Daily Charlotte Observer.

VOLUME XXX. CHARLOTTE, N. C., TUESDAY JANUARY 1, 1884. PRICE FIVE CENTS.

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At greatly reduced prices. Among them is a lot of

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That we will sell at about the cost to manufacture them.

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At prices that will surprise you when you see the goods and hear the prices.

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as we will remove to the corner of Central Hotel, in the store formerly occupied by Brem & McDowell We carry a complete line of Gent's Fine Furnishing Goods and Hats. Call at once.

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Dyspepsia, Liver and Kidney Complaints.

I have used your "Life for the Liver and Kidneys" with great benefit, and for dyspepsia, or any derangement of the liver or kidneys, I regard it as being without an equal.
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It is superior to any liver pad.
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Your medicines are valuable and splendid remedies. I have sold upwards of five gross, and can recommend them. I would not be without them.
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October 28, def.

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True Turf Oil.

TO PHYSICIANS, FARMERS, LIVERY STABLE KEEPERS AND RAILROAD MEN AND HEADS OF FAMILIES: If any member of your household, from parents to the merest infant, are afflicted with Malignant Sores, scrofulous or otherwise, Salt Rheum or scald Head, Burns, wounds, no matter how severe, or of how long standing, or from whatever cause produced, send and get a 25-cent bottle of TURF OIL, and we guarantee a cure or no pay. It cures before other remedies begin to act. It is equally applicable to all the Ulcers or Sores, or inflamed surfaces of all domestic animals, or anything that moves on the Turf. One or two applications are all that is necessary to neutralize the action of the virus and heal the Ulcer. It arrests at once the progress of Erysipelas and removes the inflammation left in the track of the disease.

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ON THE THRESHOLD.

To-day begins the new year. We stand upon the threshold, so to speak, our face to the future, our back to the past, a hope for the one, a memory the other. It is a good time for thought, a good time for new resolutions, not to be hastily made and broken, but to be thoughtfully made and kept. As the past year has been, so will the new year be to a great extent what you make it. From the experience in that gather the wisdom to guide in this. Reverses and disappointments will come to many, however much they try to prevent them, but more will come if we plod along in a blind and thoughtless way. We are in the stream which bears our boat on in spite of us, as all mortals are; if we use the oars and helm aright we may escape the rocks and the whirlpools, if not we will be borne to destruction. We cannot control the stream but we can direct the boat. Have you felt the rocks and the eddies the past year? Steer clear of them now If you run over the same waters and drift into them again it will be your fault, and you will be the sufferer. The rocks are there, the whirlpools are there, in that same place, and there they will remain.

Curb passion, bridle appetite, be thoughtful in speech, from the errors in the past take warning for the future and start the new year right, and not only start so but keep it up to the end, and while at the end you can look back and find yourself so much better situated than when you started out, you will have the satisfaction of knowing, too, that you have contributed to making the situation of others better, and the world we live in somewhat better. Onward, hopefully, cheerfully, courageously Do your duty. Leave the rest to God.

Philadelphia maintains its popular title of "The City of Homes," the number of stores and dwellings erected there during the past year being 4,000, or twice as many as were built in the previous year. Of three story residences, nearly 1,500 were built this year, an increase of 700 over the preceding year. The designs of the buildings are quite a change from the commonplace style of former years. There was a decrease in the number of factories from 91 to 81.

Col. Henry B. Rathbone, who recently killed his wife in Hanover, Germany, and then stabbed himself, was the only gentleman in the box with Abraham Lincoln the night he was assassinated by Booth. He made an attempt to seize Booth after the fatal shot was fired, but the assassin was too quick for him, struck at him with a dagger, and jumping from the box to the stage, made his escape.

The astronomers are busy trying to account for the red sunsets that have attracted so much attention. Some attribute them to the volcanic dust thrown into the air by the eruptions of Mt. Krakotoa, near the coast of Java, 26th and 27th of August last, and others to a superabundance of floating vapor. And this is probably all we will ever know about it.

P. T. Barnum, the showman, does not propose to have any legal squabbles over his will, if he can help it. After drawing up that document he called in three physicians of good standing to witness the signature, after which they made oath that "they believed the testator to be of sound and disposing mind and memory."

Among the immigrants lately arrived in California is an eighteen year old boy from Canada who measures seven feet in height and weighs two hundred pounds. He created considerable excitement on landing in San Francisco, where he was mistaken for the Chinese giant.

