

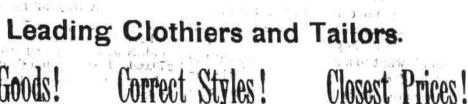
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For twenty-five years I have used Parw Kirking for colds and expected how the original part of the best medicine sever of ared.-GEO. How we without it the best medicine are of ared.-GEO. How without it would not be the set of the best medicine are of ared.-GEO. How we would not be the set of the best medicine sever of ared.-GEO. How we would not be the set of the best medicine are of a set of a set. How we have a set of a set. How we have a set of a se

A d I was sufficing severity with broachild, and my throat was so inflamed I could scarcely seallow any food I was assistent to try rough the single-and after taking a severity of the second severity in watches a severity of the severity of the second ingly prevalent here, and has not been known to fall in a single instance. This fact you should make known to the world. Mrs. Enters B. Mason writes: My son was taken Woon y wook with diphtheria, high fever, and cold unit. Bo many children have died here, I was traid to call a vibulation have died here, I was

chills Bo many children have died here, I was afraid to call a physician, and tried your PAIN KILLER. He was taken on Sunday, and dn. Weinesday is throat was clear. If was a won-derful ture, and I wight could be have to the portsocher of a so things and be have to the portsocher of a so things and be have to the portsocher of a so things and be have to the portsocher of a so things and be have to portsocher of a so things and be have to portsocher of a so the beat of the the portsocher of a so the beat of the so portsocher of a so the beat of the the portsocher of a so the solution. For children of the solution of the the beat of the solution all dimensions with our solution of the per botale. PERRY DAVIS & SON, Proprietors, Providence, R. I.

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the lands devised to the children which the lands devised to the children which have not been disposed of, by them or their heirs, or were conveyed by them within the two years and are remain-ing in the hands of such vendees who purchased within that time they are liable. Hilliard vs Kearny, Bus Eq 221. Davis vs. Parker, 69 N C 271, Cox vs. Hogg, 2 Dev Eq 121, Badger vs. Daniel, 79, 372 cited. 79, 372 cited. Error. Judgment modified and remanded.

Logan vs. Fitzgerald-Buncombe. SMITH, C. J.: The issue submits the simple inquiry as to the plaintiff's title, --permitting it to be antagonized either by proof of an adverse possession for 30 years unsup-ported by any, written instrument as-certaining its extent and limits, or by such possession continued for seven. consecutive years under the will and the partially proved and registered deed with its well defined and fixed lines, as affording color of fitle. Had

the issue been so framed as to present the two independent sources of title re-lied on, there would have been no error. The rule for the guidance of the jury The rule for the guidance of the jury is well established, when there is a pa-per title describing and defining the ex-tent of the claim, but in the absence of such, the actual possession -not result-

ing from oreasional outtings of timber or other acts which may be but trespass, interrupting but not divesting the owner's constructive possession -- must alone determine its character and extent. The occupation de Tacto is the measure of possession unaccompanied by a con-veyance and it cannot be enlarged by declarations of a claim up to certain boundaries The possession required boundaries. The possession required to raise the presumption of a convey-ance, or to give effect to an instrument as color of title is discussed in Gudger vs. Hensley 82 N. C., 481. The defect in the instructions is, the failure to de-fine the presention to which the law fine the possession to which the law attaches such consequences as a transfer of property from the former owner to the effer presumed therefrom and not open to the rebutial, so that the ju-ry would see whether the acts of as-serted ownership in proof come up to

to the other presumed therefrom and not open to the resultal, so that the ju-ry would see whether the acts of as-serted ownership in proof come up to the requirements of the law. Error. Veniri de novo. Hardin vs. Barrett 6, Jo. 159. Rogers Son 3 Ind. 578. Let high. The point decided in Moore vs Nixon, S. Jones, 35. (The poultry eating sow case) has no bearing upon the present case. No error. Affirmed. Jones vs Witherspoon, 7 Jones, 555; Bargwyn vs Witherspoon, 7 Jones, 555; Stoner vs Shugart, 45 Hl, 76; Richard-son vs Milburn, 11 Md 340; Wargard-

State vs. Propst-Catawba. Ruffir, Jr Defendant was 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 be-tween 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 dat-ectification, 1881, for the year ending 14th July, 1882. The court instructed the jury that according to his admis-Biones he was guildy AD GMA -be Held. The charter of Hickory gives the town commissions full control over the sale of spiritnous liquors with in the limits of the town, whether or not liquor shall be sold there, in what quantities, &c., "and no license from the board of commissioners or sheriff of Citabba commissioners or sheriff said corporation, without the license of the town corporation as aforesaid." The

dence of justification, it was not im-proper in the court to charge "that as defendants had shown no legal process for the seizure, it was illegal in them to have made it, and if the jury should be-lieve that the defendants took the ben-efit of the sale of the horse, whether in money or in a note on a third party, they would be lieble

they would be liable. In actions of this kind the value of the property at the time of the seizure or tortious taking, is the measure of the damages. It is not necessary that the verdict should be set aside on account of the error in allowing the \$5 expenses incurred, as the damages assessed on account of expenses were distinguished. The objection that the judgments were on separate pieces of paper is without force.

The plaintiff, though suing in forma pauperis, was allowed costs of action. While the error would have been cor-rected if called to the attention of the Judge below it is too late to raise it here. Judgment modified.

Runyans vs. Patterson-Cleaveland. SMITH, C. J.:

The damages for which redress is sought in this action were caused by defendant's cow breaking into plain-tiff's cultivated field and feeding upon the crop. The vicious propensity of said cow to break through enclosing barriers and feed upon the crops of others, was known to her owner. The plaintiff's fence varied from a few inches over three feet to a few inches over four feet in height and was insufficient under the requirements of the statute. The entry of the cow was not at the lowest and most defective part of the fence. The court being of opinion that the plaintiff could not recover, a non-suit was suffered and appeal taken.

Held. The knowledge of this unruly and vicious habit of the cow, by the owner, previously to her being permitted to roam at large, does not excuse the plaintiff's negligence in failing to put up "a sufficient fence at least five feet high.

son vs Milburn, 11 Md, 340; Wagner vs Bissell, 3 Iowa, 396; Harrott vs Hartsfield, 4 D & B, 110; Bat Rev, ch 48, see 1, cited/ /____

Bost vs Selizer Catawba ASHE, J.:

ASHE, J.: Civil action to recover land, tried at Fall Term, 1882, before Avery, Judge. The only question presented in the received from Johnathan Bost in 1857, a purchaser of the land in controversy, fer a fair price and without notice of the deed of daim of the plaintiffs. The luty having found that the price paid for the land was a fair price, the in-ghiry is, was the purchase without no-lice.

The court says: Notice to affect the The court says: Notice to affect the title of a subsequent purchaser is either actual or constructive; actual, when a knowledge of the fact is brought di-rectly home to a party and construc-tive is in its nature no more than evi-fiende of notice, the presumption of which is so violent that the court will ever allow of its being controverted; a strong date is, where one purchases

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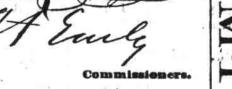
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