the parties nor to the trying Judge. A single exception to a series of instructions will be overruled, unless each of the series is erroneous.

No error. Affirmed.

NATURAL FRUIT FLAVORS.

Dr. Price's SPECIAL

FLAVORING EXTRACTS.

STEELE & PRICE,
Chicago, Ill., and St. Louis, Mo.

Lotteries.

L.S.L.

UNPRECEDENTED ATTRACTION!

Louisiana State Lottery Company

EXTRAORDINARY SEMI-ANNUAL DRAWING

LIST OF PRIZES:

APPROXIMATION PRIZES:

50th

COMMONWEALTH DISTRIBUTION CO.

THURSDAY, NOVEMBER 30th, 1882.

THE BEST IS \$300

Second Large Stock this Season.

3,000 YARDS CASHMERE, AT 12 1/2 PER YARD.
100 WALKING JACKETS, - \$3.00 TO \$15.00.
100 CLOAKS, - - - - - \$1.50 TO \$20.00.
50 ULSTERS, - - - - - \$5.00 TO \$15.00.

Silk and Cielian Fur-Lined Circulars, \$15.00 to \$25.00.
CLOTH CIRCULARS, - - - \$7.00 TO \$10.00.
Handsome Dress Patterns, \$10.00 to \$25.00.
Dress Flannels, 25c, 33 1/2c, 75c, \$1, \$1.25.
All-Wool Cashmeres, Black and Colors, 45c, 50c, 65c, 75c, \$1, \$1.25, \$1.50.

Hargraves & Wilhelm,
Smith Building, East Trade Street.

L. BERWANGER & BRO.,

Leading Clothiers and Tailors.
New Goods! Correct Styles! Closest Prices!

OUR REWARD: SUCCESS.

CLOTHING

McSmith Music House

ORGAN'S,

H. McSMITH,

EVER OFFERED

THE BEST IS \$300

LIST OF SMALL INSTRUMENTS:

HEARMONIOS.

I NOW HAVE

The LARGEST and Prettiest Stock of FURNITURE

EVER BROUGHT TO THIS MARKET, WHICH I INTEND TO SELL AT BOTTOM PRICES.
All are invited to call and see my goods and learn the Prices.
E. M. ANDREWS,
Wholesale and Retail Furniture Dealer