Mr. Malleck warns the English aristocracy and plutocracy that if they do not presently relax their grip upon the laboring poor, the English mob may prove more enduring but not less formidable, when roused, than the French mob.

Herr Most, the German socialist agitator, has spent ten years in prison at different times and countries in Europe. It would be a good thing for the people whom Most professes to represent if he remained in prison permanently.

Virginia City, Nevada, which a few years ago had a population of 35,000, now numbers only 5,000. The mines built it up and a collapse of the mines knocked it down.

"Father Columbia," a new paper just started in New York, booms Ben Butler for the Presidency.

FRANCE AND CHINA.

China Willing to Come to Terms if France Shows a Conciliatory Disposition.

LONDON, Dec. 31.—The Times says it has the best authority for stating that China wants peace, and that if France will return to her original policy in Tonquin and abstain from further hostile action on the Red River, a pacific agreement is almost certain. China will abate some of her first pretensions if France will show a conciliatory spirit. The Times further says that the government of China, seeing that the countries well disposed towards her are desirous of a settlement of the question whether Tonquin is a Chinese depency, is ready to recognize accomplished facts and to negotiate upon the basis of the statue quo, but the establishing of this position involves the creation of further naval and military movements beyond merely defensive ones, and above all an understanding that Bac-Ninh must not be assailed. So much China is prepared to concede if France responds to her well meant concessions. She will not stop to consider how far her present attitude may tally with her original position, when she insisted upon the full letter of her rights. The northern bank of the main navigable branch of Red River represents the *ne plus ultra* of Chinese concession. China believes that she can secure her rights as effectually with Quang Yen, Bac-Ninh and Lao Kai in her possession as France with Hai Phong, Hai Zoung and Hai Noi.

The question of the permanent retention of Sontay should be submitted to the arbitration of a third party. The Times says the rejection by the French of these offers must result in the triumph of the anti-foreign party in Pekin, China. The desire for peace being sincere, the powers interested should offer their mediation collectively. If there is any hesitation on any quarter on this point, the right of initiative rests in a very high degree with the United States, which government is bound by the terms of the Burlingame treaty to offer her good offices whenever China requests them. Should Prime Minister Ferry, of France, respond to the wishes of the Chinese embassy, the present occasion will afford an opportunity of giving effect to stipulations hitherto unenforced.

A Political Sermon.

Editor Observer.

"Though thou shouldest bray a fool in a mortar among wheat with a pestle, *yet* will not his foolishness depart from him." I am reminded, Mr. Editor, of the foregoing passage of Scripture by what I see in the Congressional Record of the 20th instant. The proposition was under discussion to raise a committee of the House "To investigate the alcoholic liquor traffic"—a subject over which Congress has no more jurisdiction than it has over the traffic of citizens of the United States in pumpkins and potatoes. The wise and cooler heads of the Democratic party, such men as Mills, of Texas, and Casey Young, of Tennessee, warned their associates of its unconstitutional and fanatical character, and of its disturbing and dangerous tendency, in words of calm wisdom that strengthened the party and did honor to the States that sent them there; but it is mortifying to see that a member from North Carolina, Hon. R. B. Vance, advocated this unconstitutional and undemocratic measure in a furious and fanatical speech, that, as the Record says, elicited "loud cheers on the Republican side." They cheered to hear a Democratic member advocate a measure that is purely Republican, that is odious to all intelligent lovers of liberty, a measure for which the Republican party is justly held responsible throughout the Union, and which has already lost them several States. They are gratified beyond measure to find such an opportunity as Mr. Vance offers them to divide with the Democratic party the responsibility and just odium attached to the measure.

It seems that some men are slow to learn. To them the long established principles of the party to which they belong, the voice of their aroused and indignant State speaking by 120,000 majority of votes, all mean nothing. If the consequences of their folly fell on them alone, it would not be so deplorable, but the whole party has in some measure to answer for it before the country.

DEMOCRAT.

No Need of the Whiskey Tax.

Wisconsin is another State that has no need of a share of the whiskey tax under the Blaine plan. Gov. Rusk, in a recent address to the State Grange, said that with the special levy of $110,000 made by the last Legislature, and estimated license receipts in 1884 of $850,000, together with the permanent tax to pay appropriations and the surplus in the treasury, there would be no necessity to levy a general State tax for the next two years. In fact, the Governer hoped that with judicious management, the faithful collection of railway and other license fees, and the regular receipts from other sources, no general State levy would be at all necessary in the future.

Fire in a Dakota Town.

MINNEAPOLIS, MINN., Dec. 31.—A dispatch from Jamestown, Dakota, to the Tribune says: This morning fire was discovered in the Northwestern Hotel, on Lakewater. The flames spread and in a short time destroyed the entire block facing the railroad, including the Dakota House, the McGinnis block, the Northwestern Hotel, North Dakota bank building and several small office buildings along the railroad. The servants in the Northwestern Hotel had barely time to escape in their night dresses and bare feet. The thermometer at that time marked 20 degrees below zero.

Wire Factory Burned.

CHICAGO, Dec. 31.—A special from Joliet, Ills., states that the fire last night destroyed the wire manufactory of the Lambert and Bishop Wire Fence Company in the northern part of the city. The origin of the fire is unknown. The factory was built this year and employed 220 men. Loss $225,000; insured.

Fast and Loose.

Decay loosens the teeth. SOZODONT removes the cause of their destruction, and they retain their place in the dental process. After a few applications, it will be noticed that the natural indentations in them, formerly filled with corroding tartar, present a spotless appearance and their enamelled surfaces glisten with becoming lustre. Thus beauty is heightened and health promoted.

Digest of Supreme Court Decisions.

Raleigh News and Observer

Garrett vs. Love.

1. A counterclaim is where the answer sets up a cause of action upon which the defendant might have sustained a suit against the plaintiff, and the answer in such case must contain the substance of a complaint, with a concise statement of the facts constituting a cause of action.

2. Where a mistake occurs in an account and settlement in which the defendant gives his note to the plaintiff for the amount of the supposed balance due, and the plaintiff sues upon the note; *Held*, that the court under its equitable jurisdiction will allow the defendant to show such mistake by way of counterclaim.

Weaver vs. Mining Company.

Upon petition for the writ of *recordari* a notice was served upon the adverse party to show cause, etc., and he appeared with affidavits in opposition to the granting of the writ; *Held*, error in the judge to refuse to entertain the affidavits. The practice in applications for writs of *recordari* and *certiorari* touched upon by Smith, C. J.

Webster vs. Laws.

1. The exception based upon the pendency of another action between the same parties cannot be entertained under the facts of the case. The matter involved in the other action was settled on the former appeal (86 N. C., 178.)

2. Where in the purchase of personal property, the judge charged the jury, upon the testimony offered, that if the wife acted under the directions of her husband and as his agent in the transaction he is liable for the price; and that it is not necessary to prove the agency by direct testimony but the same may be inferred from the attending circumstances; *Held*, no error. But in such case no recovery can be had against the wife, whose coverture incapacitates her from contracting.

3. In an action to recover the price of goods the purchaser cannot resist a recovery by setting up a defect in the title of his vendor, and showing a paramount title in a third person who does not himself assert his claim. But the purchaser can assert his right arising out of the implied warranty of title in case his possession is disturbed.

Patterson vs. Wadsworth.

1. This being an action at law, this court cannot look into the evidence to see what facts it warranted the referee in finding.

2. An administrator will be held responsible if he is guilty of gross negligence in failing to collect a debt due the intestate's estate; but otherwise, where his management of the estate is such as a prudent man would display in his own business, or where he in good faith does not engage in a fruitless litigation at the expense of the estate.

Jones vs. Potter.

1. A deed of husband and wife conveying an estate in fee to a son and reserving a life estate in themselves, creates no change in the relations of the grantors to each other, and they hold the life estate by entireties with remainder to the grantee; and upon the death of the husband the wife becomes sole tenant for life.

2. The grantee under such deed has no right to lease the land during the continuance of the life estate, and one in possession under such contract is a trespasser as against the life tenant or her lessee and not entitled to notice to quit or demand for possession before suit is brought.

3. The motion to dismiss the appeal upon the ground that the bond is not justified cannot be allowed, as the record shows there was a waiver by the acceptance of the bond in court.

Muller vs. Commissioners of Buncombe.

1. The commissioners of a county do not possess the arbitrary power of suppressing all places for retailing spirituous liquors; nor are they bound to license an applicant though he be qualified.

2. They have a limited legal discretion, and in passing upon an application for license they have a right to take into consideration the questions whether the demands of the public require an increase of such accommodations, and whether the place it is proposed to establish a barroom is a suitable one. The Code, section 3,701, construed by Ashe, J.

Roulhac vs. Miller.

1. A *certiorari* will be granted where the party is in no default but has been diligent in his efforts to take an appeal. It is sufficient, as in this case, for a party intending to appeal to seek information of the clerk of the court as to the time of filing the judgment to be appealed from—the paper in the case having been sent to the judge and returned after the expiration of the term.

2. In such case it must appear that there is reasonable ground for the appeal that was lost; not that the cause therefor would avail the party in this court.

3. The right to the writ of *certiorari* here is not affected by reason of the denial of the petitioner's motion for an injunction against collecting the judgment—that motion being made in a separate and distinct action from the one in which the petitioners desired to appeal.

Gambill vs. Gambill.

A new trial cannot be allowed in a justice's court, but the party dissatisfied has his remedy only by appeal. The Code, section 865. But where the judgment is rendered in the absence of either party and such absence is occasioned by any of the causes specified in section 845, relief may be had within ten days after judgment by filling an affidavit setting forth the grounds therefor before the justice.

Tilts Between the Egyptian Soldiers and Insurgent Tribes.

CAIRO, Dec. 31.—The Egyptian troops at Dongola assisted by friendly tribes have attacked and completely defeated a band of insurgents marching toward Berbier. Later advices show that the rebels attacked Gezireh, a town 8 miles from Boir. The garrison of the town, consisting of two companies of Bashi Bazouks, drove back the assailants with a heavy loss, after six hours severe fighting. The Egyptian loss was slight. The rebels had intended to attack Berbier but were thwarted by their defeat at Gezireh.

Advice to Mothers.

Are you disturbed at night and broken of your rest by a sick child suffering and crying with pain cutting teeth? If so, send at once and get a bottle of Mrs. Winslow's soothing syrup for children teething. Its value is incalculable. It will relieve the poor little sufferer immediately. Depend upon it mothers, there is no mistake about it. It cures dysentery and diarrhœa, regulates the stomach and bowels, cures wind colic, softens the gums, reduces inflammation, and gives tone and energy to the whole system. Mrs. Winslow's Soothing Syrup for children teething is pleasant to the taste, and is the prescription of one of the oldest and best female physicians and nurses in the United States, and is for sale by all druggists throughout the world. Price 25c a bottle.

The Recent Discolorations of the Sun.

New York Herald.

In an elaborate letter to the London Times, Mr. Norman Lockyer, the English astronomer, attempts to account for the extraordinary "sky glows" which have since September attracted so much attention. Mr. Lockyer argues that they are due to the presence of vast quantities of dust and ashes ejected during the August eruption in Java, and transported thence by the trade wind currents into the high northern latitudes.

This hypothesis is beset with difficulties which Mr. Lockyer does not remove. The phenomenon, with some modifications, has been witnessed in the East and West Indies, North Brazil, the United States, England, France and Germany, the displays of red sunsets having continued at one or more places over three months. Had the strange glows been due to volcanic dust in Java in in the high aimosphere, they would probably have soon ceased. The monsoon current of the Indian Ocean, into which the dust was orignally upcast, is drawn during August and September toward Central Asia, and it is hard to see how it could have borne the pulverized matter to Brazil. The great eruption took place August 27, and the discolored sun was seen at Maranham, Brazil, (ten thousand miles distant,) three days later. An upper current would have had to traverse this immense distance at a mean velocity of nearly one hundred and forty miles an hour to have brought the ejected matter in time to produce the Maranham "glow," Mr. Lockyer's theory appears still more untenable when it is noted that, though volcanic eruptions are so frequent, the only year in which such discolored suns have been recorded (so far as the scientific discussions of the late phenomenon has shown) were 1823 and 1831, in neither of which do the "earthquake catalogues" describe any great eruption like that at Krakatoa in August last.

The latest data given by European observers of the phenomenon rather confirm the view we originally advanced, that the "red" and "green" suns were the effects of an exceptional evaporations from the oceans, and a consequent excess of aqueous vapor in the atmosphere over the northern hemisphere. Professor Helmholtz, writing of the "red sunsets" at Berlin, on November 28, 29 and 30, says: "The reflecting medium, whatever it was, was about forty miles above the earth's surface." It is scarcely conceivable that the Berlin sky, at such an altitude, could have floated Java dust, but quite probable that the intercepting matter was excessively minute articles of frozen vapor. If the widespread phenomenon of discolored suns be due to the cause we have assigned it would seem to indicate that the northern continents may look for a season of unusually heavy precipitation of snow and rain with some mitigation of intense polar cold.

Romance of Western Progress.

Only a few days ago, the death of Ex-Senator Augustus C. Dodge, of Iowa, was announced, and within a week thereafter, the death of Ex-Governor Ralph P. Lowe, of the same State, was heralded. These two men were links which connected the present with the past. They were leading disputants in Territorial political battles before there was a single State west of the Father of Waters and North of Missouri. They were rival candidates for Territorial Delegates in Iowa forty years ago, and Dodge was then the victor because the new Territory of Iowa was strongly Democratic. When Iowa was admitted as a State, Mr. Dodge entered the Senate to sit down with his father, then Senator from Wisconsin—the only instance in our history when father and son served in the Senate together.

But the tide of political power turned in Iowa, and from being one the strongest Democratic States, it has been revolutionized until it is two to one Republican, and Ralph P. Lowe, the defeated leader of Territorial days, became Governor of the new State beyond the Mississippi, and he has been in public life ever since, while his old successful competitor has been almost unheard of for a score of years, until his death recalled him to the country. The Territory in which Dodge and Lowe battled to represent the handful of far west settlers forty years ago, is now a great Commonwealth, with eleven members of Congress and growing with double the rapidity of the older States of the East.

A Puzzle.

The city officials of Louisville, Ky., are puzzled over the property assessments of the city for 1884, which aggregate $62,127,232, against $66,118,534 last year, and $63,284,100 in 1869. It is claimed that the city has doubled in population and wealth in the past fifteen years, and yet it will be seen there is a decline in the assessment of more than one million dollars, compared with 1869. Manifestly, there is a blunder somewhere, but just what it is none of the Louisville officials seem to know at present.

Chicago Not the Place.

St. Louis Post-Dispatch, Dem.

The idea of holding the Democratic Convention in Chicago is about as sensible as the idea of getting up an ice company in the place that was abolished in the revised edition of the New Testament.

No other medicine has won for itself such universal approbation in its own city, State and country, and among all people, as Ayers' Sarsparilla. It is the best combination of vegetable blood purifiers, with the iodide of potassium and iron, ever offered to the public.

To be Closed Out.

Having recently purchased the bar and stock of liquors formerly belonging to Katz & Bixby, I intend to close out the stock by the first day of February. The best

KENTUCKY WHISKEY

can be bought at my house at $1.00 less per gallon than the same can be bought at the distillery by the barrel. All other liquors in proportion.

tf. J. M. KENDRICK.

FOR SALE.

Cotton Seed Meal

for feeding or fertilizing, in quantities to suit purchasers. The best feed for cattle ever sold, being worth twice as much as corn meal.

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The Opening Call for 1884,

FOR OUR CUSTOMERS ONLY.

WE WILL OFFER ON MONDAY MORNING

100 Pieces 10-4 Sheetings, Bleached and Unbleached.

68 Pieces Bleached 10-4 25c., Former Price 35c.

32 Pieces Unbleached 10-4 at 22½c., Former Price 32½c.

These goods cannot be bought to-day less than 32½ and 35c., therefore, in order that as many as possible of our customers may get the benefit of these unheard of prices we shall only sell 10 yards to each customer at any one time.

WITTKOWSKY & BARUCH

CHARLOTTE, N. C.

A Merry Xmas.

LITTLE EARLY PERHAPS,

But you know we are

ALWAYS AHEAD OF OTHERS IN EVERYTHING.

It's just so with our

HOLIDAY GOODS,

SUITS and OVERCOATS for Men, Boys, Youths and Children, which we are selling at special low prices for this week. Within reach of everybody.

Special for Holidays.

A Fine line of Handkerchiefs, in Silk, Irish Linen, Hemstitched and Collared Borders, Hosiery, Gloves and Underwear, in endless variety, and don't forget we have the handsomest line of

NECKWEAR

To be Found in this Market.

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Very respectfully,

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